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South Holland District Council,
Council Offices,
Priory Road,
Spalding,
Lincolnshire

FAO: Planning Department

Monday 2nd October 2023

Dear Sir/Madame

Application for a Lawful Development Certificate – Existing Solar Farm at Land East Of Little London (Former Long Sutton Butterfly And Wildlife Park), Long Sutton, Spalding.

This letter accompanies an application for a Lawful Development Certificate to upgrade the existing access track at solar farm for operational and maintenance use.

Background

The existing stone access track needs upgrading as it is unsuitable for vehicles to access the solar farm, especially during the winter months.

The upgrading of the track will consist of removing soil to the base and topping off with stone. Plant machinery will be used to roll out and smooth the materials used to repair the track. The proposed road cross section elevational drawing (drawing ref: UK_EPD_RCS) is submitted alongside the application.

It is considered that the proposal constitutes Permitted Development under Part 9 Class E of the Town and Country Planning (General Permitted Development) Order 2015, for the following reasons (direct extract from GDPO):

Class E – repairs to unadopted streets and private ways

Permitted development.
E. The carrying out on land within the boundaries of an unadopted street or private way of works required for the maintenance or improvement of the street or way.

Interpretation of Class E
E.1 For the purposes of Class E, "unadopted street" means a street not being a highway maintainable at the public expense within the meaning of the Highways Act 1980

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As such, the works should feasibly go ahead without requiring a planning application to South Holland Planning Authority, and it is considered that a Lawful Development Certificate can be granted in this instance.

If you have any questions about this application, please do not hesitate to contact me.

Kind regards,

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