

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0453-25 **Applicant:** AMP Clean Energy

Proposal: Details of landscaping scheme & boundary treatments (Conditions 4 & 6 of H09-0110-25)

Location: Land East Of Boston Road Holbeach Spalding

Terminal Date: 7th July 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment

National Guidance

National Planning Policy Framework December 2024

Section 4 - Decision-making
Section 10 - Supporting high quality communications
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge conditions 4 and 6 of planning approval H09-0110-25, comprising details in relation to proposed landscaping (Condition 4) and boundary treatments (Condition 6).

Planning approval H09-0110-25 relates to a Section 73 application, which sought to modify the approved plans, following the grant of full planning permission for the construction and operation of a micro energy storage facility - approved under H09-0597-24.

Site Description

The application site is a car park, utilised by Boyes, located on land to the East of Boston Road, within the settlement of Holbeach.

The application site lies within the Holbeach Conservation Area.

History

H09-0597-24 - Full - Construction and operation of a micro energy storage facility - Approved 19th September 2024

H09-0110-25 - Section 73 - Modification of Conditions 2 & 3 to allow amendments to previously approved plans - Approved 03 April 2025.

Consultation Responses

The Local Planning Authority (LPA) has discretion regarding those in which they consider appropriate to consult for applications to discharge conditions. Due to the nature of the submitted details, it was not considered necessary to consult any specific statutory consultees in this instance.

Planning Considerations

This application relates to conditions 4 and 6 of planning approval reference H09-0110-25, comprising details in relation to landscaping and proposed boundary treatments.

Condition Wording

Condition 4

"Before the commencement of the development hereby permitted beyond oversite, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. 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."

This condition was attached 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, and that Biodiversity Net Gain will be achieved"*.

Condition 6

"Prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, 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".

This condition was attached 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 of nearby occupiers"*.

Condition Details and Assessment

The submitted details illustrate the erection of fencing, consisting of Paladin Fencing which forms a mesh style boundary, to be sited around the immediate vicinity of the micro energy box and concrete base. Beyond this, the submitted details show landscaping, in the form of mixed planter boxes, to be located on the north side of the proposed development.

The submitted supporting statement explains that the planting shall comprise a species mix as per the following:

- 25% Cornus sanguinea 'Midwinter Fire' (vibrant winter stems for seasonal interest)
- 25% Skimmia japonica 'Rubella' (evergreen structure and winter buds)
- 25% Calamagrostis x acutiflora 'Karl Foerster' (tall grass for year-round texture)

- 5% *Verbena bonariensis* (herbaceous, pollinator-friendly)
- 20% *Viburnum opulus* 'Compactum' (compact shrub with flowers and berries).

The supporting statement continues by detailing that the heights of the planting would be "*Shrubs at 0.5m to 0.8m; Calamagrostis at 0.8m to 1.0m; Verbena at 0.4m to 0.6m*".

The positioning of the planting would be comprise "*PROPOSED MIXED PLANTER BOXES (NOT WOODEN), minimum 1m wide, will extend along the northern boundaries. Taller species (e.g., Calamagrostis) are positioned at the back of beds, with shorter species (e.g., Verbena, Skimmia) at the front, as shown on the '07 Parkside Box - Proposed Landscaping Plan*".

In respect of maintenance, it is detailed that:

"- Duration: Annual maintenance, beginning after planting in the first season post-development (e.g., Autumn 2025).

- Maintenance Activities: Watering during establishment, mulching to retain moisture, and annual pruning to maintain shape and health

- Replacement of Losses: Failed plants will be replaced with matching species and sizes in the next planting season

- Responsibility: AMP Clean Energy".

These details are appropriate for the setting and are considered to be suitable for the character of the area and neighbouring residents, whilst ensuring adequate function and appropriate visual amenity. These details are therefore considered acceptable.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

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

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

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

Human Rights

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

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

on the considerations set out in this report.

Conclusion

The submitted details in relation to the condition pursuant to this application, comprising conditions 4 (Landscaping) and 6 (Boundary Treatments), are acceptable and can be discharged.