DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0439-26**	**Applicant:**	**The Crown Estate**
Proposal:	Installation of a small scale ground mounted solar photovoltaic (PV) array with associated infrastructure, including fencing, cabling & inverter equipment		
Location:	Trevethoe Farm Cottage Lapwater Lane Holbeach St Marks		
Terminal Date:	24th July 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	1
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	4
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application seeks full planning permission for the installation of a small-scale ground mounted solar photovoltaic (PV) array and associated infrastructure at Trevethoe Farm. The development comprises 112 solar PV panels, each rated at 590W, providing a total installed capacity of approximately 66kWp. The panels would be mounted on low-profile metal frames with a maximum height of approximately 2 metres above ground level and arranged in three rows within a fenced compound measuring approximately 51 metres by 40 metres. The panel mounting area itself would occupy approximately 41 metres by 30 metres.

The proposal also includes the installation of 2-metre-high security fencing, associated inverter equipment, underground cabling connecting the array to the existing farm buildings, and ancillary electrical infrastructure required for the operation of the development. No additional buildings are proposed as the necessary electrical equipment would be accommodated within the existing farm buildings.

The solar array would be located immediately to the north of the existing farmstead on land forming part of the wider agricultural holding. The electricity generated would be connected behind the meter and used primarily to meet the operational energy requirements of the existing agricultural enterprise, with only surplus electricity exported to the grid.

The proposal also incorporates biodiversity enhancements in the form of wildflower planting around the perimeter of the solar compound to deliver biodiversity net gain, whilst existing access arrangements to the site would be retained.

Site Description

The application site forms part of Trevethoe Farm, an established agricultural holding located on the eastern side of Lapwater Lane, approximately 1.5km north of Holbeach St Marks. The site comprises a modest parcel of agricultural land immediately adjacent to the existing farmstead and associated agricultural buildings. The surrounding area is predominantly characterised by open arable farmland, agricultural infrastructure and drainage features typical of the Fenland landscape with sporadic residential property.

For planning purposes, the site lies within the countryside and in flood terms the application site lies within Flood Zone 3 as identified by the Environment Agency's Flood Map for Planning. The site is also identified within the South East Lincolnshire Strategic Flood Risk Assessment (SFRA) as being within both the 'Danger for Most' and 'Danger for All' maximum hazard extents in the event of a

breach scenario. These matters are considered in detail within the flood risk assessment section of this report.

History

None Relevant

Consultation Responses

Parish Council

No objection.

Ward Member

Raised concerns that the proposal should be accommodated on the roof of the existing agricultural building rather than as a ground-mounted installation. Queried whether the development would serve only the farm, noted the apparent absence of local grid capacity, and identified inaccuracies within the application form relating to the presence of boundary trees/hedgerows and the reference to mains sewerage.

Anglian Water

No objection. Confirms there is no connection proposed to the Anglian Water network and no Anglian Water assets within the vicinity of the site.

South Holland Internal Drainage Board

No objection. Confirms the proposal does not require the disposal of surface water or foul water. Advises that should future works affect the adjacent riparian watercourse, separate consent under the Land Drainage Act 1991 may be required.

Environment Agency
No objection. Advises that the site is located within Flood Zone 3 and recommends that appropriate flood resilience measures are incorporated into the development.

Historic Environment Officer

No objection. Advises that the proposal is unlikely to affect significant archaeological remains and no further archaeological work is required.

Highway Authority

No objection. Confirms the proposal would not adversely affect the public highway. Notes that, as the proposal constitutes minor development, consideration of surface water drainage rests with the Local Planning Authority.

National Grid Electricity Distribution

Advises the applicant to liaise with NGED to ensure appropriate stand-off distances are maintained from the existing 11kV overhead electricity line.

Ecology

No objection. Confirms that sufficient ecological information has been submitted to determine the application. Recommends that the mitigation and enhancement measures contained within the Preliminary Ecological Appraisal are secured by condition together with a bat-sensitive lighting strategy. Confirms that the proposal is capable of delivering a biodiversity net gain exceeding the statutory 10% requirement (25.83% habitat units) and requests that a Biodiversity Gain Plan is secured by condition. Notes a minor correction is required to the submitted biodiversity metric to accurately identify the baseline habitat type.

Environmental Protection

No objection.

Representations

The application has been publicised in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). This included the display of a site notice and publication of the application on the Council's website.

In response to the consultation, one objection and two observations have been received.

The objection raises concerns regarding:

·The adequacy of the publicity undertaken by the Local Planning Authority;
·The development being located on Best and Most Versatile (BMV) agricultural land;
·The potential impact on highway safety during construction and operation;
·The absence of any direct community benefit arising from the proposal; and
·Potential impacts on environmental diversity.

The observations generally relate to matters including the siting of the development and its relationship with the surrounding area, the use of solar on rooftops not being explored and inclusions within eth application form.

Evaluation

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

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 within the report above .

The policies and provisions set out in the National Planning Policy Framework (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

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.

Planning Considerations

Planning Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the Development Plan comprises the South East Lincolnshire Local Plan (2011-2036), adopted March 2019, with the National Planning Policy Framework (NPPF, December 2024) representing a significant material consideration.

The application site lies within the open countryside for the purposes of Policy 1 of the South East Lincolnshire Local Plan. Whilst the countryside is protected from inappropriate development, Policy 1 allows development where it is necessary in such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area through economic, community or environmental benefits.

The proposal comprises a modest ground-mounted solar photovoltaic array intended to operate as ancillary infrastructure to the existing agricultural enterprise at Trevethoe Farm. The applicant has confirmed that the electricity generated will be connected behind the meter and used primarily to meet the operational energy demands of the farm, with only surplus electricity exported to the electricity network. Furthermore, the applicant has advised that roof-mounted solar panels were considered but discounted due to the existing agricultural buildings being unsuitable for retrofit. Officers have no substantive evidence to dispute that position and are satisfied that the proposed siting immediately adjacent to the existing farm complex represents an appropriate solution in this

instance.

National planning policy provides strong support for renewable and low carbon energy development. Paragraph 168 of the NPPF advises that Local Planning Authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and should give significant weight to the benefits associated with renewable and low carbon energy generation. The same paragraph also recognises that small-scale renewable energy projects make a valuable contribution towards reducing greenhouse gas emissions and achieving a net zero future.

At the local level, Policy 31 of the South East Lincolnshire Local Plan supports renewable energy developments, including associated infrastructure, provided that they do not result in significant harm to matters including landscape character, residential amenity, highway safety, agricultural land, heritage assets or the natural environment. These matters are considered individually within the relevant sections of this report.

Whilst it is acknowledged that the proposal occupies a small area of Grade 1 agricultural land (which is discussed below), the development is modest in scale, located immediately adjacent to the existing farmstead and is capable of being removed at the end of its operational life. The proposal is therefore materially different from a standalone commercial solar farm and instead represents ancillary infrastructure supporting the continued operation and sustainability of an existing agricultural holding.

Having regard to the above, Officers consider that the principle of the development is acceptable, subject to the proposal satisfactorily addressing the detailed matters considered elsewhere within this report, particularly those relating to landscape character, agricultural land, ecology, flood risk and residential amenity.

Agricultural Land

The application site forms part of an existing agricultural holding and is located on land identified as Grade 1 agricultural land, which is classified as Best and Most Versatile (BMV) agricultural land.

Paragraphs 2.10.20 to 2.10.26 of National Policy Statement EN-3 recognise that solar development is capable of being accommodated on a wide range of land types. Whilst applicants should seek to utilise previously developed land, brownfield land and lower quality agricultural land where possible, the use of Best and Most Versatile agricultural land is not prohibited. Rather, EN-3 requires the impacts of such development to be carefully considered, together with the applicant's justification for the choice of site.

In this instance, the applicant has confirmed that the proposed solar array is intended to operate as ancillary infrastructure serving the existing agricultural enterprise, with electricity generated being used primarily on-site through a behind-the-meter connection. The applicant has also confirmed that the existing agricultural buildings are not suitable for the installation of roof-mounted photovoltaic panels. Officers are therefore satisfied that the proposed location has been selected because of its operational relationship with the existing farmstead and electrical infrastructure, rather than simply because it comprises agricultural land.

Officers acknowledge that the proposal would occupy a small area of Grade 1 agricultural land. However, the extent of land affected is modest and is located immediately adjacent to the existing agricultural complex, thereby limiting its impact upon the wider agricultural holding. Furthermore, the proposal supports the continued operation and resilience of the agricultural enterprise by reducing reliance upon imported electricity and contributing towards the generation of renewable energy.

Having regard to the guidance contained within National Policy Statement EN-3, Officers consider that the proposal provides an appropriate justification for its location on agricultural land and that the temporary loss of a limited area of Best and Most Versatile agricultural land is outweighed by the renewable energy benefits of the proposal and its direct support of an existing agricultural business. The proposal is therefore considered to accord with the objectives of National Policy Statement EN-3 and Policy 31 of the South East Lincolnshire Local Plan.

Flood Risk and Surface Water Drainage

Policy 4 of the South East Lincolnshire Local Plan seeks to ensure that development is appropriately located having regard to flood risk and is designed to remain safe for its lifetime

without increasing flood risk elsewhere. The National Planning Policy Framework (NPPF) similarly seeks to ensure that inappropriate development is avoided in areas at risk of flooding and that development is supported by appropriate flood risk mitigation.

The application site lies within Flood Zone 3 as identified by the Environment Agency's Flood Map for Planning and is also identified within the South East Lincolnshire Strategic Flood Risk Assessment (SFRA) as falling within the "Danger for Most" and "Danger for All" maximum hazard extents during an extreme breach event. A site-specific Flood Risk Assessment has been submitted in support of the application.

The proposed development comprises a small-scale ground mounted solar photovoltaic array ancillary to the existing agricultural holding. The array would provide electricity directly to the farm through a behind-the-meter connection and, by its nature, is operationally linked to the existing agricultural enterprise. Officers are therefore satisfied that the proposal must be located in close proximity to the existing farmstead in order to fulfil its intended purpose. Furthermore, the applicant has confirmed that the existing agricultural buildings are unsuitable for retrofit with roof-mounted solar panels. In the circumstances of this case, it is not considered that there are reasonably available alternative sites at a lower probability of flooding capable of accommodating the development whilst maintaining its operational function. The principle of locating the development within Flood Zone 3 is therefore considered acceptable.

The Environment Agency raises no objection to the proposal. It advises that the site may experience flood depths of between 1 and 2 metres during the 0.1% annual probability breach event with climate change and recommends that appropriate flood resilience measures are incorporated into the development. Similarly, Lincolnshire County Council, in its capacity as Lead Local Flood Authority, raises no objection, noting that the proposal constitutes minor development and that consideration of surface water drainage rests with the Local Planning Authority. Anglian Water confirms that no connection to its network is proposed and raises no objection, whilst the South Holland Internal Drainage Board confirms that no surface water or foul water discharge is proposed and advises that separate consent would only be required should future works affect the adjacent riparian watercourse.

With regard to surface water drainage, the submitted Flood Risk Assessment concludes that a formal drainage strategy is not required on the basis that the development introduces only limited ground disturbance and no piped drainage system. However, Officers note that the proposal introduces a substantial area of impermeable solar panels. Whilst rainfall will discharge directly from the panels onto the underlying land, the application has not demonstrated how this concentrated runoff will be accommodated, nor has it provided evidence to demonstrate that infiltration rates, localised ponding, erosion or surface water runoff will not be adversely affected.

Whilst no technical consultee has objected to the proposal, the absence of an existing drainage system does not remove the requirement to demonstrate that the development will not increase flood risk elsewhere. In the absence of sufficient evidence regarding the management of runoff from the proposed solar array, Officers consider it necessary and reasonable to secure a surface water drainage strategy by planning condition. The condition will require the submission of details demonstrating how runoff from the solar panels will be managed and confirming that the development will not result in increased flood risk, localised ponding or erosion either within or beyond the site before development commences.

Subject to the imposition of this condition, together with the Environment Agency's recommended informative regarding flood resilience measures, Officers are satisfied that the proposal would accord with Policy 4 of the South East Lincolnshire Local Plan and the flood risk objectives of the National Planning Policy Framework.

Design, Landscape Character, Visual Amenity and Archaeology

Policy 2 of the South East Lincolnshire Local Plan seeks to ensure that development achieves a high quality of design that respects the character and appearance of its surroundings. Policy 3 requires development to make a positive contribution to the local distinctiveness of the area, whilst Part B of Policy 31 supports renewable energy development provided that it would not, either individually or cumulatively, result in significant harm to landscape character, visual amenity or the wider countryside.

The application site lies within the Settled Fens Landscape Character Type and National Character

Area 46: The Fens, a landscape characterised by expansive arable fields, drainage infrastructure, scattered farmsteads and agricultural buildings. The proposed development would be located immediately adjacent to the existing agricultural complex at Trevethoe Farm and would therefore be viewed within the context of an established working farm, rather than as isolated infrastructure within the open countryside.

The submitted Landscape and Visual Statement concludes that the proposal would give rise to a 'Minor Adverse' effect on landscape character and either 'Minor Adverse or Negligible' effects upon visual receptors owing to its modest scale, low profile and relationship with the existing farmstead. Officers broadly agree with these conclusions.

The proposed solar array occupies a relatively small area immediately north of the existing farm buildings and comprises panels with a maximum height of approximately 2 metres. Existing agricultural buildings, hedgerows and boundary trees provide some enclosure and screening which substantially limits views of the development from the surrounding area. Whilst localised views of the development will be available from sections of Lapwater Lane and nearby public rights of way, the proposal will generally be experienced in conjunction with the existing farm complex and associated agricultural infrastructure. Consequently, the development would not appear as an isolated or incongruous feature within the wider Fenland landscape.

The proposal also incorporates wildflower seeding around the solar array, which will contribute towards biodiversity enhancements and assist in integrating the development into its surroundings.

Notwithstanding the above, Officers note that whilst the application identifies the height and colour of the proposed security fencing, insufficient information has been provided regarding its detailed appearance, including its design, materials and means of enclosure. Given the prominence of the fencing in defining the visual appearance of the development, and the importance of ensuring that it reflects its rural setting, it is considered necessary to impose a planning condition requiring the submission and approval of detailed fencing specifications prior to installation. This will ensure that the enclosure integrates appropriately with the existing farmstead and limits the harm upon the character and appearance of the surrounding countryside.

With regard to archaeology, the County Historic Environment Officer has reviewed the proposal together with the available historic environment records and concludes that the development is unlikely to affect significant archaeological remains. No archaeological investigation or mitigation is therefore considered necessary.

Overall, Officers are satisfied that, subject to the imposition of a condition controlling the detailed appearance of the perimeter fencing, the proposal would not result in significant adverse effects upon the character or appearance of the countryside, landscape character, visual amenity or the historic environment. The proposal is therefore considered to accord with Policies 2, 3 and 31 of the South East Lincolnshire Local Plan 2019.

Environmental Quality and Residential Amenity

Policy 30 of the South East Lincolnshire Local Plan seeks to ensure that development does not result in unacceptable impacts arising from pollution, including noise, vibration, dust, artificial lighting and other forms of environmental nuisance. Development should safeguard the amenities of neighbouring occupiers and incorporate appropriate mitigation where necessary.

The application site is located adjacent to the existing agricultural buildings at Trevethoe Farm, within a predominantly agricultural landscape where a degree of operational activity is an established characteristic of the locality.

During the construction phase, the proposal has the potential to generate temporary impacts associated with vehicle movements, the installation of support frames, fencing and associated electrical infrastructure, together with noise, dust and vibration. Whilst these impacts would be temporary and limited by the modest scale of the development, Officers consider it appropriate to secure a Construction Environmental Management Plan (CEMP) by planning condition. The CEMP shall include details of construction hours, measures for the suppression of dust, management of construction traffic, control of noise and vibration, together with wheel cleaning and site management measures where appropriate. Subject to this condition, Officers are satisfied that temporary construction impacts can be appropriately controlled.

Once operational, the development is not expected to give rise to significant environmental effects. The solar panels themselves operate silently, with only limited operational noise likely to arise from the associated inverter equipment. Given the relatively small scale of the installation, its location adjacent to an existing agricultural complex and the absence of any objection from the Council's Environmental Protection Officer, Officers are satisfied that operational noise would not result in unacceptable harm to the amenities of neighbouring occupiers.

In order to limit harm to both the amenities of neighbouring properties and the surrounding rural environment, whilst also protecting bat commuting and foraging routes as recommended by the Council's Ecologist, Officers consider it necessary to impose a planning condition prohibiting the installation of any external lighting unless details have first been submitted to and approved in writing by the Local Planning Authority. Any approved lighting shall thereafter be installed and operated only in accordance with the approved details.

The proposal is not anticipated to give rise to unacceptable impacts relating to air quality, odour, contamination or other forms of pollution, and the Council's Environmental Protection Officer has raised no objection to the development.
Overall, subject to conditions controlling construction activities and any future external lighting, Officers are satisfied that the proposal would not result in unacceptable environmental impacts or harm to the amenities of neighbouring occupiers and therefore accords with Policy 30 of the South East Lincolnshire Local Plan.

Highway Safety

Section 9 of the National Planning Policy Framework (2024) seeks to promote sustainable transport and requires development to ensure that safe and suitable access can be achieved for all users. Paragraph 116 advises that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.

At the local level, Policy 2 of the South East Lincolnshire Local Plan requires development to have regard to access arrangements and vehicle generation, whilst Policy 3 requires proposals to demonstrate how accessibility and movement can be appropriately accommodated.

The proposed development would utilise the existing agricultural access from Lapwater Lane and would not result in the creation of a new access or any permanent alterations to the local highway network. Once operational, the development would generate negligible traffic movements, limited to occasional maintenance visits, and would therefore have no material impact upon the capacity or safety of the surrounding highway network.

Lincolnshire County Council, in its capacity as Local Highway Authority, raises no objection to the proposal and advises that the development would not have an adverse impact upon the public highway.

Whilst the operational impacts of the development are considered negligible, temporary vehicle movements associated with the delivery of materials, plant and equipment during the construction phase have the potential to result in localised impacts if not appropriately managed. Although these impacts would be short-term and limited by the modest scale of the proposal, Officers consider it necessary and reasonable to secure a Construction Management Plan by planning condition. The Plan shall include details of construction vehicle routing, contractor parking, loading and unloading arrangements, storage of materials, wheel cleaning facilities where necessary and measures to ensure that mud and debris are not deposited onto the public highway.

Subject to this condition, Officers are satisfied that the proposal would provide safe and suitable access during both the construction and operational phases and would not result in an unacceptable impact on highway safety or the operation of the surrounding highway network. The proposal therefore accords with Section 9 of the National Planning Policy Framework and Policies 2 and 3 of the South East Lincolnshire Local Plan

Ecology and Biodiversity

Policy 28 of the South East Lincolnshire Local Plan seeks to ensure that development protects and enhances biodiversity and geodiversity and avoids adverse impacts upon protected species and habitats. Where impacts cannot be avoided, appropriate mitigation and compensation should be

secured. The National Planning Policy Framework (2024) similarly requires planning decisions to contribute to and enhance the natural environment, minimise impacts on biodiversity and secure measurable biodiversity net gain.

A Preliminary Ecological Appraisal (PEA) and Biodiversity Assessment has been submitted in support of the application. The survey identifies that the application site has limited ecological value, with the more valuable habitats comprising the grassland strip and mature trees immediately adjacent to the eastern boundary, which lie outside the application site and are to be retained. The survey concludes that there are no statutory or non-statutory designated wildlife sites within 1 kilometre of the site and that the proposal is unlikely to result in significant adverse ecological effects, subject to the implementation of appropriate mitigation measures.

The ecological appraisal identifies that whilst the application site itself provides limited ecological value, adjacent habitats have the potential to support commuting and foraging bats, breeding birds, hedgehogs and common reptiles. No evidence of protected species requiring further survey work was identified within the application site itself, although precautionary working methods are recommended in respect of reptiles, amphibians and other wildlife during construction.

The Council's Ecologist is satisfied that sufficient ecological information has been submitted to determine the application and raises no objection. The Ecologist recommends that the mitigation and enhancement measures contained within Section 5 of the Preliminary Ecological Appraisal are secured by planning condition. Officers agree that this is both necessary and appropriate to ensure that the identified ecological safeguards are implemented throughout the construction and operational phases of the development.

The Ecologist also recommends that no external lighting should be installed unless a bat-sensitive lighting strategy has first been submitted to and approved by the Local Planning Authority. Officers concur with this approach. Given the value of the adjacent tree line as a commuting and foraging corridor for bats, controlling any future lighting will ensure that the proposal does not adversely affect protected species whilst also safeguarding the rural character of the area.

In terms of Biodiversity Net Gain, the submitted biodiversity metric demonstrates that the proposal is capable of delivering an overall habitat unit gain of approximately 25.83%, thereby exceeding the mandatory 10% biodiversity net gain requirement. The Council's Ecologist has reviewed the submitted metric and is satisfied that, 'notwithstanding a minor correction required to the baseline habitat classification for transparency purposes', the overall biodiversity outcomes remain unaffected. A Biodiversity Gain Plan will be secured by planning condition prior to the commencement of development in accordance with the statutory Biodiversity Gain provisions.

Subject to conditions securing the ecological mitigation and enhancement measures contained within the Preliminary Ecological Appraisal, the submission of a Biodiversity Gain Plan and the prior approval of any external lighting, Officers are satisfied that the proposal would conserve and enhance biodiversity and would not result in unacceptable harm to protected species or ecological networks. The proposal is therefore considered to accord with Policy 28 of the South East Lincolnshire Local Plan and the relevant provisions of the National Planning Policy Framework

Other Matters

The Ward Member has expressed a preference for the solar panels to be installed on the roof of the existing agricultural buildings rather than as a ground-mounted array. In response, the applicant has confirmed that the existing agricultural buildings are not suitable for retrofit to accommodate roof-mounted photovoltaic panels and that a ground-mounted installation represents the most practical and effective solution. Furthermore, the proposed development is ancillary to the existing agricultural holding, with the electricity generated being utilised primarily on-site, with only surplus electricity exported to the grid. Officers are satisfied that, having regard to the modest scale of the proposal, its siting immediately adjacent to the existing farm complex and the operational requirements of the agricultural enterprise, the principle of a ground-mounted installation is acceptable.

The Ward Member also identified inaccuracies within the submitted application form relating to the presence of trees and hedgerows and the reference to mains sewerage. The applicant has acknowledged these errors and confirmed that boundary vegetation is present adjacent to the site, as shown on the submitted plans, and that the inaccuracies arose through completion of the application form. Officers are satisfied that these errors are administrative in nature and that the

application has been assessed on the basis of the submitted plans, ecological information and supporting documents, which accurately identify the existing site characteristics. Similarly, the proposed development does not require a connection to the public foul or surface water sewer network and neither Anglian Water nor the South Holland Internal Drainage Board have raised any objection in this regard. Accordingly, these inaccuracies are not considered to have materially affected the assessment of the application.

The application site forms part of Crown land owned by The Crown Estate. In accordance with Article 8 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), applications relating to Crown land must be accompanied by a statement confirming that the application relates to Crown land and, where appropriate, evidence that the application has been made by, or with the written authorisation of, the relevant Crown authority. In this instance, the application has been submitted by The Crown Estate and Officers are satisfied that the requirements of Article 8 have been met.

With regard to publicity, Officers are satisfied that the application has been publicised in accordance with the requirements of Article 15 of the Development Management Procedure Order. The fact that the application relates to Crown land does not attract any additional statutory publicity or consultation requirements beyond those ordinarily applicable to a planning application of this nature.

Finally, the application has been accompanied by Certificate B, reflecting that the applicant is not the sole owner of the land. Whilst the agricultural tenant is not specifically named on the ownership certificate, the statutory requirement is that notice has been served on all persons with a relevant ownership or agricultural tenancy interest. Officers are satisfied that the appropriate ownership certificate has been completed and that the procedural requirements of the Development Management Procedure Order have therefore been met.

Planning Balance

The proposed development would deliver a modest ground mounted solar photovoltaic array directly supporting the operation of an existing farm through the generation of renewable energy. The proposal would reduce the farm's reliance upon imported electricity, contribute towards national objectives for renewable and low carbon energy generation, and support the continued resilience and sustainability of the existing agricultural business. Significant weight is afforded to these benefits having regard to the strong support for renewable energy contained within the Local Plan (Policy 31) National Planning Policy Framework and National Policy Statement EN-3.

In reaching this conclusion, Officers acknowledge that the proposal would occupy a limited area of Best and Most Versatile agricultural land. However, National Policy Statement EN-3 does not preclude solar development on such land and instead requires decision makers to consider the justification for the chosen site and the resulting impacts. In this instance, the proposal is operationally linked to the existing agricultural holding through a behind-the-meter electricity connection and the applicant has demonstrated that the existing farm buildings are not suitable for roof-mounted solar panels. Officers are therefore satisfied that the proposed location is justified and that the limited impact upon agricultural land does not outweigh the wider benefits of the development.

The proposal has also been assessed against its potential impacts upon flood risk, landscape character, visual amenity, archaeology, ecology, biodiversity, highway safety and neighbouring amenity. Subject to the planning conditions recommended within this report, including conditions requiring a surface water drainage strategy, ecological mitigation, biodiversity gain, construction management, external lighting controls and detailed fencing specifications, Officers are satisfied that the proposal would not result in unacceptable adverse impacts.

On planning balance, officers conclude that the identified benefits of the proposal clearly outweigh the limited harms identified. The proposal therefore represents sustainable development for the purposes of the National Planning Policy Framework and planning permission should be granted.

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.

Conclusion

For the reasons set out above, the proposed development is considered to accord with the relevant provisions of the National Planning Policy Framework, National Policy Statement EN-3 and Policies 1, 2, 3, 4, 28, 30 and 31 of the South East Lincolnshire Local Plan (2011-2036).