DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0665-23**	**Applicant:**	**Holbeach And Elloe Hospital Trust**
Proposal:	Proposed extension of existing car parking and provision of ground mounted solar panels		
Location:	Holbeach And Elloe Hospital Trust Boston Road North Holbeach		
Terminal Date:	2nd October 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2023

12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	1	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	1	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Holbeach and Elloe Hospital Trust, Boston Road North, Holbeach for a proposed extension of existing car parking and provision of ground mounted solar panels. The proposal seeks to provide an additional 24 parking spaces in this area of the site, taking the number of spaces from 32 to 56. The materials of construction for the parking will remain as gravel. The ground mounted solar panels will measure 1.722 metres in height by 1.134 metres in width. These panels will connect together to measure 10 panel by 2 panel blocks. In total 1000 panels will be utilised in a pattern 10 blocks deep and 5 blocks wide. When connected the maximum height of the panels will be 2.2 metres above ground level.The maximum system voltage is 1000 volts.

SITE DESCRIPTION

The site is outside of defined settlement limits to the north of Holbeach. The main hospital trust building is located to the east of the parking and panel site with arable fields to the south, west and north. The site is in Environment Agency Flood Zone 3 and in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for residential accommodation there is not a requirement to raise the land. Surface water drainage will be address by means of a soakaway. This matter will be addressed by condition.

RELEVANT HISTORY

H09-0224-14

Full - Single-storey extension and provision of portacabin as general storage in connection with existing hospital and construction of overflow gravel parking area - Approved - 30 April 2014.

CONSULTATION RESPONSES

Lincolnshire County Council - Highways & SUDS

"The proposed development includes increasing the number of car parking spaces available at the Hospital. This would not necessarily increase the number of trips being made to the Hospital but it would ensure that it would be less likely that visitors would need to park on the highway, where they could potentially obstruct or create a hazard to other road users. No new vehicle access is being proposed. The additional car parking therefore provides highway safety benefit.
The proposed solar panels would not be expected to have any material impact upon highway safety or network capacity."

South Holland District Council - Trees and Nature Conservation Officer

"Many trees in Holbeach and Long Sutton were damaged by the very recent exceptionally strong low blowing winds
and storm."

Have looked at David's photographs of the poplar trees on the western boundary. They appear to be largely Lombardy poplar trees with one of completely different form. It would be worth checking that it is just a hybrid black poplar and not one of the rare native black poplar trees which have sometimes been planted. If a native black poplar it should be retained.

Lombardy poplar trees are a difficult form to prune. They are generally topped (a practice which is rarely appropriate for other tree species), and respond with vigorous re-growth. The re-growth is only weakly attached, and this coupled with the likelihood of rot soon entering the pruning wounds (as the wood is fast growing and therefore soft), will result in them needing re-topping to sound

wood about every seven years depending on growth.

The trees are likely to form a significant wind break. They could be topped as a temporary measure and then some new trees planted as a wind break in front. Once the new tree belt /wind break is established the old ones could be removed. At some stage it was likely that the trees were planted due to a Planning Condition with regards to landscaping, to make the Hospital buildings blend into the landscape, a use which they still admirably fulfil.

Due to the soft wood of poplars, they are favourites for wood peckers to make holes in, with all the Protected Species implications this brings:

Under the Wildlife and Countryside Act 1981 (as amended) all birds, their nests and eggs are protected by law and it is an offence to damage or destroy the nest of any wild bird while it is in use or being built. In the event of query please contact Natural England on Tel: 03000 603900.

Bats are protected species under the Wildlife and Countryside Act 1981 (as amended) and in the event that bats are living in any cavities in the tree , or if they are discovered while the works are taking place, please inform Natural England on Tel: 03000 603900 before works proceed.

If you were to require to fell the trees please check with the Forestry Commission:
Alastair Stirling
Woodland Officer | Forestry Commission
E-mail: alastair.stirling@forestrycommission.gov.uk
Telephone: 07748 336714
www.gov.uk/forestrycommission

To see whether a Felling Licence is required.

To date the trees are not the subject of a Tree Preservation Order."

Lincolnshire County Council - Historic Places Team

No archaeological input received.

Anglian Water

" Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments."

South Holland Internal Drainage Board

Because works would be within 9 metres of a Board maintained watercourse, consent would be required from the Board. This matter will be addressed by a planning informative.

Holbeach Parish Council

"China the supplier of the panels has a poor Human Rights record. Visual impact issues."

Members of the public

This application has been advertised in accordance with the Council's Statement of Community Involvement and the Development Procedure Order. In this instance, one letter of representation has been received. These comments can be summarised as:

The Chairman of the Hospital Trust supports a solar development elsewhere in the district.
Why is the solar array not on a roof?
If passed it will create a precedent for solar arrays in the area.
Solar arrays are not as effective as wind power.
China has a poor human rights record.

KEY PLANNING CONSIDERATIONS

The main issues and considerations in this case are (but are not limited to):

Principle
Character
Amenity
Parking / Highway Safety

EVALUATION

Principle - Countryside

The SELLP 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; 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.

Policy 1 of the SELLP 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. The most sustainable locations for development are situated within the Sub-Regional Centres, followed by Main Service Centres. Lower down the sustainable development hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising of Other Service Centres and Settlements. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location in sustainability terms.

Policy 1 (Spatial Strategy) of the SELLP indicates that 'the rest' of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside. Within the 'Countryside', development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Given the location of the site, this proposal is assessed against SELLP Policy 1 titled - Spatial Strategy, with the relevant section in this policy being titled Countryside. As outlined above, in the Countryside, development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

When assessed against the relevant criteria the following can be observed:

Economically the proposal will help the hospital to save money in the long term by helping to address energy charges for the next couple of decades. Additionally the parking provision will allow the hospital to continue to operate on site, without seeking new promises to maintain healthcare provision. A community impact of the proposal increase from 32 to 56 overflow parking spaces is that impacts of disturbance or traffic should be lessened by the reduction in on road parking by site visitors. An environmental benefit of the proposal is that the solar panels should help to reduce reliance on fossil fuels. Additionally there will not be any impacts on the existing landscaping or trees to facilitate the car park extension.

The proposal is considered accord with Policy 1 of the SELLP.

Character / Appearance

Section 12 of the National Planning Policy Framework (2023) specifically relates to 'Achieving well-designed 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.

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 of the SELLP, states 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.

The proposal is not considered to materially impact the character and appearance of the area as the parking extension will be constructed from gravel to match the existing adjacent parking area. Additionally, the extended parking area is located behind an existing established hedge, and therefore, is largely shielded from public view. With regard to the panels, they are located behind the same established hedge which is approximately 3 metres in height and therefore partially shielded from public view. The proliferation of solar panels throughout the district is such that they are not considered to constitute an alien and incongruous feature. It is also considered that the benefits of renewable energy of this scale in this location are such that they carry greater planning weight than potential visual impact. The nearest dwelling is 65 metres away from the nearest panel.

There is not considered to be a material impact on character and appearance from this proposal which accords with the relevant criteria of Policies 2 and 3 of the SELLP.

Amenity

Paragraph 130 of the National Planning Policy Framework (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.

Policies 2 and 3 of 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.

The extended car park is likely to materially reduce instances of on street parking outside of the site boundary, adjacent to nearby dwellings. This should help to reduce noise and disturbance and thereby benefit the amenity of the surrounding area.

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 the Section 12 of the National Planning Policy Framework, and Policies 2 and 3 of the Local Plan.

Parking / Highway Safety

Section 9 of the National Planning Policy Framework (2023) specifically relates to 'Promoting sustainable transport'. Paragraph 111 of the National Planning Policy Framework (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".

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.

The County Highways & SUDS Officer has stated: *"The proposed development includes increasing the number of car parking spaces available at the Hospital. This would not necessarily increase the number of trips being made to the Hospital but it would ensure that it would be less likely that visitors would need to park on the highway, where they could potentially obstruct or create a hazard to other road users. No new vehicle access is being proposed. The additional car parking therefore provides highway safety benefit. The proposed solar panels would not be expected to have any material impact upon highway safety or network capacity."*

The car park extension is not being proposed alongside any application to expand the hospital, therefore, there is not expected to be an increase in traffic as a result of the proposal, and incidences of on street parking should be reduced. The siting of solar panels is not considered is not considered to impact parking or highway safety by virtue of the location of the panels.

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.

Trees damaged during recent high winds

Some trees have been damaged on the western boundary of the site. The agent has enquired as to what works may be undertaken to address this matter. The Trees and Nature Conservation Officer has provided guidance as to future maintenance and the potential removal of damaged trees.

The trees are not preserved and do not materially impact the character or amenity of the surrounding area.

Other matters raised

The Chairman of the Hospital Trust supports a solar development elsewhere in the district - This is not a matter of material planning weight.

Why is the solar array not on a roof? - Applications can only be determined on the basis of the submitted details.

If passed it will create a precedent for solar arrays in the area - Each application is determined on it's individual merits.

Solar arrays are not as effective as wind power - This is not a matter of material planning weight.

China has a poor human rights record - This is not a matter of material planning weight.

PLANNING BALANCE

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

The proposed stand-alone solar and car parking extension is appropriately sited, and is not considered to materially impact the character or amenity of the surrounding area.

CONCLUSION

This proposal is considered to accord with Policies 1, 2, 3, 31 and 36 of the South East Lincolnshire Local Plan, 2019, and Sections 12 and 14 of the National Planning Policy Framework, 2023.

RECOMMENDATION

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.