

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0997-22 **Applicant:** Osprey Charging Network

Proposal: Erection of a substation, eight ultra-rapid electric vehicle chargers and associated electrical equipment within the car parking area of the Winsover Centre

Location: 14-16 Winsover Centre Winsover Road

Terminal Date: 6th December 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

Section 12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of a substation, eight ultra-rapid electric vehicle chargers and associated electrical equipment to the existing car park at the Winsover Centre,

Spalding. The proposal seeks to provide eight charging stations in the northern corner of the site.

Two Kempower Charging points will serve four parking spaces and measure 1 metre in width, 1.5 metres in depth and be 1 metre in height, across both rows of parking spaces. The power units, feeder pillar and substation, will all be sited to the southeast of the proposed siting of the second row of electric vehicle parking spaces.

Site Description

The site is located within the town centre of Spalding and sits within the existing car park for the Lidl store which is situated to the south of the proposed electric charging point parking spaces. The train station car park is to the north and Station Street to the east.

History

H16-0174-13- FULL- Approved on 08-05-13- Proposed alterations and refurbishment to foodstore including new glazed entrance/exit lobby. New glazed shop front, building signage and freestanding trolley bay.

Consultation Responses

Steve Branson, SHDC

No objection but request the following condition:

Noise from fixed plant and machinery shall not exceed the background noise level by more than 5 dB(A) when measured as a 15 minute L(A)eq at any residential boundary not within the applicant's ownership.

Local Highway and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

The proposed charging points would utilise twelve existing car parking spaces and therefore could theoretically displace some Winsover Centre customer car parking. However, there are other areas of car parking within a short distance of the site, where those 'displaced' customers would be more likely to park than on the local highway network - which in any event has parking restrictions in place.

Planning Considerations

Character and Appearance

The size and scale of the proposal is considered to be appropriate in comparison to the other features and development in the vicinity, with minimal visual impact. No trees will be removed to facilitate this proposal. Therefore, it is not considered that there would be a material adverse impact upon the character and appearance of the area from the proposal.

Taking the above into account, the proposed electric vehicle space and charging points are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Parking Provision

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class.

The proposed vehicle charging points would take up 12 of the existing vehicle spaces. However, there are other areas of parking within close distance to the site and there would still be ample car spaces which serve the retail units within Winsover Centre and on balance would be acceptable.

Therefore, the proposed parking provision satisfactorily complies with Policy 36 and Appendix 6 in the SELLP, 2019.

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 of the National Planning Policy Framework, 2021.

Conclusion

Based on the reasons outlined above, the recommendation is therefore for a delegated 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.