



Appeal Decision

Hearing held on 20 January 2026

Site visits made on 19 and 21 January 2026

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing Communities and Local Government

Decision date: 03 February 2026

Appeal Ref: APP/A2525/W/25/3372791

Caudwell Farm, Holbeach St Matthew PE12 8EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Green Energy International against the decision of South Holland District Council.
 - The application reference is H09-0699-23.
 - The development proposed is the erection of a 49.9MW Ground Mounted Solar Array with Associated Underground Cable Route, Substation, Battery Storage and Ancillary Equipment & Structures at Caudwell Farm, Holbeach St Matthew PH12 8ES.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 49.9MW Ground Mounted Solar Array with Associated Underground Cable Route, Substation, Battery Storage and Ancillary Equipment & Structures at Caudwell Farm, Holbeach St. Matthew, PH12 8ES in accordance with the terms of the application, Ref H09-0699-23, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of proposed development above does not include the point of connection (POC) mast which was originally included. This was withdrawn from the application at an earlier stage. The proposal was also amended in a minor way prior to the appeal being considered. The proposed amendments are not significant and would not alter the nature of the scheme. The changes have also been the subject of consultation. For that reason I am satisfied that there would be neither procedural nor substantive prejudice to any party by my accepting the minor amendments. This decision is therefore based on the amended proposals.
3. The proposal seeks a time limited planning permission for a period of 40 years. It is not arguable that this is an insignificant period, and it has been rightly categorised as being a generational length of time. However, renewable energy projects are often proposed for time limited periods with requirements to restore land to its former state at the end of the permitted time. This proposal is no different in that respect but I deal with the matter of the potential harm to the land later in the decision.
4. A consultation exercise has recently been initiated which deals with potential changes to the National Planning Policy Framework (NPPF). The consultation period ends in March. Although the Appellant suggests that the consultation

indicates the 'direction of travel' in relation to the provision of renewable energy, and in particular that proposals should attract substantial weight, I consider that it is too early in the process to apportion more than limited weight to the consultation document. In any event the parties agree in the Statement of Common Ground that substantial weight is attached to the provision of renewable energy.

5. In order to manage this case efficiently it was agreed that the main parties could submit summaries and conclusions of their cases in writing. This decision takes full account of those submissions. The decision also takes full account of the representations made at the hearing by the main parties and by local people. Furthermore I have taken into consideration all of the written representations made.
6. By agreement with the parties my site inspections in this case were made unaccompanied.

Preamble

7. The NPPF makes clear that applicants are not required to demonstrate the need for renewable energy. It also indicates that significant weight should be given to the benefits of renewable energy. There are a number of publications referred to in representations and evidence which deal with the required amounts of renewable energy needed to meet the UK's commitments. These include the Clean Power 2030 Action Plan and the UK Solar Roadmap. In short, the objective is to accelerate solar power provision from 18GW to 45-47GW by 2030.

Main Issues

8. The reason for refusing planning permission in this case relates to whether the development is acceptable in light of the fact that it would be located on best and most versatile (BMV) agricultural land. But other matters raised by local people are also important and the main issues to be considered are, therefore:
 - a) Whether the proposal justifies the use of best and most versatile agricultural land;
 - b) The effect of the proposal on the character and appearance of the surrounding landscape;
 - c) Whether the battery storage system proposed would be likely to be safe.

Reasons

Best and Most Versatile Land

9. The land in question covers about 111 hectares. It is not in dispute that it all falls within the grade 1 category, the highest level. This part of Lincolnshire has a significant proportion of the England's grade 1 land and it was emphasised by local residents that it is also a significant supplier of horticultural products which are particularly suited to this land, enabling 2 and sometimes more crops per year.
10. The NPPF (current version 2024) advises that in making decisions the economic and other benefits of BMV should be recognised. National Policy Statements (NPS) EN-1 (Overarching Policy Statement for Energy) and EN-3 (Renewable Energy Infrastructure) also indicate that applicants should seek to minimise impacts on BMV and preferably use areas of poorer quality land, previously developed land, contaminated land or industrial land. But there is no prohibition of the use of BMV if

it proves to be necessary, so long as impacts of that use are properly considered. NPSs are capable of being a material consideration in S78 appeals albeit that they are produced in relation to policy for nationally significant infrastructure projects. The principle of using poorer quality land where possible is iterated in the written ministerial statement (WMS) of 15 May 2024. The current Government has confirmed that it stands by the principle that poorer quality land should be used where possible in the letter from the Secretary of State for Energy Security and Net Zero to Richard Fuller MP, dated 17 February 2025.

11. Against this background it is also fair to note that a primary driver of site selection for solar farms is the availability of a grid connection which offers a quick and confirmed opportunity for linking a solar farm to the electricity grid. The information before me is that the proposed connection in this case is located at a particular point in the network which will be available in the short term, and that this is relatively close to the appeal site. Hence, in order to make use of that connection (the offer and availability of which is undisputed) it would inevitably be necessary to locate solar panels on the BMV land which is prevalent in this locality. The Council does not suggest that a sequential site selection process should be followed and there is no requirement in policy to do so. It is clear to me that in order to be able to make use of the grid connection offer the use of BMV land would be necessary¹. But this does not mean that a scheme wholly on BMV land with a demonstrated grid connection offer must inevitably be permitted. Any such scheme must be justified following a robust planning balance.
12. The Appellant estimates that the loss of BMV land here to arable production equates to some 0.26% of the grade 1 land in South Holland. The figure is not disputed but the Council's position is that the impact of the loss would be disproportionate given the importance of this land in producing high value crops and the relative paucity of this quality of land nationally. Although some studies have estimated BMV loss to renewable energy projects I have no verified information of that loss, either in existence or projected.
13. Food security in the UK was addressed by the UK Food Security Report of 2024. This recognises that taking land out of food production would be likely to have some impact, but that it is plausible for food production levels to be maintained or increased alongside meeting net zero commitments. In short, there is some uncertainty about the longer term impacts of removing land from production, but equally some optimism that food production and security can be maintained. The evidence from the Appellant is that there is a significant amount of land in the UK which is not used for producing food even though it could be. Some 1% of land overall is likely to be needed for solar farms even in the most ambitious scenario. On the other hand the appeal site is made up of the most productive land, capable of growing 2 or more crops per annum (although it is not currently doing so). This quality of land is therefore clearly of significant benefit.
14. Taking these matters in the round I accept that the loss to arable production of 111 hectares of BMV would be relatively insignificant in the local, regional and national spatial context. It is surrounded by land of equal quality which can continue to be used productively. The loss to production would be relatively minor and it is feasible that the loss could be compensated for by production elsewhere. There

¹ It was suggested at the hearing that there is some lower grade land in this general area but I have no substantive evidence of this, nor where that land is, or whether it would be suitable for this proposal.

would not be likely to be any material impact on food security. I bear in mind here that this land is of the best quality (Grade 1) and compensatory production elsewhere may require land areas of greater extent if it cannot support double cropping. I consider that the advice that lower quality land should be used for renewable energy in preference to BMV land, where possible, cannot be ignored.

15. There is no agreement on whether the land itself would benefit from 'resting' for 40 years. The Appellant accepts that the proposed grassland planting regime would be likely to reduce the fertility of the land but that this would not reduce its quality below Grade 1 level. Reduced fertility would result from the cessation of fertiliser application but conversely organic matter and biological activity would be likely to be increased by the sowing of grassland and wildflower species. I understand the view expressed by the Council that reduced fertility and an increase in organic matter appear to be somewhat contradictory. Be that as it may I can accept (as has been accepted in other appeal decisions) that the land quality is likely, if properly managed, to be relatively unaffected by the change to its use for the duration of this proposal. Whether it would be improved has been accepted in other cases as being likely, but as this land is already at the top of the quality tree it is difficult to conclude that improvement would occur here.
16. That leads me to consider the potential physical impact of the proposed development. The installation of frameworks to carry the solar panels involves narrow metal supports being 'hammered' into the ground. In themselves these seem unlikely to materially damage land quality. But the timing of installation seems to me to be crucial. If installed during inclement weather or unsuitable conditions the land could become churned, compacted and seriously damaged. Likewise any current drainage which is unseen and underground could be damaged. Both of these impacts have the potential to undermine the long term health of the land. But I am satisfied that potential damage could be addressed by suitable conditions controlling installation and restoration. This applies equally to any requirement to replace panels during the 40 year period applied for. The lengths of fencing required would also need to be installed at appropriate times.
17. The need to install cable trenches (including the trenching to the proposed point of connection) would have a different impact and I share the view that it would be necessary for this to be undertaken carefully so that topsoil and subsoil are not mixed. Again, a suitable working method, controllable by condition, should address this point. In some locations it would be necessary to strip topsoil to install hardstandings for other plant such as substations and inverters. The intention would be to store that topsoil for later use during restoration where possible. I am somewhat sceptical that this soil would retain its quality over time, or would even survive being stored without erosion. Nevertheless this would be a small portion of the land and would not be a critical factor in determining the appeal.
18. Turning to the use of the land if the scheme were to be progressed, there is no agreement on how this would be likely to take place. The proposal is that sheep would be grazed between the panels, and this is commonly proposed with applications such as this. I accept that grazing is possible and does occur. However, the Council's concerns that sheep grazing can be intermittent and difficult are, in my judgement, well founded. I find it unlikely that grazing sheep on the land would be an attractive proposition given the likely difficulty of control of the animals and the probability that they would require moving from place to place on occasion. I therefore accept that sheep grazing would be likely to be a marginal and

occasional practice rather than being a full substitute for arable production. I have little confidence in predictions that such activity would produce anything approaching the same return as arable farming. Hence, in my judgement, any continuation of agricultural use during the lifetime of the solar farm would be likely to be of a much lower intensity than suggested by the Appellant, if it took place at all. It is more likely that for the 40 year period of this proposal the land would, at least for the some of the time, be taken out of agricultural use.

19. Restoration of the land after 40 years would no doubt be possible, and I have nothing before me which demonstrates that it would result in significant harm to land quality. Concerns relating to the degradation of metal supporting structures, the breakage of panels, and the reinstatement of any damaged drainage are all legitimate. But in 40 years, or whenever restoration took place if sooner or even later, a properly executed methodology which takes full account of conditions at the time, should essentially enable the land to be returned to its former state.
20. The period of 40 years is, as noted above, a significant length of time. I am also conscious that it may be proposed, at the end of that time, that the site be repowered and continue to be used for the production of renewable energy. Whilst that scenario is possible it is not a matter before me and I afford it little weight notwithstanding that the potential for repowering attracts some support in guidance. Any such proposal would need to be determined at the appropriate future moment.
21. Drawing these threads together it is my judgement that the appeal site, if developed in accordance with suitable construction and restoration conditions, would be likely to retain its characteristics of being top quality BMV land. It is fair to say that at the present time the state of the land in 40 years is difficult to predict with certainty. There may be some small pockets of degradation (and an acknowledged permanent loss of over 3 hectares) but overall I am satisfied that the appeal site would be likely to be of a high quality and in a condition to be reused in a similar manner to the present day.
22. The South East Lincolnshire Local Plan 2011-2036 (LP) includes Policy 31, which deals with renewable energy. The policy requires development to demonstrate that the consequences of climate change have been addressed, minimised and mitigated. Specifically in relation to renewable energy the policy is permissive of renewable energy (except wind energy) provided, amongst other things, that there would be no significant harm, individually or cumulatively, to agricultural land take (Policy 31, B4).
23. Read plainly the words agricultural land take clearly mean the loss of agricultural land. It does not specifically suggest that the loss of land from arable cultivation would be unacceptable. In other words if land is taken out of arable production but remains in agricultural production (such as livestock farming) it would not seem to conflict with the policy. Here, I am not persuaded that the land has any realistic likelihood of being retained for agricultural production at any significant scale, but I accept that some agricultural use would remain. In its response to this proposal Natural England did not object, but noted that there would likely be a reduction in agricultural productivity from the land. I agree with that position. That said, there is nothing which compels any landowner to use land for arable production.
24. To summaries on this issue, it is my judgement that the appeal site forms a small part of the local stock of Grade 1 land. It's loss to arable production would be

clearly contrary to the intentions of the NPPF, NPS policy and the WMS noted above unless properly justified. Here, the scale of loss for a substantial period of time to arable production is a material consideration of moderate weight which must be balanced against the imperative to provide renewable energy. Even if I regard the 'loss' of the land to arable production as running counter to Policy 31, B4 (and on balance I do not) there is no conflict with the remainder of that policy (see my reasons below). The proposal complies with the policy read as a whole.

Character and Appearance

25. Although not a determining matter for the Council this is a matter which I regard as an important material consideration. It is raised by local residents. The appeal site forms part of an extensive area of fenland; low lying flat land to the north of the A17. Its main characteristics are the presence of arable fields separated by intermittent hedgerows and dykes, with occasional stands of woodland and other individual trees. Small villages and farmsteads are scattered across the landscape and are linked by relatively narrow lanes. There are long distance views in some locations, especially from the few raised banks which are present. The locality is deeply tranquil, with little disturbance other than the occasional passing vehicle or working agricultural machinery. The landscape is not covered by any formal designations but has a distinct remote character which has an attractiveness in its own right. A nearby wind farm consisting of 6 turbines has a significant visual effect on the land immediately to the south of the appeal site.
26. Solar panel structures are, by their nature, relatively low. In this case the maximum height of panels would be in the region of 3.7 metres for the tracking panels (which are proposed in the western section of the site) and about 3 metres for the static panels to the east. I agree with the landscape and visual impact assessment (LVIA) that in the context of the surroundings, the value of the landscape, and its sensitivity to change are correctly assessed in the medium range.
27. The development itself, which includes a security fence around the entire site, around 1600 solar tables carrying solar panels, transformer stations, substation, battery storage units and other buildings of modest size, would be extensive. It would inevitably have a substantial effect on the character of the site. It would change from open arable land to a semi-industrial landscape dominated by the solar paraphernalia and security fencing. However, the magnitude of effect would rapidly reduce with distance largely because of the limited heights of the developed features. Given that the fens hereabouts cover large swathes of the landscape the relatively minor (in terms of area covered) imposition of this development would therefore result in a moderate landscape character impact at worst. This impact would be mitigated by the proposed scheme landscaping so that the longer term landscape character impact would be minor.
28. In visual terms the LVIA rightly characterises the sensitivity/susceptibility of receptors (viewers) as high for residents or recreational walkers/riders. There is a public right of way (PROW) passing through the site and notwithstanding the presence of some hedgerows alongside the PROW the development would be unmissable, even after the landscaping proposed had been introduced. The panels would be arrayed on both sides of the PROW for a considerable distance. The level of impact here would be significant and despite landscaping proposed would remain at that level through the centre of the site where current landscaping proposals are sparse. The nearby wind turbines would remain in view as a

- detractor, but these occupy a small arc of the view from the footpath and would consequently be of lesser overall impact. This is one of few PROW in the locality and is therefore of enhanced importance.
29. The development would be visible from a few residential properties, though with views filtered by existing and proposed vegetation. Clear but medium distance views from properties along Sot's Hole Bank and close to Eastern Road would exist in year 1. These would manifest themselves as dark lines of panels with an occasional higher structure set against a backdrop of existing vegetation. The magnitude of the impact would be moderate. With the passage of time the visual impact would reduce as the proposed landscaping matured and in due time this would reduce to minor or insignificant levels.
30. At the request of local residents I visited and assessed the view towards the appeal site from the sea defence bank to the north-east which forms part of the coastal path. From what I observed this is a popular route for dog walkers and is no doubt even more popular in better weather and at different times of year. My observations here confirm that there would be little, if any, perception of the appeal development from the coastal path. Even with a distant glimpse of any of the panels that glimpse would be set against a vegetative backdrop and heavily filtered by intervening growth.
31. Highways around the site are narrow lanes which are lightly trafficked. Although some drivers and passengers may be on recreational trips their sensitivity to the development would not be of the same scale as for walkers. There would, in the early years, be glimpses of the development when passing, but there are few opportunities to pause and look at the landscape. These glimpses would therefore be of minor impact and would diminish as new planting matured.
32. The battery storage facility would be located at the western end of the site and would be formed of 2 rows of battery containers with other control structures. It would be located on a modest area of land which is already partly hard surfaced. In my judgement this part of the development would not be unduly obtrusive as part of the whole scheme and would not add any further element of harm.
33. I am aware that there is at least one other solar farm proposal in the locality and it is not for me to comment on its individual merits. I must make my decision based on the circumstances of the case before me. Any subsequent proposals elsewhere would no doubt consider any cumulative impacts of schemes on both landscape and land use, including this one.
34. Taking this issue in the round I am satisfied that in landscape character terms the proposal would be of moderate adverse impact, reducing to minor over time. The spatial extent of the impact would also be limited. Visual impact would be likely to be significant for users of the PROW through the site, but minor or negligible, for the nearest residents over time. The visual harm would be localised and as a result would not, on balance, render the proposal in conflict with Policy 31, B1, which seeks to avoid significant harm to visual amenity (amongst other things).

Safety

35. I understand the concerns of local residents in relation to the proposed battery energy storage system (BESS). There have been instances, albeit rare, of these

facilities catching fire. I acknowledge that in that event it is difficult to quell the fire and that in other locations the fire service has allowed the blaze to burn out.

36. Modern developments of battery storage include sophisticated monitoring systems and automatic controls which are designed to shut down the BESS in the event of a problem being detected. The battery containers have been spaced in accordance with the latest recommendations of the fire service so that in the event of an incident the potential for thermal runaway is minimised. There is a fire hydrant located a short distance away should access to that water be required. The Lincolnshire Fire and Rescue Service has no objection to the scheme on the basis of the submitted details.
37. The concerns in relation to the release of toxic gas in the event of a fire is understandable, as is the concern that any fire fighting water would be contaminated and leach into surrounding water courses. But I have no substantive grounds for concluding that a fire is more than a remote possibility, or that if a fire did occur it would be likely to be serious enough to cause toxic gas clouds or water pollution. On balance, therefore, this is not a matter which can weigh against the proposal. I find no conflict with Policy 31, B2.

Other Matters

38. There are a number of other matters raised by local residents which I address here.
39. Quite rightly it is pointed out that domestic or commercial roofs can accommodate solar panels. But these are not likely to be capable of providing the quantum of renewable energy which is required to significantly reduce greenhouse gas emissions and combat climate change. Similarly it is unlikely that sufficient previously developed land is available or usable for renewable energy purposes. I am satisfied that it has been shown that greenfield sites will be required if the UK is to meet its renewable energy aspiration.
40. Concern has been expressed that the local highway network is not of sufficient quality to accommodate the construction traffic associated with this proposal. The roads are indeed no more than country lanes in places. But as I have noted, they do not carry high levels of traffic. I also note that it would be proposed to utilise a specific delivery and exit route to avoid as much disturbance and traffic conflict as possible. Given the relatively short term nature of any build out period, and the small number of vehicles required to visit during the life of the solar farm post construction this is not a matter which is determinative in the appeal.
41. This area has a concentration of horticultural and arable crop growers. In turn these growers support a chain of other businesses such as haulage companies. I understand the concern that taking land out of production could have a negative impact on these associated businesses. However, I have no significant evidence from associated businesses which suggest that the impact on those businesses would be material. As a result I do not afford this matter weight in the planning balance.
42. The proposed development would involve the provision of a great deal of landscaping. This would add to the biodiversity of the locality by a significant amount. Although local residents have asserted that the proposal would be harmful to biodiversity and ecology I do not accept that position. There is no substantive evidence to support that position. In my judgement the natural environment of the

area would be enhanced, albeit that solar panels would be present in that environment.

43. Criticism was made of the overall carbon budget likely to be required to develop the site, especially if solar panels were manufactured in, and shipped from, the far east. However, this is not a matter which is of any weight in this case, in particular because there is no evidence before me of the carbon budgets asserted.
44. The proposed development includes the introduction of a permissive path around much of the site, linking with the existing PROW. The Appellant points out that the scheme includes improved footpaths suitable for wheelchairs so that visitors could better experience the countryside. The facilities would include interpretive display boards. I accept that some people would benefit from such provision but these facilities are not central to the essence of the proposal and carry neutral weight in my determination.
45. I have considered the other matters included within the extensive representations submitted, including matters relating to flooding and the likely output of the solar panels. None of them alter the balance of my overall assessment.

Planning Balance

46. I turn now to the overall planning balance in this case, dealing first with matters which I accept are benefits of the proposal.
- The provision of renewable energy, with the opportunity to connect to the grid at an early stage and to provide battery storage are benefits of substantial weight. This is largely agreed by the main parties. Renewable energy is supported by government and local policy and is crucial to the objective of combating climate change and achieving net zero ambitions.
 - This proposal would enhance site biodiversity by a large percentage and is a benefit of at least moderate weight.
 - The provision of jobs during the construction and later decommissioning phases is a benefit of moderate weight. Long term job opportunities during the operational phase are likely to be modest and carry limited weight.
47. I then deal with those matters which would lead to harm.
- The loss of some 111 hectares of BMV agricultural land to arable production, the entire site of the proposed development, for a long period of time would be harmful to food production locally, but would not threaten food security. It is of moderate adverse weight in this case.
 - There would be localised significant visual harm to elements of the landscape, and short term harm to character and appearance over a limited spatial area. This attracts limited weight in the overall balance.
48. This is a case in which the provision of renewable energy at the scale proposed would follow the imperative to provide clean energy in order to combat climate change. In my judgement the energy generation potential here is of overriding importance when compared with the harm which would be generated by the loss of 111 hectares of BMV land to arable production, and the harm to the visual quality of the landscape as set out. There is no conflict with the development plan read as a

whole, as I have identified, and any conflict with the NPPF, NPSs and WMS in relation to the use of BMV has been fully justified in this case.

Conditions

49. At the hearing a full discussion took place in relation to any conditions which would be appropriate should I decide to allow the appeal and grant planning permission. A revised list agreed between the Appellant and Council has since been submitted. I agree that conditions dealing with the following matters would be reasonable and necessary.

- Conditions specifying the approved details, and to require approval of further details of various matters to ensure a satisfactory form of development;
- A condition to require notification of first export of electricity at which point the 40 year time limited period begins so that the permission is clear in this respect;
- Conditions requiring approval of schemes dealing with decommissioning, surface water drainage, construction management, soil management, landscaping and its management, lighting, unexpected contamination, biodiversity net gain, skylark mitigation and battery safety. These conditions would ensure the development is carried out in an acceptable manner;
- A condition requiring the addressing of any legitimate concerns regarding glint and glare from the development, to ensure that potential nuisance is mitigated;
- A condition requiring adherence to the submitted flood risk assessment, in order to mitigate the impact of such risk;
- A condition limiting the hours of work on site during construction and decommissioning, in order to ensure local living conditions are protected;
- A condition requiring adherence to ecological mitigation measures to protect local wildlife.

50. Subject to these conditions the proposal would be acceptable.

Conclusion

51. For the reasons given above I conclude that the appeal should be allowed.

Philip Major

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than [three] years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans/drawings unless modified by details submitted to and approved in writing by the local planning authority pursuant to the conditions of this planning permission:
 - Site Layout and Landscape Proposals Plan – P25-1097_EN_003 Rev D
 - Battery Storage Compound – AR-01 4.2.5
 - Solar Array Elevations – AR-02 4.2.7 (dated 07/01/2026)
 - HV Room – 4.2.58 HVR
 - Customer Substation and Control Room – GEI-EP-CDW-LP Rev V1.2
 - DNO Substation - 4.7 GEI_IH_CDW_ARR_2023_132_Substation
 - Proposed Underground Cable Route - 4.2.0 GEI-IH-CDW-LP Cable Route
 - Inverter Stations - GEI-EP-CDW-INV Rev V1.3
 - CCTV Details - GEI-EP-CDW-CCTV Rev V1.2
 - Security Fence and Gateways - GEI-EP-CDW-SFG Rev V1.1
 - Access Track/Hard Standing - GEI-EP-CDW-AT Rev V1.3
 - Spare Parts Container - GEI-EP-CDW-SP Rev V1.2
- 3) Notwithstanding condition No 2, prior to their erection on site, details of the proposed layout, materials, colour, and finish of the following development components shall be submitted to and approved in writing by the local planning authority:
 - Solar panels and frames
 - Inverter Stations
 - Battery Storage Containers
 - Customer Substation and Control Room
 - HV Room
 - DNO Substation
 - CCTV
 - Security Fence and Gateways
 - Access Tracks and Hard standing
 - Spare Part Container
 - Flood Barrier
- 4) 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 40-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) as required by condition No 5.

- 5) A Decommissioning Scheme (DS) shall be submitted to and approved in writing by the local planning authority no later than 12 months prior to the expiry of this permission. The DS shall include provision for the dismantling and removal from the site of the solar PV panels, frames, foundations, inverter housings, BESS and all associated structures including flood protection walls, storage facilities and fencing. It shall also include
- a) a scheme for the repair/reinstatement of any identified field drainage within the site;
 - b) measures to avoid contamination, compaction, or erosion during the decommissioning phase; and
 - c) the management of traffic during the decommissioning process and a decommissioning timetable.

The decommissioning shall be carried out strictly in accordance with the approved DS.

- 6) In the event the site ceases to generate and/or store electricity for supply to the electricity grid network for a period of 12 months, an Early Decommissioning Scheme (EDS) 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 No 5 and the decommissioning shall be carried out strictly in accordance with the approved EDS.
- 7) Before the installation of any equipment, 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 and retained for the life of the development.
- 8) The development shall be carried out in accordance with the submitted flood risk assessment, compiled by Weetwood Services Ltd, dated 29 April 2024 and the Supplementary Flood Risk Information, prepared by Weetwood Services Ltd, dated 9 September 2025. The mitigation measures shall be fully implemented and shall be retained and maintained thereafter throughout the lifetime of the development.
- 9) No development shall take place until a Battery Safety Management Plan (BSMP) has been submitted to, and agreed in writing by, the local planning authority. The BSMP shall detail the type and specification of the batteries to be used, prescribe the measures to be implemented to facilitate safety during the construction, operation and decommissioning of the BESS, measures to be deployed in response to any incident with potential to cause pollution and a fire safety management and risk reduction strategy. An Emergency Response Plan must also be included. The BSMP should also set out a methodology detailing how there will be continued engagement with the Lincolnshire Fire and Rescue Service throughout the lifetime of the

development. The BSMP shall be implemented as approved and all measures shall be retained for the duration of the development.

- 10) No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall include:
- a) Prior to commencement of the development and prior to the First Export Date, highway condition surveys for highway access routes should be undertaken and submitted to the local planning and highway authorities;
 - b) Details of the routing of construction traffic to the site and any traffic management measure, as informed by the HGV Routing Plan dated 26 June 2024;
 - c) Mitigation measures in respect of noise, dust, vibration and disturbance during the construction phases;
 - d) Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction;
 - e) Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction;
 - f) Provision of measures to prevent the discharge of surface water onto the highway;
 - g) Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

The CMP shall be implemented in accordance with the approved details.

- 11) Prior to the commencement of development, a Soil Management Plan (SMP) shall be submitted to and approved in writing by the local planning authority. The SMP shall include:
- a) Soil Survey and Classification: Pre-construction mapping of topsoil and subsoil, including identification of Best and Most Versatile (BMV) land;
 - b) Soil Handling and Protection: Measures for stripping, storage, and replacement to avoid contamination, compaction, or erosion during construction and de-commissioning;
 - c) Restoration and Monitoring: Procedures for reinstating soils after decommissioning, including topsoil replacement, re-seeding, and a monitoring programme for at least 5 years following restoration to ensure soil quality is maintained.

All works must be carried out in accordance with the approved SMP.

- 12) Prior to commencement of the development, a Skylark Mitigation Strategy for delivery of mitigation measures shall be submitted to and approved in writing by the local planning authority.

The content of the Skylark Mitigation Strategy shall include the following:

- a) purpose and conservation objectives for the proposed skylark nest plots;
- b) detailed methodology for the skylark nest plots following Countryside Stewardship Scheme option: 'AB4 Skylark Plots';

- c) locations of the compensation measures by appropriate maps and/or plans;
- d) persons responsible for implementing the mitigation measures;
- e) an annual monitoring schedule to certify the delivery of the Skylark Mitigation Strategy for the first five years of operation;
- f) a timetable for an assessment of the efficacy of the mitigation measures to be submitted for the approval of the local planning authority;
- g) review, and if necessary, update of the Skylark Mitigation Strategy if indicated as necessary by the assessment of the efficacy of the mitigation measures including any need for further monitoring beyond 5 years.

The skylark mitigation strategy shall be implemented in accordance with the approved details and all features shall be retained for the lifetime of the development.

- 13) Prior to the commencement of the development, details including an implementation timetable of how the development will enhance biodiversity and a programme for its monitoring shall have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented in accordance with the approved implementation timetable and be retained for the lifetime of the development.
- 14) Notwithstanding any details submitted, no development shall take place until details of hard and soft landscaping (the landscaping scheme) have been submitted to, and approved in writing by, the local planning authority. The landscaping scheme shall include details of the following:
 - a) A timetable for implementation of the scheme.
 - b) External hard surfacing materials.
 - c) Means of enclosure, including any provision for mammal gates.
 - d) Soft landscape works including planting plans for trees, shrubs, grasslands and hedges, written specifications for cultivation and other operations associated with plant and grass establishment, and schedules of plants including species, plant sizes and proposed numbers or densities.
 - e) Finished levels and contours.

The landscaping shall be implemented in the first planting season following the completion of construction and in accordance with the approved scheme and timetable. Any tree or shrub which forms part of the approved landscaping scheme, and which, within a period of 5 years from planting, fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be agreed with the local planning authority.

- 15) Before the commencement of development hereby permitted, details of the management (including any the management of any grazing on the site) and maintenance schedule for the areas of landscaping, 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.

- 16) The development shall be carried out in accordance with the Noise Impact Assessment by ITP Energised, dated 9 February 2023 unless otherwise agreed in writing with the local planning authority. The construction works and operational characteristics shall be implemented and retained.
- 17) Details of the external illumination of any 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.
- 18) If during works of construction contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 19) For the duration of the construction and decommissioning periods, no construction or deconstruction activities, deliveries to or dispatches from the site shall take place other than between the following hours
 - 0800 – 1800 hours Monday to Friday
 - 0800 – 1330 hours on Saturdays
 - Not at all on Sundays and Bank Holidaysother than with the prior written approval of the local planning authority
- 20) Following the receipt of a written request from the local planning authority regarding glint and glare concerns, the solar farm operator shall investigate and assess the expressed concern. The operator shall then submit details of any proposed mitigation measures and a timescale for implementation of mitigation. 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 the approved details.
- 21) The following ecological mitigation measures shall be adhered to at all times during construction.
 - a) The clearance of trees and or vegetation within the site shall only be undertaken outside of the bird breeding season which takes place between 1st March and 1st October inclusive. If works are required within this period a suitably qualified ecologist must complete a check of the site (for nesting birds) and submit a written report of the check before any works take place and within 24 hours of any work commencing.
 - b) Any brush piles, compost and debris piles on site which could provide shelter areas and hibernation potential for hedgehogs must be removed outside of the hibernation period of mid-October to mid-March inclusive. The piles must only undergo soft strip demolition.

-----End of Conditions-----

APPEARANCES

FOR THE APPELLANT:

Mr R Turney	King's Counsel
Mr C Calvert MRTPI	Executive Director - Planning, Pegasus Group
Mr T Kernon BSc(Hons) MRICS	Kernon Countryside Consultants Ltd
FBIAC	
Mr P Dunmow CMLI	Hermitage Environmental Planning and Landscape Architects Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Mr C Atkinson	Development Manager, South Holland District Council
Mrs J Chance MRTPI	Senior Planner, South Holland District Council
Mr S Franklin BSc(Hons) MSc	Landscape Land and Property Ltd
MISoilSci PIEMA FBIAC	

INTERESTED PERSONS:

Mr B Smith	Local resident
Mr P Ward	Local resident
Mrs H Needham	Local resident
Cllr N Worth	Local Councillor
Mrs E Collins	Local Resident
Mrs P Peck	Local Resident