

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02129/FP	Installation of electric vehicle charging bays and associated works with two substations.	Baldock Services Great North Road Radwell Baldock Hertfordshire SG7 5TR

Submitted Plan Nos

LLD3313-LAN-SCH-001-00 9586-POI-DRG-CIV-200009 LLD3313-LAN-DWG-100-00 LLD3313-LAN-DWG-200-00 9586-POI-DRG-CIV-200011 9586-POI-DRG-CIV-200012 P02 9586-POI-DRG-CIV-200013 P02 9586-POI-DRG-CIV-200014 P02 9586-POI-DRG-CIV-200015 P02 9586-POI-DRG-CIV-200016 P02 9586-POI-DRG-CIV-200017 P02 EION16A6WFS-REV1 Substation GA 01B 8000-1006B

1.0 Policies

CGB1	Rural Areas beyond the Green Belt.
CGB4	Exist buildings in the RA Beyond GB
D1	Sustainable design
D3	Protecting living conditions
NE2	Landscape
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding
SECN15	Conserve + enhance natural environment
SECN9	Promoting sustainable transport
SP1	Sustainable development in North Herts

SP6	Sustainable transport
SP12	Green infrastructure, landscape and biod
SP11	Natural resources and sustainability
SP5	Countryside and Green Belt
SP9	Design and Sustainability
T2	Parking
T1	Assessment of transport matters

2.0 **Relevant site history**

2.1 None.

Baldock Services Wider Site

2.2 20/00153/FP - Installation of six electric vehicle (EV) charging points and associated infrastructure – Approved 10/03/20.

3.0 **Representations**

3.1 **Environmental Health Officer** – No objections.

3.2 **Highways Officer** – Does not wish to restrict the grant of permission.

3.3 **Ecologist** – No ecological objection subject to conditions.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a small part of a car park and surrounding landscaping of Baldock Services, with the site being at the south of the car park near a pond.
- 4.1.2 Baldock Services is a motorway service area near Junction 10 of the A1(M), which includes car parks, petrol station, main building for restaurants etc., and hotel. The service area is within a higher 'bowl' of landscaping, largely surrounded by trees and planting.
- 4.1.3 Land surrounding the service area is primarily agricultural, and the A1(M) is to the west. The site is within the Rural Area beyond the Green Belt.

4.2 **Proposal**

- 4.2.1 The creation of electric vehicle charging bays with associated charging units, two substations, and new hard and soft landscaping.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the development is acceptable in principle, design and landscaping, neighbour amenity, parking and highways, and ecology.

Principle

- 4.3.2 The site is in the Rural Area beyond the Green Belt (RA). Local Plan Policies CGB1 and CGB4 are not considered applicable as the site and the application do not relate to a rural building, rather that it's a motorway service area with a variety of uses and a large car park.
- 4.3.3 Local Plan Policies SP6 and D4 are considered to relate to the proposal. SP6 b) permits proposals that can encourage development in locations which enable sustainable journeys to be made to key services and facilities. It's considered that the development would encourage sustainable journeys given that the new EV charging points would not result in local emissions.
- 4.3.4 This leads into Policy D4, wherein policy wording advises that permission will be granted for proposals that would consider local air quality when in use. Given that the new EV charging points would reduce local emissions, it's considered that the development would fall within the scope of this policy wording. Furthermore, the supporting text describes how D4 can be applied to support sustainable transport within SP6. Overall, the development is considered to be acceptable in principle given that it would be supported by the above policies.

Design and landscaping

- 4.3.5 The proposed charging units and substations would be fairly conventional for such development, and also similar to a smaller EV charging area NW of the site built following planning permission 20/00153/FP, which was also built by the same applicant.

- 4.3.6 In the context of the wider car park and services site, the proposed EV charging area would not be out of character as such facilities exist in the car park and are now commonplace in general, and as the height and size of the charging points and substations are small. Their visual impacts would also be softened by the backdrop of existing and proposed higher trees and planting.
- 4.3.7 Some areas of landscaping and planting would be removed, however these would be small and it's also considered that this would be compensated by new planting and landscaping proposed. The development would not in any case be significantly visible outside the service area site as views would be obscured by an earth bund and planting. The design and landscaping are considered acceptable. There will also be benefits as the proposal will improve EV infrastructure and potentially reduce carbon emissions. The proposal complies with Policies D1 and NE2 of the Local Plan, and Section 12 of the NPPF.

Neighbour amenity

- 4.3.8 The proposed development would be of a small scale and there are no dwellings or other neighbours near the site that could be affected. As such, the proposal is not considered harmful to amenity. The proposal complies with Policy D3 of the adopted Local Plan.

Parking and highways

- 4.3.9 The proposal will remove 3 parking spaces to allow construction and access of the substations, which is a very small change in the context of the wider service area car park, and is acceptable.
- 4.3.10 The application form states that overall there will be a loss of 10 parking spaces, which would include the 3 spaces lost above, and would also reflect the increased width of the altered spaces to allow for charging. Given the much larger size of the whole car park this is not considered unacceptable, and there would also be benefits in providing additional EV charging.
- 4.3.11 The site and proposal is outside of the public highway network and will not be considered to affect it, and the highways officer has not objected. The proposal will not obstruct vehicle circulation in the car park. The proposal complies with Policies T1 and T2 of the Local Plan, and Section 9 of the NPPF.

Ecology

- 4.3.12 The Council's Ecologist has not objected, however has noted that the proposal is not exempt from the mandatory BNG Condition as it's not de minimis due to the loss of a 20 metre section of hedgerow, in excess of the 5 metre threshold for the BNG Condition to not apply. Therefore it is considered that the mandatory BNG Condition should be attached to any permission granted.
- 4.3.13 The Ecologist has also recommended a separate condition be imposed requiring a Construction Environmental Management Plan, incorporating mitigation measures set out in a May 2024 Preliminary Ecological Appraisal Report. It is however considered that the mitigation measures in the Ecological Report are sufficiently comprehensive in

respect of the small impacts on existing ecology and as new planting is also proposed. A condition requiring that the mitigation measures are complied with is considered sufficient here. The proposal complies with Policy NE4 of the Local Plan and Section 15 of the NPPF.

4.4 **Conclusion**

- 4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The approved development shall be carried out in accordance with the mitigation measures set out in the May 2024 Preliminary Ecological Appraisal Report (reference 24_PEA_04_65) submitted with the application.

Reason: In the interests of ecology. To comply with Policy NE4 of the Local Plan.

4. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).
Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 11 December 2024	

