

PLANNING COMMITTEE DATE: 14th May 2025

Agenda item: 5

APPLICATION NO: F/YR24/0457/F

SITE LOCATION: Land At Treading Field, Treading Drain, Tydd St Giles, Cambridgeshire

PROPOSAL: Installation of 49.9MW ground mounted solar photovoltaic panels with associated battery storage, substation and ancillary plant and infrastructure, and erection of security fencing and pole mounted CCTV cameras

Update No.1: South Holland District Council's determination of planning application reference: H19-0329-24

1.0 Background

1.1. On 9th May 2025, following publication of the Planning Committee Agenda, Fenland District Council received notification from South Holland District Council that they had determined the following planning application:

- Planning application reference: H19-0329-24
Location: Land East Of Guanockgate Road, Sutton St Edmund, Spalding, Lincolnshire
Description: Temporary ground mounted solar photovoltaic (PV) farm with battery storage, substation and associated works.

1.2 Planning application reference: H19-0329-24 was refused by South Holland District Council for the following reason:

"1 The application site is made up entirely of Best and Most Versatile Agricultural Land. Notwithstanding the climate change benefits which are given great weight, the loss of such a large area of BMV land, would be a threat to food security, and so when considering the Ministerial Statement of May 15th 2024, it would also result in a threat to national security.

Moreover, the applicant has not justified whether the proposed use of this Best and Most Versatile Agricultural Land has been shown to be necessary and that land of poorer quality does not exist. Nor has the proposal sufficiently demonstrated why such a large area of land take is required when considering the overall energy output of the scheme. Moreover the alternative site assessment is not considered robust. The proposal is not located on previously developed land and would result in the removal of a large area of the districts Best and Most Versatile Agricultural Land and on this basis the proposal is contrary to Policies 1 & 31 of the South East Lincolnshire Local Plan 2019, Paragraph 187 of the National Planning Policy Framework (December 2024), National Policy Statement for renewable energy infrastructure (EN-3), The Ministerial Statement of May 15th, 2024 and the guidance contained within Planning Practice Guidance (Paragraph 013 Reference ID: 5-013-20150327)."

2.0 Conclusion

2.1 South Holland District Council's refusal of planning application reference: H19-0329-24 is a material planning consideration relevant to the determination of this planning application and results in the following updates to the published Planning Committee report:

- Paragraph 4.2 of the Committee Report

Paragraph 4.2 states:

"H19-0329-24 - Temporary ground mounted solar photovoltaic (PV) farm with battery storage, substation and associated works – Pending consideration"

This update results in the following amendment to paragraph 4.2:

H19-0329-24 - Temporary ground mounted solar photovoltaic (PV) farm with battery storage, substation and associated works – Refused (Decision date: 9th May 2025)

- Paragraph 9.1 of the Committee Report

Paragraph 9.1 states:

"The proposed development would be located partly within Fenland (and Cambridgeshire) and partly within South Holland (and Lincolnshire). Fenland District Council are only the determining body for the elements of the proposed development located within Fenland. The applicant has submitted a separate planning application (reference: H19-0329-24) to South Holland District Council for the elements of the proposed development located within South Holland. Planning application H19-0329-24 is currently pending consideration."

This update results in the following amendment to paragraph 9.1:

The proposed development would be located partly within Fenland (and Cambridgeshire) and partly within South Holland (and Lincolnshire). Fenland District Council are only the determining body for the elements of the proposed development located within Fenland. The applicant submitted a separate planning application (reference: H19-0329-24) to South Holland District Council for the elements of the proposed development located within South Holland. Planning application H19-0329-24 has been refused.

2.2 Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case (the weight to be given to each material consideration is a

question of planning judgment). The material considerations relevant to Fenland District Council's consideration of this planning application are different to the material considerations relevant to South Holland District Council's consideration of planning application reference: H-19-0329-24. However, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires a planning application to be determined in accordance with the [relevant] Development Plan unless material planning considerations indicate otherwise. Therefore, it must be noted that the respective applications are considered against different Development Plans and, therefore, it would not be unreasonable for two different Council's considering a single scheme under different Local Plans to come to conflicting decisions. The Committee Report identifies that there would be harm resulting from BMV land being taken out of arable production; however it concludes that this identified harm would be outweighed by the benefits that would result from the proposed development, particularly the significant contribution of the proposed development towards addressing climate change. It is an accepted point of planning law that it is up to the decision maker to give weight, as they see fit, to the various material considerations. The officers report provides a balancing exercise for the various material considerations.

- 2.3 With consideration given to all material considerations, the decision of South Holland District Council to refuse planning application H-19-0329-24 does not alter the recommendation as set out within the Committee Report.

Update No.2: Additional objection received from a local resident

3.0 Background

- 3.1 On 12th May 2025, following publication of the Planning Committee Agenda, Fenland District Council received an additional representation from a local resident (address: Beechwood Farm, Grangehill Road, Tydd St Giles), objecting to the loss of agricultural land and impacts on food security.

4.0 Conclusion

- 4.1 The Committee Report gives consideration to the loss of agricultural land and impacts on food security. The additional representation does not raise any new material considerations which have not already been considered and addressed within the Committee Report.
- 4.2 With consideration given to all material considerations, the additional representation does not alter Fenland District Council's recommendation as set out within the Committee Report.

Recommendation: Grant, as per the recommendation set out within the Committee Report.