

16th November 2023

Ms Lucy Buttery,
Principal Planning Officer, Planning Department,
South Holland District Council,
Council Offices,
Priory Road,
Spalding,
PE11 2XE

Dear Ms Buttery,

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION FOR THE 'REMOVAL OR VARIATION OF A CONDITION FOLLOWING GRANT OF PLANNING PERMISSION' (SHDC REFERENCE: H-18-0741-21. PINS REFERENCE: APP/A2525/W/22/3295140) FOR THE "INSTALLATION OF A SOLAR FARM AND BATTERY STORAGE FACILITY WITH ASSOCIATED INFRASTRUCTURE" AT GUNTHORPE ROAD SOLAR FARM, LAND SOUTH OF GUNTHORPE ROAD, WALPOLE MARSH, WISBECH NEAR PE14 7JH. APPLICATION TO VARY CONDITION 3 AND EXTEND THE OPERATIONAL LIFE FROM 35 YEARS TO 40 YEARS FOLLOWING FIRST EXPORT OF ELECTRICITY.

Enso Energy is instructed by Enso Green Holdings R Limited ("the Applicant") to submit a planning application under the terms of Section 73 of the Town and Country Planning Act 1990 (as amended), seeking the variation of Condition 3, at land south of Gunthorpe Road, Walpole Marsh, Wisbech, near PE14 7JH ("the Site").

Application Background

Planning Permission for a Solar Farm and Battery Storage Facility with associated infrastructure was granted on appeal in September 2023 by the Planning Inspectorate. Condition 3 of the Decision Notice refers to the operational length of the planning permission and details the requirement to provide notification of the 'first export date' before then restricting the operation of the development to 35 years from that date. The Condition currently states:

"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 35-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)."

Application Proposals

This application seeks to extend the operational life of the Solar Farm by a further 5 years to enable renewable energy to be generated from the Solar Farm for a period of 40 years from the date of the first export of electricity (from 35 years currently).

For the reasons set out below it is considered reasonable for Condition 3 to be varied so that the Solar Farm and Battery Storage Facility can operate for 40 years. A suggested wording for the revised Condition 3 is included below ¹:

“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).”

This suggested Condition would ensure the planning permission would remain temporary and secure a definite timeframe for the restoration of the land to its former state. The extended 40 year operational life maximizes the period within which the Solar Farm and battery storage facility can generate and store renewable electricity prior to removal and recycling, thereby avoiding premature decommissioning and providing a valuable contribution to the UKs low carbon energy needs.

No other Conditions are proposed to be varied.

Planning Policy context and justification

An extended operational life maximises the period within which the Solar Farm, once installed, can generate renewable electricity and contribute to carbon reduction and Net Zero targets beyond 2050.

The greater operational period of the development represents no materially greater harm and will provide a greater contribution to the UKs low carbon energy needs for a longer period. Landscaping will already be well established, screening the site from public views and will benefit from continuous management for the full operational period to effectively screen the development from views and provide an improved habitat for local ecology and biodiversity for the duration of the operational life (40 years from 35 years). Operational traffic is able to be controlled and would remain limited.

The visual impact following the variation of the operational life Condition will therefore remain the same and will continue to be acceptable beyond 35 years. No materially greater impacts are raised in terms of archaeology, agricultural land quality, flooding or traffic/highway matters.

Whilst the operational lifetime restriction is proposed to be extended, the development is still temporary and reversible. At the end of the operational life, the development will be removed in accordance with the requirements of Condition 3 and the Decommissioning Scheme (Condition 4) or Early Decommissioning Scheme (Condition 5). There will be no greater impact or harm caused as a result of extending the lifespan of the development given that there would not be any intensification of the use, and the equipment would already be in place.

The time extension sought raises no new material issues from the considerations of the Inspector in reaching their decision or that of South Holland District Council Planning Officers, in a report prepared

¹ Track change version: 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 ~~35~~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).”

for the Chairman's panel (January 2022), prior to deferring the decision to King's Lynn & West Norfolk Borough Council.

Meanwhile National and Local Planning Policy remain supportive of the proposals. The South Holland District Council Local Development Plan (LDP) for the purposes of determining the application is the South East Lincolnshire Local Plan (March 2019). Having regard to the policies contained within the adopted LDP there is clear support for renewable and low/zero carbon energy projects subject to material planning considerations. The most relevant policy within the LDP is Policy 31 'Climate Change and Renewable and Low Carbon Energy'.

The very limited effects created in the longer presence of the development should be balanced against the considerable benefits of ongoing renewable energy generation achievable where the plant and equipment is appropriately maintained and where required, replaced, during this lifetime. It is considered reasonable for Condition 3 to be varied so that the Solar Farm and battery storage facility can operate for 40 years.

Supporting Documentation

The application is supported by the documentation set out below:

Document and Drawing	Author	Date
Covering letter, Application Forms and Certificates and CIL Form	Enso Energy	16 th November 2023
Decision Notice	Planning Inspectorate	29 th September 2023
Drawing 002 Rev 002 'Site Location Plan'	Enso Energy	4 th June 2021

A payment for £298.00 to cover the application fee has been made directly to the Planning Portal (of which £234 forms the Council application fee and £64 forms the Planning Portal service charge, reference: PP-12515811).

We trust the submitted documentation is sufficient for the Council to validate the application without delay. However, if you do require any further information, please contact me directly.

Yours sincerely,



Enso Energy Limited

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