

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0049-22 **Applicant:** InstaVolt Ltd.

Proposal: Installation of four rapid electric vehicle charging stations within existing car park

Location: Mcdonalds Restaurants Ltd Holbeach Road Spalding

Terminal Date: 17th March 2022

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

National Guidance

National Planning Policy Framework 2021

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

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for the installation of four rapid electric vehicle charging stations within the existing car park at McDonalds Restaurants Ltd, Holbeach Road, Spalding. The proposal seeks to provide four charging stations in the southern corner of the site. The 120kw chargers will be sited adjacent to the parking spaces and measure 0.75 metres in width, 0.55 metres in depth and be 2 metres in height. The two feeder pillars to the west of the proposal will measure 1.724 metres in width, 0.85 metres in depth, and 2.342 metres in height.

SITE DESCRIPTION

The proposal is outside of defined settlement limits with the A151 located to the south, A16 to the west, parking bays and Gulf petrol station to the north, with further parking bays to the east. Low level 1.2 metre high boundary hedging is adjacent the charging stations to the south. The hedgerows to be removed to allow installation of the chargers and feeder pillars. The proposal site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area with a maximum predicted flood depth of 0.5 metres. The proposal is not for habitable rooms and therefore there is not a requirement to raise the land to address flood risk.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objection.

PLANNING CONSIDERATIONS

Principle of development

The proposal would increase environmental sustainability which is one of the main aims of the National Planning Policy Framework document.

Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale and layout of the charging stations is considered to be appropriate for the site. No trees will be removed to facilitate this proposal. Hedging to be removed will be reinstalled once the charging stations have been installed. There is not considered to be an impact on the character and appearance of the area from the proposal.
2. The design is considered not be visually prominent and the orientation and siting is appropriate for the proposed use.
3. The proposed material of construction is green steel this is considered appropriate.
4. The proposed will not impact access or vehicle generation levels. There will not be a loss of vehicle parking spaces and the installation of charging points is considered to help support the transition from petrol / diesel vehicles to electric vehicles which reduce harmful emissions.
5. There is not considered to be an impact on community services and infrastructure from the proposal.
6. There is not considered to be an odour, noise, disturbance or visual intrusion impact from the charging points by virtue of the design and proposed use.
7. The proposal site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area with a maximum predicted flood depth of 0.5 metres. The proposal is not for habitable rooms and therefore there is not a requirement to raise the land to address flood risk.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

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

1. There is not considered to be an impact on a sense of place from the proposal. The size, scale and layout of the charging stations is considered to be appropriate for the site. No trees will be

removed to facilitate this proposal. Hedging to be removed will be reinstalled once the charging stations have been installed. There is not considered to be an impact on the character and appearance of the area from the proposal.

5. Bin and cycle storage is not impacted by this proposal. There will not be a loss of vehicle parking spaces and the installation of charging points is considered to help support the transition from petrol / diesel vehicles to electric vehicles which reduce harmful emissions.

11. There is not considered to be an odour, noise, disturbance or visual intrusion impact from the charging points by virtue of the design and proposed use.

12. The proposal site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area with a maximum predicted flood depth of 0.5 metres. The proposal is not for habitable rooms and therefore there is not a requirement to raise the land to address flood risk.

PLANNING BALANCE

It is considered that the charging points can be easily incorporated on site without leading to the loss of parking spaces or impacting the character and amenity of the surrounding area. This application accords with Policies 1, 2, 3 and 31 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 14 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

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.