SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Lead Development Management Planner (Interim) - BBC & SHDC**

To: **Planning Committee - 02 April 2025**

(Author: **Mark Niland - Planning Officer)**

Purpose: **To consider Planning Application H18-1077-24**

Application Number:	H18-1077-24	**Date Received:**	19 December 2024
Application Type:	FULL		
Description:	Construction of a Battery Energy Storage System (BESS) and associated infrastructure		
Location:	Sutton Bridge Solar Farm Land to the South of Centenary Way Sutton Bridge		
Applicant:	Hollygreen Energy Farm Ltd.	**Agent:**	IC Planning Ltd.
Ward:	Sutton Bridge	**Ward Councillors:**	Cllr C J T H Brewis Cllr M D Booth

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H18-1077-24

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 It is considered that given the nature of the development that the proposal should be heard by planning committee

2.0 PROPOSAL

2.1 This is a full planning application for the construction of a Battery Energy Storage System (BESS) and associated infrastructure. The development would consist of the following:

-The BESS compound would include up to 48 battery storage containers and up to 13 PCS/MVS units.

2.2 This includes containers, a control room, LV substation, switch room, spares containers, welfare facilities, power conversions system, palisade fencing around the BESS compound, CCTV cameras, water tanks, access road and temporary construction compound.

3.0 SITE DESCRIPTION

3.1 The site is located approximately 2.0 km southeast of the village of Sutton Bridge, to the east of the River Nene and south of Sutton Bridge Power Station. The Site is located within the consented Sutton Bridge solar farm (H18-1126-20), and is operational.

3.2 The site boundary covers an area of approximately 1.36 ha described as having a low lying and flat topography of between approximately 2 m and 4 m Above Ordnance Datum (AOD) across the Site.

3.3 The site is currently vacant grassland within the wider construction zone of Sutton Bridge Solar Farm, it is an area shown on the original plans as a proposed temporary compound area.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 4 - Approach to Flood Risk
Policy 28 - The Natural Environment
Policy 30 - Pollution
Policy 31 - Climate Change and Renewable and Low Carbon Energy
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

4.2 **National Guidance**

4.3 National Planning Policy Framework (NPPF), December 2024

4.4 Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

4.5 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H18-1126-20 - Change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with capacity of up to 49.9mw with associated infrastructure and landscaping. Approved 12-03-21

5.2 H18-1040-21 - Details of construction management & precautions for the prevention of mud deposit on public highway (Conditions 5 & 6 of H18-1126-20). Approved 04-11-21

5.3 H18-0050-22 - Details of land contamination (Condition 7 (i) of H18-1126-20). Approved 07-03-22

5.4 H18-0603-24 - Change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with capacity of up to 49.9mw with associated infrastructure and landscaping - approved under H18-1126-20. Modification of Condition 10 relating to the Flood Risk Assessment. Approved 24/10/2024

5.5 H18-0984-24 - Change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with capacity of up to 49.9mw with associated infrastructure and landscaping - approved under H18-1126-20. Amendment to remove an area which has been set aside to deliver biodiversity net gain.

6.0 REPRESENTATIONS

6.1 **Consultation Responses**

Parish

At a meeting on 28th January 2025 Sutton Bridge Parish Council resolved to support the application

6.2 Anglian Water

This application is not relevant to Anglian Water - we have no comments to make.

6.3 Kings Lynn IDB

Surface Water - The applicant proposes to discharge surface water to a watercourse at a rate of 1.2 l/s. I am pleased to see that the applicant has aimed to reduce the discharge to the calculated greenfield runoff rate (although please be advised that the Board typically advocates for the discharge rate to be restricted to the Qbar rate calculated for the proposed impermeable area only). Regardless of the proposed discharge rate, this proposal will require consent under Byelaw 3, and I recommend that the applicant contacts this office to make an application for this consent at their earliest convenience. A surface water development contribution is likely to be payable as a condition.

6.4 Byelaw 10 - I note that the applicant intends to carry out works within 9 metres of the aforementioned Board arterial watercourse, including the connection of the surface water discharge pipe, any re-surfacing of the site access and possibly any planting/landscaping associated with the Biodiversity Net Gain zone (further information required). To enable this proposal, consent would be required under Byelaw 10 for all works proposed within 9 metres of this watercourse, and I recommend that the applicant contacts this office to make an application for this consent at their earliest convenience.

6.5 Environment Agency

We have reviewed the submitted flood risk assessment and are satisfied that the development should proceed in accordance with its recommendations. We therefore request that a planning condition is included.

6.6 Highways & SuDs Support

Approve with conditions - The site is located within the previously approved Sutton Bridge Solar Farm. The Site lies to the east of the River Nene and 500m south-east of Sutton Bridge Power Station, approximately 1.25km south and east of the village of Sutton Bridge. The site measures approximately 3.77ha. The Site will be accessed via the same point used for the solar farm, i.e. from Centenary Way, which connects to the A17 approximately 1.5km to the east. This is also the primary site access for Sutton Bridge Solar Farm, which is now operational.

6.7 Fenland District Council

Thank you for your consultation in reference to the above. In response to this consultation Fenland District Council have no comments to make.

6.8 Natural England

NO OBJECTION: Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

6.9 National Gas

Regarding planning application H18-1077-24 at site location 'Sutton Bridge Solar Farm' there are no National Gas assets affected in this area

6.10 Designing out Crime Officer

Lincolnshire Police do not have any objections to this application.

6.11 Fire & Rescue

No comments on the scheme

6.12 HSE

HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to the HSE Planning Advice Web App - https://pa.hsl.gov.uk/ - for them to use to consult HSE and obtain HSE's advice. However, this application does not fall within any HSE consultation zones. There is therefore no need to consult the HSE Land Use Planning (LUP) team on this planning application and the HSE LUP team has no comment to make.

6.13 Historic England

We suggest that you seek the views of your specialist conservation and archaeological advisers.

6.14 Conservation Officer

No objections.

6.15 Environmental Protection

No comments regarding Environmental Protection or land contamination.

6.16 Historic Places Team

I recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a phased approach of archaeological investigation and mitigation work. This will initially comprise but may not be limited to a geoarchaeology assessment and geophysical survey followed by a trial trench evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above and to inform a programme of further archaeological mitigation work which may be required if archaeological remains are identified in the evaluation.

6.17 National Grid

I can not see any objections on behalf of national grid.

6.18

Representations

This application has been advertised in accordance with the requirements of the Development Management Procedure Order 2015 (as amended). The following representation has been received:

We raise an issue regarding this planning, we are concerned about the noise, and congestion as its a small road, and if there would any glares or reflections effecting our site and any concerns to the local environment.

7.0 CONSIDERATIONS

7.1 **Planning Considerations**

Key Planning Considerations

7.2 **Evaluation**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.3 In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

7.4 The policies and provisions set out in the National Planning Policy Framework (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.5 Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

7.6 The main issues and considerations in this case are (but are not limited to): -

- Principle of Development
- Highway Safety
- Environmental Issues/Amenity
- Character and Landscape Impacts
- Flood Risk
- BNG/Ecology
- Archaeology
- Planning Balance

7.7 Planning Principle

Policy 31 of the South East Lincolnshire Local Plan (2019) sets out the approach to climate change and renewable and low carbon energy. Part B is relevant, it states that:

With the exception of Wind Energy the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided, individually, or cumulatively, there would be no significant harm to:

1. visual amenity, landscape character or quality, or skyscape 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.

7.8 Paragraph 168 of the National Planning Policy Framework (December 2024) states that *When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:*
a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;
b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;
c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.

7.9 In addition to the above policy context is the legislative context, this is pertinent given the overall site output following the BESS would produce over 50MW. The Infrastructure Planning (Electricity Storage Facilities) Order 2020 removed the trigger of 50MW thresholds if the

proposed development was co-located or a storage element associated with a solar project.

7.10 The proposal therefore which is ancillary to the already approved and well established operation, is considered acceptable in planning principle subject to meeting with the points raised by Policy 31 of the South East Lincolnshire Local Plan (2019) (which are assessed in the remaining report). The overall output (beyond 50MW) is therefore also acceptable in terms of decision making level (local authority).

7.11 On this basis (and subject to further assessment against points raised within Policy 31) the proposal is considered acceptable in principle terms.

7.12 Highway Safety

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

7.13 In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

7.14 Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

7.15 Lincolnshire County Council Highways, as Local Highway Authority, have been consulted and have no objections to the proposed Battery Energy Storage System, subject to the attachment of planning conditions. The main access remains unchanged; however, alterations internal to the site are necessary in order for the scheme to be realised. Highway conditions relate to a Construction Management Plan and Method Statement as well as a monitoring condition that would record vehicle making deliveries of materials and components along the proposed. The conditions would allow for the mitigation of the condition of public roads post construction works.

7.16 Given that the impact upon the highway is at its greatest during construction (and likely very limited during the operational lifetime) these conditions fairly mitigate concerns in relation to highway safety.

7.17 On this basis the proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

7.18 Environmental Issues/Amenity

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

7.19 Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street

patterns, building lines, boundary treatment and through scale and massing.

7.20 Paragraph 135f of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.21 Policy 2 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

7.22 Policy 30 South East Lincolnshire Local Plan (2019) is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important considerations when considering proposals for planning.

7.23 The impacts in relation to the physical impact of the BESS are limited. Firstly, the BESS facility is proposed to be located well within the existing application site, sufficiently away from neighbouring land uses and secondly given its height (the battery containers stand at approximately 3.9m and the generation transformer at circa 6.5m (this is the highest structure) would have a limited impact by way of any overshadowing/bearing externalities.

7.24 In terms of operational use, the activity is likely to not give rise to unacceptable noise impacts; an NIA has been submitted along with the application and Environmental Protection following review have no concerns. Any permission will be conditioned so that both the construction and operational phases accord with these submitted and approved details.

7.25 On this basis, the proposal is considered to align with Policies 2 and 30 of the South East Lincolnshire Local Plan (2019), as well as paragraph 135f of the National Planning Policy Framework (December 2024).

7.26 Character Impacts and Landscape

Policy 2 of the South East Lincolnshire Local Plan (2019) states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

7.27 Policy 2 point 1 states that proposals should meet with sustainable development considerations specifically in relation to 'size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses'.

7.28 Policy 3 sets out the 'Design of new development' in part it states that "Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable".

7.29 The BESS and associated infrastructure is low in scale and located within the site where previously approved solar arrays were located, to the south of the site. The proposal given its modest scale and amount of visible physical infrastructure would not have unacceptable wider landscape and character impact upon the open countryside over what has already been approved.

7.30 The submission is supported by extensive landscape characterization assessment. This includes viewpoints and zones of theoretical influence. The information demonstrates that the impact will have a limited negative impact across the wider landscape.

7.31 On this basis the proposal is considered to align with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019). Landscaping will also be controlled through conditions.

7.32 Flood Risk

Policy 4 South East Lincolnshire Local Plan (2019) sets out the districts approach to flood risk. It states under point two that:
(Development will be permitted where it can be demonstrated that essential infrastructure in FZ3a & FZ3b, highly vulnerable development in FZ2 and more vulnerable development in FZ3 provide wider sustainability benefits to the community that outweigh flood risk.

7.33 The application site has already been approved and this represents ancillary development to the wider permission, functioning as energy storage. The LLFA have made comment that given the modest increase in additional infrastructure that there would be limited additional considerations as regards surface water drainage, whilst the IDB have no objections. The EA have no objections subject to a condition in relation to the bund, this will duly be attached to any permission.

7.34 Given the ancillary nature of the proposal there are no principle concerns. The technical flood risk issues are overcome through the design of the bund. This will be conditioned.

7.35 On this basis, when considering the development on balance, it is considered that the proposal accords with Policies 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.

7.36 BNG & Ecology

Policy 28 of the South East Lincolnshire Local Plan (2019) is concerned with the Natural Environment points 2 and 3 are relevant to this assessment, point 2 is concerned with nationally or locally designated sites and protected or priority habitats and species and point 3 with addressing gaps in the ecological network.

7.37 The applicant has provided a Ecological Impact Assessment Report by BSG Ecology, dated December 2024. This demonstrated that the proposal would be acceptable in relation to its impacts upon protected species. This document will be conditioned.

7.38 The applicant has demonstrated that a 10% net gain made up in the main of neutral grass land will be achieved. It would be due to its area result in a +3.60 increase in habitat units and this represents a 12.33% increase. The increase is located on site and will therefore be conditioned.

7.39 Given this increase is signification to the scheme a HMMP and Net Gain Plan condition will be attached.

7.40 On this basis the proposal would accord with Policy 28 of the South East Lincolnshire Local Plan (2019).

7.41 Other Matters

The LCC Historic places team have recommended that archaeological related conditions are applied to any permission. This submission is accompanied by a HIA within which the recommendations state:

7.42 *Any adverse impact to buried archaeological features would be permanent and irreversible. This potential adverse effect could be reduced through the implementation of an appropriate scheme of archaeological mitigation.*

7.43 On this basis the conditions recommended are considered reasonable to attach.

7.44 **Planning Balance**

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.45 The proposed development represents ancillary development in relation to an already

established solar farm. The development proposal meets with the requirements set out under Policy 31b of the South East Lincolnshire Local Plan (2019) for renewable energy development.

7.46 In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

7.47 **Conclusion**

Taking the above considerations into account, the proposal is considered to be in accordance with policies 1, 2, 3, 4, 28, 30, and 31 of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

7.48 **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.

7.49 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.50 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.

7.51 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.52 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).

7.53 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.

8.0 RECOMMENDATIONS

8.1 **Based on the assessment detailed above, it is recommended that the proposal should be approved subject to those conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

   Site Location Plan, drawing ref: WAL-EDFR-BESS-CIV-PLN-150.02
   Block Plan, drawing reference: WAL-EDFR-BESS-CIV-PLN-300.03
   Site Layout Plan, drawing ref: WAL-EDFR-BESS-CIV-PLN-301.03
   Battery Container Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-360.01
   PCS & Transformer Layout, drawing ref: WAL-EDFR-BESS-ARC-DRG-361.01
   Spare Parts Container Layout, drawing ref: WAL-EDFR-BESS-ARC-DRG-362.01
   DNO Incomer Substation Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-363.01
   Fencing, Gate & CCTV Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-364.01
   BESS 33kV Switch Room Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-365.01
   Auxiliary & Earthing Transformer Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-366.02
   LV Auxiliary Switch Room, Control Room & Welfare Unit Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-368.01
   EV Charge Point Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-369.01
   Water Tank Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-371.01
   Harmonic Filter Arrangement, drawing ref: WAL-EDFR-BESS-ARC-DRG-372.01
   Ecological Impact Assessment Report by BSG Ecology, dated December 2024
   Transport Statement Addendum by Systra dated 11.12.2024
   Arboricultural Report by Arcus dated November 2020
   Outline Battery Safety Management Plan, by Envams dated December 2024
   Noise Impact Assessment, by Metrica Environmental Consulting Limited dated November 2024
   Outline Construction Environmental Management Plan by Envams dated December 2024

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

   1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
   2. A methodology and timetable of site investigation and recording
   3. Provision for site analysis
   4. Provision for publication and dissemination of analysis and records
   5. Provision for archive deposition
   6. Nomination of a competent person/organisation to undertake the work
   7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

   The archaeological site work shall only be undertaken in accordance with the approved written scheme.

   Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with Section 16 of the National Planning Policy Framework, December 2024. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
   This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

4. The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 3 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with Section 16 of the National Planning Policy Framework, December 2024.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

5. A copy of the final report required in connection with Condition 3 above shall be submitted to the Local Planning Authority and the Lincolnshire Historic Environment Record, within three months of the work being carried out.

The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with Section 16 of the National Planning Policy Framework, December 2024.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

6. The development hereby permitted shall be decommission at the same time as wider site operations. Decommissioning Scheme shall be submitted to and approved in writing by the local planning authority no later than 6 months prior to decommissioning and shall include provision for the dismantling and removal from the site of the solar PV panels, frames, foundations, inverter housings and all associated structures, storage facilities and fencing. The decommissioning shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure that the approved facility is linked to the wider solar operation.
This condition is imposed in accordance with policies 2, 3 and 31 of the South East Lincolnshire Local Plan 2019

7. In the event the site ceases to generate and store electricity for supply to the electricity grid network for a period of 12 months, an Early Decommissioning Scheme 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 6 and the decommissioning shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure that the approved facility is linked to the wider solar operation.
This condition is imposed in accordance with policies 2, 3 and 31 of the South East Lincolnshire Local Plan 2019

8. The development hereby permitted shall be carried out in accordance with the Outline Battery Safety Management Plan (BSMP) by Envams (December 2024).

Reason: To ensure that the approved facility is operated correctly
This condition is imposed in accordance with policies 2, 3 and 31 of the South East Lincolnshire Local Plan 2019

9. For the duration of the construction and decommissioning periods, construction/deconstruction activities and deliveries received at or dispatched from the site, shall only occur between the hours of 0800-and 1800-hours Monday to Friday, 0800- and 1330-hours on Saturday and not at all on Sundays and Bank Holidays other than with the prior written approval of the local planning authority.

Reason: In the interests of amenity and highway safety
This condition is imposed in accordance with policies 2, 3 and 31 of the South East Lincolnshire Local Plan 2019

10. Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the Site in question shall be submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain:

A) Aims, objectives and targets for management, including habitat target conditions matching the Statutory Biodiversity Metric submitted with the application.

B) Descriptions of the management operations necessary to achieving aims and objectives.

C) Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.

D) Details of monitoring needed to measure the effectiveness of management.

E) Details of the persons responsible for the implementation and monitoring.

F) Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.

Reason: To meet the requirements of mandatory biodiversity net gain and to ensure net gain in biodiversity is provided on site.
This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019.

11. The development hereby permitted shall not commence until a biodiversity gain plan has been submitted to and approved in writing, by the Local Planning Authority. The development shall then be carried out in accordance with the details as approved.

Reason: To comply with Schedule 7A of the Town and Country Planning Act (1990, as amended).

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019.

12. The development shall be carried out in accordance with the submitted flood risk assessment dated December 2024, ref: 'Walpole BESS Flood Risk Assessment' prepared by Raincloud Consulting and the following mitigation measures it details:

· A bund shall encircle the battery energy storage system and shall be set to a height no lower than 0.8 metre above the existing ground level

These mitigation measures shall be fully implemented and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development in accordance with Policy 4 of the South East Lincolnshire Local plan 2019

13. The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall prior to any works first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

· the phasing of the development to include access construction;
· the on-site parking of all vehicles of site operatives and visitors;
· the on-site loading and unloading of all plant and materials;
· the on-site storage of all plant and materials used in constructing the development;
· wheel washing facilities;
· the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
· strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This condition is imposed in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan 2019

14. Prior to the commencement of any part of the development hereby permitted, the condition of the parts of the carriageways along the proposed route that will be used by vehicles making deliveries of materials and components to the permitted development shall be recorded by written notes, still and moving photographic images during an inspection that shall be undertaken by the Applicants' representatives in the company of an officer of the Local Highway Authority. Those public roads shall be maintained, at the cost of the Applicants, in a safe and suitable condition throughout the construction phase of the permitted development and shall be reinstated to no less than the standard of their pre-commencement condition following completion of the construction phase. The Applicants shall also follow a reciprocal process during the decommissioning of the permitted development.

Reason: To ensure the safety and free-passage of the public using the carriageway along the proposed route during the construction and decommissioning of the permitted development.
This condition is imposed in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan 2019

15. The development hereby approved shall be carried out in accordance with the Noise Impact Assessment, by Metrica Environmental Consulting Limited dated November 2024. Unless otherwise agreed in writing with the LPA.

Reason: To ensure that there is no noise nuisance to nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

16. **Biodiversity Net Gain**

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

The effect of Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan, or

(c) the development is exempt from the biodiversity gain condition.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Holland District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP before development is begun). This is over and above the information submitted and considered as part of this application, and will be required before development is begun, because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

For guidance on the contents, in respect of the details that must be submitted and agreed by the Local Planning Authority, prior to the commencement of the consented development, please see the GOV.uk website and Planning Practice Guidance.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

For clarity, the Local Planning Authority do not consider that any of the exemptions apply in this case. As such, the development hereby permitted will be subject to the biodiversity gain condition.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

For clarity the LPA do not consider that irreplaceable habitats are present at this site.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where

(a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and

(b) the conditions subject to which the planning permission is granted:

(i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

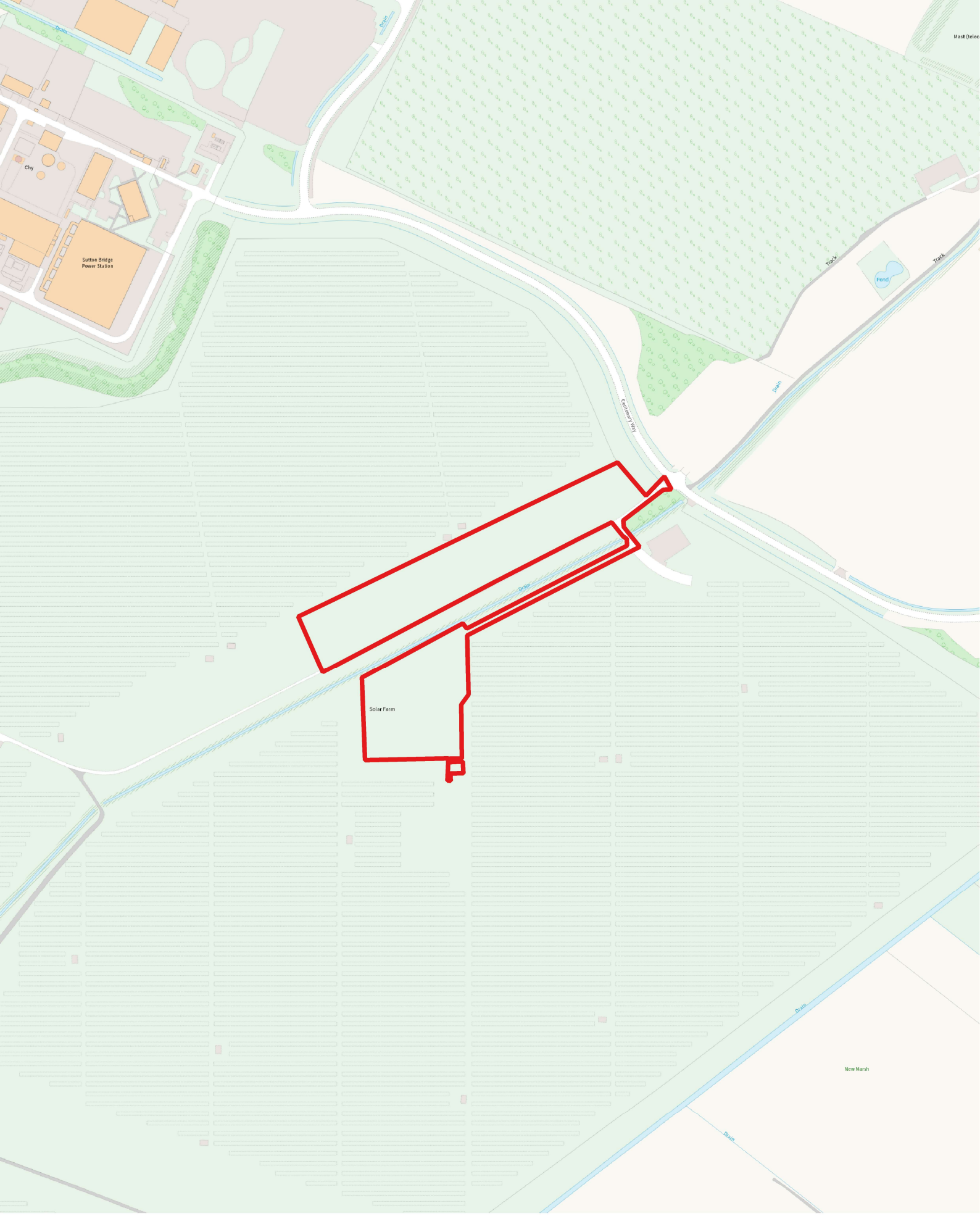
Background papers:- Planning Application Working File

Lead Contact Officer

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Appendices attached to this report:

Appendix A Plan A



SOUTH HOLLAND DISTRICT COUNCIL

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