

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0048-26 **Applicant:** AMP Clean Energy
Proposal: Details of landscaping & tree planting (Condition 4 of H16-0687-25)
Location: Sir Halley Stewart Playing Field Winfrey Avenue Spalding
Terminal Date: 19th March 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
05	Meeting Physical Infrastructure and Service Needs
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

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 places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application seeking permission to discharge Condition 4 of H16-0687-25.

This condition relates to details of landscaping and tree planting.

Site Description

The application site comprises a corner plot location, consisting of Kings Road and Winfrey Avenue, within the settlement of Spalding. The site is the Sir Halley Stewart Playing Field, which is home to Spalding United football Club.

The site, when viewing the Sir Halley Stewart Playing Field as a whole, is neighboured by residential properties to the east along Pinchbeck Road and adjacent the site to the north. Located adjacent the site to the west lies the Bus Station.

The application site lies adjacent to the boundary of Spalding Conservation Area.

History

H16-0596-24 - Construction and operation of a micro energy storage project - Approved

H16-0687-25 - Construction and operation of a micro energy storage project - Approved

Consultation Responses

No consultation responses received.

Planning Considerations

Landscaping Detail

Condition 4 of H16-0687-25 states that:

Before the commencement of the development hereby permitted beyond oversight, 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, in the opinion of the Local Planning Authority, 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.

A scheme of soft landscaping has been brought forward which proposes two *Carpinus Betulus* (Hornbeam) immature trees to the front and back of the proposed micro energy storage unit. Due to the existing LV and HV Mains which run underneath the site there is minimal other landscaping which could be provided. In any case, the site already somewhat benefits from concealment due to it being sited within an existing playing field with walls surrounding the site. As such, whilst minimal, the landscaping scheme is considered to be appropriate and 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

Condition 4 of H16-0687-25 can therefore be discharged.