

Green Energy International  
Trinity House  
Newby Road  
Hazel Grove  
Stockport  
SK7 5DA

Council Offices  
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Spalding  
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## TOWN AND COUNTRY PLANNING ACT 1990 FULL

**Reference:** H09-0699-23 **Date of Decision:** 12th March 2025  
**Applicant:** Green Energy International  
Trinity House  
Newby Road  
Hazel Grove  
Stockport  
SK7 5DA  
**Location:** Caudwell Farm Holbeach St Matthews Spalding  
**Description:** Erection of a 49.9MW Ground Mounted Solar Array with Associated  
Underground Cable Route, Substation with POC Mast, Battery Storage and  
Ancillary Equipment & Structures

**South Holland District Council hereby give notice that this application has been  
REFUSED for the above proposal for the following reason(s):**

- 1 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, with Grade 1 being the best grade of all.

The proposals will result in a significant reduction in agricultural productivity of 112 hectares of Grade 1 Best and Most Versatile Agricultural Land (BMV) for a significant period of time, along with the irreversible loss of 3.5 hectares of Grade 1 Land for associated buildings and infrastructure. This conflicts with the Written Ministerial Statements (WMS) of 25 March 2015 and 15 May 2024 which emphasise that meeting energy goals should not be used to justify the wrong development in the wrong location, that food security is an essential part of national security and there is a commitment to maintain the current level of food produced domestically. This is reflected in the Governments 'Powering Up Britain: Energy Plan' of January 2024 in which it is stated that

developers must have "consideration for ongoing food production". As such the proposal is contrary to Policy 31 b of the South East Lincolnshire Local Plan, 2019, which seeks to avoid impacts on agricultural land take, the National Planning Practice Guidance advice (Paragraph 013 Reference ID: 5-013-20150327) which seeks to prefer lower quality agricultural land, and paragraph 188 and footnote 65 of the National Planning Policy Framework, December 2024 which seeks to allocate land with the least environmental value, plan for the enhancement of natural capital at a landscape scale and where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality of land should be preferred to those of a higher quality. This is reflected in paragraph 187 a) which requires the protection of soils in a manner commensurate with their identified quality and 187 b) which recognises the wider benefits of natural capital in terms of the best and most versatile agricultural land. The applicant has not sufficiently justified with compelling evidence that the effective loss of such a large area of Grade 1 BMV Land would be outweighed by the benefits of the proposal.

#### Notes:

The determined plans are:

Application Form

Covering Letter by Green Energy International dated 2 August 2023

Statement of Competence

Arboricultural Impact Assessment by Tree Solutions reference 23/AIA/SHDC/01 dated - February 2023

EIA Volume 1 Chapter 1 - Introduction by RPS Group dated July 2023

EIA Volume 1 Chapter 2 - Project Description by RPS Group dated July 2023

EIA Volume 1 Chapter 3 - Alternatives by RPS Group dated July 2023

EIA Volume 1 Chapter 4 - Traffic & Transport by RPS Group dated July 2023

EIA Volume 1 Chapter 5 - Noise by RPS Group dated July 2023

EIA Volume 1 Chapter 6 - Flood Risk & Surface Water Drainage by RPS Group dated July 2023

EIA Volume 1 Chapter 7 - Glint & Glare by RPS Group dated July 2023

EIA Volume 1 Chapter 8 - Ecology & Ornithology by RPS Group dated July 2023

EIA Volume 1 Chapter 9 - Landscape & Visual Impact Assessment by RPS Group dated July 2023

EIA Volume 1 Chapter 10 - Other Environmental Considerations by RPS Group dated July 2023

EIA Volume 1 Chapter 11 - Interactions by RPS Group dated July 2023

ES Non Technical Summary reference NI2709 dated 17 July 2023 by RPS Group

Volume 2 Appendix 4.2 - Construction Traffic Management Plan Reference ADL/AM/5607/23A by ADL Traffic & Highways dated May 2023.

Volume 2 Appendix 5.1 Noise Impact Assessment - V1 reference 6036 by ITP Energised.

Volume 2 Appendix 7.1 - Glint & Glare Study - February 2023 by PagerPower

Volume 2 Appendix 8.1 - Ecology Report to Inform an Appropriate Assessment by Atmos Consulting reference 48006/R1/Rev2 dated September 2022

Volume 2 Appendix 8.2 - Biodiversity Management Plan by Atmos Consulting dated May 2023

Volume 2 Appendix 10.1 - Agricultural Considerations by Kernon Countryside Consultants

Limited dated July 2023  
Volume 2 Appendix 10.2 - Built Heritage Statement reference JCH01894 by RPS Group dated 21 February 2023  
Volume 3 Appendix 1.1 - Caudwell Farm EIA Screening & Covering letter dated 27 February 2023  
Volume 3 Appendix 1.2 - EIA Screening Response from South Holland District Council dated 10 December 2020  
Volume 3 Appendix 5.1.1 - NSRs Noise Contours and Modelled Items by ITP Energised dated 20 February 2023  
Volume 3 Appendix 5.1.2 - BS4142 - Tone Calculator  
Volume 3 Appendix 9 - Figure 1.1.1 - Environmental Designations by Atmos Consulting dated 11 August 2022  
Volume 3 Appendix 9 - Figure 1.1.4 - Viewpoint Location Plan by HEPLA dated February 2023  
Volume 3 Appendix 9 - Figure 1.1.2 - Landscape Character Area Plan by HEPLA dated February 2023  
Volume 3 Appendix 9 - Figure 1.2.1 - Caudwell\_005 Viewpoint 1-VP1  
Volume 3 Appendix 9 - Figure 1.2.10a Caudwell\_005 Viewpoint 1-VP10  
Volume 3 Appendix 9 - Figure 1.2.10b Caudwell\_005 Viewpoint 1-VP10 YR15  
Volume 3 Appendix 9 - Figure 1.2.11a Caudwell\_005-Viewpoint-1-VP11  
Volume 3 Appendix 9 - Figure 1.2.11b -Caudwell\_005 Viewpoint 1 VP11  
Volume 3 Appendix 9 - Figure 1.2.1b -Caudwell\_005-Viewpoint 1-VP1 YR15  
Volume 3 Appendix 9 - Figure 1.2.1b -Caudwell\_005-Viewpoint 1-VP1 YR15  
Volume 3 Appendix 9 - Figure 1.2.2a-Caudwell\_005-Viewpoint 1-VP2  
Volume 3 Appendix 9 - Figure 1.2.2b-Caudwell\_005-Viewpoint 1-VP2  
Volume 3 Appendix 9 - Figure 1.2.2c-Caudwell\_005-Viewpoint-1-VP2 YR15  
Volume 3 Appendix 9 - Figure 1.2.3a-Caudwell\_005-Viewpoint 1-VP3  
Volume 3 Appendix 9 - Figure 1.2.3b-Caudwell\_005-Viewpoint 1-VP3  
Volume 3 Appendix 9 - Figure 1.2.3c-Caudwell\_005-Viewpoint 1-VP3  
Volume 3 Appendix 9 - Figure 1.2.3c-Caudwell\_005 Viewpoint 1-VP3 YR15  
Volume 3 Appendix 9 - Figure 1.2.3d-Caudwell\_005-Viewpoint 1-VP3  
Volume 3 Appendix 9 - Figure 1.2.3e-Caudwell\_005-Viewpoint 1-VP3 YR 15  
Volume 3 Appendix 9 - Figure 1.2.4-Caudwell\_005-Viewpoint 1-VP4  
Volume 3 Appendix 9 - Figure 1.2.4b-Caudwell\_005-Viewpoint 1-VP4 YR15  
Volume 3 Appendix 9 - Figure 1.2.5-Caudwell\_005-Viewpoint 1-VP5  
Volume 3 Appendix 9 - Figure 1.2.5b-Caudwell\_005-Viewpoint 1-VP5 YR15  
Volume 3 Appendix 9 - Figure 1.2.6-Caudwell\_005-Viewpoint 1-VP6  
Volume 3 Appendix 9 - Figure 1.2.6b-Caudwell\_005-Viewpoint 1-VP6 YR15  
Volume 3 Appendix 9 - Figure 1.2.7-Caudwell\_005 Viewpoint 1-VP7  
Volume 3 Appendix 9 - Figure 1.2.7b-Caudwell\_005-Viewpoint 1-VP7 YR15  
Volume 3 Appendix 9 - Figure 1.2.8a-Caudwell\_005-Viewpoint 1-VP8  
Volume 3 Appendix 9 - Figure 1.2.8b-Caudwell\_005-Viewpoint 1-VP8  
Volume 3 Appendix 9 - Figure 1.2.8b-Caudwell\_005-Viewpoint 1-VP8 YR15  
Volume 3 Appendix 9 - Figure 1.2.9-Caudwell\_005-Viewpoint 1-VP9  
GEI-2023-D4 V1  
GEI-EP-CDW-CCTV Rev V1.2  
4.2.0 GEI-IH-CDW-LP  
GEI-EP-CDW-SFG Rev V1.1  
GEI-EP-CDW-AT Rev V1.3  
GEI-EP-CDW-SP Rev V1.2

4.2.5 GEI\_IH\_CDW\_ARR\_2022 Battery Storage Compound Rev 1  
 4.2.58 HVR  
 GEI-EP-CDW-LP Rev V1.2  
 4.7 GEI\_IH\_CDW\_ARR\_2023\_132\_Substation  
 4.2.0 GEI-IH-CDW-LP Cable Route  
 GEI-EP-CDW-INV Rev V1.3  
 GEI-EP-CDW-3D Sheet 10/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 1/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 2/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 11/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 3/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 4/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 5/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 6/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 7/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 8/11 Rev V1.1  
 GEI-EP-CDW-3D Sheet 9/11 Rev V1.1  
 4.2.5 GEI-IH-CDW-ARR-2022 Panel Elevations Rev 1  
 4.2.5 GEI-IH-CDW-ARR-2023-Tracker Rev 1  
 Planning, Design & Access Statement reference NI2709 D01 by RPS Group dated July 2023  
 4.2.0 GEI-IH-CDW-LP Layout Plan  
 Agricultural Land Classification - Issue 1 by Amet Property dated 22 March 2023  
 Amended Flood Risk & Drainage Assessment Final Report v1.2 by Weetwood dated April 2024  
 Amended Flood Risk & Drainage Assessment Appendices by Weetwood dated April 2024  
 Land Quality Appeal Decisions KCC3411 LQ AD Apr 24 Final  
 Outline Soil Resources & Management Plan KCC3411 oSRMP May 24  
 Rebuttal and Addendum V3.2 by Green Energy International dated 5 July 2023  
 PowerPoint Presentation - by Cornwall Insight dated 30 April 2024  
 Statement of Community Involvement by Green Energy International V2 dated 10 June 2024  
 HGV Routing Plan for Caudwell Solar Farm by Green Energy International  
 GEI-2021-D3 V1  
 4.2.0 GEI-IH-CDW-LP Layout Plan  
 4.2.0 GEI-IH-CDW-LP Redline Boundary Plan (V21)  
 4.2.0 GEI-IH-CDW-LP Layout Plan (V21.2)  
 4.2.0 GEI-CDW-LP Layout Zone Plan (V21)

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. Furthermore, matters of concern with the application have been identified and discussed with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory solution and due to the harm, which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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

A handwritten signature in blue ink, appearing to read 'Phil Norman', with a long horizontal stroke extending to the right.

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

## RIGHTS OF APPEAL

### Appeals to the Secretary of State

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

### Timescales for appealing

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

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

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

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

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

### Enforcement Notices

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

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

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

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

giving notice of appeal.

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

### **Purchase Notices**

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

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

### **Compensation**

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

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