SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 07 February 2024

(Author: Mark Niland - Planning Officer)

Purpose: To consider Planning Application H09-0132-23

Application Number:	H09-0132-23	**Date Received:**	07 February 2023
Application Type:	FULL		
Description:	Proposed construction and operation of a 48MW solar farm comprising ground mounted solar photovoltaic arrays together with associated infrastructure and landscaping		
Location:	Land North of Roman Bank and East of Middle Marsh Road at Red House Farm Holbeach Bank		
Applicant:	AUK PE12 Limited	**Agent:**	AAH Planning Consultants
Ward:	Holbeach Hurn	**Ward Councillors:**	Cllr C N Worth

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-0132-23

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application gives rise to significant public interest

2.0 PROPOSAL

2.1 Proposed construction and operation of a 48MW solar farm comprising ground mounted solar photovoltaic arrays together with associated infrastructure and landscaping.

2.2 The proposal is to develop the site with arrays of ground-mounted solar panels to generate electricity. The proposals also include access into the site, small transformer housing units and a substation compound. The only built development other than the arrays on the site would consist of grid inverter stations, substations and combined welfare, site office, communications and maintenance spares buildings as well as fencing. Inverter stations are proposed to be located strategically throughout the site, with the main complex of the above buildings proposed to be located centrally and close to an existing pylon and overhead lines

3.0 SITE DESCRIPTION

3.1 The proposal is located in the open countryside and outside of any defined settlement limit, it relates to almost 80 hectares of an agricultural land type that is considered best and most versatile (BMV), the area is also located within flood zone 3 in accordance with Environment Agency Mapping Systems and the SFRA Max Hazard Maps state that the area is 'danger for most' (1.25 - 2.0).

3.2 The application site is located approximately 1.3km south and 1.6km northeast of the villages of

Holbeach St Marks and Holbeach Bank, respectively; the town of Holbeach also lies approximately 2.19km south.

3.3 The site is bound by Middle Marsh Road to the west, Roman Bank (road) to the south and agricultural land to the north and east, with Eastern Road located approximately 482m to the east. There are low levels of hedgerows within and surrounding the site, and the fields within the site boundary are largely demarcated by drainage ditches.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

Policies:

Policy 1 Spatial Strategy
Policy 2 Development Management
Policy 3 Design of New Development
Policy 4 Approach to Flood Risk
Policy 28: The Natural Environment
Policy 29: The Historic Environment
Policy 30: Pollution
Policy 31: Climate Change and Renewable and Low Carbon Energy
Policy 32: Community, Health and Well-being
Policy 36: Vehicle and Cycle Parking
Appendix 6 Parking Standards

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.

National Guidance

National Planning Policy Framework (NPPF), December 2023

2. Achieving sustainable development
3. Plan-making
4. Decision-making
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11.Making effective use of land
12. Achieving well-designed and Beautiful 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

4.3 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 None directly relevant to this site

6.0 REPRESENTATIONS

6.1 Parish

Whilst the Council supports green energy it does not support this on agricultural land Holbeach PC are in support of renewables but there are alternative resources available, and a more sensible use of the land could be made.

6.2 Ward Member (Nick Worth)

Strongly opposed. This area is one of the most important in the UK for food production and to remove this for what is a relatively small amount of energy that will disappear onto the National Grid (so no local benefit) would be disgraceful. By removing this land from food production it is also likely to impact on the sustainability of the farming business that is currently renting it and that could result in job losses.

The charity that owns the land does not need extra funding, it has more than enough already. The farm, like many in the area grows potatoes, wheat, sugar beet and onions to name a few crops and due to the quality of the land (I dispute the Grade 2 classification and agree with the MAFF Grade 1), produces a much greater tonnage than other areas of the country which would have an impact on food produced in the area, as there is no other available land of this quality. As the local ward member I am aware of strong opposition from local people to this proposal for many of the reasons mentioned above. While you can screen the area with trees and hedging you will never manage to totally hide it and it will always be a blot on the landscape. The proposal will irrevocably change the nature and character of the area and should it be successful, where does it stop, as I am aware of another large application waiting in the wings.

6.3 Anglian Water

The Planning & Capacity Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, 500sqm or greater. However, if there are specific drainage issues you would like us to respond to, please contact us outlining the details.

6.4 South Holland IDB

As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application. The Board will only consider the proposals in detail on receipt of an application for Land Drainage Consent. The annexe at the end of this letter outlines the Board's regulatory function and how to apply for Land Drainage Consent.

6.5 Environment Agency

No objections subject to the attachment of planning conditions, linking the development to the FRA. No further comments to make on the amended plans and refer you to our letter dated 12 April 2023 for our position on this application.

6.6 Highways & SuDs Support

No objection to the proposals subject to the attachment of Informatives. Following the amendments it does not appear to have any additional, material impact upon the safe operation or the capacity of the local highways network, over and above that set-out within the original submission and so please take this as formal notice that the highway authority and lead local flood authority response to this Application remains as that submitted on 3 May 2023.

6.7 Lincolnshire Wildlife Trust

Now that the management plan has been produced, and our other comments addressed, LWT is happy to lift our holding objection on this development

6.8 Natural England

NO OBJECTION 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.

6.9 Lincolnshire Bat Group

Thank you for sending this report to Lincs Bat Group for comments. Note section on lighting strategy, p27, otherwise the small sections on the local bat population are comprehensive enough.

6.10 RSPB

We have no specific comments to make on this application but would echo Natural England and Lincolnshire Wildlife Trust in welcoming the inclusion of a Biodiversity Net Gain calculation.

6.11 Crime Prevention Design Officer

Land selected should aim to avoid affecting the visual aspect of landscapes, maintain the natural beauty and should be predominantly flat, well screened by hedges, tree lines, etc. and not cause undue impact to nearby domestic properties or roads. (BRE. Planning guidance for the large-scale ground mounted solar PV systems) I would recommend that the boundary fence is to a minimum of LPS 1175 level 3 and to a height of 2.4 metres or to the current UK Government standard, SEAP (Security Equipment Approval Panel) class 1-3.

6.12 Tree Officer

Are the existing trees, likely to be ash near the northern extreme of the site being retained. One adjacent to Middle Marsh Road and other two adjacent to the northern boundary? Presumably the tree/shrub strip to the southwest is being maintained.

6.13 Environmental Protection

I have reviewed the Flood Risk UK 'Phase 1 contamination study Land North of Roman Bank and East of Middle Marsh Road at Red house Farm, Holbeach Bank, Spalding PE12 8BY' dated September 2022 and request a condition for unexpected contamination be placed on any permission granted.

6.14 M.O.D.

I can confirm that, following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed.

6.15 Boston Borough Council

Thank you for your recent consultation in relation to the amended details you have received for the above application. I write to confirm that the we have no further comments to add to those sent to you on the 2 May 2023

6.16 Historic Places Team

No objections.

6.17 Conservation Officer

I have no objections seeing as the site neither contains nor is immediately within range of any buildings considered to be heritage assets. Furthermore, no heritage sits in the immediate/mid-range vicinity are of substantial enough import to or presence within the landscape to expect a degree of landscape and view protection.

Consultation following amendment:
Having reviewed this recent amendment, I do not wish to alter my previous comments dated 02-06-23. Therefore, I reiterate that I have no objections to this proposal upon built heritage conservation grounds, as defined under Policy 29 of the SELLP, and Section 16 of the NPPF

6.18 **Representations**

6.19 The applicant has been accompanied by a statement of community involvement which show that some pre application consultation was carried out by the applicant. This document shows that letters including an accompanying plan were made available to local residents prior to the submission of the planning application.

6.20 South Holland District Council have also carried out publicity of this application which meet with the requirements set out within the Development Management Procedure Order 2015 (as amended).

6.21 Following the publicity 55 number objections have been received against the application. Too many to precis within the report. The material planning concerns are therefore bullet pointed below:

6.22 -Congestion
-Highways Safety
-Loss of viable food production land
-Character and Landscape Impacts
-Increase in criminal activity.
-Impact upon local residents visual amenity
-Noise Impacts from construction
-Light Pollution
-Loss of agricultural Jobs
-Impact upon wildlife
-Better renewable options available such as wind and tidal
-flora and fauna on the site of a solar farm could cause harm to adjoining fields with vermin and wind blown seed.
-Other Ecology Issues
-Glint and Glare

6.23 A letter has also been received from Rt Hon Sir John Hayes CBE in respect of his role as MP. The letter states that the MP shares his constituents view that the proposal will see prime agricultural land removed from food production at a time when recent events have reminded us of the vital importance of food security. The application could affect the viability of the business that currently farms the land, with possibility of job losses.

6.24 The proposal is likely to have a detrimental impact on the Fenland landscape and local amenity, changing the character and nature of the surrounding environment forever.

7.0 CONSIDERATIONS

7.1 **Planning Considerations**

7.2 In 2019 the UK became the first major economy to pass into law a domestic requirement for net zero greenhouse gas emissions by 2050. Following this South Holland, Boston and East Lindsey combined under the South & East Lincolnshire Council Partnership to produce a document 'Climate Change Strategy' (Spring 2022), its vision:

7.3 *The areas covered by South Holland District Council, Boston Borough Council and East Lindsey District Council achieve net zero emissions in advance of the UK Government. In doing so, action supports social, economic and environmental outcomes that help adapt to and mitigate the impacts of climate change and build a more sustainable future for our local communities*

7.4 The UK Net Zero Strategy: Build Back Greener sets a 78% reduction by 2035 and the Government's latest approach to energy is contained within the Powering Up Britain Strategy, which builds on the targeted reduction by committing to a fivefold increase in solar energy generation by 2035

7.5 Evaluation

7.6 Local planning authorities are responsible for renewable and low carbon energy development of 50 megawatts or less installed capacity (under the Town and Country Planning Act 1990). These are considered Small Scale under the 'Planning and solar farms' researching brief (House of Commons Library, 2023).

7.7 Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.8 In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed above.

7.9 The policies and provisions set out in the National Planning Policy Framework (updated December, 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.10 Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

7.11 **The key considerations in this case are:**

- Principle of Development
- Site selection and loss of agricultural land
- Landscape character and visual impact
- Impact on natural environment
- Impact on historic environment
- Residential amenity
- Highway safety
- Glint and glare
- Flood risk and drainage
- Other
- Planning Balance

7.12 **Principle of Development**

7.13 National Planning Practice Guidance

7.14 The National Planning Practice Guidance offers decision makers support when considering application for solar development. Both The NPPG and National Planning policy Framework are set out positive strategies to support and encourage renewable energy in correct locations.

7.15 The (NPPG, *013 Reference ID: 5-013-20150327*) explains that where a proposal involves greenfield land, consideration should be given to whether:

7.16 *the use of any agricultural land has been shown to be necessary, whether poorer quality land has been used in preference to higher quality land and to whether the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.*

7.17 This approach is also reflected in the Framework, which states where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. NPPF paragraph 180 requires the economic and other benefits of the best and most versatile land to be recognised in planning decisions. The NPPG also provides a link to the Written Ministerial Statement (WMS) of 25 March 2015 regarding unjustified use of agricultural land and expects any proposal for a solar farm involving BMV to

be justified by the most compelling evidence.

7.18 NPPG also put forward 'factors' that LPAs need to consider when making assessments, some include:

-that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use
-the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety
-the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
-the need for, and impact of, security measures such as lights and fencing
-the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
-the energy generating potential, which can vary for a number of reasons including, latitude and aspect

7.19 National Planning Policy Framework

The Framework also offers bespoke planning policy to support the consideration of applications for renewable energy developments, of relevance is:

7.20 *NPPF, Paragraph 160*

To help increase the use and supply of renewable and low carbon energy and heat, plans should:
a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts);
b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and
c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for colocating potential heat customers and suppliers.

7.21 *NPPF, Paragraph 157*

The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

7.22 *NPPF, Paragraph 163*

When determining planning applications for renewable and low carbon development, local planning authorities should:
a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions;

b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas; and

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.

7.23 South East Lincolnshire Local Plan

The relevant local planning policy for the assessment of renewable energy development is SELLP Policy 31, its states:

7.24 *Policy 31: Climate Change and Renewable and Low Carbon Energy A.*

Policy 31 sets out a criteria-based assessment to be applied when considering applications for renewable energy, it states that:

7.25 *Renewable Energy with the exception of Wind Energy the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures 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.

7.26 The proposal is located in the open countryside and outside of any defined settlement limit, it relates to circa 80 hectares of an agricultural land type that is considered best and most versatile (BMV), the area is also located within flood zone 3 in accordance with Environment Agency Mapping Systems and the SFRA Max Hazard Maps state that the area is 'danger for most' (1.25 - 2.0).The basic principle of formulating a renewable energy development in this location is considered acceptable, however the proposal requires assessment against the criterial set out both within the National Planning Practice Guidance as well as against the criterial of policy 31 of the South East Lincolnshire Local Plan, which the remainder of this report seeks to achieve.

7.27 Site Selection and Loss of Agricultural Land

National Planning Practice Guidance , *013 Reference ID: 5-013-20150327*) as well as NPPF paragraph 180 are relevant to this section.

7.28 The application site is located on Grade 1 agricultural Land in accordance with the Provisional Agricultural Land Classification (ALC) (England). Agricultural land of grades 1, 2 & 3 are considered best and most versatile (BMV) land types. The applicant has provided documentation to support the proposed site selection, *Technical Note - Agricultural Land Classification - Amendment 1*, offers a justification as to why the site is appropriate.

7.29 The document shows that a a number of solar development projects have been recently approved (H04-0849-22 & H13-0190-23) within the district representing a total of approximately 100 ha of BMV land being utilised for solar renewable projects. Section 5.3 of this document puts the total amount of BMV land across the district into a measurable form, stating that:

7.30 *The spatial data reveals the total land area of the District Council to be approximately 75,007.61ha; 679.32ha of which is classed as urban land, meaning that there is approximately 74,328.29ha of farmable land in South Holland. Approximately 42,731.97ha of land is Grade 1 and 29,633.18ha of land is Grade 2 (total in combination: 72,365.15ha), meaning that only 1,963.14ha, 2.64% of the total farmable land, is Grade 3 or below.*

7.31 In regard to this proposal, the applicant states "The proposal site comprises approximately 81.98ha of Grade 1 land, which amounts to approximately 0.11% of the total Grade 1 and Grade 2 land in the District. This means that, pending approval, the proposal in culmination with the other applications discussed herein would amount to a potential loss of only 0.25% of Grade 1 or 2 agricultural land in South Holland."

7.32 In terms of selecting the site then given that only 2.64% of agricultural land within the district is not classed as BMV land then it is unlikely that alternative sites (that are not BMV) would be

readily available.

7.33 Furthermore, it is also of note that any permission for solar renewable on this site would be temporary and conditions that enforce that the land is returned to its existing state once operational activity is complete would be applicable (decommissioning conditions). The proposal therefore does not represent a total loss of BMV agricultural land but rather (if approved) a temporary loss. Given that the districts agricultural land is almost all land classed as best and most versatile it is unlikely that a more appropriate location could be found. It is of note that Natural England have no objections to this proposal and that the proposal does not relate to any designated sites.

7.34 The proposal in terms of its site selection and temporary loss of BMV land and for the use of any agricultural land has been shown to be necessary and the evidence presented compelling (in that such a small fraction of BMV land is currently taken up by solar development across the district). The proposal would also include the use of a continued agricultural use in part in respect of the grazing of sheep (this would need to be controlled through the submission and agreement of a management plan), the proposal would also achieve a substantial net gain for bio-diversity, through the strategy of wildflower planting in-between the rows of solar arrays.

7.35 On this basis then it is considered that the application site is supported by compelling evidence that other sites on poorer quality land (not BMV land) is not readily available within the district. The temporary loss of this land is softened by the partial continued agricultural use of the side through grazing as well as the substantial net gain captured for onsite bio diversity.

7.36 Landscape character and visual impact

Planning Practice Guidance states that "The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively" (NPPG, *013 Reference ID: 5-013-20150327*)

7.37 NPPF paragraph 180 'a' and 'f' state that Planning policies and decisions should contribute to and enhance the natural and local environment by:

7.38 a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

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;

7.39 SELLP policy 31b states that "With the exception of Wind Energy the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided, individually, or cumulatively, there would be no significant harm to - visual amenity, landscape character or quality, or skyscape considerations;"

7.40 The applicant has submitted a Landscape Visual Impact Assessment based on direction contained within the Guidelines for Landscape and Visual Impact Assessment, Third Edition 2013 (GLVIA3). The assessment includes a Zone of Theoretical Visibility (ZTV), this is set at a 2km study area from the application site, the distance is based upon field work and evaluating views into the application site. It is considered that given the scale (height) (and the land topography) of what is being proposed this zone/distance is considered acceptable.

7.41 The LVIA document is based upon the GLVIA3 guidelines, it separates two important (but entwinned) issues, firstly in accessioning the landscape as a resource in its own right and secondly assigning the effect on specific views experienced. The literature review is based upon an appropriate scope of materials. The criteria are based up scenarios from permanent to short term, as well as the impact upon scales, including immediate context and district wide context. The landscape is also given a value, suggested within the literature of GLVIA3, based

upon differing scenarios, construction phase, residual phase etc.

7.42 It is considered that the methodology, criteria and process appear to accord with the GLVIA3 guidelines.

7.43 The document expands upon the 3 key stage areas (construction, operational 0-1 year and residual phase). During the construction phase it is highly likely that disruption to and across the landscape would be acute.

7.44 At the operational phase (0 to 1 years), the Development will be complete and operational, however any landscaping works associated with the Development will not yet be established and so will have limited benefit to the landscape or ecological enhancement.

7.45 At the residual phase (15 years), the establishment of new areas of mixed native species tree planting, hedgerow and wildflower/meadow grass and other appropriate landscape treatments would have established, integrating and screening built elements into the local landscape, providing benefits to biodiversity within and around the solar panels and associated structures, and although the openness of the site would be reduced in places, it would still be a well-functioning landscape with more diverse habitat areas for wildlife and the potential to offer seasonal grazing if considered appropriate

7.46 The document is presented in a traditional manner with a viewpoint montage and map key to those photograph points. Table 3 presents a break down of how the development is to have effect at different scales. For example, the residual phase effects upon the wider character zone is considered negligible, this is concurred with given the overall low scale of ground mounted solar arrays.

7.47 The assessment from viewpoints is also considered fair descripting impacts during construction as having a high magnitude of effect, though this softens during initial operation phases through to the residual phase.

7.48 The findings are presented commensurate with the requirements of the GLVIA3.

7.49 The NPPG advises that *Cumulative landscape impacts and cumulative visual impacts are best considered separately* (Paragraph: 022 Reference ID: 5-022-20140306). The cumulative landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape and Cumulative visual impacts concern the degree to which proposed renewable energy development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. *Ibid*

7.50 In terms of visual effects, the submitted LVIA report concludes that "Overall, while an open and exposed landscape, the likely potential visual receptors with views of the Site are limited in number and sensitivity. The most sensitive receptors identified are to the west of the site (Middle Marsh Road, properties to the west of the site on Middle Marsh Road and National Cycle Network Route 1), with open, close-range views to the east towards the Development. There are also some medium-distance views from some locations on the surrounding local road network, although the availability of these views would largely be limited to moving vehicles, although could be more apparent to people on foot (utilising lanes for dog walking etc.) and cyclists. Views from the PROW network are extremely limited to medium-distance views across a flat landscape towards the site, screened by intermittent vegetation or built elements associated with settlements, and difficult to perceive due to the effects of distance. Subsequently, Site and Study Area has been judged as generally having a low value, low susceptibility to change, and subsequently low sensitivity, with some medium sensitivity associated with National Cycle Route 1 and other nearby PROW."

The cumulative landscape impacts then would change the fabric of the existing landscape and despite the existence of some industrialised fixtures (pylons etc) the solar farm would heavily industrialise the landscape fabric. The fencing would also have a great effect along with the planting, and whilst mixed native hedging is being used the abundance of the planting, as well as the heights that the screening is required would be out of keeping with the existing rural landscape. It is unlikely that once decommissioning stage occurs that the landscape will be truly returned to its existing condition, some evidence of the development is likely to remain, The

landscaping will remain engineered and abundant and in so this development will have a lasting effect upon this part of the open countryside.

In terms of the cumulative landscape impacts, these changes may not be acceptable during construction and 'growth phase' but as the landscaping matures the impact will become less significant.

7.51 The cumulative visual impacts are well discussed within the LVIA report, the photo montage is extremely helpful. The solar farm will be highly apparent from a wider spatial scale during construction phase and the phase prior to the establishment of the landscaping scheme. Though this spatial scale (or zone of influence) reduces as the development would approach the residual phase.

7.52 The construction phase would heavily industrialise the open countryside, the fencing along with clear views (at this stage) to building and base structures would have a detrimental effect upon visual impact (conditions regarding the fencing are proposed for this reason). Even at operational stage (0-3 years) adverse conditions would still persist having an undue impact upon those within its shrinking zone of visual influence (especially dwellings on Middle Marsh and users of the cycle network and roads around the site). Whilst the residual phase may offer a more favorable scenario the planting scheme is likely to take years to reach sufficient maturity to make the difference and views into the site and its associated infrastructure would still be experienced from certain locations. Local residents would also likely (from first floors) experience greatly the impact of the scheme at residual stage.

7.53 Therefore, whilst the report is carried out in line with GLVIA3 requirements and so presented in the correct way, it cannot be denied that the very fabric of the landscape will be subject to altering, even adverse changes. In favour to the proposal is that the land can be made 'almost' good following the period of operation and that its scale is so low it can be screened for large parts at the residual stage, reducing the spatial influence of the development.

7.54 However, the cumulative landscape impacts in making altering changes to the fabric and character of the landscape would not accord with the requirements set out by SELLP Policy 31. In turn by not recognising the intrinsic natural beauty of this part of the Lincolnshire countryside the proposal would also be contrary to NPPF Paragraph 180 (clearly this scale of essential infrastructure is not succinct with the existing countryside character). As regards cumulative visual impacts these at construction and early phases are considered to be detrimental to those experiencing visually the landscape. This impact lessens as the residual phase beings to take effect, to a point where on these terms (visual impact) the proposal due to its limited zone visual influence (which becomes localised to the site in effect) is considered acceptable.

7.55 In these terms the proposal is considered not to accord with SELLP Policy 31b or NPPF paragraph 180b. This is not to suggest that the landscaping scheme is inappropriate, the impact simply reflects the natural conflict between open countryside and major essential infrastructure development, located in an open landscape. Any permission would be subject to condition requiring the landscaping scheme to be completed at the first planting season so the residual stage is reached in the quickest possible timeframe.

7.56 Impact on natural environment

7.57 NPPF Paragraph 186 sets out a criteria-based approach for LPAs to apply when considering development proposals. The criteria in part includes methods to protect and encourage bio-diversity as well as preventing development resulting in the loss of priority habitats.

7.58 NPPF Paragraph 180d is also relevant requiring net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

7.59 SELLP Policy 28 is concerned with the Natural Environment points 2 and 3 are relevant to this assessment, Point 2 is concerned with Nationally or locally-designated sites and protected or priority habitats and species and point 3 with addressing gaps in the ecological network.

7.60 The applicant has provided an Ecological Impact Assessment, Landscape and Ecology Management Plan as well as a bio-diversity net gain assessment.

7.61 The impact assessment (which is supported by the Landscape and Ecology Management Plan) considers the impact upon habitats, birds, bats, reptiles, badgers and brown hares, all of which are considered to have a 'negligible' or having 'neutral impact'. The report concludes that habitats with the greatest ecological value (i.e., drains and woodland) are to be retained. Lincolnshire Wildlife Trust have assessed the proposal and consider it acceptable in regard to the effect of the development upon protected species. Lincolnshire Bat Group also do not have any objections.

7.62 The application is also supported through a bio-diversity net gain assessment, the assessment applies the relevant matrix and provides a baseline result as well as a result for the proposed scheme. The baseline score (existing scenario) is calculated at 161.9 units, the projected number of bio-diversity units created on site following the proposal and take up of landscaping is 279 units. This creates a healthy net gain for biodiversity. LWT have stated that:

7.63 *We are pleased to see that the appropriate Biodiversity Net Gain (BNG) calculations and subsequent report have been submitted, as well as the following of the mitigation hierarchy. We are satisfied with the promising amount of gain that is projected to be achieved as a result of this development.*

7.64 The applicant has subsequently provided a Landscape and Ecology Management Plan and this demonstrates a 30 year approach to how the landscape and onsite ecology will be managed. This will form part of a compliance condition attached to any permission. The proposal would not give rise to harmful impacts that would affect protected species and would create circa 172% increase in bio-diversity net gain. The proposal in respect of ecology and wildlife matters would have a bettering effect upon the environment.

7.65 On this basis the proposal is considered to accord with SELLP Policy 28.

7.66 Impact on historic environment

7.67 NPPF Paragraph 200 requires developers to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

7.68 SELLP Policy 29 is concerned with the historic environment, it states that "Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced. Opportunities to identify a heritage asset's contribution to the economy, tourism, education and the local community will be utilised"
The applicant has provided a Heritage Impact Assessment (Voyage Limited) the report discusses the impact of the development proposal on heritage significance in the area. Concluding that following the development limited effect would be made upon the area's historic environment.

7.69 Initially the historic environment record expressed concerns regarding the high archaeological potential of land to the south of Red House Farm where medieval salterns and the remains of a former sea bank are known in the Lincolnshire Historic Environment Record. This advice was given prior to submission, Subsequently the proposed plans moved the development form outside of this area. The Historic Places team have not expressed any further concerns stating:

7.70 *We welcome the current proposal will now see this area excluded from the proposed development, with the solar farm located to the north in an area which was only drained to allow permanent occupation and agriculture in the post-medieval period. There is thus a very low potential for the development in this area to have any impact on below ground archaeological remains*

7.71 The proposal then would not give rise to any unacceptable heritage related harm and is succinct with the aforementioned local and national planning policies.

7.72 It is therefore considered that the proposal would meet with SELLP Policy 29.

7.73 Residential amenity

NPPF Paragraph 135 of the National Planning Policy Framework (December, 2023) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.74 SELLP Policy 2 sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

7.75 SELLP Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.

7.76 There are a number of dwellings within close proximity to the site, with a row of properties fronting Middle Marsh to the west and poplars farm located to the east. The properties fronting Middle Marsh are shown to be around 190m from the nearest points to the solar array, the substation is located centrally and almost 400m from the nearest properties.

7.77 It is likely that impact through noise and disturbance will occur during the construction phase, and this will be mitigated through the requirements for a construction environmental management plan to be submitted to and agreed in writing with the LPA. Also despite the submission of documents showing inbound and outbound transport movements, there are also other consideration relating to construction parking, keeping the road network clear and the times/frequency that these events will occur and therefore a construction traffic management plan is also required to be submitted and agreed prior to the commencement of works.

7.78 Once operational the impacts from noise are likely to be limited with the main source of noise emanating from the substation, planting shown on plan surrounding this area will work to screen noise. At this stage the impact upon amenity through noise and disturbance is considered acceptable.

7.79 In terms of visual amenity there will be a clear impact from upper floors within these dwellings, the proposed planting, once established would (at residual stage) screen the development at ground level. The impact however from 1st floor openings would be detrimental/altered for the lifetime of the development.

7.80 A high level of objections has been received from local residents naturally expressing concerns in relation to impacts upon amenity. The proposal would clearly have an impact, more so during construction much less so when operational.

7.81 Furthermore, there are no objections from Environmental Protection.

7.82 The operational phase of this development, as with Solar Farms is likely to be acceptable in terms of amenity impacts relating to noise and disturbance. The impacts from the construction phase will be mitigated somewhat through the control of construction hours, agreed transport routes as well as working method statements. Therefore whilst there is a greater level of disruption it can be mitigated to an acceptable level. The only issue that cannot be fully mitigated is the impact upon residents visual amenity.

7.83 On balance given that the construction phase can be mitigated through the requirements of Construction Environmental Management Plans and Traffic Management Plans and that the residual stage would likely not give rise to unacceptable amenity impacts (despite the effect upon visual amenity especially from first floors) it is considered on balance that the proposal would accord with SELLP Policies 2 and 30.

7.84 Highway safety

SELLP Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

7.85 SELLP Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

7.86 Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. It advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
The highway Authority have been consulted and have stated that they have no concerns in relation to the proposal, stating that "The operation of the proposed solar farm would not be expected to have any unacceptable impact upon highway safety. The site access is proposed to be on a part of the network where drivers entering the highway will have adequate visibility of any vehicles approaching from their left or their right side to be able to complete this manoeuvre safely. Nor would the operation of the proposed solar farm be expected to have a severe residual cumulative impact upon the capacity of the local highway network."

7.87 In terms of material arriving and leaving the site the Highway Authority have stated:
The strategy involves the delivery lorries arriving at the site via the A17 and roads to the north of the A17 that have already proven themselves to be capable of accommodating HGV movements. The strategy is for the emptied, returning vehicles to use a different route, again utilising suitable roads, to get back onto the A17. This strategy will reduce the likelihood of on-coming vehicles meeting each other on this designated route. It is considered that this strategy mitigates to an acceptable extent, the transportation impacts of the construction and decommissioning of the proposed development.

7.88 The applicant has provided this detail within the proposed site plans, HGV Traffic Routes, Transport Statement, section of access track as well as within the Design and Access Statement. This information was sufficient for highways to consider the proposal acceptable both during construction as well as within the residual stage. These documents will be approved as part of any permission.

7.89 The proposal is therefore considered to represent a safe development for both existing and future users of the highway, subject to compliance with the submitted documents and mitigation attached through planning conditions.

7.90 On this basis then the proposal is considered to accord with SELLP Policies 2 & 3.

7.91 Glint and glare

7.92 NPPG, *013 Reference ID: 5-013-20150327*) requires that 'Glint and Glare' are considered with any application for Solar Farms.

7.93 The applicant has provided a 'Glint & Glare' Assessment provided by Green Powerhouse Consultant Limited. The report assesses the effect of glint and glare upon dwellings, road users, railways and aviation.
In terms of the impact upon dwellings the report states that significance is low (table 7.1) subject to the correct mitigation. The report states:

7.94 *Mitigation is recommended and is to be provided in the form of the proposed landscape plan for: § OP1, OP2, OP5 and OP6 where the proposed hedgerows with trees bounding the development site to its west will grow over the course of 10 years to a height of 3.5 m and 10 m, respectively; and § OP32 where the proposed hedgerows bounding the development site to its east will grow over the course of 10 years to a height of 3.5 m. At which point the proposed development will be screened.* AND

7.95 *In addition to the planned mitigation, the moderate glare risk (in year 1) was predicted to occur around 06:00 in the morning when most people are either asleep or just waking up and for only a limited amount of time (e.g. less than 20 mins/day), meaning that its impact upon the occupants of the dwellings may be less significant. Furthermore, between spring and autumn when the glare is predicted to occur it is overcast between 30-50% of the time and mostly cloudy between 40-60% of the time on average. As such, the period of time over which the glare is predicted may be shorter. Considering all of the above, the predicted glare significance towards OP1, OP2, OP5, OP6 and OP32 may be downgraded to low.*

7.96 In terms of road, rail and aviation there is considered no impact.

7.97 Clearly from the results nearby residents will be subject to some glint and glare impacts, until the screening becomes fully established. The submitted report suggests that this level of impact is only moderate to a few dwellings with the impact being low for the rest. Clearly there is an impact upon the amenity of these dwellings, which will improve once the landscaping becomes well established.

7.98 Given that the impact from Glint and Glare is likely to be an issue that would change in effect during the lifetime of the development, not only to residents but also road users and aviation industries as well it is considered that there is justification for ongoing review of this impact. A condition will be applied that allows the LPA to approach the developer/operator to that request mitigation measures are applied on site should an issue be established during the course of the operation.

7.99 On this basis it is considered that the proposal is considered acceptable.

Flood risk and drainage

7.100 Section 14 of the NPPF sets out the national policy basis for making assessments in relation to flood risk. SELLP Policy 4 sets out South Hollands approach to Flood Risk. The application site for the most part is located within flood zone 3 in accordance with Environment Agency Mapping Systems and the SFRA Max Hazard Maps state that the area is 'danger for most' (1.25 - 2.0).

7.101 The proposal is to develop the site with arrays of ground-mounted solar panels to generate electricity. The proposals also include access into the site, small transformer housing units and a substation compound. The indicative proposed site layout is included in Appendix C. The only built development on the site would consist of grid inverter stations, substations and combined welfare, site office, communications and maintenance spares buildings. Inverter stations are proposed to be located strategically throughout the site, with the main complex of the above buildings proposed to be located centrally and close to an existing pylon and overhead lines. The soffit level of the proposed solar panels would be no lower than 0.8m above ground level with the minimum soffit level. It is noted that panels are entirely watertight, as proven by their IP67 testing, and these would be unaffected by immersion in floodwater should it occur. The proposed development is described by the flood risk vulnerability classification table as 'Essential Infrastructure'. *Essential utility infrastructure which has to be located in a flood risk area for operational reasons, including infrastructure for electricity supply including generation, storage and distribution systems; including electricity generating power stations, grid and primary substations storage*. Whilst such proposals do not need to be located in a flood risk area, there is little of the district that is located outside of flood risk zones, and the proposal (of this scale) clearly requires a countryside location, therefore the proposal whilst located in flood zone 3 is considered acceptable given the broader flood risk constraints of the district.

7.102 The applicant in discussing the site selection has justified a countryside location, given the location of this site which allows for connection to the grid without the requirement for long sections of underground lines and away from impacting upon the historic environment. Furthermore, much of the district is considered both BMV Land as well as within Flood Zones, 2 & 3. It is considered then that the sequential test is passed.

7.103 In terms of the Exception Test, it is considered that the proposal by its very nature exudes sustainability benefits that would far outweigh the risk from flooding, contributing to both local and national climate change targets. In terms of meeting with the second part of the test and

demonstrating that the development will be safe for its life time the FRA also contains a drainage strategy and resilience measures.

7.104 The Environment Agency have been consulted and have stated that they have no objections to the proposal subject to the development being carried out in accordance with the submitted FRA, including resilience measures. The LLFA have also made comment regarding the topic of surface water creation, stating that:

7.105 *Rain falling upon the array panels would run off the lower edge of the tilted panels and would therefore infiltrate into the ground only a short distance from where it would have done so within the undeveloped land. There would not be any localised concentration of surface water in any one area that would give rise to surface water flooding issues. The power generated by the proposed solar farm would be put into the National Grid via the electricity supply network that already runs through the site. No off site connection works are required.*

7.106 South Holland IDB have also made comment and have stated that "The Board's Officers have reviewed the amended documents submitted in support of the above planning application. Officers have noted works which require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime. As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application. The Board will only consider the proposals in detail on receipt of an application for Land Drainage Consent" The applicant intends to follow the sustainable drainage hierarchy. Surface water discharge options are assessed in the following order of preference: 1. Infiltration into the ground 2. Outfall to watercourse or river 3. Connection to surface water sewer 4. Connection to combined sewer.

7.107 At this stage, given consent would be required to divert flows into a watercourse and that it is likely (despite the large land area the development covers) that a controllable amount of surface water would be created. A condition requiring the drainage strategy, along with confirmation of any consents will be attached to any planning permission. This would fairly mitigate the topic of surface water discharge from the development.

7.108 On this basis it is considered that the proposal would accord with SELLP Policy 4.

7.109 Other

7.110 Environmental protection officers have reviewed the submission of land contamination information and are satisfied that a condition relating to unforeseen constitution (if found during construction) would fairly mitigate the scheme.

7.111 Planning Balance

Given the impact upon the landscape character and the amenity of nearby residents it is likely that the proposal would in part be contrary to policy 31 of the South East Lincolnshire Local Plan. Furthermore the proposal is not located on previously developed land or non-BMV land and in so would again be in part contrary to the guidance provided by the National Planning Practice Guidance , *013 Reference ID: 5-013-20150327*) as well as NPPF paragraph 180.

7.112 *Benefits of the Scheme*
Notwithstanding the impacts upon amenity and Character landscape, the UK governments as well as the combined South & East Lincolnshire Council Partnership targets to reach net zero by 2050 are material matter. Furthermore, the UK Net Zero Strategy: Build Back Greener sets a 78% reduction by 2035 and the Government's latest approach to energy is contained within the Powering Up Britain Strategy, which builds on the targeted reduction by committing to a fivefold increase in solar energy generation by 2035. The latest draft of the National Policy Statement EN-19 also reiterates the urgency of energy development deployment to support this commitment.

7.113 SELLP Policy 31 and 'Climate Change Strategy' (South & East Lincolnshire Council Partnership) are advocating policies and strategies that would support this development. At national level NPPF paragraphs outlined in the principle section f this reports also urge local

planning authorities to support such developments.

7.114 The scheme would also provide a biodiversity net gain of 172 %, the permission is for a temporary period; conditioned to 35 years and a partial agricultural use in the form of grazing would be continued across the site throughout the lifetime of the development.

7.115 Conditions are applied to mitigate impact to residents and road users during the construction phase and the proposed landscaping scheme, once at residual stage would for the most part screen the development from. Whilst the site includes BMV land, the applicant has demonstrated through site selection that the majority of land within the district is glassed as best and most versatile under the Agricultural Land Classification; this represents compelling justification.

7.116 Therefore, it is considered that on balance the proposal which includes significant benefits in respect of contributing to the climate crisis and the pursuit of net zero as well as the benefits to ecology would outweigh the harm placed upon the landscape character and the visual amenity of local residents. Other residential amenity impacts can fairly be mitigated through condition and ongoing review of glint and glare and once at residual stage the impact upon the landscape will visually lessen and the scheme will be largely screened.

7.117 **Additional Considerations**

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

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

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

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

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

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/or documents:

   1386-111 rev L, Site Plan General Arrangement PV Array - Amendment 1
   21-18-LM rev 7, Landscape Masterplan - Amendment 1
   Technical Note - Agricultural Land Classification - Amendment 1
   Design and Access Statement - Amendment 1
   88450.570067 Issue 2 Landscape and Ecology Management Plan - 12 July 2023 - Amendment 1
   21-18-LM Issue 3 Landscape Mitigation- 14 August 2023 - Amendment 1
   21-2670.03 Issue 2Ecological Impact Assessment- 29 March 2023 - Amendment 1
   Statement of Community Involvement
   Sequential Site Analysis, dated January 2023
   Planning Supporting Statement, dated January 2023
   Red House Farm Glint & Glare Assessment
   C86626-NE-66-XX-DR-T-2004 Rev P03, HGV Traffic Route - Outbound
   Transport Statement - Appendix B - Construction Traffic Routes
   Transport Statement - Appendix A - ATC Survey Results
   Transport Statement - Figures/Drawings
   Transport Statement
   1386-313 Issue CSections - Typical Transformer Access Track
   1386-312 Issue CSections - Typical Access Track
   1386-129 Issue CElevations - CCTV
   1386-128 Issue CElevations - Security Fencing
   1386-127 Issue CElevations - Maintenance Spares Container
   1386-126 Rev APlans & Elevations DNO Control & Metering Room (3 Plans)
   1386-125 Issue CElevations Combined Welfare, Site Office & Comms Building
   1386-124 Issue CElevations 132/33kV Tee-Off Substation
   1386-122 Issue CElevations Inverter Station
   1386-121 Issue CElevations PV Array - Typical Section & Key Dimensions
   MP-06 Rev DProposed Site Layout
   MP-05 Rev DProposed Site Layout Topographic Overlay
   MP-04 Rev DProposed Site Layout
   MP-03 Rev DScoping Layout
   MP-01 Rev CSite Location Plan
   Landscape & Visual Appraisal
   21.2670.03Biodiversity Net Gain Assessment
   CAL030821 Rev BDesign and Access Statement
   Flood Risk UK, dated September 2022Flood Risk Assessment
   LS Archaeology May 2022, Archaeological Desk Based Assessment
   Flood Risk UK, dated September 2022Phase 1 Contamination Study
   Voyage LTD, dated 26.05.2022, Heritage Impact Assessment

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

3. Within 1 month of the date of first export of electricity, confirmation shall be given in writing to the local planning authority of the date of first export to the Grid. The development hereby permitted shall cease on or before the expiry of a 35-year period from the date of the first export of electricity and the local planning authority shall be notified of the cessation of electricity generation and storage in writing no later than 5 working days after the event. The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work (the Decommissioning Scheme).

   Reason: To define the terms of the permission and to protect the best and most versatile agricultural land.
   This Condition is imposed in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4. The Decommissioning Scheme shall be submitted to and approved in writing by the local planning authority no later than 6 months prior to decommissioning and shall include provision for the dismantling and removal from the site of the solar PV panels, frames, foundations, inverter housings and all associated structures, storage facilities and fencing. The decommissioning shall be carried out strictly in accordance with the approved scheme.

   Reason: To protect the best and most versatile agricultural land.
   This Condition is imposed in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

5. In the event the site ceases to generate and store electricity for supply to the electricity grid network for a period of 12 months, an Early Decommissioning Scheme shall be submitted to and approved in writing by the local planning authority, no later than 3 months from the end of the 12-month period. The scheme shall include the same provisions referred to in Condition 4 and the decommissioning shall be carried out strictly in accordance with the approved scheme.

   Reason: To protect the best and most versatile agricultural land.
   This Condition is imposed in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

6. A detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the construction process shall be carried out in accordance with the scheme so approved.

   Reason: In the interests of the amenity of local residents. 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 Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

7. 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.

8. Before the commencement of the development hereby granted beyond oversite, full details of the means of 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.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2023.

9. 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.

10. Before the development hereby permitted is first brought into use, details of noise from fixed plant machinery shall be submitted to and agreed in writing with the Local Planning Authority. The fixed plant shall not exceed the agreed noise levels thereafter.

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.

11. Before the commencement of development hereby permitted, details of the management and maintenance schedule for the areas of landscaping, incidental open space, refuse/recycling collection points and parking courts/private drives shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall be maintained in accordance with the approved details.

Reason: To ensure that adequate provision is made for the management and maintenance of the those areas.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

12. Details of the external illumination of all buildings and areas of the site including details of luminance and fields of illumination shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of those buildings and areas and there shall be no external illumination other than that so approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

13. The development shall be carried out in accordance with the submitted flood risk assessment prepared by Flood Risk UK, ref: Red House Farm, Holbeach published September 2022 and the following mitigation measures it details in section 4:

· Solar panels will be mounted no lower than 0.8 metres above existing ground levels
· Finished Floor Levels of the inverter buildings shall be set to 600mm above the existing ground level
· Sensitive equipment contained within the inverter building shall be set no lower than 1.30 metres about the surrounding ground level
· The proposed flood barrier shall be no lower than 1.30 metres

These mitigation measures shall be fully implemented prior to first use and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2023.

14. If contamination of land has been identified during construction, a full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation objectives and criteria has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

15. The scheme of landscaping and tree planting shown on dwg. no. 21-18-LM rev 7 shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five 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 visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

16. Prior to their installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

17. Prior to the first operation of the solar farm hereby approved a grazing management plan shall be submitted to and agreed in writing with the local planning authority. The plans shall show how the grazing meadow its used for grazing continuously throughout the life time of the development, including any times when the meadow will not be grazed as well as the number of animals per area. If for any reason livestock grazing of land fails to occur for a period of more than 12 months, the solar panels and the related ancillary equipment shall be decommissioned and removed from the site.

Reason: In the interests of protecting BMV agricultural land and to meet with NPPG requirements. 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 Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

18. The development shall be carried out in accordance with the Landscape & Ecological Management Plan (88450.570067), the mitigation measures in the Ecological Impact Assessment (21-2670.03), and the Biodiversity Net Gain Assessment (21.2670.03), all approved under condition 2 of this permission; and the approved details of landscaping, shown on Drawing No. 21-18-LM rev 7, shall be implemented in the first planting season following the completion of the development.

Any trees/shrubs/plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Similarly, any trees shown to be retained on the drawing shall be protected during construction work as follows:

a) chestnut pale or similar fencing 1.5 metres in height shall be provided around the trees to be retained before development is commenced at a minimum distance from the trunks equal to the spread of the crowns of the trees;
b) no materials, equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made;
c) no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees to be retained;
d) no services shall be routed under the spread of the crowns of the trees to be retained;
e) no retained tree shall be cut down, up-rooted, destroyed, topped or lopped unless first agreed in writing by the Local Planning Authority; and
f) if any tree which is to be retained dies or is to be removed it shall be replaced within six months thereafter with a tree of such size and species which shall be first be agreed in writing by the Local Planning Authority.

Reason: In the interests of protected species, to meet the proposed bio-diversity net gain and to encourage wildlife habitat networks.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

19. For the duration of the construction and decommissioning periods, construction/deconstruction activities and deliveries received at or despatched from the site, shall only occur between the hours of 0800- and 1800-hours Monday to Friday, 0800- and 1330-hours on Saturday and not at all on Sundays and Bank Holidays other than with the prior written approval of the local planning authority

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no buildings, structures, fences, gates, posts, solar panels, hardstandings, footings, platforms, pavements, bunding, earthworks or other engineering operations shall be constructed, installed, or carried out on site other than in accordance with the details on the approved drawings.

Reason: In the interests of the character, landscape and for the amenity of local residents..
This Condition is imposed in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

21. Within 28 Days of the receipt of a written request from the Local Planning Authority following concerns raised in relation to the impacts from glint and glare, the solar farm operator shall submit details of proposed mitigation measures and a timescale for implementation. Such information shall be provided within 3 months of the date of the written request of the Local Planning Authority; the proposed mitigation measures shall be carried out in accordance with teh approved details.

Reason: To safeguard residents, road users and the aviation industry from the effects of glint and glare.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

22. The applicant is reminded that it is an offence under the Wildlife and Countryside Act, 1981 (as amended) to kill, injure, or take (handle) any protected species occupying a place of shelter or protection and also to take, damage or destroy the nest of any wild bird while that nest is in use or being built. If evidence of bats is found before or whilst the work is carried out you are advised to contact Natural England at their Lincoln office (telephone 03000 603900).

23. 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

24. In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

25. 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. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application.

For application guidance, approval and specification details, please visit:
https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb
or contact vehiclecrossings@lincolnshire.gov.uk

26. Byelaw 3 (Surface Water)
The applicant has indicated that they intend to dispose of surface water via infiltration (i.e., the installation of permeable surfacing), however I cannot see that the viability of this proposal has been evidenced. We recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. Please note that we recommend that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate.

27. Deed of Easement Requirements
I would also like to make the applicant aware that the Board owns the aforementioned Board maintained watercourse (N04 - Lawyers) and its banks. Therefore, any works within / across the Board's Land will require a Deed of Easement to be agreed and entered into with the Board. For further information, please contact this office. Further information can be found at the following link: https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf

Background papers:- Planning Application Working File

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

Appendices attached to this report:

Appendix A Plan A



This copy of the drawing cannot be assured.

This drawing is based on dimensional survey information provided by others. Cornerstone Architecture cannot accept responsibility for the accuracy of this information.

All dimensions shown are in mm/m

This drawing remains the copyright of Cornerstone Architecture.

Revision	Description	Date	Drawn	Checked
A	Application Boundary Amended	06.02.22	AS	-
B	Application Boundary Amended	07.02.22	AS	-
C	Application Boundary Amended	10.02.22	AS	-

Land Ownership Boundary
Area = 150.04 Ha (370.85 Acres)

Planning Application Boundary
Area =149.99 Ha (370.68 Acres)

Client
AUK PE12 LIMITED

Project
Boston Solar
Holbeach Bank, Holbeach

Drawing Title
Site Location Plan

First Issue Date	Scale	Drawn by	Check by
22.09.2021	1:2500@A4	AS	EB
Project No.		Status	Revision
CS0078.021		-	C
Drawing No.			
MP-02			

▸ Master Planning & Urban Design
▸ Architecture ▸ Building Control
▸ Public Engagement ▸ Consultation
▸ Arboriculture

cornerstone.co.uk
1 the corn exchange
baker street

SITE LOCATION PLAN