DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H18-1197-25**	**Applicant:**	**Enso Green Holdings R Limited**
Proposal:	Details of Construction Management Plan & Method Statement, Biodiversity Gain Plan and written 30-year Habitat Management and Maintenance Plan (HMMP) (Conditions 2, 5 and 6 of H18-0922-25)		
Location:	Land Between East Bank/Gunthorpe Road And Gunthorpe Solar Farm Walpole Bank, Walpole Marsh		
Terminal Date:	30th January 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Section 9 - Promoting sustainable transport
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application providing details of Construction Management Plan & Method Statement, Biodiversity Gain Plan and written 30-year Habitat Management and Maintenance Plan (HMMP) (Conditions 2, 5 and 6 of H18-0922-25).

Site Description

This application site relates to an existing agricultural field that is located to the east of the banks of the Nene. It is wholly within the SHDC district.

The application is to serve the broader permitted solar site that straddles the administrative boundary between local authorities in two different counties, South Holland District Council (SHDC); and the Borough Council of Kings Lynn and West Norfolk (KLWN), in Norfolk.

That site benefits from an extant permission to formulate a solar farm; approved by the Planning Inspectorate in September 2023. A subsequent Section 73 application was approved which allowed the lifetime of the development to be extended to 40 years. All conditions originally attached, with the exception of the WSI, have not been addressed, as well as an application allowing for a battery energy storage system.

This application site, relating to the formulation of an access track is located wholly within the administrative boundary of South Holland. A public Right of way exists along the western side of the bank (of the River Nene) as well as TPOs. These are located outside of the proposed redline boundary. The application site is located within Flood Zone 3 in accordance with Environment Agency mapping. The South East Lincolnshire SFRA shows that the broader area is in a 'danger for most' area, however the bank, and land immediately to its west is in a less hazardous area, according to the SFRA, this presumably relates to the defence from the bank.

History

H18-0922-25 - Installation of access track and associated development - approved under H18-0085-25. Modification of Condition 2 to allow amendments to previously approved plans and Condition 5 relating to Traffic Management Plan. Approved 24-11-25

Consultation Responses

Ecology

It appears as though the figures in the biodiversity gain plan don't match the figures in the metric from the original application, this made me think they must have e new metric calculation that I've just not seen yet.

Highways & Suds Support

No objection The details of Construction Management Plan & Method Statement, Biodiversity Gain Plan and written 30-year Habitat Management and Maintenance Plan (HMMP) (Conditions 2, 5 and 6 of H18-0922-25) are acceptable in accordance with the submitted details and drawings with this application.

Environmental Protection

I have reviewed Transport Planning Associates, Construction Management Plan and Method Statement for Gunthorpe Road Solar Farm, Report No: 2503-045/CTMP&MS/01, Dated: September 2025. I have no comments to and am in general agreement with this.

Planning Considerations

Conditions 2 - Construction Management Plan

The condition states:

Prior to the commencement of any development hereby permitted, a Construction Management Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The applicant has provided:

·2503-045/CTMP&MS/01 | September 2025 Rev 03.

LCC Highways have received the information submitted to discharge the said condition and consider it acceptable. The condition is therefore discharged.

Conditions 5 - Biodiversity Gain plan

The condition states:

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.

The applicant has provided:

·Biodiversity Gain Plan (DEFRA form)

The application is ancillary to the wider Gunthorpe Solar Farm development. Habitats will be delivered in accordance with the HMMP conditioned as part of the consent for the installation of the access track and associated development (Ref. H18-0922-25). Given the ancillary nature of this proposal to that wider scheme, and the high amount of net gain achieved under the Solar Permission, this approach was considered acceptable. The condition is therefore discharged.

Conditions 6 - HMMP

The condition states:

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 applicant has provided:

·Habitat Management and Monitoring Plan - 05/12/2025

The HMMP is considered acceptable and sufficient to discharge the said condition.

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

Conditions 2, 5 and 6 of H18-0922-25 are hereby discharged.