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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H18-1077-24 **Date of Decision:** 7th April 2025

Applicant: Hollygreen Energy Farm Ltd.
Alexander House
1 Mandarin Road
Rainton Bridge Business Park
Houghton Le Spring
DH4 5RA

Location: Sutton Bridge Solar Farm Land To The South Of Centenary Way Sutton Bridge

Description: Construction of a Battery Energy Storage System (BESS) and associated infrastructure

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

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

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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 GB01T22186 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 V1, 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.

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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 decommissioned 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

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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

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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 V1, 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.

Notes:

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.

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, and subsequently determining to grant planning permission.

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



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

BUILDING REGULATIONS:
This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

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) 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.