

## South Holland District Council

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Consultancy

Statement of reasons in support of Holbeach Food  
Enterprise Zone Local Development Order ~~2016-2018~~

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## TABLE OF CONTENTS

1.	CONTEXT .....	1
2.	THE FOOD ENTERPRISE ZONE AND THE LOCAL DEVELOPMENT ORDER .....	1
3.	LIMITATIONS .....	2
4.	THE FOOD ENTERPRISE ZONE SITE .....	2
5.	WHY DEVELOP HOLBEACH FEZ.....	6
6.	DESCRIPTION OF DEVELOPMENT TO BE PERMITTED.....	7
7.	LOCAL DEVELOPMENT ORDER TIMESCALES .....	8
8.	LEGISLATIVE FRAMEWORK .....	9
9.	STATEMENT OF RELEVANT PLANNING POLICIES.....	10
10.	ENVIRONMENTAL IMPACT ASSESSMENT .....	11
11.	PLANNING HISTORY .....	11
12.	DEVELOPMENT CONSIDERATIONS .....	12
13.	<i>GLOSSARY OF TERMS</i> .....	29

### List of Figures

Figure 1	Location Plan .....	2
Figure 2	Composite plan showing Food Enterprise Zone site, proposed residential development, Peppermint Junction improvements and University of Lincoln scheme. ....	3
Figure 3	Extract from Submitted South East Lincolnshire Local Plan – Inset Map 5 – Holbeach (with key).....	4
Figure 4	Constraints Plan.....	5

### Appendix

Appendix 1	Draft Holbeach Food Enterprise Zone Local Development Order 2017
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## **1. CONTEXT**

- 1.1. South Holland District Council (the Council) with the support of DEFRA is promoting the delivery of the Holbeach Food Enterprise Zone (FEZ) included in the Greater Lincolnshire Agri Foods Sector Plan 2014-20. The Holbeach FEZ is one of three projects in Lincolnshire that were successful in attracting funding announced by the Chancellor of the Exchequer in February 2015. The purpose of the FEZ is to be the centre for agri-food industry support in South Holland and the surrounding area, offering a spectrum of accommodation, business support, technology, training and networking for this key sector – to maximise the impact of this sector on the local economy and to act as a focus for future development in the economic sector.

## **2. THE FOOD ENTERPRISE ZONE AND THE LOCAL DEVELOPMENT ORDER**

- 2.1. The Holbeach Area is a key location in the agri-food industry operating in the greater Lincolnshire area, producing 1/8<sup>th</sup> of the nation's food including 25% of the vegetables and 70% of the fish. Holbeach is the base of the University of Lincoln's Holbeach Campus and the National Centre for Food and Manufacturing, which plays a major role in supporting innovation, training and investment in this key sector, providing links to business skills, engineering and computing departments. The Holbeach FEZ is expected to deliver accommodation for new, relocated and expanding companies, as well as accommodating the support infrastructure, in terms of research, testing, business support, marketing, conference facilities, to support existing and future businesses in the wider area.
- 2.2. The Local Development Order (LDO) will facilitate the delivery of new development by granting outline planning permission for a range of appropriate uses, subject to a range of conditions. The LDO is supported by a range of background reports, covering land conditions, ecology, access, archaeology, flooding and drainage, to inform the preparation of detailed reserved matters applications by identifying relevant development parameters, as set out in the appendices to the LDO.

### 3. LIMITATIONS

- 3.1. The LDO provides outline planning permission only for those uses specified in Schedule 1, parts 1 to 8 of the Order. It does not remove the need to obtain other statutory consents from the Council or other organisations, such as Building Regulations, highways consents, environmental permits or Integrated Pollution Prevention and Control licences.
- 3.2. The LDO does not limit any person's ability to submit planning applications for alternative development on the LDO site.

### 4. THE FOOD ENTERPRISE ZONE SITE

- 4.1. The site lies to the south west of the A151/A17 junction, known as Peppermint Junction to the west of Holbeach.



Figure 1 Location Plan

- 4.2. The A17 Junction is subject to an approved planning application to upgrade the junction to a three-arm roundabout. As part of this scheme the northern extent of the A151 will be improved and a new four arm roundabout constructed to provide access to the FEZ site and a new residential development to the east of the A151.



Figure 2 Composite plan showing FEZ site, proposed residential development, Peppermint Junction improvements and University of Lincoln scheme (application No. H09-0771-16)

- 4.3. The Holbeach FEZ site has been promoted as an employment allocation in the draft South East Lincolnshire Local Plan, published on the 10th April 2017. The residential site to the east of the A151 is allocated for a mixed use development in the South Holland Local Plan, and is a proposed allocation as a sustainable urban extension to Holbeach in the draft South East Lincolnshire Local Plan 2016, currently going through the examination process.

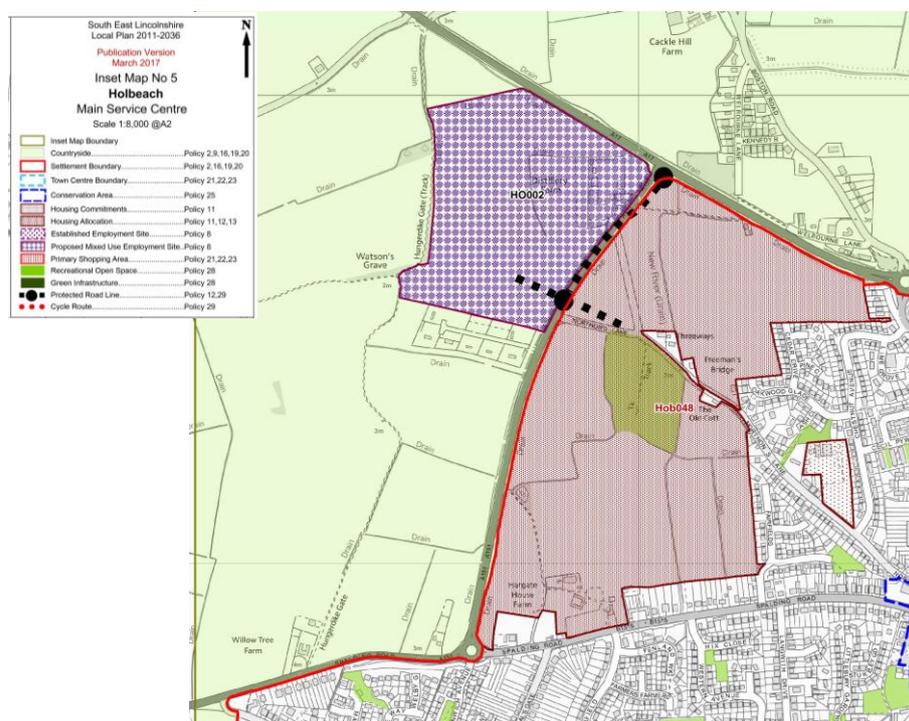


Figure 3 Extract from Submitted South East Lincolnshire Local Plan – Inset Map 5 – Holbeach (with key)

- 4.4. The northern boundary of the site runs to the south of the A17, and will be amended to follow the revised road line created by the implementation of the Peppermint Junction Improvement schemes. Similarly, the eastern boundary follows the current ditch line behind the footway along the A151, and this boundary will also be revised by the implementation of the junction improvement scheme. The southern boundary follows the southern line of a track along the field boundary, beyond which is a residential caravan site. The western boundary runs along the field boundary to a further field boundary, running approximately eastwards towards the A17.
- 4.5. The north-east corner of the site is occupied by the Distillery Farm buildings, part of which are now occupied by Frontier, an agricultural supply firm. The farm house has been subject to residential tenancies unrelated to the use of the farm or Frontier. The existing buildings around Distillery Farm will be demolished in the longer term, with the potential to relocate Frontier, either within the FEZ or to another appropriate site. The rest of the site is in agricultural use, characterised

by fields, dykes, hedge lines and a small stand of trees set back from the A151 boundary.



Figure 4 Constraints Plan

- 4.6. Although the site could be considered to be remote from Holbeach, the delivery of the residential development and the Junction improvement scheme will ensure that the FEZ is part of a planned extension of Holbeach that will function as part of the town.
- 4.7. The LDO is in two landownerships, the northern portion around Distillery Farm and the southern field, although the University of Lincoln is in the process of acquiring the land subject to the current planning approval (Application No. H09-0771-16).
- 4.8. Although the site has previously been farmed for peppermint, coriander and dill, which was distilled to produce gripe water at the farm (explaining the names), the agricultural part of the site is currently cropped for potatoes, grain and flowering bulbs.

## 5. WHY DEVELOP HOLBEACH FEZ

- 5.1. Holbeach, being the home of the University of Lincoln's Agri Food campus is a major focus for support services for the industry, which plays such a significant role in the local economy. The University is delivering its aspirations to expand the role and activities it carries out at Holbeach, but its current site is constrained by location, size and its lack of visual profile. The proposed FEZ is more visually prominent being located at a major road junction on the edge of the town. It is also associated with a wider residential scheme, which will provide connections between the heart of Holbeach and the proposed FEZ. The co-location of the different developments will allow for efficient use of resources in the improvements of infrastructure. Planning Permission H09-0771-16 represents the first phase of the University's new investment in the Holbeach area.
- 5.2. Although the site lies in the open countryside in the adopted Local Plan, it is promoted for development in the emerging South-East Lincolnshire Local Plan. The LDO proposals are promoted in response to the Greater Lincolnshire Agri Foods Sector Plan 2014-20, the vision of which is stated as:
- "The Greater Lincolnshire agri-food sector will double its contribution to the economy by 2030 through an ambitious programme of investment in productive capacity, skills and knowledge to drive an increase in high value added sales to UK and export markets"
- 5.3. The LDO provides the opportunity to facilitate parallel developments by different developer and investors to meet a common aspiration set out in the Greater Lincolnshire Local Enterprise Partnership (GLLEP) Agri Food Plan. The LDO and its background evidence will give certainty to investors and funding bodies to accelerate the development of the FEZ and associated activities.
- 5.4. The Holbeach FEZ is a key local action to meet the Objectives of DEFRA, as put in place in September 2016 to deliver:
- Cleaner, healthier environment, benefitting people and the economy.
  - A world leading food and farming industry.

- A thriving rural economy, contributing to national prosperity and wellbeing.

Specifically, the FEZ provides an opportunity to:

- Provide support for Research and Testing establishments and test kitchens to support innovation in the agri-food sector regarding product, process and logistics.
- Provide skills, training and (secondary and further) education facilities to support workforce development in existing and new businesses.
- Provide conference, meeting and networking facilities.
- Provide business support, in terms of financial, professional and promotion, including support to meet regulatory requirements, etc. specifically related to agri-food businesses.
- Provide “whitewall” accommodation to allow creation of new, and re-location of existing, businesses in the area
- Provide accommodation for business start-ups and grow ons.

## 6. DESCRIPTION OF DEVELOPMENT TO BE PERMITTED

- 6.1. This section describes the development granted outline planning permission by the LDO. The LDO, including its appendices, provides the full details of development permitted by the order.
- 6.2. The LDO will grant outline planning permission, with all matters reserved, for an employment and education led scheme, for the following uses:

B1 Business - Office, Research and Development and “Quiet Industries”	20,000 m sq
B2 General Industry	20,000 m sq
D1 Non-residential Institutions – Non-residential education and training	9500 m sq
D2 Conference facilities	1500 m sq

A2	Financial and professional services	1500 m sq
C1	Hotels or Motels	3000 m sq
B8	Storage and Distribution will be allowed where they are ancillary to a larger operation	Not specified
A3	Restaurants and Cafes will also be permitted where they are ancillary to a D1 Non Residential institution or a D2 Conference facility	Not specified

- 6.3. The LDO will also grant planning permission in principle for associated infrastructure and site preparation works.
- 6.4. The development is subject to the limitations and conditions detailed in Schedule 2 of the LDO and the general conditions set out in schedule 2 of the LDO. In addition, development must comply with the Conditions Schedule 2 of the LDO.

## **7. LOCAL DEVELOPMENT ORDER TIMESCALES**

- 7.1. The LDO takes effect on the date it is adopted by the Council and will be valid for a five-year period, following which the LDO will expire.
- 7.2. Provided reserved matters approval has been obtained, any development commended under the LDO but not completed by its expiry is permitted to be completed but must be done to within a reasonable timescale. Any proposed development not commenced before the expiry of the LDO will require express planning permission and therefore a formal full planning application will need to be submitted to the Council.
- 7.3. Following the expiry of the LDO no new uses or changes of use will be permitted unless permitted by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 7.4. The Council may consider re-introducing the LDO with or without revisions following the expiry date.
- 7.5. The Council has the power to revoke or modify the LDO at any time before its expiry or could be directed to do so by the Secretary of State. Revocation or modification of the LDO would be subject to notification via the Council's website and local press notice.

## **8. LEGISLATIVE FRAMEWORK**

- 8.1. LDOs were introduced in the 2006 through the Planning and Compulsory Purchase Act 2004. LDOs grant planning permission for specific types of development as detailed in the order. These primary powers were amended by s188 of the Planning Act 2008 in June 2009.
- 8.2. The detailed legislative framework for LDOs is contained in sections 61A to 61D and Schedule 4A of the Town and Country Planning Act 1990 (as amended) and in Articles 38 to 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (the DMPO).
- 8.3. Article 38(1) of the DMPO states that where a Local Planning Authority proposes to make an LDO, they shall first prepare:
  - A draft order.
  - A statement of their reasons for making the order.
- 8.4. Article 38(2) states that the statements of Reasons must contain:
  - a description of the development which the order would permit;  
and
  - a plan or statement identifying the land to which the order would relate.
- 8.5. This document satisfies the requirements of Article 38(1) and 38(2) of the DMPO.
- 8.6. The Growth and Infrastructure Act 2013 removed the requirement to consult with the Secretary of State prior to the adoption and enables Local Planning Authorities to approve an LDO immediately. The requirement was replaced by the notification to the Secretary of State, through the National Planning Casework Unit, as soon as practicable after adoption.

## **9. STATEMENT OF RELEVANT PLANNING POLICIES**

9.1. The relevant planning policies considered for the LDO are as follows:

### National Planning Policy Framework

Paragraph 14 – The presumption in favour of sustainable development

Paragraph 17 – Core planning principles

Section 1 – Building a strong, competitive economy

Section 6 – Delivery a wide choice of high quality homes

Section 7 – Requiring good design

Section 10 – Meeting the challenge of climate change, flooding and coastal change

### South Holland District Local Plan, July 2006

Policy SG1 – General Sustainable Development

Policy SG2 – Distribution of Development

Policy SG3 – Settlement Hierarchy

Policy SG4 – Development in the Countryside

Policy SG11 – Sustainable Urban Drainage System (SUDS)

Policy SG12 – Sewerage and Development

Policy SG14 – Design and Layout of New Development

Policy SG15 – New Development: Facilities for Road Users, Pedestrians and Cyclists

Policy SG17 – Protection of Residential Amenity

Policy SG18 – Landscaping of New Development

Policy EC1 - Major Employment Areas - Sites Allocated for Employment Use

Policy TC2 – Cycling, Cycleways, development

### Draft South East Lincolnshire Local Plan

POLICY 1: Presumption in favour of Sustainable Development

POLICY 2: Spatial Strategy

POLICY 3: Development Management

POLICY 4: Strategic Approach to Flood Risk

POLICY 5: Meeting Physical Infrastructure and Service Needs

POLICY 7: Improving South East Lincolnshire's Employment Land Portfolio

## **10. ENVIRONMENTAL IMPACT ASSESSMENT**

- 10.1. Development which is likely to have an impact on the environment is required to be subject to an Environmental Impact Assessment (EIA).
- 10.2. Regulation 29(2) of the Town and Country Planning (Environmental Impact assessment) Regulations 2011 (as amended) (the EIA regulations) provides that where a Local Planning Authority proposes to grant planning permission by local development order for development falling within schedule 2 of the EIA regulations, the local planning authority should not make the LDO unless they have adopted a screening opinion and, if required, an Environmental Statement has been prepared in relation to the LDO.
- 10.3. The uses and scale of development that are to be permitted within this LDO exceeds the threshold stated in 10(a) of Schedule 2 of the regulations where the development exceeds 0.5ha. Therefore, in accordance with the EIA regulations, an EIA screening request was submitted on 31 October 2017. The conclusion, set out in the decision letter dated, 13 December 2018, was that, in the opinion of the Local Planning Authority, the proposal does not fall under schedule 1 or 2 of the 2017 Environmental Impact Regulations and is therefore not an Environmental Impact Assessment (EIA) development.

## **11. PLANNING HISTORY**

- 11.1. Extant Planning permissions on the site are:
  - H09-0771-16 Proposed Centre of Excellence in Agri Food with associated roads, car parking and landscaping.  
Location: Land West of A151, Holbeach.  
Approved: 8th November 2016
  - H09-1169-15 Junction Improvements to the A151 and A17  
Location: A151/A17 junction.  
Approved: 11 January 2016

- 11.2. The Council has considered a planning application for approximately 650 dwellings on land to the east of the A151 at its Planning Committee meeting on the 2nd November, and was minded to approve the application, subject to the agreement of a Section 106 agreement.

## **12. DEVELOPMENT CONSIDERATIONS**

- 12.1. The site is a green field site on a major road junction near Holbeach. Most of the site is used for agriculture, although the former farm buildings in the north-east corner of the site are now used for residential purposes and light industrial uses. Although the site appears to be in the open countryside, it abuts the settlement boundary at a point where development of approximately 1000 houses are being promoted. The Local Planning Authority has indicated that it is minded to approve an application for approximately 650 dwellings on land immediately to the east of the A151, which would provide a built connection between Holbeach and the FEZ.
- 12.2. The visually prominent site on the A151 and A17 will provide an opportunity to promote the modern nature of agri-food industry to passers-by and local people, whilst being accessible to residents and the services in Holbeach and providing access to visitors from a much wider area without necessitating an increase in traffic within the town itself.
- 12.3. Paragraph 14 of the NPPF emphasises the principle of presumption in favour of sustainable Development, which is also stressed in Saved Policy SG1 and Policy 1 in the draft Local Plan. Paragraph 17 of the NPPF sets out the core planning principles including:
- The drive for sustainable economic development to businesses, industrial units and the thriving local places that the country needs.
  - Giving support to thriving rural communities.
  - Actively managing patterns of growth and focusing significant development in locations which are or can be made sustainable.
- 12.4. The FEZ site is part of a co-ordinated growth strategy for Holbeach which will help deliver sustainable economic development to support activity in the town and the wider Greater Lincolnshire area, within the context of an actively managed pattern of growth. Adoption of the LDO

is part of the Local Planning Authorities' drive to deliver new employment development.

- 12.5. Paragraph 18 of the NPPF stresses the government's commitment to securing economic growth to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competitions and a low carbon future. The FEZ will deliver the aspirations of The Greater Lincolnshire Agri Foods Sector Plan 2014-20 and meet the needs identified in the Humber and Greater Lincolnshire Area Business Premises Study 2015. Saved Policies SG2 – Distribution of Development and SG3 – Settlement Hierarchy and Policy 2 of the emerging South-East Lincolnshire Local Plan highlight the role and importance of Holbeach in the local area, due to its size, the services it provides to a wide hinterland and the specific importance arising from the presence of the University of Lincoln Holbeach Campus. The LDO will reinforce these strategic aims, generally, whilst also being in general conformity with saved policy EC1 – Major Employment Areas and Policy 7 – Improving South East Lincolnshire's Employment Land Portfolio of the draft Local Plan (Policy 7 specifically identifies the site as a potential employment allocation).
- 12.6. The FEZ may generate some local requirements for retail/town centre uses, especially in relation to restaurants, cafes, and conference facilities. The level and variety of main town centre uses proposed should be ancillary to the main uses on the site and should not have an adverse impact on the vitality of Holbeach Town Centre.

#### Character and Setting

- 12.7. The LDO grants planning permission, with all matters reserved. This means that layout, scale, appearance, means of access and hard and soft landscaping will be provided in one or more reserved matters applications. The scale, height and massing of the potential development will be dictated by the parameter plans attached to the LDO. Reserved matters applications will also have to be supported by a Design and Access statement setting out how detailed proposals comply with the parameter plans, the design principles attached to the LDO and relate to other development, existing or proposed, on the site.
- 12.8. The site was selected because of its visually prominent location, with good access to the road network and the facilities provided in Holbeach.

Holbeach is set in the Lincolnshire Fens, part of the Settled Fens character area defined by Natural England.

#### Landscape setting

- 12.9. The site is a large area of land, visible from the A17 as one approaches the town from the west, and the A151 from the south. The site, however, is not prominent from a wider area. This is a common feature of the wider Settled Fens area, where longer distance views are punctuated by scattered settlements, woods and shelter belts, such as the stand of trees within the site and the line of poplars to the west. The fact that the neighbouring roads are also on slight embankments restricts views to the roads adjacent to the site. There are limited public views from within the existing built up areas, although these are limited to views from a few domestic properties on the western fringe of the town. These views will be lost when the residential development between Holbeach and the A151, granted outline approved on the 2nd November 2016, is completed. The residential scheme will include a 35m wide buffer to west, as part of the landscape scheme and noise mitigation measures. This should reduce the direct visual link between the FEZ and the built-up area of Holbeach. This is again a feature of settlements in the "settled fens" which are inward looking with limited awareness of their wider fenland setting. As such, the principle of the FEZ is different to the normal character setting, because of the importance of projecting an image to outside the site.
- 12.10. The site is consistent with its wider setting, being level agricultural land crossed by drainage ditches, hedge lines and containing tree belts and agri-industry buildings (Distillery Farm and Frontier) and displays the character of the wider area. The openness of the area is defined by large skies due to the low horizon, with longer distance vistas being curtailed by development and vegetation, as well as the level topography.
- 12.11. Although there several isolated farmsteads and residential properties in the surrounding area, it is very common for these premises to be screened by significant hedging and tree planting, with beech and leylandii being common hedging plants

### Internal Arrangements

12.12. The site is agricultural land and a farmstead, now converted to an employment use, that has been enclosed in modern times by the construction of both the A151 and the A17. The land was previously remote from major thoroughfares, with links provided by Northons Lane and Welbourn Lane, both of which have been significantly affected by the construction of the "A" roads. Other than the farm access road and the field accesses, there are no existing internal arrangements. Even the existing field drains run around the site boundaries.

### Neighbour Uses

12.13. The surrounding area is pre-dominantly agricultural land. To the south is an area of residential caravans and it is essential to maintain the amenity of the residents of the caravans. The current boundary is marked by a brick wall and hedgerows, but this may need supplementing to protect residential amenity and to protect against potential noise generation from the FEZ.

### Flood Risk and Drainage

12.14. Like much of the Fens, the site is within Flood Zone 3 on the Environment Agency's indicative floodplain maps. Much of the South Holland area is at some risk of flooding and, as such, the district was one of the first to prepare a strategic flood risk assessment. Since that time, the Authority has been refining an approach to flood risk that acknowledges the unique characteristics of the area. The current site, however, is considered to be at relatively low risk in the context of South Holland. The Flood Risk Assessment prepared to support the Local Development Order concludes that some parts of the site will be at risk of flooding in a 100 years' time and identifies the appropriate mitigation measures, which will both defend the proposed properties from flooding and safeguard against an increase in flood risk elsewhere, in accordance with the Flood Risk Assessment.

12.15. Floor levels will be at a minimum of 3.12m AOD **for less vulnerable uses and 3.3m AOD for more vulnerable uses, such as hotels**, with provision of lagoons to store surface water runoff to limit the discharge from the site to greenfield rates in accordance with policies in the emerging Local Plan, ultimately the lagoons will discharge at an agreed rate to the existing Internal Drainage Board resource at the

north-eastern corner of the site. The hazard mapping and detailed flood risk for this site and the surrounding area, however, have concluded that flood is a low risk that can be mitigated in this area, both in terms of the risk to the new properties themselves, and their users, or from increased flood risk off site arising from displaced flood waters or increased discharge rates.

#### Ground Conditions

- 12.16. The Phase 1 Desk Study has investigated possible contaminants on the site. The main risk arises from the current use of the site for agriculture and related uses, specifically regarding fuel (spillages and tanks) pesticides, and herbicide storage, together with possible Asbestos and ACMs.
- 12.17. Potential receptors are identified as: construction workers, future site users, controlled water, water supply pipes, plants in the surrounding area, and buildings.
- 12.18. The Phase 1 Study recommends:
- an environmental investigation at the time of any geotechnical investigation to advise on the soil quality beneath the site to assess the risk to the identified receptors. A ground gas assessment is also recommended to assess the risk from any Made Ground/organic deposits present below the site;
  - a 'Hot Spot' protocol is recommended for dealing with encountering any unforeseen contamination during ground works at the site;
  - any construction workers should be made aware of the possibility of encountering localised contamination, specifically ACMs, and appropriate safe working methods should be in place with appropriate PPE provided as and when necessary. A hotspot protocol should be implemented to address any localised areas of unforeseen contamination;
  - existing topsoil from across the wider development area may be suitable for re-use subject to appropriate testing;
  - upgrading of potable water supply pipes subject to confirmation from the local water authority; and

- an appropriate asbestos survey and removal of any identified ACMs should be undertaken prior to the redevelopment of existing buildings.

#### Transport and Access

- 12.19. Paragraph 29 of the NPPF acknowledges the importance of sustainable transport. Paragraph 32 of the NPPF and Policy SG15 of the existing Local Plan both require all development that generates a significant amount of traffic movement to be supported by a Transport Assessment. An assessment has been prepared and undertaken for this site. The assessment concludes that there will be no severe impact on the local highways network because of the development. Some arms of the Peppermint Junction will be operating at above 85% of its capacity but will not exceed the theoretical capacity of the junction. Delivery of the FEZ can begin at the same time as the Peppermint Junction scheme, which is anticipated to deliver improvements to sensitive junctions in the town.
- 12.20. Services within the town are accessible by foot along Northons Lane. The development of the major residential scheme to the east of the A151 will provide several other potential cycling and walking routes between the LDO site and the rest of Holbeach. Roads through the housing and industrial estate will be of a capacity to support buses, therefore allowing for possible new bus routes in and around the town.
- 12.21. The site is well placed to provide access both to the major road network whilst also, as part of the wider residential development, to link to the facilities in the wider locality by foot, bicycle and, potentially, public transport.
- 12.22. The access road for an industrial development will need to be 7.3m to allow for HGV traffic, with a minimum centre line radius of 75m. Junction spacing to access the different sections of the development will be 75m or 43m if on opposite sides of the road, with a kerb radius at junctions of 12.5m. For those areas where regular HGVs are not anticipated, the carriageway width will be 6m, with a 35m centreline radius with junction spacings of 43m (25m if on opposite sides of the road) with junction kerb radius of 10.5m. The road layout should facilitate access by buses, to allow the site to be integrated with a public transport network at some stage in the future. Because there will only

be one site access, there will be a need for buses to turn around on the site in forward gear, either in the form of a roundabout or by the provision of a loop road within the site.

12.23. New roads will be expected to provide footways to either side of the main carriageways as part of a wider pedestrian network, linking to rest of Holbeach, and the wider network of footpaths and bridleways.

12.24. Car parking spaces will need to be provided in accordance with the minimum parking standards (Appendix 4 SE Lincolnshire Local Plan), depending on the use as follows:

* B1 business	1 space per 30sqm
* B2 general industrial	1 space per 65sqm
* B8 storage or distribution	1 space per 150sqm
* D1 higher and further education	1 space per 2 staff + 1 space per 15 students

#### Cycle parking

Cycle parking spaces will need to be provided in accordance with the minimum parking standards as follows:

* B1 business	1 space per 200sqm
* B2 general industrial	1 space per 200sqm
* B8 storage or distribution	1 space per 1000sqm
* D1 higher and further education	1 space per 3 staff + 1 space per 15 students

#### Servicing

Servicing bays will also need to be provided. The typical minimum standards are as follows:

* B1 business	1 space per 500sqm
* B2 general industrial	1 space per 400sqm
* B8 storage or distribution	1 space per 400sqm

#### Archaeology and Heritage

12.25. The site has been subject to an Archaeological Appraisal, including a Desk Top Study, Geophysical Survey and field walking.

- 12.26. The site is set in a long standing agricultural area, which has been influenced by the expansion of Holbeach and the growth in vehicular traffic. The A151 and the A17 are both relatively new roads and are not, in this location, upgrades of more historic routes, as is the case with the Spalding Road to the south, for instance. The A151 and A17 have changed the longer standing historic context and will not be the focus for historic activity, unlike some of the smaller roads in the area. Beyond the western boundary of the site, is an area marked Watson's grave, which marks a long standing cross road in the minor roads around Holbeach.
- 12.27. The significant feature in the area is Distillery Farm, which gave rise to the name, Peppermint Junction, as the farm was the focus for growing peppermint, fennel and cumin to produce gripe water. The distillery was put in place in the 1920s and was removed in the 1970s and, as such, is a relatively modern and short lived activity.
- 12.28. Archaeological investigation in the wider area has identified occupation and activity, including salt production and agriculture from Roman times onwards. Older activity is hidden by the underlying silts which overlay activity from inundation in the area, although evidence of pre-historic watercourses has been identified on the site.
- 12.29. The Archaeological Survey of the site, including Desk Based Analysis, Geophysical Survey and Walkover Survey, has identified little of immediate interest in the area, although a potential pond has been identified at the confluence of pre-historic water channels and a collection of positive readings near the western boundary of the site, which will need further investigation.
- 12.30. There are no listed buildings or other designated sites within the development area. The nearest listed buildings are the Old Cott to the east and the milestone to the south. The Old Cott will be screened from new development by the approved residential development, whereas the milestone is some considerable distance away, to the south of Spalding Road and, as such, is screened by the existing residential caravans.

#### Ecology

- 12.31. An ecology and protected species survey was published in August 2016.

- 12.32. The survey confirmed that the site is not suitable for newts, badgers or water voles with negligible potential to support roosting bats, due to the lack of appropriate habitats. No evidence was found of the protected species.
- 12.33. There was no evidence that the site was used by schedule 1 birds.
- 12.34. The habitats and plant species identified on the site were common and widespread in the area.
- 12.35. ***The development approved by the LDO will not cause significant harm to biodiversity and, therefore, accords with Section 11 of the NPPF.***

#### Trees

- 12.36. An Arboricultural survey was undertaken in 2016. There are limited numbers of trees on the site.
- 12.37. The woodland copse to the south of Distillery Farm makes a significant contribution to the current local landscape setting and should be retained as a basis for the wider landscape for the FEZ site. The development of the site will clearly change the landscape setting of the copse, which is made up of semi mature trees.
- 12.38. There are some sensitive trees along the site frontage that will be affected by the site access, but these are to be removed during the delivery of the Peppermint Junction Highways scheme, approved under application H09-1169-15.
- 12.39. The existing small woodland and belt of poplars lying to the west of the site should influence the design of the landscaping of the FEZ scheme itself.

## **APPENDIX 1**

### Draft Holbeach Food Enterprise Zone Local Development Order 2018

1. This Order is adopted by South Holland District (“the Council”) under the powers conferred on the Council as Local Planning Authority by Sections 61A-61D and Schedule 4A of the Town and Country Planning Act 1990 (as amended) (“the Act”) and pursuant to the Town and Country Planning (Development Management Procedure) (England) Order 2015 and shall be Known as the Holbeach Food Enterprise Zone Local Development Order 2018 (the “Order”)
2. In this Order:
  - i) Definitions in the Town and Country Planning (Use Classes) order 1987 (as amended) apply to the interpretation of this Order and references in this Order to a “Use Class” are accordingly a reference to the relevant Use Classes set out in the Town and Country Planning (Use Classes) order 1987 (as amended): and
  - ii) Subject to Article 3 below, planning permission is hereby granted for the development within the Holbeach Food Enterprise Zone set out in all Parts of Schedule 1 subject in each case restriction and conditions set out in the relevant Part of Schedule 2.
3. The Grant of Permission under any part of Schedule 1 is subject to the General Conditions set out in Schedule 2.
4. All development permitted by this Order may be undertaken on a phased basis in accordance with the detailed phasing plan to be agreed in writing with the Council pursuant to General Condition 1.
5. Where a material operation has been initiated in respect of any development permitted by this Order at the time this Order expires is revoked or is revised, that said development may be lawfully completed.
6. This Order comes into force on the date on which it is made as indicated below and, subject to the Council’s power to revoke this Order under s.61A(6) of the Act, will remain in force for a period of 5 years from that date, expiring on the fifth anniversary thereof.
7. Adopted by the Council on ...

## **SCHEDULE 1**

### **PERMITTED DEVELOPMENT**

#### **PART 1 – Business Development**

##### Permitted Development

Units up to a total of 20,000 m sq of B1 business use fulfilling the opportunities set out in paragraph 6.4 of the LDO, including research and development, business start-ups and expansions of businesses in the agri-food Sector.

##### Development not permitted

B1 uses not related to food and farming and agri business will not be supported on the site.

#### **PART 2 – General Industry**

##### Permitted Development

Units up to a total of 20,000 m sq of B1 business use fulfilling the opportunities set out in paragraph 6.4 of the LDO, including research and development, business start ups and expansions of businesses in the agri-food sector.

##### Development not permitted

B2 uses not related to food and farming and agri business will not be supported on the site.

#### **PART 3 – Storage and Distribution**

##### Permitted Development

B8 uses will only be permitted where the use is ancillary to a B1 or B2 use on the site.

##### Development not permitted

Independent and freestanding B8 businesses, including new business and relocated businesses.

#### **PART 4 – Hotels or Motels**

##### Permitted Development

A C1 hotel or motel for business use up to a maximum of 3,000 sq m will be permitted if it supports business visitors to the agri-food industry and it supports the wider operation of the Food Enterprise Zone.

Development not permitted

A free standing budget hotel that does not support business visitors will not be permitted.

**PART 5 – Non-residential Institutions – Non-residential education and training**

Permitted Development

D1 units associated with agri-food industry will be supported up to a maximum of 9,500 sq m.

Development not permitted

D1 uses unrelated to the operation of the Food Enterprise Zone will not be permitted.

**PART 6 – Conference facilities**

Permitted Development

A D1 conference facility up to a total of 1,500sq m will be permitted.

Development not permitted

Other D1 uses will not be permitted.

**PART 7 – Financial and professional services**

Permitted Development

A2 financial services to support agri- food industry will be permitted.

Development not permitted

A2 uses not related to the support of the agri-food industry will not be permitted.

**PART 8 – A3 Restaurants and Cafes**

Permitted Development

Provision of cafes and restaurants will be provided in association with, and ancillary to, the provision of D1 non-residential institutions and C1 hotels or motels.

Development not permitted

Freestanding developments that predominantly function as road side services or as freestanding destinations in their own right.

## SCHEDULE 2

1. Application for approval of reserved matters (access, appearance, landscaping, layout and scale) must be made not later than five years beginning with the date of the adoption of the LDO, and the development must be begun before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: submitted alongside the application.

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

3. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (dated ~~October 2017~~ July 2018) and in particular the following mitigation measures:

- Finished floor levels shall be set no lower than 3.±2m AOD for **'less vulnerable' uses and 3.3m AOD for 'more vulnerable' uses;**
- Flood resilient and resistant construction measures shall be incorporated throughout the development as stated within the FRA;
- **A Flood Warning and Evacuation Plan (and for Safe Refuge) will be submitted to and agreed by the Local Planning Authority.**

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants. This condition is imposed in accordance with national guidance contained in Section 10 of the National Planning Policy Framework 2012.

4. No development shall take place until the internal circulation road for the site, based on the principles set out in the Transport Assessment for the LDO, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To enable vehicles to access all parts of the site, and to allow vehicles to enter and leave the highway, in a forward gear in the interests of highway safety.

This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

5. When the application is made for approval of the 'Reserved Matters' for any part of the Local Development Order, that application shall show details of the arrangements for the parking/turning/manoeuvring/loading/unloading of vehicles within the site. These arrangements shall be provided before the development is occupied and shall be kept permanently free for such use at all times thereafter.

Reason: To enable calling vehicles to wait clear of the carriageway of A151 and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

- 6 No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- a) Provide details of how individual sites will drain into the overall development drainage scheme for the site set out in the Drainage Strategy for the whole LDO site.
- b) 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;
- c) Provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second per hectare;
- d) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- e) 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.

The development shall be carried out in accordance with the approved drainage scheme and no building shall be occupied 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 is adequately drained, to avoid pollution, and to prevent increased risk of flooding. 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 Policies SG11 and SG12 of the South Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

7. When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local

Planning Authority shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set. 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 SG18 of the South Holland Local Plan, 2006.

8. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures:
  - i) a desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.
  - ii) if identified as being required following the completion of the desk-top study, a 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 site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.
  - iii) thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme. 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 suspect contamination has been submitted to and agreed in writing by the LPA.
  - iv) two full copies of a full closure report shall be submitted to and approved in writing by the LPA. 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 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. The applicant's attention is also drawn to the document entitled "Developing Land Within Lincolnshire - A guide to submitting planning applications to develop land that may be contaminated", which can be obtained through the Local Environmental Health Department.

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 SG13 of the South Holland Local Plan, 2006.

9. Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved.

Reason: To reduce the risk of flooding of the 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 national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

10. 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.

Reason: In the interests of the amenity of local residents. 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 SG17 of the South Holland Local Plan, 2006.

11. During the construction of the development no tree or shrub felling, lopping or clearance shall take place between mid-February and the end of July.

Reason: To ensure that birds and their nests are protected during the nesting season.

This Condition is imposed in accordance with national guidance contained in Section 11 of the National Planning Policy Framework, 2012.

12. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No part of the premises shall be brought into use until the works have been carried out in accordance with foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

This Condition is imposed in accordance with national guidance contained in Section 10 of the National Planning Policy Framework, 2012. **An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.**

**Anglian Water recommends that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.**

**Anglian Water also recommends the installation of properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under Section 111 of the Water Industry Act 1991.**

- 13 Where appropriate, prior to the commencement of demolition works a method statement outlining:

The method of demolition;

Measures to identify and remove asbestos if present;

Measures to prevent nuisance from dust and noise to the site operatives and the surrounding occupiers

shall be submitted in writing to the LPA for approval. Once approved the scheme shall be carried out in accordance with the details approved.

Reason: In the interests of public safety, to protect the amenities of nearby residents and to accord with Policy SG17 of the South Holland Local Plan, 2006.

### 13. GLOSSARY OF TERMS

<b>Department for Environment, Food and Rural Affairs.</b>	<b>DEFRA</b>	<b>The Government Department responsible for environmental protection, food production and standards, agriculture, fisheries and rural communities.</b>
<b>Environmental Impact Assessment</b>	<b>EIA</b>	<b>A procedure to be followed for certain types of project to ensure that decisions are made in the full knowledge of any likely significant effects on the environment.</b>
<b>Food Enterprise Zone</b>	<b>FEZ</b>	<b>A Government policy tool to promote and support development in the food and farming economic sector.</b>
<b>Greater Lincolnshire Local Enterprise Partnership</b>	<b>GLLEP</b>	<b>A public and private partnership with the purpose of delivering growth in the area covered by Lincolnshire County Council, North East Lincolnshire and North Lincolnshire.</b>
<b>Local Development Order</b>	<b>LDO</b>	<b>An order made by a Local Planning Authority (under the Town and Country Planning Act (1990) that grants planning permission for a specific development proposal or classes of development.</b>
<b>National Planning Policy Framework</b>	<b>NPPF</b>	<b>The statement of national planning policy</b>
<b>Peppermint Junction</b>		<b>The junction of the A151 and A17 at Holbeach.</b>
<b>South East Lincolnshire Local Plan</b>	<b>SELLP</b>	<b>The document setting out planning policies for the areas covering by South Holland District Council and Boston Borough Council.</b>
<b>South Holland Local Plan</b>	<b>SHLP</b>	<b>A statement of planning policy for South Holland District Council's area. It will be replaced by the South East Lincolnshire Local Plan.</b>
<b>Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</b>	<b>DMPO</b>	<b>The document setting out the processes and procedures to be followed by local planning authorities when processing planning applications, preparing Local Development Orders, etc.</b>
<b>Use Classes Order</b>	<b>UCO</b>	<b>The Town and Country Planning (Use Classes) Order 1987 puts uses of land and buildings into various categories. Planning Permission is not needed for changes of use with the same use class.</b>