SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 04 September 2024**

(Author: **Catherine Sutton - Planning Officer)**

Purpose: **To consider Planning Application H09-0597-24**

Application Number: H09-0597-24 **Date Received:** 10 July 2024

Application Type: FULL

Description: Construction and operation of a micro energy storage facility

Location: Land To The East Of Boston Road Holbeach Spalding

Applicant: AMP Clean Energy **Agent:** AMP Clean Energy

Ward: Holbeach Town **Ward Councillors:** Cllr S E Hutchinson
Cllr T Carter
Cllr N J Chapman

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-0597-24

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The land is South Holland District Council owned.

2.0 PROPOSAL

2.1 This is a full planning application for the installation and operation of a micro energy storage facility within a car park on Land to the East of Boston Road, within Holbeach.

2.2 The proposed development would comprise the installation of a concrete plinth foundation, installation of the battery containerised units and associated equipment and the construction of a new fence surrounding the Battery Box.

2.3 The following extract from the planning statement submitted with the application sets out how the proposed energy storage facility works:

A Battery Box is an ESS that imports electricity from the local electricity network when demand for electricity is low or when there are high levels of renewable energy available. It then exports that electricity back to the grid when required in periods of high demand. This provides a solution to the growing need for flexibility and helps address concerns regarding grid reliability prompted by an increase reliance on intermittent generation of the electricity system. Battery Boxes connect into the low voltage (LV) network, this is the lowest and most local point in the system where there is an increasing demand for electricity with the electrification of transport and heating systems. Stored electricity from the Battery Box will be exported and consumed in the locality of the box (when it is required).

3.0 SITE DESCRIPTION

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

3.2 The application site lies within the Holbeach Conservation Area.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

4.2 South East Lincolnshire Local Plan, March 2019

4.3 If regard is to be had to the development plan for the purpose of any determination to be made under the Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

4.4 01 Spatial Strategy
02 Development Management
03 Design of New Development
05 Meeting Physical Infrastructure and Service Needs
29 The Historic Environment
30 Pollution
31 Climate Change and Renewable and Low Carbon Energy
32 Community, Health and Well-being
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

4.5 **National Guidance**

4.6 National Planning Policy Framework (NPPF), December 2023

4.7 Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 6 - Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 10 - Supporting high quality communications
Section 12 - Achieving well-designed and beautiful places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

4.8 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 No relevant planning history.

6.0 REPRESENTATIONS

6.1 The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

6.2 LCC Highway and Lead Local Flood Authority

6.3 Recommendation: No Objections - Approve with conditions

6.4 The proposal is for the construction and operation of a micro energy storage facility. It will be located on private land at the entrance to Boyes Car park that is set well back from the public

highway and is bounded by mature trees. A Construction Management Plan should be conditioned due to the busy nature of the surrounding network in the town centre.

6.5 The construction period is due to last four weeks and will involve a total of six HGV vehicle movements - care should be taken to ensure deliveries are done in a timeframe that will cause the least disruption.

6.6 The proposal will not have an adverse impact on the public highway. 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. This application is classified as 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.

6.7 Holbeach Parish Council

6.8 Due to the central location of the BESS we are concerned of runaway fire and toxic fumes.

6.9 Conservation Officer

6.10 I wish to raise no objections to this proposal.

6.11 It is true that this proposal is within the conservation area, and that it is of a rather modern, industrial and harsh appearance not befitting the setting. However, the immediate area is already characterised by modern commercial development and already features an electric substation. Regardless, the site is also set back from the streetside by a significant distance and screened from view by extant structures.

6.12 Nevertheless, the proposal must still be considered to present a form of harm to the Heritage Asset (in this instance, the Holbeach Conservation Area), and owing to the mitigating factors and minor scale of the development, I assign this development as representing 'less than substantial harm' in accordance with Paragraph 205 of the National Planning Policy Framework (December 2023) (NPPF). As per that same paragraph, great weight must be given to the conservation of the designated heritage asset.

6.13 As the proposal represents 'less than substantial harm', in accordance with Para. 208 of the NPPF, the harm should be weighed against the public benefits of the scheme. In this instance, I find the proposed harm to be so minor, and the public benefits associated with the improvements to the local energy infrastructure and assistance with local decarbonisation to be so significant as to conclude that the public benefits do indeed outweigh the risk of harm to the designated heritage asset.

6.14 Therefore, I raise no objections

6.15 Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

7.0 CONSIDERATIONS

7.1 Evaluation

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.3 In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

7.4 The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.5 Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

7.6 Principle of Development and Sustainability

7.7 The South East Lincolnshire Local Plan sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

7.8 Policy 1 of the South East Lincolnshire Local Plan sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

7.9 The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

7.10 Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates that within Main Service Centres, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

7.11 The application site in this instance is within Holbeach, a Main Service Centre, and lies within the defined settlement boundaries as detailed by Policy 1. In context of this, the principle of development within this location would typically be considered to be appropriate, comprising an appropriate form of development for the location and would be in accordance with the overall principles of the spatial strategy.

7.12 As such, the proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, imapct upon heritage assets, impact on the residential amenities of neighbouring occupiers, impact on highway safety and flood risk, which are discussed in turn as follows.

7.13 Layout, Design and Consideration of the Character and Appearance of the Area

7.14 Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

7.15 Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

7.16 Development proposals should also ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

7.17 Likewise, Policy 2 of the South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

7.18 These policies accord with the provisions of the National Planning Policy Framework and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

7.19 Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

7.20 The application site lies within Holbeach Conservation Area. Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework. Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

7.21 The National Planning Policy Framework (NPPF) (December 2023) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

7.22 Section 16 of the National Planning Policy Framework (December 2023) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

7.23 Paragraph 207, relating to substantial harm, details that "where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss".

7.24 Paragraph 208 of the National Planning Policy Framework (December 2023) in respect of less than substantial harm identifies that "Where a development proposal will lead to less than

substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

7.25 In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.26 The proposed equipment would be located within the grounds of a car park; comprising an area that is characterised by modern commercial development and already features an electric substation.

7.27 Notwithstanding this, the proposed energy storage facility would comprise a functional appearance, with the apparatus being enclosed by timber/palisade fencing. This development would therefore, comprise a relatively harsh and industrial appearance in respect of its resultant form. As such, SHDC's Conservation Officer has expressed that harm to the Heritage Asset (in this instance, the Holbeach Conservation Area) would arise.

7.28 However, it is noted that in respect of the overall character, the site is set back from the streetside by a notable distance and is vastly screened from view by structures that exist within the area. Owing to this, alongside the mitigating factors and minor scale of the development, it is considered that the harm would amount to 'less than substantial harm' in accordance with Paragraph 208 of the National Planning Policy Framework (December 2023) (NPPF). As per that same paragraph, great weight must be given to the conservation of the designated heritage asset.

7.29 In accordance with paragraph 208, this harm must be weighed against the public benefits of the proposal. In this instance, it is considered that "the proposed harm to be so minor, and the public benefits associated with the improvements to the local energy infrastructure and assistance with local decarbonisation to be so significant as to conclude that the public benefits do indeed outweigh the risk of harm to the designated heritage asset".

7.30 Overall, it is considered that the proposal would be acceptable and as such, notwithstanding the less than substantial harm identified, the public benefits of the proposal outweigh such harm.

7.31 Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and any less than substantial harm would to Holbeach Conservation Area would be outweighed by public benefit. Therefore, the proposal would be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan and Sections 12 and 16 of the National Planning Policy Framework (December 2023).

7.32 Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.33 Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

7.34 The application site comprises an existing car park and comprises an area that is somewhat commercialised in nature.

7.35 The site is set with no immediate neighbouring residential properties, with ample separation distances existing. As such, the proposed development would not adversely impact upon the residential amenities of neighbouring occupiers.

7.36 This proposal is unlikely to have an impact on pollution, living conditions and the natural environment. Further to the above, the proposal is not considered to result in any undue overshadowing, overbearing impact or loss of privacy to surrounding occupiers.

7.37 SHDC Environmental Health Officers were consulted on the application and have raised no comments.

7.38 As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the Local Plan.

7.39 Highway Safety and Parking

7.40 Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

7.41 In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

7.42 The proposal is for the construction and operation of a micro energy storage facility. The proposal would be located on private land at the entrance to Boyes Car park that is set well back from the public highway and is bounded by mature trees.

7.43 The development is essentially for a battery box that will provide low carbon electricity and the development will be enclosed by fencing.

7.44 Construction takes approximately 4 weeks, manufactured away from site then lifted into position on a concrete plinth before electrical connection is made. Traffic generation during construction and operation will be minimal - 3 HGV arrivals and 3 departures. The Local Highway Authority have identified that a Construction Management Plan should be conditioned due to the busy nature of the surrounding network in the town centre. As such, this is recommended.

7.45 The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework (December 2023).

7.46 Flooding Considerations

7.47 Section 14 of the National Planning policy Framework (December 2023) requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

7.48 Paragraph 168 details "The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the sequential approach being required in areas known to be at risk now or in the future from any form of flooding, with the flood risk assessment being the tool to demonstrate this.

7.49 If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

7.50 The site lies within Flood Zone 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

7.51 The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

7.52 It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

7.53 In this instance, the proposed development comprises the construction and operation of a micro energy storage facility to serve the area. The development has been accompanied by a flood risk assessment, which identifies that the lifetime of the development is 30 years, and following this all infrastructure will be removed. It also explains that should there be a breach of the River Welland flood defences the site would flood, but accepts that failure of the installation due to flooding would have little or no consequence beyond the immediate locale of the site.

7.54 In discussion with the Environment Agency, it has been concluded that the view is that as this ESS will store additional electricity, and due to the small size, failure of this development will have limited impact on the local network.

7.55 The Environment Agency have therefore, raised no objections, expressing that "we are therefore satisfied that the critical infrastructure is not raised above the predict flood level".

7.56 Overall, when considering the development on balance, it is considered that the proposal would not comprise 'Essential Infrastructure' and it is considered that the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan and the intentions of the National Planning policy Framework in this regard.

7.57 **Biodiversity**

Section 15 of the National Planning Policy Framework (NPPF) seeks to protect sites of biodiversity value, minimise and provide net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures. Policy 28 of the SELLP seeks to protect ecological networks of interconnected designated sites and wildlife-friendly greenspace and promote biodiversity net gain by protecting the biodiversity value of land, maximising opportunities to enhance and connect natural habitats, incorporate biodiversity conservation features to enhance green infrastructure and ecological corridors, and conserve or enhance habitat to adapt to climate change.

7.58 Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

7.59 For applications that are submitted prior to the introduction of this requirement, a standard biodiversity condition is appropriate and the mandatory 10% requirement would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

7.60 In this instance, a Biodiversity Net Gain Exemption Statement was submitted with the application. It is considered that the application is subject to the de minimis exemption, due to the proposal not impacting a priority habitat and the development impacts less the 25 square metres of onsite habitat.

7.61 In light of this, the development is this instance is exempt from the statutory 10% Biodiversity Net Gain requirements. However, it would remain appropriate, given the context of Section 15 of the NPPF and requirements of Policy 28 of the South East Lincolnshire Local Plan, that a standard condition is attached, requiring a level of Biodiversity Net Gain.

7.62 **Planning Balance**

7.63 As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.64 The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the amenity of nearby residents and the resultant harm to the Conservation Area, which would be less than substantial, would be outweighed by public benefit. As such, the proposal conforms with the South East Lincolnshire local Plan and the provisions of the National Planning Policy Framework when viewed as a whole.

7.65 In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

7.66 **Additional Considerations**

7.67 Public Sector Equality Duty

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

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

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

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

7.72 Human Rights

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

to respect for private and family life) and Article 1 of the First Protocol (protection of property).

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

7.75 **Conclusion**

7.76 Taking the above considerations into account, the proposal is considered to be in accordance with Policies 1, 2, 3, 4 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2023). The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

8.0 RECOMMENDATIONS

8.1 **Based on the assessment detailed above, it is recommended that the proposal should be approved subject to those conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

   Application Form
   Plan1
   Plan 2
   Plan 3
   Plan 4
   Plan 5
   Plan 6
   Planning Statement by AMP Clean Energy dated June 2024
   425.064703.00001 (066) - Flood Risk Assessment, dated July 2024
   BNG Exemption Statement
   Heritage Impact Assessment

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

3. The materials of the development hereby permitted shall be carried out in accordance with those detailed within the application form and approved plans.

   Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.
   This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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.

   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, and that Biodiversity Net Gain will be achieved. This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

5. 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 the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include:

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

   Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
   This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

6. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - https://www.lincolnshire.gov.uk/traffic-management

7. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

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

8. For the avoidance of doubt, condition 4 (Landscaping) seeks to ensure that a Biodiversity Net Gain is achieved on site, alongside obtaining an appropriate scheme of landscaping. This 'net gain' is in respect of Policy 28 and is independent of the mandatory requirements, in which this development is exempt.

The following links are provided to assist in any future submissions of details for Condition 4:
- https://www.plantlife.org.uk/learning-resource/road-verge-green-space-management-best-practice/
-https://www.plantlife.org.uk/learning-resource/road-verge-and-greenspace-grass-cuttings/

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post:	Mark Simmonds; Development Manager (Interim)
Telephone Number:	01775 764444
Email	mark.simmonds@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

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MAP SCALE 1:1250
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