

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H13-0190-23 **Applicant:** Solar Advanced Systems - T/A S A S Energy Ltd.

Proposal: Erection of a ground mounted solar array with associated infrastructure.

Location: Land At Moulton Bulb Co. Ltd Long Lane Moulton

Terminal Date: 6th June 2023

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
07	Improving South East Lincolnshire's Employment Land Portfolio
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework 2021**

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 6. Building a strong competitive economy.
Section 11. Making effective use of land.
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.

Representations:

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

ASSESSMENT				
HIGHWAYS & SUDS SUPPORT	0	0	0	1
MATTHEW ADAMS - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for the installation of a ground-mounted solar array and substation on land at Moulton Bulb Co. Ltd. The panels would be 0.85m in height at the lowest point and 2.33m at the highest point and arranged in uniform rows. The transformer base and inverter station would be situated in the centre of the site and underground cables would transport the energy to the existing transmitter to the south.

It is proposed to erect a perimeter fence enclosure around the solar array for security purposes. A green welded mesh fence is proposed. The application indicates that no security lighting or CCTV facilities are anticipated.

Access for installation and occasional maintenance of the panels would be via the existing access from Broad Lane to the site.

The PV system would supply approximately 21% of the Company's electrical requirement for this site. There would be no export into the national grid so the generation from the array would be solely for the company's own business.

Site Description

The site is bounded by West Cob Gate to the north and Broad Lane to the east beyond frontage residential properties. Moulton Bulb warehouses and packaging plants are situated to the south. Open farmland is located to the west.

The ground-mounted solar array would cover an area of approximately 2.24 hectares located on a ploughed field to the north of the main complex of warehouses and operational business. There is an established tree screen separating the ploughed field from the main complex.

Immediately to the north of the site is Peloton Produce, a wholesaler of fruit and vegetables. An application for the change of use of agricultural land to commercial including cold store extension to the west of the Peloton Produce warehouse was approved in September 2022 under reference H13-0599-22. The proposed solar array would abut the southern boundary of the approved scheme. This boundary comprises a raised berm mainly laid to grass with scrub vegetation and continues around the ploughed field along the eastern boundary of the application site. Beyond the berm are

rear gardens to the houses fronting Broad Lane to the east.

Vehicular access to the site is from Broad Lane.

Relevant Planning History

None directly relating to this specific proposal.

Consultation Responses

Moulton Parish Council

No response received.

LCC Highways/SUDs

No objections subject to conditions.

South Holland Internal Drainage Board

Note the applicant intends to discharge the surface water associated with the proposed solar panels to a watercourse and has stated that this would be replicating pre-development rates. The Board recommends that Sustainable Drainage Systems (SuDS) are utilised where possible.

Environmental Protection

No objections subject to noise condition.

Environment Agency

No comments.

LCC Historic Environment Officer

No archaeological impact.

Lincolnshire Wildlife Trust

Pleased to see that a biodiversity net gain (BNG) calculation has been completed for the site and significant gains predicted as a result of this development. However, wish to place a holding objection until a management and monitoring plan has been submitted and skylark plots incorporated into the plans for the development

Lincolnshire Police

Comments received concerning security arrangements.

Public

No comments received.

Information from Applicant

Moulton Bulb Co. Ltd was established in 1979 and source and pack the largest range of onions, garlic, and shallots available to the UK market. In 2021, the company supplied 77,000T into the UK domestic market, at a rate of 1,480T per week.

The business uses approx. 7.25GWh electricity a year. The use of solar would help reduce the Company's exposure to increased energy prices and maintain the viability of the business, especially in the current climate of the electrical market. Moulton Bulb are one of the biggest onion packhouses in the UK and still have a desire to continue onion storage, grading and packing and to increase onsite cold storage which would increase energy demand for the site. Onions are a long-term cold store product. The use of long-term cold stores reduces the UK reliance on imported product from Europe (Holland and Spain) and Southern Hemisphere supply from Egypt, New

Zealand and Australia.

The company currently has 290 full-time employees. The development of a solar array will help to sustain current levels of employment, as well as supporting local community and businesses in the area through passing trade. The benefits to the company will also allow Moulton Bulb Co. to continue investing in the local community, including Moulton Harrox Cricket Club, Moulton All Saints Church clean up, and Jubilee Weekend activities.

The proposed array will help the business meet its Net Zero requirements whilst mitigating risk in the energy marketplace by virtue of onsite generation. Moulton Bulb supplies a number of UK retailers (Waitrose, Co-op, Aldi, Lidl, Ocado, Iceland, Farmfoods, Asda, Sainsbury's, and Nisa). Their customers retail require the Company to enter REGO-backed electrical supplies which comes at a premium. Onsite generation would help to mitigate the risk to this premium. Western Powers infrastructure will not allow export into the national grid so the generation from the array will be solely for the company's own business.

Planning Considerations

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is located outside of any settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019 and is, therefore, classed as being in the countryside in planning policy terms.

Policy 1 (Spatial Strategy) of the SELLP states that development in the countryside will only be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 7 of the SELLP indicates that the extension of an existing business outside an allocated employment site will be supported provided that the proposal does not conflict with neighbouring land uses, there is no adverse impact upon the character/appearance of the area, the design is responsive to local context, there is no significant adverse impact upon the highway network or viability of delivering an allocated site, it maximises opportunities from a modal shift from the private car and there is an identified need.

The above policy is in accordance with the general thrust and aims of the National Planning Policy Framework, 2021 which supports sustainable economic development and growth. Paragraph 84 indicates that LPAs should support the sustainable growth and expansion of all types of business in rural areas.

Assessing the proposal against Policies 1 and 7, the proposed solar array would be used in conjunction with the existing business and is necessary in this location adjacent the existing complex. It would be unreasonable to locate such development elsewhere. It has been demonstrated that there is an identified need and the proposal would also bring environmental benefits by reducing the reliance on fossil fuels. There would be no significant impact upon the viability of delivering an allocated site because the industrial complex already exists and this is ancillary development. Issues such as character/appearance, amenity, highway safety and the natural environment will be assessed as part of Policy 31 below.

Part B of Policy 31 of the South-East Lincolnshire Local Plan sets out the circumstances in which renewable energy facilities, associated infrastructure and the integration of decentralised technologies will be permitted. Such development will be permitted provided, individually, or cumulatively, there would be no significant harm to:

1. visual amenity, landscape character or quality, or skyline considerations;
2. residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic;
3. highway safety (including public rights of way);
4. agricultural land take;
5. aviation and radar safety;
6. heritage assets including their setting; and

7. the natural environment.

Provision should be made for post-construction monitoring and the removal of the facility and reinstatement of the site if the development ceases to be operational.

Policy 31 is in accordance with Section 14 of the National Planning Policy Framework, 2021, which focuses on climate change issues. It states that the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure.

Assessing the proposal against the above criteria:

1. The landscape surrounding the site is typical of South Holland; flat, low lying, with extensive views of the horizon. Therefore, the site will be visible, in some capacity, regardless of the boundary treatments put in place.

There is great scope to minimise the potential visual impact of the solar operation by incorporating landscaping and border treatments. The proposed greenery on the northern boundary should be sufficient for this section of border; however, additional planting should be applied along the western boundary. This would not only deliver the obvious boost to visual amenities, but also aid with the ecology contribution needed for the site to be approved.

It is noted that currently the nearby agricultural land has limited windbreaks planted, potentially making the proposed hedgerows to the north anomalous to the area. However, a landscape dominated by hedges would still be less incongruous than the solar farm and also provide a biodiversity net gain.

2. There is the potential for there to be an impact on residential amenity by virtue of disturbance during the construction and decommissioning phases. Therefore, a Construction Management Plan detailing how disturbance during these phases will be minimised will be required. This will involve looking at aspects such as noise, dust, vibration etc.

Disturbance during the operation phase is likely to be minimal as only low levels of noise will be generated by electrical systems such as transformers and the substation. Solar panels only generate electricity in daylight hours and so there will be negligible noise in the evening, at night and early morning. Nevertheless, as a safeguard, Environmental Protection has recommended a noise condition as a safeguard.

Vibration will be limited to the construction period (excavation) and can form part of a management plan.

The application is accompanied by a detailed Solar Photovoltaic Glint and Glare Study. Studies have measured the intensity of reflections from solar panels with respect to other naturally occurring and manmade surfaces. The results show that the reflections produced are of intensity similar to, or less than, those produced from still water and significantly less than reflections from glass and steel. Reflections from solar panels are less intense than those from glass or steel because solar panels are designed to absorb light, rather than reflect it, as panels are more efficient when they reflect less light.

Nevertheless, the study states that solar reflections are geometrically possible along a 0.1km section of Hall Gate (B1357). It goes on to indicate that screening in the form of existing vegetation and/or buildings is predicted to significantly obstruct views of reflecting panels, and therefore no impact is predicted, and no mitigation is required.

The study also states that solar reflections are geometrically possible towards 11 of the 82 assessed dwellings. It goes on to stress that screening in the form of existing vegetation, bunding and/or buildings is predicted to obstruct views of reflecting panels, and therefore no impact is predicted, and no mitigation is required. Any solar reflections towards nearby airstrips are also predicted to be acceptable in accordance with the associated guidance. The study therefore concludes that no significant impacts are predicted upon road safety, residential amenity and aviation activity.

Whilst blockage of view is not a material planning consideration, boundary treatments will likely minimise any potential negative impacts. The properties on Broad Lane adjacent to the site are predominantly bungalows; therefore limiting their views of the site. The two-storey buildings on

Broad Lane are located a greater distance from the site, and at an acute angle, reducing their potential views of the site.

In summary, therefore, the proposal would not materially harm the amenity of neighbouring residents in terms of issues such as overlooking/lack of privacy, glint/glare, noise and disturbance, etc, subject to mitigating conditions.

3. The proposal would utilise the existing access from Long Lane which serves the current use and meets the guidelines set out in Manual for Streets for visibility. Adequate provision for car parking and turning space including a site compound has been provided within the limits of the site to enable vehicles to enter and leave in a forward gear. It is considered that this proposal would not result in an unacceptable impact upon highway safety, subject to a construction management plan.

4. National Planning Practice Guidance states that where a proposal involves greenfield land, consideration should be given to whether:

- (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and
- (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

In this case, the solar farm would occupy a substantial area of grade 1 land. However, there is the potential for grazing sheep, thereby allowing some agricultural activity to continue. Furthermore, as the development is decommissioned, effects should be reversible and the land arguably more fertile.

5. No conflict anticipated. The Solar Photovoltaic Glint and Glare Study states that any solar reflections towards nearby airstrips are predicted to be acceptable in accordance with the associated guidance.

6. The area is well removed from any heritage asset, being over a kilometre from any listed building. The site will be visible from the summit of Moulton Windmill. However, it is unlikely the development will impact the views severely enough as to damage the integrity of the asset. LCC Archaeology has indicated that there will be no archaeological impact.

7. A Preliminary Ecological Assessment accompanies this application and has assessed the baseline ecological data to inform the proposed development. The appraisal concludes that the proposal can proceed without adverse impacts upon legally protected/priority species and habitats provided the specific mitigatory guidance and enhancement recommendations identified within section 5.2 of the report are fully adhered to. These include general precautions during the construction phase and additional plantings along the road frontage of West Cob gate, the boundary shared with Peloton Produce to the north. The report concludes that there is an overall net gain in biodiversity and a biodiversity net gain calculation accompanies the submission. The issues raised by the Lincolnshire Wildlife Trust can be addressed by means of a condition(s).

Policy 2 of the South-East Lincolnshire Local Plan raises considerations surrounding the development's sustainability and appearance. Most of these concerns are similar to those raised in Policy 31B and have been assessed.

Policy 3 of the South-East Lincolnshire Local Plan ensures that developments are visually appealing, while not causing excessive damage to residential amenities. Similarly, the considerations here are similar to Policy 31 and have been assessed.

Policy 30 of the South-East Lincolnshire Local Plan relates to pollution. The major issues for this development would be noise from the substation and glare from the panels. Again, the considerations here are similar to Policy 31 and have been assessed.

Concerning flood risk, the site is located in flood zone 1, meaning it is a low-risk area for flood risk. Despite this, flood risk issues should still be considered in the proposal. The flood risk assessment accompanying concludes that the development should be considered appropriate when considering flood risk.

Planning Balance

The proposed solar array would be used in conjunction with the existing business and is necessary

in this location adjacent the existing complex. It would be unreasonable to locate such development elsewhere. It has been demonstrated that there is an identified need and the proposal would also bring environmental benefits by reducing the reliance on fossil fuels. There would be no significant impact upon the viability of delivering an allocated site because the industrial complex already exists and this is ancillary development.

Issues such as character/appearance, amenity, highway safety and the natural environment will be assessed as part of Policy 31 below.

The amenity of neighbouring residents would not be materially harmed, subject to mitigating conditions. There are no objections on highway safety grounds or flood risk. Whilst the proposal would utilise grade 1 agricultural land and would have an impact upon the character/appearance of the countryside, the latter would be alleviated by new perimeter planting which would also constitute a net biodiversity gain. On balance, these adverse factors are outweighed by the environmental benefits that a renewable energy scheme would bring.

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

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposal satisfactorily complies with the aims and objectives of Policies 1, 2, 3, 4, 7, 28, 30, 31 and 36 of the South East Lincolnshire local Plan, 2023. The balance lies in favour of the scheme and there are no material considerations of such weight as to justify refusal.

Recommendation

That the application be approved under delegated powers.