

Axis
Well House Barns
Unit 11
Chester Road
Bretton
CH4 0DH

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 NON MATERIAL AMENDMENT

Reference: H04-0769-24 **Date of Decision:** 3rd October 2024
Applicant: AGR Solar 2 Limited
19 Heddon Street
Fourth Floor
London
W1B 4BG
Location: Land To The West Of Cowbridge Road Bicker Fen Boston Lincolnshire
Description: Proposed development of a photovoltaic solar array, grid connection, access improvement works & ancillary development on land at Bicker Fen, Boston and South Holland - approved under H04-0849-22. Amendment to remove the Solar Switchgear Building, Solar Control Building and Solar Storage Building adjacent to Cowbridge Road in Boston district. Revised Compound Layout and relocation of the above elements from the site entrance in Boston district.

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

1 Condition 2 - Determined Plans Condition

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application Form
Covering email dated 5 September 2024 via email from Axis
Planning and Design Access Statement - August 2022
Amended Flood Risk Assessment by Weetwood Services Ltd dated November 2022
2920-01-01 Site Location Plan
2920-01-03 rev F General Arrangement Full Layout
2920-01-03a rev F General Arrangement Sheet 1

2920-01-03b rev F General Arrangement Sheet 2
 2920-01-03c rev G General Arrangement Sheet 3
 2920-01-02 Statutory Plan
 2920-01-09 Indicative Deer / Stock Fencing, Access Track and CCTV
 2920-01-04 Illustrative PV Frame and Panels
 2920-01-05 Solar Farm Indicative / Transformer Station
 2920-01-06 Solar Farm Storage Building
 2920-01-07 Solar Farm Control Building
 2920-01-08 Solar Farm Switchgear Building
 2920-01-10 Rev A Typical Cable Trench
 2920-01-11 Battery Storage Containers
 2920-01-12 Battery Inverter/Transformer Stations
 2920-01-13 Battery Switchgear Buildings
 2920-01-14 Battery Control Building
 2920-01-15 Acoustic Screen
 2920-01-16 rev A Indicative Box Culvert
 Ecological Assessment Report - Version 2 dated 26th September 2022
 Appendix 3: Water Vole and Otter Survey Report
 Written Scheme of Investigation for an Archaeological Evaluation - Rev 2 dated 31 January 2023
 Skylark Habitat Management Plan - Issue 3 - reference Axis-043-1379 dated 10 February 2023
 2920-01-17 General Arrangement with Sky Lark Mitigation Area
 2920-01-TN01- Technical Note 01 Agricultural Land Note dated 14th April 2023
 2920-01/Bicker Fen Solar Farm - Cumulative Landscape & Visual Effects Document March 2023
 2920-01-TN01 - Technical Note - Cumulative Effects on Agricultural Land and Farming Consequences dated 14th April 2023
 Highways Scoping Note - Revised Access Strategy Technical Note 01
 Biodiversity Metric 3.1 Calculation
 2920-01-TS01 August 2022 - Transport Statement
 Land Contamination Assessment Page 1 of 5 - Soil Chemistry
 Land Contamination Assessment Datasheet - Historical Mapping
 Land Contamination Assessment - Historical Map - Slice C
 Land Contamination Assessment - Industrial Land Use Map - Slice B
 Land Contamination Assessment - Historical Aerial Photography - Segment A15
 Land Contamination Assessment - Site Sensitivity Map - Segment A14
 R3051-R01-v1 - Stage 1 Contamination Assessment - August 2022
 Agricultural Land Classification - November 2021
 10299A - Glint and Glare Study
 R22.0201/DRK - Noise Impact Assessment May 2022
 Hydrological Analysis - Final v1.0 dated 13 May 2022
 40312 Archaeological Geophysical Survey June 2022 Part 1
 40312 Archaeological Geophysical Survey June 2022 Part 2
 CA Report MK0548_01 Historic Environment Desk-Based Assessment July 2022
 Landscape and Visual Impact Assessment Appendix B Part 1 August 2022
 Landscape and Visual Impact Assessment Appendix B Part 2
 Landscape and Visual Impact Assessment Appendix B Part 3
 Landscape and Visual Impact Assessment Appendix B Part 4

Reason: For the avoidance of doubt and in the interests of proper planning.

2 Condition 18 - Landscaping Detail - Reference to Plan

The scheme of landscaping and tree planting shown on drawing no.2930-01-03 Rev F shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and hedgerows forming part of the overall landscaping scheme shall be maintained by the owner or owners of the land on which they are situated for the period of thirty years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

New hedgerows should be maintained at a height of approximately 3m-3.5m. Within the proposed woodland belts, larger stock (a combination of feathered and standard trees) should also be planted to provide initial screening benefit close to residential properties.

The landscaping and tree planting details shall be informed by the Landscape and Ecological Management Plan required as part of Condition 19 and implemented and maintained during the 30 year period.

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.

This Condition is imposed in accordance with Policies 2, 3, 28 and 31 of the South East Lincolnshire Local Plan, 2019.

Notes:

I write to confirm that the proposed non-material amendments submitted on your application dated 9.9.2024 reference H04-0769-24 are acceptable and the application file has been endorsed accordingly.

Conditions 2 and 18 on the existing approval reference H04-0849-22 has now been amended as shown above.

The amendments relate to:

1. Removal of the Solar Switchgear Building
2. Removal of the Solar Control Building
3. Removal of the Solar Storage Building
4. Revised Battery Energy Storage System (BESS) Compound Layout
5. Additional buried cable ducting.

These changes are within the administrative district of Boston.

The approved plans supersede plans:

2920-01-03 rev E General Arrangement Full Layout
2920-01-03a rev E General Arrangement Sheet 1
2920-01-03b rev E General Arrangement Sheet 2

This Decision Notice should be read in conjunction with that of the parent planning permission reference H04-0849-22 and all conditions imposed on the previous planning permission apply to the proposal as now amended. The revised plan reference numbers for conditions 2 and 18 are hereby amended as shown above.



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
South Holland District Council

BUILDING REGULATIONS:

This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning-inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice OR the timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in

giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant it subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.