SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 19 July 2023**

(Author: **Maxine Simmons - Planning Officer)**

Purpose: **To consider Planning Application H04-0849-22**

Application Number:	H04-0849-22	**Date Received:**	25 August 2022
Application Type:	FULL		
Description:	Proposed development of a photovoltaic solar array, grid connection, access improvement works & ancillary development on land at Bicker Fen, Boston and South Holland		
Location:	Land West of Cowbridge Road Bicker Fen Boston		
Applicant:	AGR Solar 2 Ltd.	**Agent:**	AXIS
Ward:	Donington, Quadring and Gosberton	**Ward Councillors:**	Cllr H J W Bingham Cllr M A Geaney Cllr J L King

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H04-0849-22

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 As a result of the complexity of the case and the policy and other matters the proposal raises. This application was considered by the Chairman's Panel held on 17 March 2023, which referred the case to the planning committee.

2.0 PROPOSAL

2.1 This is a full planning application for a proposed development of a photovoltaic solar array, grid connection, access improvement works & ancillary development on land at Bicker Fen. This is a cross-boundary application with Boston Borough Council. The larger proportion of the site covered by panels lies within South Holland.

2.2 The development (including the grid connection corridor) would involve approximately 97.3 hectares of land, the majority of which is arable agricultural land. The development is anticipated to have a lifespan of 40 years, after which the land could be returned to agricultural use.

2.3 The solar farm is predicted to have a peak output of 49.995 megawatts during peak operation, which will be capable of powering thousands of homes.

2.4 The development would consist of solar PV panels arranged in linear rows approximately 5m apart to face south. Panels are mounted on a steel and aluminium frame, with supports pile driven into the ground to a depth of approximately 1.2m depending on ground conditions. In areas of archaeological sensitivity surface mounted solar panel frames would be used to enable

preservation of archaeology in situ. The panels will be mounted at approximately 0.8m from the ground at the lowest point, rising to up to approximately 3m at the highest point.

2.5 The development would also include a battery storage facility (to reinforce the power generation of the solar farm), inverter/transformer stations, CCTV, deer type perimeter fencing (approx. 2.1m high) and landscaping.

2.6 The electricity generated by the solar development will be fed into the Bicker Fen National Grid Substation via underground cables.

2.7 The Local Planning Authority responded to a request for a screening opinion under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 on 12th October 2021. It was concluded that the proposed development was not EIA development and need not be accompanied by an Environmental Statement.

3.0 SITE DESCRIPTION

3.1 The application site predominantly comprises arable farmland made up of large fields, crossed by a network of ditches and drains. It also includes the grid connection corridor where underground cables would be laid. Field margins are typically formed by open ditches, however in some locations established hedgerows and hedgerow trees make up the field boundaries. These features are characteristic of the wider local landscape. The landscape is interspaced by occasional farm buildings (both residential and functional) of varying size and condition. A Public Right of Way follows Hammond Beck in a broadly north/south direction.

3.2 The site is not subject to any landscape, heritage or conservation area designations and there are no listed buildings on the site itself. There are listed buildings in Bicker to the east, but these are some distance away. There are no formal ecological designations within 2.5km of the site.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

4.2 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.3 South East Lincolnshire Local Plan, March 2019

1 Spatial Strategy
2 Development Management
3 Design of New Development
4 Approach to Flood Risk
5 Meeting Physical Infrastructure and Service Needs
28 The Natural Environment
29 The Historic Environment
30 Pollution
31 Climate Change and Renewable and Low Carbon Energy
32 Community, Health and Well-being

4.4 National Guidance

4.5 National Planning Policy Framework (NPPF), 2021

2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
11.Making effective use of land

12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Planning Practice Guidance (PPG)

Renewable and low carbon energy
Natural environment
Historic environment
Flood risk and coastal change
Noise

5.0 RELEVANT PLANNING HISTORY

5.1 No relevant history for application site itself, however other sites outside the District but close by are as follows:

5.2 Heckington Fen (Within Boston Borough) National Infrastructure Planning. (Planning Inspectorate ref EN010123). Under consideration under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 for the proposed Heckington Fen Solar Project situated North of the A17 between Sleaford and Boston. Undetermined.

5.3 Land North West Of Bicker, Vicarage Drove Solar Farm (Within Boston Borough. Ref B/21/0443). Proposed construction and operation of a solar photovoltaic farm, battery storage and associated infrastructure, including inverters, batteries, substation compound, security cameras, fencing, access tracks and landscaping. APPROVED 17/02/2022.

5.4 Land At Little Hale Fen, To The East Of Helpringham, To The South East Of Little Hale, And To The North West Of Bicker And Donington. (Within North Kesteven). Formal application not yet submitted. Screening Opinion Ref 21/1337/EIASCR - Proposed solar farm (up to 49.995MW generating capacity) and associated infrastructure including grid connection cabling to Bicker Fen Substation. Undetermined.

6.0 REPRESENTATIONS

6.1 Donington Parish Council

6.2 No response received.

6.3 SHDC Environmental Protection

6.4 No comment. In terms of Noise: 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.

6.5 LCC Highways & SUDS Support

6.6 Recommendation: No objection subject conditions and informatives.

The vehicular activity associated with the operation of a solar farm is negligible - being occasional and infrequent visits undertaken in a van or a 4x4 vehicle by maintenance personnel.

The construction phase however, can give rise to much greater vehicle movements on the local highway network. This application site is served by generally single-track Fen roads that are also of a low constructional standard. Of particular concern to the highway authority has been the potential for larger Heavy Goods Vehicles making deliveries of road-making materials and the component parts of the arrays, their mountings and the ancillary structures on the site, to meet on-coming HGVs that have made their deliveries and are leaving the site to collect further

loads. The Transport Consultants for the Applicants have acknowledged that concern, and to address it, have negotiated their clients' use of the haul road that has been constructed by the Viking Link developers, which connects the A52 Donington By-pass to North Ing Drove, as a means of routing delivery vehicles to and from the Application Site. This will allow arriving, loaded vehicles to enter the site via the Viking Link Haul Road and North Ing Drove and the emptied vehicles to depart the site via Cowbridge Drove, Ing Drove and the Haul Road that was provided as part of the Bicker Fen Wind Farm and National Grid Sub-station developments, to get back onto the principal road network at the A52.

Whilst the Transport Consultants have suggested that it would be possible to run these two routes in either direction, it is the highway authority's preference that the loaded, and therefore heavier, vehicles arrive via the Viking Link route, so that the departing, and therefore lighter, vehicles use the Cowbridge Drove and Ing Drove route that has previously been subject to heavy usage during the Wind Farm and National Grid Sub-station projects.

Cowbridge Drove and Ing Drove also have greater numbers of residential properties along their route, which are all public highways, and will still be subject to extra HGV traffic. Pre-commencement conditions are suggested which record the current condition of the road, and maintain these roads in a safe and usable condition throughout the construction phase of the proposed development, and reinstate them to no worse than their pre-commencement condition following completion of the construction phase. A corresponding arrangement will also be required for the period when the proposed solar farm is decommissioned.

They also suggest notes being added to the decision notice.

6.7 Anglian Water

6.8 The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. If diverting or crossing over any of Anglian Water's assets permission will be required

6.9 Black Sluice Internal Drainage Board

6.10 Any proposed works within any watercourse, including the replacement of any existing structures, will require the Board's prior written consent as per Section 23 of the Land Drainage Act 1991.

It is understood from the documentation provided that surface water from the development is to be discharged via infiltration. If this is the case, then evidence that infiltration is suitable for the site should be submitted to the local planning authority for their approval.

Should infiltration prove unsuitable, then the applicant should submit details of an alternative scheme to the local planning authority for consideration, and must have received approval for any such scheme, prior to works commencing on site. Discharge to any watercourse will require prior written consent from the Board.

There are also a number of watercourses NOT maintained by the Board bounding or crossing the site. If the applicant or their successors intend to pipe of fill any watercourse, including those maintained by the Board, now or at any time in the future, then under Section 23 of the Land Drainage Act 1991 the prior written consent of the Board is required for any proposed permanent or temporary works or structures, including infilling, diversion, or replacement of any existing structures, within any watercourse.

Environment Agency

6.11 No objection subject to development being carried out in accordance with the recommended mitigation measures in the submitted Flood Risk Assessment.

6.12 Natural England

6.13 Dated 28/09/2022:

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) Natural England is a statutory consultee on development that would lead to the loss of over 20ha of 'best and most versatile' (BMV) agricultural land (land graded as 1, 2 and 3a in the Agricultural Land Classification (ALC) system, where this is not in accordance with an approved plan.

From the description of the development this application is likely to affect 97.3ha of BMV agricultural land. We consider that the proposed development, if temporary as described, is unlikely to lead to significant permanent loss of BMV agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles (and concrete sleepers to protect archaeological features below the surface) with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards. Although some components of the development, such as Solar inverter-transformer stations, BESS containers, access tracks and cabling, may permanently affect agricultural land this would be limited to small areas, approx. 0.2ha + access tracks and cabling areas, according to areas set out in section 3 of the Planning and Design and Access Statement (PDAS).

The PDAS also notes that the solar panels will be set at a height which allows, to some extent, agricultural use (grazing) to occur during the 40 year operational phase. However, during the life of the proposed development it is likely that there will be a reduction in agricultural production over the whole development area. Your authority should therefore consider whether this is an effective use of land in line with planning practice guidance which encourages the siting of large scale solar farms on previously developed and non-agricultural land.

Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources and agricultural land, including a required commitment for the preparation of reinstatement, restoration and aftercare plans; normally this will include the return to the former land quality (ALC grade).

We would also advise your authority to apply conditions to secure appropriate agricultural land management and/or biodiversity enhancement during the lifetime of the development, and to require the site to be decommissioned and restored to its former condition when planning permission expires.

Natural England welcome the intention of the applicant to deliver a measurable Biodiversity Net Gain through their development. The Biodiversity Net Gain assessment, undertaken using the Biodiversity Metric 3.1, indicates that the development will give rise to an on-site increase in habitat units of 119.47% and hedgerow units of 1005.02%.

Once Biodiversity Net Gain is made mandatory there will be a necessity to secure the management of the habitats for 30+ years. However, as BNG is not yet mandatory, this is not necessary. Despite this, we still recommend that a management plan is created to maintain the habitats created through the scheme for the lifetime of the development.

Dated 24/02/2023:

Natural England has previously commented on this proposal and made comments to the authority in our response dated 28 September 2022, NE reference number (406086).

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

6.14 Lincolnshire Wildlife Trust

6.15 Originally submitted a holding objection due to the lack of information. Further information was sought and provided, particularly in terms of a Skylark Mitigation Area to help provide a nesting area for Skylarks.

A further response was received which stated:

Lincolnshire Wildlife Trust find the submission of the Skylark Habitat Management Plan to be of

sufficient detail and quality for us to lift their original holding objection. They appreciate that their comments were taken on board by the applicant and the requested plans have been implemented to limit the negative effect of this development on ground nesting birds.

Requested consideration of cumulative impacts in a more strategic and integrated manner in regards to such issues as ground nesting birds and ensuring the supply of local provenance seed mixes.

6.16 Lincolnshire Bat Group

6.17 Broadly agree with the conclusions re bats and can confirm that the South Forty Foot drain is indeed a major foraging area, primarily for common pipistrelles; and though the Hammond Beck has never been surveyed agree with the ecologists' assessment of its foraging potential. Habitat improvement, section 4.2: absolutely agree. See 4.4.23 for lighting recommendations.

Historic England

6.18 Suggests to seek view of local specialist conservation and archaeological advisers and refer to our published advice.

6.19 LCC Historic Environment Officer

6.20 Original submission.

The proposed development is located in an area that has recently been subject to a number of archaeological investigations associated with new infrastructure schemes, which has revealed important Iron Age and Roman settlement and industrial activity in the fens between Donington and Bicker.

The developer has already carried out a geophysical survey prior to application, which has identified probable archaeology that may be of considerable significance. This is in the form of Iron Age or Roman settlement or industrial activity (located in 'Field 5' within Boston Borough) and a possible Roman stone building that may be a villa or bath house (in 'Field 3' within Donington parish). Roman stone buildings of any kind are exceptionally rare within the fenland region and where they do occur are often thought to relate to the imperial administration. If accurately identified these remains may therefore be of regional or national significance. In the latter case they may fall within the provisions of NPPF paragraph 200 which states "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets."

However, it should be noted that geophysical surveys have been shown not to fully identify all of the archaeology present in this particular area, and these results may under-represent the extent of remains which may exist here and which could be impacted by development. The developer's Heritage Impact Assessment notes that excavations carried out following geophysical surveys nearby found that:
"The majority of geophysical anomalies did not correspond to the pattern of features identified during the initial evaluation and were actually geological in nature (Headland Archaeology 2017b, 18). The report further states that 'it has proved impossible to distinguish the lower magnitude responses of the archaeological features from the higher magnitude and extensive anomalies caused by the much varying geological background. In this case the cropmark evidence has provided a more accurate assessment of the level of archaeology present although even this does not reveal the true extent of the archaeological remains on this site' (Headland Archaeology 2017b, 18)."

Geophysics alone also cannot provide confirmation of the depth, condition or significance of buried remains and further evaluation will be needed in order to understand the potential impacts of the proposed development.

They recommended that the developer commission a trial trench evaluation the results of which should be provided prior to determination. This is in accordance with the requirements of the National Planning Policy Framework (section 16, paragraph 194) and the South East Lincolnshire Local Plan (Policy 29C)

6.21 Revised submission.

The written scheme of archaeological investigation (WSI) produced by Cotswold Archaeology dated January 2023 submitted here would meet the requirements of this office outlined in our previous consultation response (27/10/2022). This recommended that the developer be required to carry out a programme of trial trench evaluation to provide sufficient information regarding the potential impacts of the development on archaeological remains below ground. Although we would always prefer that such evaluations were carried out prior to determination, we understand that this is not always feasible. As noted in our previous advice, we are particularly concerned about the remains of a possible Roman stone built villa building or bath house complex identified by the geophysical survey, which could be of regional or even national significance. We have, however, received reassurances that it would be possible for the plans to be amended post-determination in the event that significant archaeological remains are discovered during trial trenching, so that these can be preserved in situ. If the local planning authority is minded to grant permission we would therefore recommend that the WSI submitted form part of the approved plans, with a pre-commencement condition added to require the submission of the final report of this trial trench evaluation to be submitted and approved in writing by the local planning authority prior to any development commencing on site. This is in order that the results of the evaluation can be used to agree a proportionate mitigation strategy, if necessary, prior to any impact on heritage assets of archaeological interest taking place. This mitigation strategy may consist of preservation by record, or amendments to the approved plans to enable remains to be preserved in situ, or a combination of the two. This is in accordance with the requirements of the National Planning Policy Framework paragraph 194 and 205, and the South East Lincolnshire Local Plan Policy 29, which requires developers to "take every reasonable step to protect and, where possible, enhance their significance" and that "mitigation strategies should ensure the preservation of archaeological remains in-situ. Where this is either not possible or not desirable, provision must be made for preservation by record".

6.22 Lincolnshire Police

6.23 No objections.

6.24 Boston Borough Council

6.25 No comments.

6.26 North Kesteven District Council

6.27 The site lies to the east of the South Forty Foot Drain which forms the eastern boundary of North Kesteven District. In October 2021 NKDC issued a screening opinion (ref: 21/1337/EIASCR) for a 49.995MW solar farm at Little Hale Fen, to the immediate west of the South Forty Foot Drain, the proposed grid connection was to be in Boston Borough at Bicker Fen, the same point as shown on the current application. NKDC determined that the site was not subject to Environmental Impact Assessment (EIA) but wishes to highlight the potential for the development of this solar farm to enable an assessment of cumulative impacts. Only very brief reference is made of this within the Landscape and Visual Impact Assessment.

In addition Ecotricity have been in consultation with local communities and NKDC regarding the development of a Nationally Significant Infrastructure Project (NSIP) on land at Heckington Fen. This will comprise the development of an approximate 500MW solar farm on a 587ha site to the north of the current application site, with the recently approved solar farm on land north west of Bicker between the two within Boston Borough (ref: B/21/0443). The Heckington Fen solar farm would also connect into the substation at Bicker Fen.

This NSIP project is anticipated to be submitted to the Planning Inspectorate for determination by the NSIP team in the 1st quarter of 2023 and further details can be found on the National Infrastructure Planning (planninginspectorate.gov.uk) and also on Ecotricity's website. The submitted application documents make no reference of the Heckington Fen solar farm which might call into question the validity of any conclusions drawn in relation to cumulative impacts given that the Heckington Fen scheme is a registered NSIP project and which has recently concluded its Preliminary Environmental Information Report (PEIR) consultation.

NKDC therefore wishes to highlight the potential for the development of the solar farms at Little Hale and Heckington Fen to enable assessment of the cumulative impacts in association with the proposed solar farm at Bicker Fen taking into account also the recent permission for a solar farm to the immediate north of this within Boston Borough. Views of the Little Hale and Bicker Fen solar farms may be possible in combination from the embanked bridleway running along the eastern bank of the South Forty Foot Drain, and therefore consideration of cumulative impacts should include visual impact, loss of agricultural land and the consideration of the cable connection route. It is understood that the cable connection corridor/connection point might be shared with/overlap that proposed for the Temple Oaks solar farm at the former Folkingham airfield and which is currently with PINS for a scoping opinion as a registered NSIP scheme.

6.28 Ministry of Defence

This application relates to a site outside of Ministry of Defence safeguarding areas, therefore confirm that the Ministry of Defence has no safeguarding objections to this proposal.

6.29 Public - Objections / comments received (summarised)

6.30 - Contrary to Government policy on development of solar farms on higher grade agricultural land; land needed for growing food
- Waste of G1,2 & 3a agricultural land
- Adverse visual impact/visual intrusion
- Glare, noise and heat disruption to properties
- Cumulative impact along with other energy generating uses in area
- Overdevelopment of rural area with industrial infrastructure including three other solar developments, National Grid substation with repeated extensions, 13 wind turbines, Viking Link scheme & Triton Knoll scheme
- The developer does not have permission from the land owner for the access arrangements proposed
- Roads to site have been deemed unsuitable for construction traffic by Boston Borough Council to the Planning Inspectorate; construction route and cable route unsustainable due to width, state of repair and existing infrastructure
- Speed limit for all construction vehicles including the cars of employees be set at a maximum of 20mph during construction on Cowbridge Road
- Serious abuse of residents under the terms of the Human Rights Act
- No consultation with local residents
- No planning notices erected
- The access track proposed for use has no planning permission for use other than by National Grid and local farmers. Part of this track is in South Holland district
- The proposed construction route and cable route are unsustainable due to the width of the road, state of disrepair and existing infrastructure.
- Concern re potential for loss of open views
- Erosion/spoiling of traditional Fenland Landscape
- Effect of Bicker wildlife
- Health Concerns for residents
- Query re construction hours and length of construction
- Full structural surveys on all domestic properties prior to and on completion of the proposed project
- All affected properties to have acoustic triple glazing fitted to exclude the excessive noise caused by the construction traffic
- There should be daily monitoring of the noise, fumes and dust pollution which could cause health issues to the residents and damage to the environment
- Impacts on physical and mental health of residents
- Photovoltaic facilities burn massive amounts of fossil fuels to manufacture the equipment
- Money would be better spent on restarting the mothballed Sutton Bridge Power Station and trees planted to offset carbon
- Loss of property values
-loss of seasonal jobs for agricultural workers
- excessive costs of construction, excessive carbon cost in production of panels, use of cobalt from Africa, huge carbon footprint,
-there are better sites more suitable.
-gross visual intrusion, unsympathetic to local landscape, too much industrial building, hemmed in by solar panels, noise concerns, emissions, glare, traffic, feeling of enclosure.
-vibration, need structural surveys on properties, should have triple glazing on properties, noise and fumes monitoring,
-effect on Bicker wildlife

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 The key considerations in this case are:
- Principle
- Site selection and loss of agricultural land
- Cumulative effects and food security
- Landscape character and visual impact
- Impact on historic environment
- Highway safety
- Impact on Ecology
- Flood risk and drainage
- Impact on residential amenity
- Glint and glare
- Developer contributions
- Planning Balance

7.3 Principle

7.4 Planning permission is sought for the construction and operation of a solar photovoltaic (PV) farm with associated infrastructure. Government policy supports the development of renewable energy sources, including solar developments, to help ensure the UK has a secure energy supply and to reduce greenhouse gas emissions to slow down climate change.

7.5 This is clearly set out in Chapter 14 of the National Planning Policy Framework (NPPF) which relates to meeting the challenge of climate change, flooding and coastal change, where in paragraph 152 it states:

"The planning system should support the transition to a low carbon future in a changing climate. It should help to support renewable and low carbon energy and associated infrastructure". The NPPF goes on to state, in paragraph 158, that when determining planning applications for renewable energy, planning authorities should not require applicants to demonstrate:
a) the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
b) approve the application if its impacts are (or can be made) acceptable."

7.6 As a result, planning policy at a national level is very supportive of renewable energy development.

7.7 The National Planning Practice Guidance (NPPG) contains various guidance of relevance to the registration, processing and consideration of planning applications as well as practical advice in relation to the following areas, of relevance to the proposed development:
·Renewable and low carbon energy;
·Climate change; and
·Natural Environment.

7.8 In terms of renewable and low carbon energy, the NPPG states that "increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable".

7.9 The applicant's supporting information also outlines various national initiatives that assists with combating climate change.

7.10 At a local level, the South East Lincolnshire Local Plan (2019) (SELLP) seeks to support the use of renewable energy technologies to help minimise carbon emissions.

7.11 The site is located outside of any settlement boundary as defined in the SELLP and is therefore

within the countryside in planning policy terms. Policy 1 of the SELLP states that development in the countryside will only be permitted where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. An alternative site assessment has been submitted which concludes that greenfield sites are more appropriate for a proposal of this scale. It would clearly not be practical to locate a solar farm of this scale within a settlement boundary and thus a countryside location is necessary, and conforms with this aspect of the policy. Furthermore, solar development must also be located close to major grid infrastructure with sufficient capacity to accommodate the energy generated, which is relevant in this case since the site is located close to the existing Bicker Fen substation. The location is considered to be acceptable in respect of Policy 1 of the SELLP.

7.12 In terms of the environmental benefits of Policy 1, the provision of a solar farm will clearly contribute to climate change targets. At a local level, the Council adopted the Climate Change Strategy in Spring 2022, acknowledging that urgent action is required to limit the environmental impacts produced by the climate crisis. As such, the proposed development would significantly contribute to this target as well as to national government's aim to urgently de-carbonise energy production. As well as providing a renewable energy source, the proposal would also provide a significant amount of biodiversity net gain. The submitted biodiversity net gain report confirms that the proposal would result in a +119.47% of habitat units and +1005.02% hedgerow units. This includes a Skylark Mitigation Area in a field adjacent to the fields providing solar panels that can be required to be provided by means of a combination of a condition and a Section 106 agreement. This again is an environmental benefit.

7.13 In terms of community benefits, the applicant has confirmed that the proposed development would support the community through supplying low carbon energy that over time would reduce emissions from fossil fuel generation, improve long term air quality and reduce climate change. It would not restrict use of public rights of way and will provide opportunities for interpretation in respect of renewable energy and biodiversity on the site. The applicant has also agreed to a condition relating to a training and employment management plan, aiming to promote training and employment opportunities at all stages of the development for local people and social benefits, including activities such as employing local labour, enabling work experience, and links to local education establishments. These are beneficial in community terms.

7.14 In terms of economic benefit, a solar farm benefits the local economy in terms of business rates, construction phase employment opportunities, permanent jobs and electricity provision itself.

7.15 The proposal therefore contributes to the environmental, social and economic benefits as set out in Policy 1 of the SELLP.

7.16 Policy 31 of the SELLP directly relates to 'Climate Change and Renewable and Low Carbon Energy'. Part B of that policy sets out the circumstances in which renewable energy facilities, associated infrastructure and the integration of decentralised technologies will be permitted. Such development *"will be permitted provided, individually, or cumulatively, there would be no significant harm to:*

1. visual amenity, landscape character or quality, or skyscape considerations;
2. residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic;
3. highway safety (including public rights of way);
4. agricultural land take;
5. aviation and radar safety;
6. heritage assets including their setting; and
7. the natural environment.

Provision should be made for post-construction monitoring and the removal of the facility and reinstatement of the site if the development ceases to be operational."

7.17 For the reasons set out in the remainder of this report, the proposal accords with Policy 31 of the SELLP. The provisions of Policy 31 are in general conformity with the suggested planning considerations set out in the NPPG relating to renewable and low carbon energy.

7.18 In conclusion, taking all of the above into account, the proposed development is deemed to be acceptable in principle.

7.19 Site selection and loss of agricultural land

7.20 To assist in assessing land quality, the Ministry of Agriculture, Fisheries and Food (MAFF) developed a method for classifying agricultural land by grade according to the extent to which physical or chemical characteristics impose long-term limitations on agricultural use for food production. The MAFF Agricultural Land Classification (ALC) system classifies land into five grades numbered 1 to 5, with grade 3 divided into two sub-grades (3a and 3b). Annex 2 of the NPPF defines 'best and most versatile agricultural land' as land in grades 1, 2 and 3a of the Agricultural Land Classification.

7.21 Chapter 15 - Conserving and enhancing the natural environment, at paragraph 174 (b) of the NPPF states (in part) that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

7.22 National Planning Practice Guidance states that where a proposal involves greenfield land, consideration should be given to whether:
(i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and
(ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

7.23 Policy 31, Climate Change and Renewable and Low Carbon Energy, states that renewable energy facilities should have no significant harm to landscape character or quality or agricultural land take.

7.24 As part of their submission, the applicant has provided an Agricultural Land Classification document, which sets out the results of a survey that concludes that 87.2% of the site is Grade 3a (due to wetness), 6.4% is Grade 2 and 6.4% is Grade 1 agricultural land. The site is therefore deemed to fall into the category of 'best and most versatile agricultural land'. However, Natural England - whom are statutory consultees for non-agricultural development of greater than 20 hectares on grades 1, 2 or 3a agricultural land - have no objections to the proposal. It has been advised that the proposed development is unlikely to lead to its significant long-term loss since the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur.

7.25 In the submitted Planning and Design & Access Statement, the applicant provides some information on the considerations which applied in the site selection process. This is set out below:

7.26 *"The Applicant has undertaken an extensive Site search exercise to identify potential locations for solar farms across the UK. The Site search exercise focussed on areas in proximity to National Grid Substations with capacity to connect large scale Solar PV arrays. The Bicker Fen Electricity Generating Substation located off Vicarage Drove and adjacent to the existing Bicker Wind Farm, was identified as a primary search location due to available capacity and necessary land areas. The substation is located less than 400m to the west of the proposed location for the Solar array.*

7.27 Large-scale solar farms are increasingly economically viable, without the need for government subsidy. However, any solar farm development needs to be carefully designed to ensure its financial viability, particularly in the current climate of increasing development costs. As such the applicant defined a 4km radius around the Bicker Fen Substation to limit the potentially prohibitive costs of longer grid connections and third-party land negotiations.

7.28 Firstly, brownfield sites were considered by reviewing the Brownfield Land Registers. There were no sites identified which are over 5 hectares and no site within 4km of the grid connection point.

7.29 Secondly, the likelihood of best and most versatile agricultural land was reviewed based on Natural England's strategic scale mapping for the East Midlands. All the land within 6km of the substation has a high likelihood of being the best and most versatile agricultural land. As such, it is unlikely that significant areas of lower grade agricultural land would be available and that there are no more sequentially preferential sites within the search area."

7.30 Looking at the cumulative land use impacts of the development when considered in tandem with other schemes in the locale, in terms of the cumulative effects on agricultural land the applicant comments as follows:

7.31 "The Heckington Fen Energy Park, Vicarage Drove Solar Farm, Little Hale Solar Farm and Bicker Fen Solar Farm would result in the cumulative, but reversible loss of c. 514 Hectares of best and most versatile (BMV) agricultural land. However, within Lincolnshire there is approximately 381,000 hectares of BMV agricultural land. As such the cumulative impact of all four solar projects would be c. 0.13% of the total available resource within the County.

7.32 It should be noted that the land beneath the solar panel would be used for grazing and as such would continue in agricultural use, albeit crop production would not be possible during the operational life of the solar farms. Natural England have confirmed that the proposed development would not result in the permanent loss of BMV land and that the land can be restored to full agricultural use following decommissioning. In addition, removing land from intensively managed production for a period of time can have beneficial effects in terms of agricultural land quality as the soil structure and organic matter content can improve over time reducing the need for fertilisers, when returned to full agricultural use.

7.33 The temporary restriction in agricultural flexibility and very small percentage of BMV land affected by the four projects is not considered to represent a significant cumulative effect. "

7.34 With regard to the visual impact of the proposal when read in conjunction with other proposals, the application is supported by a document assessing these impacts has been submitted, that has been undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment (Landscape Institute and Institute for Environmental Management and Assessment, 3rd edition 2013). The visual impact of the development is assessed in a later section of this report.

7.35 Taking the above into account, it is considered that suitable evidence has been provided by the applicant to demonstrate that the proposal is in general accordance with national guidance with regard to site selection and the grade of agricultural land. As such, there are not considered to be any significant or demonstrable adverse impacts in this respect that would justify refusing the application.

7.36 Cumulative Effects and Food Security

7.37 A cumulative statement has been provided by the applicant which outlines the percentage of different grades of agricultural land being cumulatively taken out of production, given other schemes within and adjacent to the District's boundaries.

7.38 The areas of best and most versatile (BMV) agricultural land for each development relevant to the proposed development has been extracted from relevant planning applications, DCO Preliminary Environmental Information Reports and DCO screening requests. The applicant has confirmed:

The Heckington Fen Energy Park, Vicarage Drove Solar Farm, Middle Marsh, Little Hale Solar Farm, Springwell Energy Farm and Bicker Fen Solar Farm would result in cumulative, but reversible impact on c.1,833 hectares of BMV agricultural land. However, within Lincolnshire there is c.488,915 hectares of farmed landed with approximately 381,000 hectares of BMW agricultural land. As such, the cumulative impact of all six solar projects would be just c.0.5% of the total available BMA agricultural land resource within the County.

7.39 It has been confirmed that the land within each submitted application boundary would not be fully removed from agricultural use as the areas beneath the solar panels would be used for sheep grazing. Natural England have confirmed that the development would not result in the permanent loss of BMV land and that the land can be restored to full agricultural use following decommissioning. A condition, in this respect, is recommended. Furthermore, the applicant has confirmed that removing land from intensively managed production for a period of time can have beneficial effects in terms of agricultural land quality as the soil structure and organic matter content can improve over time reducing the need for fertilisers.

7.40 In terms of food security, the landowners have confirmed that the wheat and barley yields in the area range from 7.5-10 tonnes per hectare depending on weather conditions etc. As such, the land temporarily lost to this development for arable production could result in a UK reduction of wheat or barley production of approximately 728-970 tonnes per annum. Development of all cumulative sites, as stated above, would result in a UK reduction of wheat or barley production of approximately 13,738-18,330 tonnes per annum.

7.41 DEFRA indicates that 15.5 million tonnes of wheat and 7.4 million tonnes of barley were produced in the UK in 2022. Therefore, this development would represent a reduction of less than 0.006% of wheat production and less than 0.013% of barley production. Therefore, the loss of this land for wheat and barley production would be minimal.

7.42 Landscape character and visual impact

7.43 National Planning Practice Guidance highlights that the deployment of large-scale solar farms can have a negative impact on the rural environment. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

7.44 The existing character of the application site and its surroundings is described above. The applicant has considered the impact of the proposed development upon the existing landscape and views in the submitted Landscape and Visual Impact Assessment (LVIA) which follows the "Guidelines for Landscape and Visual Impact Assessment" published by Natural England. The study covers an area of 2.5km from the site boundary.

7.45 The LVIA separates impacts into 'landscape effects' (effects on the landscape as a resource in its own right) and 'visual effects' (effects on specific views and on the general visual amenity experienced by people).

7.46 In terms of the former, the LVIA concludes that the overall susceptibility and value of the landscape fabric are low and that overall sensitivity is low. It goes on to state that:

"during the operational life of the proposed development, grazing by sheep would be introduced in combination with mowing/strimming. This would maintain the agricultural usage of the site, albeit the pasture grassland would be relatively static compared to the constantly changing landscape fabric associated with arable crop rotation. A minor effect on the farmland within the site would occur, associated with the change from arable use to pasture or mowing activities. Change would be reversible following decommissioning, and the land could be returned to arable use. As such, effects on the underlying landscape fabric would not be significant. The introduction of new lengths of hedgerow and new woodland belts would have a beneficial effect in respect of the landscape fabric of the area and would be retained following decommissioning."

7.47 In regard to landscape character, the LVIA concludes that:

"electricity generation and supply infrastructure, including renewable energy is an established influence locally (e.g. the Bicker Wind Farm, the Triton Knoll Offshore Substation, and the Viking Link Convertor), and there is a clear trend for further such development to be located locally (e.g., the consented Vicarage Drove Solar Farm, and the proposed Little Hale Fen Solar Farm). The proposed development would accord with this trend. In the medium and longer term, the planting of new hedgerows and woodland belts would provide visual screening, and the influence of the new structures would therefore reduce. The new planting and new species-rich grassland would enhance biodiversity locally. The new planting would also increase the level of enclosure within the landscape locally, which would reflect current trends to enclose

electricity infrastructure with planting. There would be some localised change in character, particularly initially as the new solar panels and associated features are introduced but change from baseline would be limited. Effects would be minor to moderate adverse and would not be significant. The associated landscape proposals would have a beneficial effect as new planting establishes."

7.48 In order to assess the visual effects (including views from residential properties) of the proposal, a 'Zone of Theoretical Visibility' (ZTV) has been produced to accompany the LVIA. ZTVs are computer generated diagrams which illustrate the theoretical visibility of the development throughout a study area. In this instance, the ZTV is based on 3m above existing ground level - the maximum height of the solar PV panels. Two ZTVs have been prepared for the proposed development: one that is 'unscreened' and one that takes into account the landscaping proposals.

7.49 The unscreened ZTV shows that visibility would be concentrated within the area bounded by Cowbridge Road to the north and northeast, by North Ing Drove to the south, and by the South Forty Foot Drain to the west, with visibility reducing appreciably outside of this area. Outside of the site boundary, the areas with the greatest amount of visibility predicted would be the land to the west, with visibility reducing to the east where a greater amount of vegetation cover is present.

7.50 The ZTV with the benefit of landscaping identifies that the *"proportion of the proposed solar panels that would be visible would reduce substantially as a result of the proposed planting. By year five, visibility would seldom be greater than 40% of the proposed development, even within the site itself. Scattered areas to the south-west would have theoretical visibility of between 40% and 60% of the proposed development, but this would occur in the area where the Viking Link convertor stations are being constructed and may not therefore be available once these structures are built, and restrict some views towards the site. In the medium and longer-term less than 20% of the proposed development is predicted to be visible from the majority of the study area."*

7.51 It goes on to explain that *"clear views at short range would be visible from stretches of North Ing Drove, Ing Road and Cowbridge Road, and from some of the properties located along these. Properties likely to experience such views include The Old Barn, The Northings, Beck Cottage, the unnamed property at North Fen, 132-134 Northorpe Road, Cowbridge Farm, Ing Farm, The Haven, the property on Ing Drove called The Bungalow and Strawberry Farm. Garden vegetation may provide some filtering of views from some properties, but the new structures would remain visible... Initially, significant visual effects are likely to be experienced by residents in the properties... However, as the proposed new planting at the Site boundary establishes (after approximately five years), views of the new structures would be well screened. In particular, visibility from the nearby properties would reduce considerably. There would be some change in view associated with this planting, with the influence of vegetation increasing, but medium and longer-term visual effects would not be significant. Properties at 120 Northorpe Road, Cowbridge Farm and the adjacent property called The Bungalow, and the properties at Kingstree Cottage and Kingstree Lodge would benefit from the considerable screening provided by existing vegetation cover within gardens and at the property boundaries. Visual effects experienced at these properties would not be significant."*

7.52 With regard to road users (medium to low sensitivity receptors), their appreciation of the landscape is likely to be secondary to the primary purpose of the route, which is to provide local access. The closest roads to the site are Cowbridge Road (north/east), North Ing Drove (south/west), Middle Fen Drove (south), Vicarage Road (west) and Ing Road (east). The LVIA concludes that the effects experienced by motorists would not be significant.

7.53 A Public Right of Way (PROW) follows the Hammond Beck in a broadly north/south direction. The LVIA considers the impact on this from a particular viewpoint at the north of the site and identifies that *"a moderate to major adverse effect would occur initially, and this effect would be significant. The new solar panels and ancillary structures would be introduced at close range and would be clearly visible from the viewpoint. Whilst existing electricity infrastructure is already prominent, the influence of such infrastructure upon the view would undergo a clear increase as a result of the proposed development. However, once proposed perimeter planting becomes established, the visibility of the new structures would reduce considerably due to the screening provided by the new vegetation. The influence of vegetation cover upon the view would increase, as would the level of visual enclosure. The influence of built development would*

reduce appreciably once the planting establishes, after approximately five years. Medium and long-term effects at this viewpoint would be moderate adverse and would not be significant."

7.54 The LVIA goes on to state: *"The only receptors to the west of the Site would be users of the bridleway that runs along the eastern side of the South Forty Foot Drain. The Bicker wind turbines and the Viking Link convertors are clearly visible and very prominent structures located between the bridleway and the Site. In this context the introduction of the Proposed Development would not have any notable influence upon the views available to bridleway users. Effects would not be significant."*

7.55 In response to concerns regarding the cumulative impact of this and other schemes identified in the locale, the applicant has responded, stating that the main cumulative landscape and visual effects would be experienced in the context of Vicarage Drove Solar Farm which will be part of a developing energy hub around the National Grid Substation that includes the existing substation infrastructure (and future planned expansions), Triton Knoll substation, Viking Link and the Proposed Development.

7.56 "In a cumulative baseline where the consented solar farm at Vicarage Drove and the proposed solar farm at Little Hale Fen are also present, the further presence of the development would not lead to appreciably different visual effects than those already identified in the LVIA.

7.57 The well-established influence of electricity generation and supply infrastructure in views from the area east of the South Forty Foot Drove would intensify as a result of the Vicarage Drove Solar Farm and the extension to the Substation proposed as part of the Heckington Fen Solar Farm. Views of the Substation extension would be considerably restricted by the mature vegetation cover around much of the Substation compound, and views of the Vicarage Drove solar farm would also be restricted as proposed perimeter planting establishes.

7.58 The Little Hale Fen Solar Farm would be separated visually from the other schemes due to the level of screening provided by the embankments and vegetation along the South Forty Foot Drain. Little Hale Fen Solar would not be seen in combination with the Proposed Development and Vicarage Drove Solar Farm from the majority of the public right of way that runs along the top of the eastern embankment due to the raised western embankment.

7.59 The Proposed Development would often be visible in views where the Vicarage Drove Solar Farm is also visible, along with the other existing infrastructure located east of the South Forty Foot Drain. Much of this infrastructure (e.g. the Bicker wind turbines and the Viking Link convertors) is visually prominent due to its height and or mass, and would remain appreciably more prominent than either solar farm, both of which would tend to be well screened over time by their associated landscaping

7.60 Cumulative visibility with the Little Hale Fen Solar Farm would be limited. There would be some short stretches of the public rights of way network and the road network on either side of the South Forty Foot Drain from which both schemes would be visible, but in all cases views across the watercourse would be restricted by the adjacent embankments, and the solar farm on the further side (i.e. Bicker Fen as seen from the west of the watercourse, or Little Hale Fen as seen from the east) would be a very minor background presence, which would be largely screened from view.

7.61 The grid connection works associated with the various schemes (including Heckington Fen and Temple Oaks) would not be visible once construction is complete and vegetation reinstated. During construction any influence upon views would be confined to the immediate vicinity of excavations, and would have a negligible and short-term influence upon the views available."

7.62 In summary, the LVIA concludes that, effects on landscape character would not be significant. Electricity generation and supply infrastructure is a well-established and visually prominent influence upon the landscape locally. There would be a limited increase in this influence as a result of the introduction of the proposed development, but the new solar panels and associated structures would be far less prominent than existing features. New planting would enclose the site, and once this vegetation becomes established the openness of the fenland landscape would reduce. All change would be localised and limited in scale. Short-term significant visual effects would occur locally, experienced by residents in twelve properties located close to the

site boundary, by users of an approximately 500m stretch of the Cross-Britain Way, and by users of the footpath that runs along the site boundary. As the proposed new planting at the site boundary establishes, views of the new structures would be largely screened from view. In the medium and longer-term, visual effects would not be significant. In the wider study area, the proposed development would be a limited addition to the view, appearing less prominent than existing development. As the landscape proposals establish, this limited visibility would reduce further. The presence of the solar panels and associated structures would have little influence upon the wider views available, and effects would not be significant.

7.63 Taking the above into account, the proposal is considered to satisfactorily accord with Policies 2, 3 and 31 of the SELLP. Policy 2 requires development proposals to take into account the character and appearance of the area and impact on amenity, and Policy 3 requires the landscape character of the location to be considered. Policy 31 requires renewable energy proposals to not cause significant harm to visual amenity, landscape character or quality, or skyscape considerations.

7.64 Impact on historic environment

7.65 The closest designated heritage assets to the proposal site are within the Donington and Bicker Conservation Areas, approximately 1.2km and 1.4km away respectively. The submitted Historic Environment Desk-Based Assessment concludes that although views of Donington's church are evident from the site, these views do not contribute in a meaningful way to the appreciation of the church's heritage values. It states:

"Intervening built form, such as the farmhouses to the west of Bicker and the modern development of Northorpe to the north of Donington (Photo 4), contribute to the intervening presence of modern construction and detract from any contribution that the site makes to the surrounds and experience of the designated heritage assets within a wider landscape context. Likewise, the individual Listed Buildings, such as Gaunlet House to the north-east of the Site, is entirely obscured by intervening vegetation, built form and distance. The Site plays no role in their significance as designated heritage assets. A such, change in the landscape as a result of development within the Site would not harm any of the designated heritage assets and detract from the key contributors to their heritage significance, which primarily derives from their historical (illustrative), aesthetic and (in some instances) communal (e.g. the churches) values."

7.66 Historic England have no comments to make based on the information that has been submitted in support of the application. Heritage Lincolnshire's Heritage Officers have made no objections to the development, stating that the development would not significantly impact historic assets in the area. Given the nature of these assets and some of the distances concerned, it is not considered that there would be a substantial harm to their significance.

7.67 Overall it is considered that the proposed development would not harm the significance of nearby designated heritage assets.

7.68 With regard to archaeology, the County's Historic Environment Officer originally advised that:

"the proposed development is located in an area that has recently been subject to a number of archaeological investigations associated with new infrastructure schemes, which has revealed important Iron Age and Roman settlement and industrial activity in the fens between Donington and Bicker. Geophysics alone also cannot provide confirmation of the depth, condition or significance of buried remains and further evaluation will be needed in order to understand the potential impacts of the proposed development. "

7.69 They recommended that the developer undertake a trial trench evaluation with the results prior to determination.

7.70 Further survey information and an updated Written Scheme of information (WSI) was undertaken with detailed discussions taking place between the applicant and the Historic Environment Officer.

7.71 In February 2023 the Historic Environment Officer confirmed that the WSI produced by Cotswold Archaeology dated January 2023 would meet the requirements for further information

as originally requested. They stated that although they would always prefer such evaluations to be carried out prior to determination, they understand this is not always feasible. Whilst they were concerned that there may be a possible Roman stone built villa building or bath house complex, they received reassurances that it would be possible for the plans to be amended post-determination in the event that significant archaeological remains are discovered during trial trenching, so that they can be preserved in situ. They recommended a pre-commencement condition to require the submission of a final report of the trial trench evaluation to be submitted and approved by the local planning authority. This is in order to agree a mitigation strategy. This is in accordance with the requirements of the NPPF paragraph 194 and 205 and the SELLP policy 29.

7.72 Taking the above into account, the proposal is considered to satisfactorily accord with Policies 2, 29 and 31 of the SELLP. Policy 2 requires the impact on historical buildings and heritage assets to be taken into account and Policy 29 seeks to protect historic legacy. Policy 31 requires renewable energy proposals to not cause significant harm to heritage assets including their setting.

7.73 Highway safety

7.74 The original submission proposed that construction access would be from the A52 Bicker Road and would use an existing National Grid construction track that links the A52 to Ing Drove. This would avoid construction traffic passing through the village of Bicker. From Ing Drove, construction traffic would travel along Cowbridge Road to the site entrance. Construction traffic would then use internal access tracks to access the remainder of the site. Operational access would be taken from Cowbridge Road and the wider adopted highway network.

7.75 In terms of vehicle movements, the submitted Transport Statement estimates that there will be a maximum of approximately 204 two-way movements (102 in / 102 out) per day during peak activities within the first 4 weeks of construction. This is inclusive of delivery-related movements and staff trips. For the remainder of the construction period (20 weeks), there would be a maximum of approximately 128 two-way movements (64 in / 64 out) per day on average, inclusive of delivery related movements and staff trips. The number of vehicle trips associated with decommissioning is likely to be comparable.

7.76 The concerns being raised by residents are noted about the adequacy of roads to the site for the types of vehicles that would be required for the construction and decommissioning phases. However, Lincolnshire County Council have commented on the application stating that they have no objections to the development, subject to conditions.

7.77 Lincolnshire County Council continues to state, "The construction phase however, can give rise to much greater vehicle movements on the local highway network. The Transport Consultants for the applicants have acknowledged that concern, and to address it, have negotiated their clients' use of the haul road that has been constructed by the Viking Link developers, which connects the A52 Donington By-pass to North Ing Drove, as a means of routing delivery vehicles to and from the application site. This will allow arriving, loaded vehicles to enter the site via the Viking Link Haul Road and North Ing Drove and the emptied vehicles to depart the site via Cowbridge Drove, Ing Drove and the Haul Road that was provided as part of the Bicker Fen Wind Farm and National Grid Sub-station developments, to get back onto the principal road network at the A52."

7.78 It is the highway authority's preference that the loaded, and therefore heavier, vehicles arrive via the Viking Link route, so that the departing, and therefore lighter, vehicles use the Cowbridge Drove and Ing Drove route that has previously been subject to heavy usage during the Wind Farm and National Grid Sub-station projects. Cowbridge Drove and Ing Drove also have greater numbers of residential properties along their route.

7.79 North Ing Drove, Cowbridge Drove and Ing Drove, which are all public highways, will still be subject to extra-ordinary volumes of HGV traffic and therefore it is requested that pre-commencement condition of these roads is recorded, including by means of notes, still and moving picture images, and that the applicants are required to both maintain these roads in a safe and usable condition throughout the construction phase of the proposed development and reinstate them to no worse than their pre-commencement condition following the completion of the construction phase. A corresponding arrangement will also be required for the period when

the proposed solar farm is decommissioned."

7.80 Therefore subject to safeguarding conditions, the proposal satisfactorily accords with Policies 2 and 31 of the SELLP. Policy 2 requires access arrangements and vehicle generation levels to be acceptable and Policy 31 requires renewable energy proposals to not cause significant harm to highway safety.

7.81 Impact on natural environment

7.82 The applicant has submitted an Ecological Assessment Report, which includes a Biodiversity Net Gain Assessment, Winter Bird Survey Report and Otter and Water Vole Survey Report.

7.83 There are no statutory designated sites within 2km of the application site, however Horbling Fen SSSI is identified 4km south-west of the site. No internationally designated sites are within 10km of the site - The Wash suite of designated sites is located 13.4km east of the site at its closest point. There will be no direct effect on habitats within any statutory designated sites due to the site's distance of spatial separation and the nature of the proposed development.

7.84 Three non-statutory designated sites are located within 2km of the site boundary, the closest two being the South Forty Foot Drain Local Wildlife Site (LWS) and the Old Forty Foot to South Forty Foot Drain LWS located 1.9km north-west. There will be no direct effects on any LWS as standard measures to ensure runoff control and pollution prevention will be implemented during construction of the proposed development. These measures will safeguard off-site habitats and the species they support. With such measures in place, no indirect effects are anticipated on non-statutory designated sites in the wider area.

7.85 The site itself comprises a series of arable fields that are bounded by a network of ditches and hedgerows. Hammond Beck is located between parcels of the site and is adjacent to the site boundaries. A small fragment of broadleaved woodland of approximately 1.1ha is located within the site, and a 1.4ha block of woodland lies adjacent to the south-eastern site boundary. Arable fields and areas of species-poor hedgerow were considered to be of low ecological value.

7.86 Higher value habitat provided by woodland, semi-improved field margins, tall ruderal, ditches and Hammond Beck are unaffected by the proposed development as the solar panel array layout has been designed to avoid ecologically valued field boundary features within and adjoining the site, with buffers provided during construction for their protection. No tree removal is required for the proposed development, and all retained trees within the vicinity of construction areas will be protected during construction works.

7.87 Given the low usage of the site, there is no evidence that the proposed development will have an adverse effect on local populations of wintering birds, including species, such as pink-footed geese. Furthermore, the site contained no suitable buildings or structures for bats, and the majority of trees were considered to offer negligible/low bat roost potential, due to their immature status, lack of ivy cover and few physical cracks/fissures.

7.88 Field surveys for otter and water vole found no evidence of either species along Hammond Beck during either survey. It is therefore concluded that otter and water vole are likely absent from the surveyed section. However, as otters are likely present within the wider area, it is considered possible that otter may occasionally utilise the Hammond Beck for foraging and commuting due to its suitability. The Ecological Assessment Report advises that where possible, impacts to ditches have been avoided through utilising existing culverts to cross ditches and watercourses and buffer incorporated around watercourses. A crossing is required over the Hammond beck to permit access. This crossing will be a 1.8m by 3m box culvert with a length no longer than 7m. Otter are known to pass through lengths of culvert, particularly when these have sufficient headroom, and therefore it is not considered that installation of the culvert will present a significant barrier to the dispersal of otter, if the species is present in the wider area or colonises in the future.

7.89 As outlined above, construction of the proposed solar farm will mostly involve temporary disturbance to low ecological value arable land. However, extensive areas of grassland of high biodiversity value will be established thereafter and maintained for the lifetime of the operational site.

7.90 Both the National Planning Policy Framework (2021) and SELLP advocate the provision of net gain for biodiversity. The Biodiversity Net Gain Assessment indicates that the development will result in a 119.47% net gain in habitat biodiversity at the site as well as a 1005.02% net gain in linear units (hedgerows) as a result including species-rich grassland, native species hedging and new woodland blocks. The net gain that will be delivered by the development will therefore be substantial.

7.91 A further Biodiversity benefit of the application relates to the development of a Skylark Mitigation Area in one of the fields next to the proposed Solar Farm to encourage Skylarks to nest adjacent to the site. The RSPB have undertaken studies which indicate that Skylarks use Solar Farms to forage, but tend to nest in areas adjacent to the farms. Nationally, Skylark populations halved in the 1990s and are still in decline. The applicant proposes to provide a bespoke Skylark Mitigation Area, and undertake management of the area to encourage nesting with a view to enhancing the local population of Skylarks (which nest on the ground), with management to protect the birds during nesting season. They have agreed to a condition which secures and incorporates the Skylark Mitigation Area into a overall Landscape and Ecological Management Plan (LEMP) for the entire site, to secure biodiversity improvements in a holistic manner (in conjunction with a sympathetic lighting strategy to allow dark corridors for bats and a landscaping scheme which has biodiversity benefits) and to maintain the LEMP for a minimum of 30 years. As the Skylark Mitigation Area is within the wider ownership (blue land) the applicants have agreed to a condition to secure its continued management alongside the LEMP for a 30 year period - the Council's Senior Planning Lawyer has advised that this is acceptable. This area of biodiversity mitigation is in addition to the biodiversity benefits offered within the site itself.

7.92 Neither Natural England or Lincolnshire Wildlife Trust (LWT) raise objections to the proposal and are supportive of the measures proposed with regard to biodiversity.

7.93 Taking the above into account, the proposal is considered to satisfactorily accord with Policies 2, 3, 28 and 31 of the SELLP. Policy 2 requires the impact or enhancement for areas of natural habitats to be taken into account and Policy 3 requires the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity to be considered. Policy 28 seeks an overall net gain in biodiversity and Policy 31 requires renewable energy proposals to not cause significant harm to the natural environment.

7.94 Flood risk and drainage

7.95 The site is located predominantly within Environment Agency Flood Zone 3, with areas to the south-east of the site in Flood Zones 1 and 2. Annex 3 to the NPPF identifies solar development as 'essential infrastructure' and, for such development, the NPPG indicates that the Exception Test should be applied where it is to be located in Flood Zone 3.

7.96 In order to pass the exception test, it must be demonstrated that the proposed development will: Provide wider sustainability benefits to the community that outweigh the flood risk; and that the development will be safe throughout its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

7.97 With respect to the first part of the exception test, the proposed development will provide renewable solar and low carbon energy equivalent to the annual electrical needs of thousands of family homes. Provision of a source of renewable energy will result in a reduction in carbon emissions meeting local, national and international targets. The site will also deliver biodiversity benefits and soil improvement gains. Therefore, the proposed development will provide sustainability benefits to the community, thereby satisfying the first requirement of the exception test. In terms of the second part of the test, it will not increase flood risk elsewhere (see responses of the Environment Agency and LCC as Lead Local Flood Authority) and the raising of key infrastructure/components, and monitoring/alerts of flood warnings, should ensure that the development is safe for its 40-year lifetime.

7.98 The Environment Agency has no objection subject to a condition requiring the development to be carried out in accordance with recommendations of the submitted Flood Risk Assessment.

7.99 In terms of surface water drainage, the proposal is to rely on infiltration given that rainwater

would be able to fall between gaps between the panels to the grass surface, and all new site access tracks would be constructed of permeable stone. The Black Sluice Internal Drainage Board have commented that evidence that infiltration is suitable for the site should be submitted, and that should infiltration prove unsuitable, the applicant should submit details of an alternative drainage scheme. LCC as Lead Local Flood Authority have raised no drainage concerns. A condition is recommended requiring the submission of a full drainage strategy if permission were to be granted.

7.100 Taking the above into account, it is considered that the proposal satisfactorily accords with Policies 2, 3 and 4 of the Local Plan which require proposals to have an appropriate means of drainage and be acceptable in flood risk terms. It is also in accordance with National Planning Practice Guidance on Flood Risk.

7.101 Impact on Residential amenity

7.102 Policy 31 of the Local Plan requires renewable energy proposals to not cause significant harm to residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic. Policy 2 of the SELLP states that development will only be permitted where there is no impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion and Policy 3 states that residential amenity should be secured. Section 12 of the NPPF, 'Achieving well-designed places, is also relevant, in particular paragraph 130 which seeks to ensure development creates a high standard of amenity for existing and future users.

7.103 Potential residential receptors are identified in the submitted Landscape and Visual Impact Assessment. There are several properties located adjacent or very close to the site boundary at Beck Cottage, an unnamed property at North Fen, Ing Farm, The Haven, The Bungalow, and Cowbridge Farm (with an adjacent property also called The Bungalow).

7.104 A further thirty-three properties are located within approximately 500m of the site boundary. Twenty of these (Nos. 13-49 Northorpe Road) are located in close proximity to one another at the edge of Northorpe. The majority of the nearby properties have relatively open views looking in the direction of the Site. At some properties, vegetation at their perimeter largely restricts such views.

7.105 Solar development does not typically generate a significant amount of noise or vibration outside of the construction period. During the operational period, the components that have the potential to give rise to noise impacts on receptors are the inverters, transformers and switchgear, operation of the battery storage plant, and cooling systems of the enclosed battery plant. These are all located in excess of 200m from the nearest dwellings. Likewise, traffic levels generated by the development will be minimal outside of the construction and decommissioning phases. No adverse fumes, heat or odour impacts or broadcast interference are anticipated to be generated by a proposal of this nature. Shadow flicker is not relevant to solar farm proposals. The potential for impact on visual amenity and sunlight reflection is considered further below.

7.106 The impact on residents as a 'visual receptor' is considered in the submitted LVIA and associated Zone of Theoretical Visibility. The LVIA identifies a number of residential receptors that could potentially be impacted, concluding:

"Clear views at short range would also be visible from stretches of North Ing Drove, Ing Road and Cowbridge Road, and from some of the properties located along these. Properties likely to experience such views include The Old Barn, The Northings, Beck Cottage, the unnamed property at North Fen, 132-134 Northorpe Road, Cowbridge Farm, Ing Farm, The Haven, the property on Ing Drove called The Bungalow and Strawberry Farm. Garden vegetation may provide some filtering of views from some properties, but the new structures would remain visible... Initially, significant visual effects are likely to be experienced by residents in the properties. However, as the proposed new planting at the Site boundary establishes (after approximately five years), views of the new structures would be well screened. In particular, visibility from the nearby properties would reduce considerably. There would be some change in view associated with this planting, with the influence of vegetation increasing, but medium and longer-term visual effects would not be significant.
Properties at 120 Northorpe Road, Cowbridge Farm and the adjacent property called The

Bungalow, and the properties at Kingstree Cottage and Kingstree Lodge would benefit from the considerable screening provided by existing vegetation cover within gardens and at the property boundaries. Visual effects experienced at these properties would not be significant. From locations south of North Ing Drove and north of Cowbridge Road, visibility of the Proposed Development would be fragmented and very limited. Occasional views of a small proportion of the proposed solar panels would occur."

7.107 The applicant has also submitted a Noise Impact Assessment in support of the application. The results of the assessment show that the noise contribution from maximum site operations would be below the representative background sound level during daytime periods. Accordingly, it is concluded that noise from the site in the daytime would result in a low impact or below an adverse impact. For night-time periods, the assessment would indicate a low to below adverse impact magnitude at sensitive residential receptors. The maximum noise levels generated by the solar farm would be well below sleep disturbance limits (i.e. WHO guidelines of 40dB LAeq8hrs) and predicted levels within sensitive rooms with an open window would be between 6dB and 17dB LAeq. This level is significantly lower than guidance limits provided within BS8233: 2014 for sleeping conditions within bedrooms of 30dB LAeq.

7.108 Prediction calculations relating to the temporary impact of changes in road traffic movements during the construction phase works at the nearest receptors would indicate that this would be not significant in accordance with government advice and guidance. Furthermore, maximum vibration levels during peak construction activities are predicted to be below perceptible levels of vibrations.

7.109 In light of the above, it is not considered that the proposed development would have a significant adverse impact on the visual amenity of residents living nearby and/or in the wider area.

7.110 It should also be noted that the Council's Environmental Protection Team have no objections to the proposed development subject to a condition regarding noise from fixed plant and machinery.

7.111 On balance, therefore, whilst there is likely to be some disruption during the construction and decommissioning phases of the development, once complete, any noise impact should be relatively minimal. Furthermore, any visual impacts would not be significant once planting has established. As such, it is not considered that there would be a material impact upon the living conditions of nearby residents, or a material loss of amenity, and the proposal accords with Policies 2, 3 and 31 with regard to residential amenity considerations.

7.112 Glint and glare

7.113 The applicant has submitted a Solar Photovoltaic Glint and Glare study to show the possible effects of glint and glare from the development.

7.114 The results of the analysis have shown that reflections from the proposed development are geometrically possible towards all 47 identified dwelling receptors that are within one kilometre of the proposed development. However, for the most part, existing screening in the form of vegetation will block views of the reflective area. A review of the available imagery has shown that a moderate impact with the requirement for mitigation is predicted for two dwellings if visibility of the reflective area is possible (receptor no's 11 and 12). These properties are owned by the landowners for the project and the landscape proposals include the necessary mitigation in the form of hedge planting.

7.115 For road receptors, the review shows that all roads surrounding the proposed development are considered local roads where traffic densities are likely to be relatively low. Therefore, the maximum impact on these roads is considered to be low.

7.116 In terms of the railway (to the south-west), the high-level assessment concludes that solar reflections are unlikely to be possible or visible.

7.117 Furthermore, solar panels are designed to maximise their energy generating potential and thus

sunlight absorbency and, in reality, their reflective capability would be similar to or less than that of still water (and significantly less intense than many other reflective surfaces which are common in an outdoor environment).

7.118 Neither the Highway Authority, the Council's Environmental Protection Team nor the MoD have objected to the proposal on the grounds of highway safety or impact on residents from glint and glare.

7.119 The analysis shows that solar reflections are possible towards aircrafts approaching Sempringham Fen Airfield's runway threshold 10 between 1.4 and 2.0 miles. However, it is predicted that the glare intensity will have "low potential for temporary after-image". This level of glare is acceptable in accordance with the associated guidance and industry best practice. Therefore, low impact is predicted, and no mitigation is required. The high-level assessment of other aviation infrastructure has concluded that solar reflections are unlikely to be possible and if they are possible the impact will be insignificant.

7.120 In the event that any such issues occur following construction a suitable condition is included.

7.121 Taking the above into account, the proposal is considered to satisfactorily accord with Policies 3, 30 and 31 of the SELLP. Policy 3 seeks to protect residential amenity (amongst other matters) and Policy 30 aims to avoid unacceptable light pollution. Policy 31 requires renewable energy proposals to not cause significant harm to residential amenity in the form of sunlight reflection, as well as aviation and radar safety.

7.122 Developer contributions

7.123 Policy 6 of the Local Plan states that *"Developments of 11 or more dwellings, or which have a combined gross floorspace of more than 1,000 sqm, or non-residential development of 1,000sqm gross floorspace or more will be expected to mitigate their impacts upon infrastructure, services and the environment to ensure that such developments are acceptable in planning terms."*. Given that the proposal does not relate to the creation of dwellings or floorspace of over 1,000m2, developer contributions cannot be sought in accordance with Policy 6. Furthermore, no impacts upon infrastructure, services or the environment have been identified that would justify seeking a contribution.

7.124 Other Considerations

7.125 The closest properties to the application site were sent a consultation letter and site notices have been erected.

7.126 Matters relating to property values and construction damage are not matters that can be given weight.

7.127 Planning Balance

7.128 Government policy is to support the development of renewable energy sources, including solar power, to help ensure the UK has a secure energy supply and to reduce greenhouse gas emissions to slow down climate change.

7.129 It is clear from national planning policy and guidance that environmental considerations must not be overridden or disregarded, and that issues of landscape/visual amenity and agricultural land take must be given significant weight. However, it is also clear that renewable energy development is a national imperative and is sustainable by its nature. Therefore, proposals should be supported wherever possible and approved where impacts are, or can be made, acceptable.

7.130 The proposed scheme would inevitably have an effect upon the landscape, at least in the shorter term until such time as mitigation measures are fully established. It would lead to the temporary loss of Grade 1 agricultural land, however, the land will be used for the grazing of sheep between the solar panels within that period.

7.131 There are a number of considerations that weigh in favour of the proposal. The development type is acceptable in flood risk and drainage terms, and no adverse highway impacts have been identified. There would not be a material impact upon the living conditions of nearby residents, or a material loss of amenity, and there are no significant concerns relating to potential glint and glare impacts. Furthermore, the proposed development would not cause less than substantial harm to historic assets, no off-site impact on nature conservation designations is anticipated and the development would deliver a 119.47% net gain in habitat biodiversity and 1005.02% net gain in linear units (hedgerows) at the site. The developers have also committed to an adjacent Skylark Mitigation Area and agreed to conditions associated with incorporating this into a site wide Landscape and Ecological Management Plan that deals holistically with landscaping to benefit biodiversity, a lighting strategy sympathetic to biodiversity, and species protection measures for a minimum 30 year period. These factors weigh significantly in favour of the proposal.

7.132 Conclusion

7.133 On balance and taking all material considerations into account as outlined above, it is not considered that there are any adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme in terms of its production of renewable energy. Therefore, the planning balance weighs significantly in favour of the development, and the development accords with the policies set out in the South East Lincolnshire Local Plan 2019 and the NPPF 2021.

7.134 **ADDITIONAL CONSIDERATIONS**

7.135 Public Sector Equality Duty

7.136 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.

7.137 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.138 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.

7.139 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.140 Human Rights

7.141 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).

7.142 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.

8.0 RECOMMENDATIONS

8.1 **Grant Permission subject to the conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Application Form
Planning and Design Access Statement - August 2022
Amended Flood Risk Assessment by Weetwood Services Ltd dated November 2022
2820-01-01
2920-01-03
2920-01-03a
2920-01-03b
2920-01-03c
2920-01-02
2920-01-09
2920-01-04
2920-01-05
2920-01-06
2920-01-07
2920-01-08
2920-01-10
2920-01-11
2920-01-12
2920-01-13
2920-01-14
2920-01-15
2920-01-16
Heritage Impact Assessment
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
2920-01-TN01
2920-01/Bicker Fen Solar Farm
2920-01-TN01
Biodiversity Metric 3.1 Calculation
2920-01-TS01
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
Agricultural Land Classification - November 2021
10299A
R22.0201/DRK
Hydrological Analysis - Final v1.0 dated 13 May 2022
40312
MK0538_01
Landscape Character Description
Photographic Views and Appendix 1: Landscape and Visual Impact Assessment Methodology
Photographic Views
Landscape and Visual Impact Assessment

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

3. The permission hereby granted shall expire 40 years from the date when electrical power is first exported from the solar farm to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event.

Reason: To limit the long term effects of the development and in recognition of the temporary lifespan of the structures, in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

4. Not later than 12 months before the expiry of this permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall make provision for the removal of the solar panels and all other associated equipment & paraphernalia and the subsequent restoration of the site. The scheme shall include details of:

-the extent of equipment and foundation removal and the site restoration to be carried out;
-the management and timing of any works;
-a traffic management plan to address likely traffic impact issues during the decommissioning period;
-an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitats and tree features on the site;
-location of material laydown areas;
-full details of the removal of the solar arrays, associated buildings and plant, any trackways and sub-surface cabling and all associated works of ground restoration including trench backfilling;
-full details of all other works to restore the land to allow for agricultural production following the removal of structures from the site; and
-a programme of implementation.

The approved scheme shall be implemented and then proceed fully in accordance with the agreed details in accordance with the decommissioning programme.

Reason: To ensure the site is fully restored to allow agricultural use and to maintain the rural appearance of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

5. If the solar farm hereby permitted (or any substantial sub-part of the farm) fails to produce electricity for supply to the grid for a continuous period of two years, a scheme for either:

(i) the decommissioning and removal of the solar farm (if there is no realistic prospect of the solar farm becoming operational again), incorporating the same details required under condition 4;

or

(ii) the repair or replacement to enable the solar farm to continue to operate, including a programme and timetable of remedial works;

shall be submitted to the Local Planning Authority for their written approval within 6 months of the solar farm ceasing to operate.

The relevant scheme shall thereafter be implemented in accordance with the approved details and timetable.

Reason: To ensure the solar farm beneficially generates electricity or is otherwise removed to the benefit of the character and appearance and the agricultural potential of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

6. In the event that problems are encountered caused by glint/glare sufficient to result in a serious effect on amenity, details of proposed remediation/mitigation measures to be undertaken shall be submitted to the Local Planning Authority for written approval within 1 month of such problems being identified. The remediation/mitigation measures shall be carried out in their entirety within 3 months of the date of their approval in accordance with the approved details and retained thereafter.

Reason: To safeguard the amenity of nearby residents and road users, in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

7. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. an assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements);
2. a methodology and timetable of site investigation and recording;
3. provision for site analysis;
4. provision for publication and dissemination of analysis and records;
5. provision for archive deposition;
6. nomination of a competent person/organisation to undertake the work;
7. the scheme to be in accordance with the Lincolnshire Archaeological Handbook.

The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2021. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

8. The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence works at least fourteen days before the start of archaeological work required in connection with condition 7 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2021. This condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

9. A copy of the final report required in connection with conditions 7 and 8 above shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2021. This condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

10. The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be submitted to, and approved in writing by the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include:

- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during construction

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction. This condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

11. Details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before commencement of the construction of the development and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the development.

Reason: In the interests of highway safety during the construction process. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This condition is imposed in accordance with Policy 3 of the South East Lincolnshire Local Plan, 2019.

12. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) completed by Weetwood Services Limited, Final Report v.1.1 dated November 2022 and the following mitigation measures detailed within the FRA:

- the three inverter/transformer stations in the western portion of the site to be raised to a minimum level of 3.10m AOD;

- the remaining inverter/transformer stations and all storage/control/switchgear buildings and battery storage containers to be located outside the 1 in 100 plus climate change AEP flood outline, as shown in Appendix A, proposed layout plan 2920-01-03.

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

13. Unless agreed otherwise in writing by the Local Planning Authority, all vehicles making deliveries of materials and components to the permitted development shall arrive via the Viking Link haul road and North Ing Drove route described in the submitted Revised Access Strategy Technical Note, dated February 2023, and all departing, unloaded delivery vehicles shall leave the site via the Cowbridge Drove, Ing Drove and National Grid haul road route, also described in the same Technical Note. The arrival and departure of Heavy Goods Vehicles during the decommissioning of the permitted development shall be in accordance with routing that shall first be agreed in writing, at the time of decommissioning, by the Local Planning Authority in consultation with the Local Highway Authority and with regard to prevailing conditions of the local highway at the time of decommissioning. No other roads between the A52 and the site shall be used by delivery vehicles during the construction and decommissioning phases.

Reason: In the interests of highway safety, to reduce the likelihood and frequency of arriving and departing Heavy Goods Vehicles meeting on-coming vehicles on the narrow Fen roads serving the permitted development and having to over-run highway verges or undertake unreasonable reversing manoeuvres in order to pass one another. This condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

14. Prior to the commencement of any part of the development hereby permitted, the condition of the parts of North Ing Drove, Cowbridge Drove and Ing Drove that will be used by vehicles making deliveries of materials and components to the permitted development shall be recorded by written notes, still and moving photographic images during an inspection that shall be undertaken by the Applicants' representatives in the company of an officer of the Local Highway Authority. Those public roads shall be maintained, at the cost of the Applicants, in a safe and suitable condition throughout the construction phase of the permitted development and shall be reinstated to no less than the standard of their pre-commencement condition following completion of the construction phase. The Applicants shall also follow a reciprocal process during the decommissioning of the permitted development.

Reason: To ensure the safety and free-passage of the public using North Ing Drove, Cowbridge Drove and Ing Drove during the construction and decommissioning of the permitted development. This condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

15. Prior to commencement of the development hereby approved, full details of the means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained within the National Planning Policy Framework 2021.

16. No above ground work shall commence until details of a Training and Employment Management Plan, including Education, has been submitted to and approved in writing by the Local Planning Authority. The plan will aim to promote training and employment opportunities at all stages of the development for local people and social benefits and should include:

-Measures to ensure the owner and contractors work directly with local employment and training agencies;
-Targets for employing local labour
-Targets for work experience opportunities and apprenticeships
-Measures to provide training opportunities in respect of any new jobs created
-An Educational Strategy/Plan, which sets out opportunities and measures for Education benefit in connection with local schools, colleges and universities
-Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed plan and any amendments to the plan shall be agreed in writing with the Local Planning Authority.

Reason: In the interests of promoting economic and training opportunities and social benefits in association with approved developments in accordance with Policy 1 of the South East Lincolnshire Local Plan 2019 and the National Planning Policy Framework 2021.

17. Prior to the installation of any lighting (other than temporary lighting for construction), and before any above ground works commence, details of all external lighting to all buildings and areas of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include luminance, fields of illumination, the type, design, location, angle, fall, spread and intensity of the lighting together with a lighting assessment which sets out a lighting strategy and measures to minimise the impact of lighting, particularly on any nearby residences, villages or on wildlife/biodiversity. The lighting strategy shall be informed by the Landscape and Ecological Management Plan required by condition 19 to minimise the impact of lighting to sensitive receptors and measures to prevent light spillage. The approved lighting scheme and strategy shall be implemented and maintained for the lifetime of the development. There shall be no external illumination other than that so approved.

Reason: To ensure an appropriate level of lighting is provided which is not detrimental to the amenity of the area or biodiversity in accordance with Policies 2, 3, 28 and 30 of the South East Lincolnshire Local Plan 2019.

18. The scheme of landscaping and tree planting shown on drawing 2920-01-03 Rev E shall be carried out and completed in its entirety during the first planting season following the first installation of any of the solar panels. 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.

19. No above ground development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall set out detailed scaled plans and shall include the following and be in force for no less than 30 years:

a) description and evaluation of features to be managed, informed by the Ecological Assessment;

b) details associated with the Skylark Mitigation Area and Skylark Habitat Management Plan by Avian Ecology reference: AXIS-043-1379 dated 19/12/2022 as required by condition 20;

c) details of the landscaping as required by condition 18;

d) ecological trends and constraints on site that might influence management;

e) aims and objectives of management;

f) appropriate management, maintenance, ongoing monitoring and remediation measures and retention;

g) prescriptions for management actions, broken into monitoring time periods;

h) preparation of a work schedule, including a timetable for implementation of all the planting, works and ecological and landscape enhancement/creation measures and an annual work plan capable of being rolled forward over a five-year period;

i) a scheme for dark corridors for biodiversity protection (including bats) to work in combination with an approved lighting strategy as part of condition 17;

j) retention of higher quality nesting and foraging habitat and semi improved field margins, size and details associated with their buffer zones;

k) construction and ecological management plan including ecologist pre-site clearance measures, survey to identify wild birds nests (including ground nesting birds), suitable work exclusion zones around any identified nest sites, and habitat protection during construction;

l) use of mammal gates to allow free movements of mammals, amphibians and reptiles;

m) use of box culvert for water voles in association with the new crossing in Hammond Beck;

n) species rich hedgerow management plan;

The approved LEMP, the future maintenance and management scheme and associated measures shall be implemented within the first planting season following installation of any of the solar panels. All trees, shrubs and hedgerows and skylark mitigation 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.

Reason: To ensure that the development is adequately landscaped, in the interests of its biodiversity, 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.

20. The Skylark Mitigation Area and Skylark Habitat Management Plan by Avian Ecology reference: AXIS-043-1379 dated 19/12/2022 shall be incorporated into an overall Landscape and Ecological Management scheme, including a future maintenance schedule, as required by condition 19 as above, and shall be implemented no later than the first planting season following the first installation of any of the solar panels.

The Skylark Mitigation Area shall be maintained by the owner or owners of the land on which it is situated in line with the Landscape and Ecological Management Plan for a period of not less than 30 years and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its biodiversity, 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.

21. Noise from fixed plant and machinery shall not exceed the representative background noise level by more than a rating value of 5 dB(A) when measured as a 15 minute L(A)eq at any residential boundary not within the applicant's ownership, when measured in accordance with BS 4142:2014+A1(2019)
Reason: To ensure that there is no noise nuisance to nearby residents.
This condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

22. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

23. The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs, guidance documentation can be found on the highway authority's website, accessible via the following link:
https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb

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Background papers:- Planning Application Working File

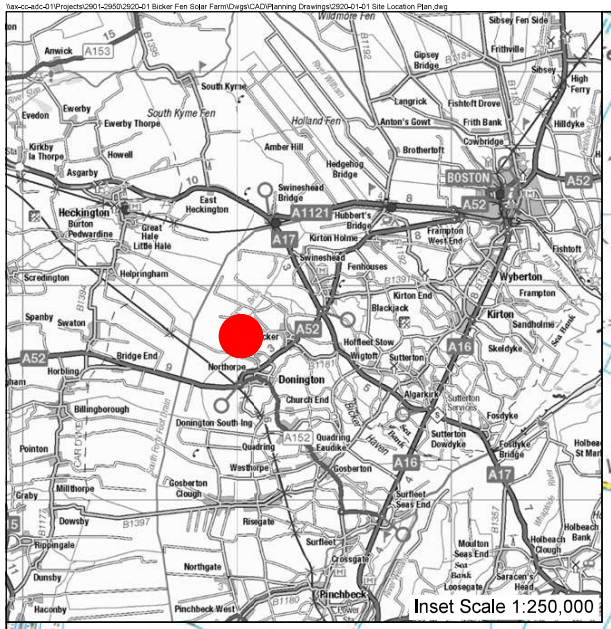
Lead Contact Officer

Name and Post:	Mark Simmonds; Development Manager (Interim)
Telephone Number:	01775 764444
Email	mark.simmonds@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

\\axv-cc-adc-01\Projects\2901-2950\2920-01 Bicker Fen Solar Farm\Dwgs\CAD\Planning Drawings\2920-01-01 Site Location Plan.dwg



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• Revision History	• Date

Application Boundary (97.3 ha)

Site Location

Temporary Construction Access Route

Chester Office
Wall House Barns
Bretton
Chester
CH4 0DH

South Manchester Office
Camellia House
76 Water Lane
Wilmslow
SK9 5BB

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axis

client: AGR

project: BICKER FEN SOLAR FARM

drawing title: SITE LOCATION PLAN

date: MAY 2022	drawn by: SM	checked: PR
drawing number: 2920-01-01	status: -	
scale(s): 1:12,500@A3	rev:	

planning environment design

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