SOUTH HOLLAND DISTRICT COUNCIL

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

To: **Planning Committee - 21 October 2026**

(Author: **Joe O'Sullivan - NSIP Consultant Planner)**

Purpose: **To consider Planning Application H22-0466-26**

Application Number: H22-0466-26 **Date Received:** 18 May 2026

Application Type: FULL

Description: Construction of the new Air Insulated Substation (AIS) - 400kV Weston Marsh Substation A, associated landscaping and environmental mitigation works, drainage, highways and other associated works.

Location: Land in the Vicinity of Spalding Tee-Point Surfleet Seas End and Moulton Seas End

Applicant: National Grid Electricity Transmission PLC **Agent:** Atkins Realis

Ward: Donington, Quadring and Gosberton
Pinchbeck and Surfleet
The Saints
Cowbit, Weston and Moulton

Ward Councillors:
Cllr H J W Bingham
Cllr M A Geaney
Cllr J L King
Cllr S A Slade
Cllr J Avery
Cllr E J Sneath
Cllr L J Eldridge
Cllr T E Sneath
Cllr A Casson
Cllr A R Woolf

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H22-0466-26

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application has been subject to a notable extent of representations and Councillor Eldridge has requested that the application appear before Committee, so that it can be fully debated by the Members of the Planning Committee.

2.0 PROPOSAL

2.1 This is a full planning application that seeks permission for a new Air Insulated 400kV Substation (AIS) (Weston Marsh Substation A), associated landscaping and environmental mitigation works, drainage, highways and other associated works including a temporary construction haul road.

2.2 The Proposal consists of both permanent and temporary works as follows:

2.3 **Permanent Works**

2.4 ·The Substation which consists of a small air lock area at the eastern end of the new permanent access (approximately 0.05 ha), an outer compound area (approximately 0.6 hectares) and a

high voltage compound area (approximately 7.8 hectares) providing the specialist electricity equipment. The maximum height for the High Voltage plant is 12.5 metres and buildings within the substation is 6 metres. The maximum height for gantries, which connect the new overhead line to it, is 15 metres. The height of the Control Building would be 5.35 metres. Perimeter Fencing would typically be combination of electrical fencing and 2.4 metre palisade security fencing.
·Permanent Access route to the Substation from Marsh Road, consisting of a new bellmouth; 390 metres long and 7.3 metres wide.
·Localised highway improvements are proposed on Stone Gate to facilitate safer movement of HGVs during construction.
·Surrounding the substation compound area, there will be landscape and ecological mitigation areas, drainage features including two attenuation basins and two surface water pumping stations, drainage pipes, and the diversion of an existing drainage ditch (IDB Ditch 'New Drain') to a new location to the east of the new Weston Marsh Substation A.
·Reinstatement of the original route of PROW Wstn/7/1 following the temporary diversion of the PROW during the construction works including provision for crossing over the diverted drain.

2.5 **Temporary Works**

2.6 ·Construction of a new bellmouth access and 7.5-metre-wide temporary haul road running 2.6 km from Stone Gate to the Weston Marsh Substation A construction area.
·Four temporary construction compounds, welfare and laydown areas to be used during construction. (One at the junction of the haul road with Stone Gate, two to the north west of the proposed Weston Marsh Substation A and the main construction compound to the south east of the substation)
·A temporary suspension of 980 m of PROW Wstn/7/1 and diversion during construction with two potential diversion route options suggested to maintain access and PROW network links.

3.0 SITE DESCRIPTION

3.1 The site is located east of Marsh Road, approximately 3.5 km to the north of the village of Weston, 3 km north-west of Moulton Seas End, and approximately 1 km east of the eastern bank of the River Welland.

3.2 The Application Site extends to 89.4 Hectares; however, the Permanent Weston Marsh Substation infrastructure site would be approximately 8.4 hectares, proposed ecological mitigation areas 34.6 hectares, and the remaining areas proposed for temporary construction activities.

3.3 It is predominantly open flat agricultural land punctuated by the existing 400kV 2WS and 4ZM overhead lines that form the Spalding Tee. It is located adjacent to the River Welland and is almost entirely within Flood Zone 3 with small pockets of Flood Zone 2. A number of drains cross the site.

3.4 The site is situated upon Best and Most Versatile Agricultural Land (Grade 1). Marsh Road, Stonegate and agricultural tracks are also located within the site boundary. PROW's WSTN/8/1 and WSTN/7/1 cross the site.

3.5 There are no designated heritage assets within the site but there are the following designated heritage assets approximately:

·300 metres to the south west of the site St Mary's Churchyard
·390 metres to the north-east of the site Wraggmarsh House and Pigeoncote
·510 metres to the south west of the site Oakleigh House and the Barn
·700 metres to the north west of the site The Gables
·760 metres to the southwest of the site (scheduled monument of Wykeham Chapel moated monastic grange and the grade I listed Wykeham Chapel of St Nicholas).

3.6 There is the potential for currently unknown archaeological features associated with the medieval and post medieval periods. The Medieval Sea Bank Weston is situated within the Site, as are a number of demolished farmsteads and other non-designated heritage assets.

4.0 RELEVANT PLANNING POLICIES

4.1 Section 38 (6) of the Act requires that, 'where making any determination under the Planning Act, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.'

4.2 **The Development Plan**

4.3 South East Lincolnshire Local Plan, March 2019

4.4 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.

4.5 The Development Plan for the area is the South East Lincolnshire Local Plan 2011-2036 (SELLP) which was adopted jointly by South Holland District and Boston Borough Council on the 8 March 2019. The relevant policies within the South East Lincolnshire Local Plan 2011-2036 for the Proposed Development are:

·Policy 1 - 'Spatial Strategy' Part D
·Policy 2 - 'Development Management'
·Policy 3 - 'Design of New Development'
·Policy 4 - 'Approach to Flood Risk'
·Policy 28 - 'The Natural Environment'
·Policy 29 - 'The Historic Environment'
·Policy 30 - 'Pollution'
·Policy 31 - 'Climate Change and Renewable and Low Carbon Energy'
·Policy 33 - 'Delivering a More Sustainable Transport

4.6 **National Guidance**

4.7 National Planning Policy Framework (NPPF), August 2026

4.8 ·Section 3 Meeting the challenge of Climate Change - Policy CC3 Adaptation to climate change.
·Section 4 Achieving Sustainable Development- Policies S3 and S5.
·Section 10 Securing Clean Energy and Water - Policy W3 Renewable and low carbon energy development and electricity network infrastructure.
·Section 18 Managing Flood Risk and Coastal Change - Policies F4 to F8.
·Section 19 Conserving and Enhancing the Natural Environment - Policy N2 Improving the natural environment.
·Section 20 Conserving and Enhancing the Historic Environment - Policies HE4 to HE 7 & HE 10.

4.9 National Planning Statements

4.10 National Policy Statements (NPS) set out the government's priorities for nationally significant infrastructure (NSIPs) and play a central role in shaping how planning decisions are made under the Planning Act 2008. They explain how development supports sustainable growth, takes account of climate change, and balances factors like demand, safety, and environmental impacts. NPS exist to set out the need for major infrastructure and provide a central decision-making framework under the Planning Act 2008. In practice, these policy documents set out a policy base for examining major infrastructure proposals, and are used by the Planning Inspectorate (PINS) during the examination stage of the Development Consent Order (DCO) process and help ensure that decisions are made in line with national priorities.

4.11 However, NPS EN 1 at paragraph 1.2.1 makes it clear that NPS's can be a material consideration in respect of Infrastructure Projects determined via planning applications under the Town and Country Planning Act.

4.12 Paragraph 4.2.16 of EN 1 states that: 'Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure to meet the Clean Power 2030 Mission and net zero. Paragraphs 4.2.17 and 4.2.18 below set out the projects to be prioritised for the Clean Power 2030 Mission and net zero.' Paragraph 4.2.17 of EN 1 includes 'all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations.'

4.13 National Planning Policy Guidance

5.0 RELEVANT PLANNING HISTORY

5.1 No relevant recent planning history on the site of the Proposed Substation. The development of Crowtree Wigwam Site associated with Crowtree Farm is of relevance as follows:

·H22-0742-14 Change of use of land for holiday accommodation at Crowtree Farm Marsh Road.
·H22-0806-22 Erection of club house and part change of use of site to use for performing wedding/civil partnerships ceremonies at Crowtree Wigwams Crowtree Farm.

5.2 There are a number of NSIPs and Overhead Line Works via s37 of the Electricity Act that are of relevance either because of proximity or their grid connection as follows:

·Form B References H22-0245-26 and H22-0246 -26 for s37 Overhead Line Works to Lines 2WS and 4ZM.
·Overhead Line Exemption Works to Lines 2WS and 4ZM.
·EN021000- NSIP- Weston Marsh to East Leicestershire.
·EN020036 -NSIP - Grimsby to Walpole.
·EN010169- NSIP- Meridian Solar Farm.
·EN010130- NSIP- Outer Dowsing Offshore Windfarm.

6.0 REPRESENTATIONS

6.1 The responses received from consultees during the consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

6.2 Weston Parish Council

6.3 Weston Parish Council wishes to formally object to the proposed Weston Marsh Substation (A) development and associated infrastructure works.

6.4 Weston Parish Council acknowledges the strategic importance of reinforcing the national electricity transmission system and facilitating the connection of offshore renewable energy infrastructure. However, it has serious concerns regarding the appropriateness, sustainability and long-term resilience of the proposed site location within a defended tidal marshland landscape that is demonstrably vulnerable to climate-related flood risk over the operational lifetime of the development.

6.5 Our objection is not to the principle of renewable energy or grid reinforcement itself, but to the suitability and long-term sustainability of this specific location.

6.6
1. Inappropriate Siting of Nationally Critical Infrastructure Within a Defended Tidal Floodplain
2. Long-Term Climate Change Uncertainty
3. Long-Term Public Infrastructure Dependency and Adaptation Burden
4. Infrastructure "Lock-In" and Long-Term Strategic Unsustainability
5. Landscape and Environmental Harm
6. Cumulative Effects
7. Flood Consequence and Residual Risk

6.7 For these reasons Weston Parish Council respectfully requests that the application be refused.

6.8 Surfleet Parish Council

6.9 No response received.

6.10 Moulton Parish Council

6.11 Objection - The parish council would like to reiterate their concerns on behalf of all residents. We are constantly contacted by worried residents about this project. Their concerns being: The loss of valuable farmland Devaluation of nearby properties The impact on wildlife in the area The extra traffic on roads during construction stages on roads that already are not suitable or stable enough. If roads are to be improved beforehand, the extra congestion that traffic lights and road closures cause. The list continues! Even though the substation is not in our parish as such, it would have an adverse effect on surrounding parishes greatly.

6.12 Anglian Water

6.13 It is highly recommended that the applicant carries out a thorough investigation of the proposed working area to establish whether any unmapped public or private sewers, lateral drains, or other water infrastructure assets are in existence.
Due to the private sewer transfer in October 2011, many newly adopted public used water assets and their history are not indicated on our records. Any encroachment zones should be reflected in the site layout. The development site may contain private water mains, drains or other assets not shown on our records. These are private assets and not the responsibility of Anglian Water but that of the landowner.

6.14 South Holland IDB

6.15 Noted works which require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. We recommend that any required consents are sought prior to the determination of this planning application however the detail of the proposed works are currently unlikely to be acceptable to the Board in relation to:

·alteration of a watercourse Stopping up / diversion of a watercourse and
·works within 9 metres of a Board arterial watercourse.

6.16 Welland and Deeping IDB

6.17 Not with the IDB's catchment area.

6.18 Environment Agency

6.19 Initially Objected on the basis of:

·Flood risk and Hydraulic modelling
·Impact on European Eel
·Use of non mains drainage with no assessment of risks to pollution of watercourse.

6.20 These concerns have now been resolved through the submission of further flood risk and hydraulic modelling technical note, revised Outline CEMP and drainage reports.

6.21 Lincolnshire County Council

6.22 **Archaeology**

6.23 Currently there is insufficient specific information on the archaeological significance for the site and the extent of impact to buried archaeological remains from the proposed development. Therefore, I recommend the applicant to provide the results of a Heritage Impact Assessment informed by appropriate archaeological field evaluation of the proposed permanent substation

including any connections.

6.24 This is in line with the guidance set out in the NPPF 2024 (paragraphs 207 & 218) and the South East Lincolnshire Local Plan (Policy 29). The applicant has not adequately described the significance of any underground heritage assets that may be affected by the proposed development, and it is not "sufficient to understand the potential impact of the proposal on their significance ('the heritage assets')" (Paragraph 207 of the National Planning Policy Framework (NPPF)). This in turn does not allow the Local planning authority to "identify and assess the particular significance of any heritage asset that may be affected by a proposal." (Paragraph 208 NPPF).

6.25 Given the identified archaeological potential, I recommend that this application be accompanied by a Heritage Impact Assessment informed by an additional Geophysics Survey, specific Geoarchaeological Assessment and full standard Trial Trench Archaeological Evaluation in order to properly assess the site's significance, inform appropriate archaeological planning advice, and design a suitable mitigation strategy should consent be granted.

6.26 **Highways and Drainage**

6.27 Having given due regard to the appropriate local and national planning policy guidance (in particular the NPPF), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore from a Highway Authority standpoint does not wish to object to the application. No Objection subject to Conditions.

6.28 **Ecology**

6.29 Initially made comments in respect of:

·Further information is required in relation to the potential presence of protected species before planning permission is granted;
·Mitigation and sensitive working methods secured in a CEMP or similar will be required in relation to sensitive habitats and protected species; and
·The current BNG submission results in a net loss of area habitat and watercourse units and therefore fails to meet the statutory 10% gain requirement. Further biodiversity enhancements or purchase of units / credits will be necessary.

6.30 However, the Applicant's responses to these comments on BNG are acceptable to the County and have no additional comments to make on the updated water vole and otter survey report.

6.31 Comments awaited on the submitted bat survey report and updated EcIA.

6.32 **Overall**

6.33 The County Council objects to the adverse impacts of the development on the local community due to the considerable period of time the combined construction works of the project resulting from accelerating the construction works of part of the Weston Marsh Substation A ahead of the wider construction works for the planned Grimsby to Walpole project which will also take place in this locality at a later stage. Bringing forward the construction of part of the substation infrastructure ahead of the main works associated with the Grimsby to Walpole NSIP will cause the unnecessary consequence of undertaking these works in advance resulting in an unnecessary extended period of disruption to the local community. This can and must be avoided by undertaking all the works for the project within the construction window of 2029 to 2033 for the proposed Grimsby to Walpole project. Such additional disturbance to the local community must be avoided by undertaking the works in a single operation, should the Grimsby to Walpole project be granted Development Consent. What is currently proposed will result in the local community experiencing a prolonged period of construction activity for the works for the substation and Section 37 proposals and then a further period of disruption for the further works associated with the Grimsby to Walpole project which could result in this local community experiencing disturbance from construction activity for a period of 5 years from 2028 to 2033.

6.34 Also, the temporary haul roads and other infrastructure for this development are then likely to remain in place for the duration of the construction works associated with this application and further Consents that are likely to be granted.

6.35 The Council questions the need case for this application given that sufficient time exists to undertake the necessary works to make Weston Marsh Substation A operational by 2031 under the Grimsby to Walpole project. This would only result in delaying the Outer Dowsing connection by a year but greatly reducing the period of disturbance to local communities that would be caused should these works be brought forward on an accelerated basis.

6.36 Therefore, in relation to landscape and visual impact, the need case presented together with the additional information required in relation to ecology and biodiversity net gain matters, insufficient specific information on the archaeological potential for the site and the extent of impact to buried archaeological remains from the proposed development the County Council objects to the application and respectfully requests that the application is refused.

6.37 Ramblers

6.38 No response received.

6.39 Lincolnshire Wildlife Trust

6.40 Initially raised concern that several protected species surveys are still to be completed within the coming months, such as vole and otter surveys of watercourse that were awaiting access permission, ground level tree assessment (GLTA) to assess bat roosting potential, and a habitat suitability assessment (HSI) of several ponds. Clarification is required on the number of skylark territories on site, and further details of how the mitigation area will offset the losses, on the locations of the watercourse crossings, and how these may impact otter and water vole and the methodology for the BNG. These matters have now been resolved through the submission of the protected species reports, further clarification and a revised BNG Report.

6.41 Lincolnshire Bat Group

No response received.

6.42 Natural England

6.43 As submitted, the application could have potential significant effects on:

· The Wash Site of Special Scientific Interest (SSSI),
· The Wash Special Protection Area (SPA),
· The Wash Ramsar, and
· The Wash and North Norfolk Coast Special Area of Conservation (SAC).

6.44 Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

I. incorporating an assessment of construction traffic air pollution impacts (as described in section 2.1 above) into the HRA,
II.ensuring that all bird species listed as qualifying features that forage over long distances (e.g., 15-20 km) are included in the screening for LSEs,
III.improved clarity of the screening stage by presenting which qualifying features are scoped in/out of the appropriate assessment at the end of each section,
IV.further information about disturbance (construction and operational phases) alone, and in-combination with the other projects listed,
V.including pink-footed geese, brent geese, lapwing, and golden plovers within the appropriate assessment of injury/mortality impacts from collision with overhead lines,
VI.a suite of further information pertaining to the development's cumulative impacts in-combination with the other projects identified.

6.45 Where a pathway to Likely Significant Effect is concluded, they should be taken through to the

Appropriate Assessment stage.

6.46 Fire and Rescue

6.47 The Fire Authority would make no objections to the application provided that the following Lincolnshire Fire and Rescue Authority requirements were met in relation to Access and Water Supply.

6.48 National Gras Transmission

6.49 There are no National Gas Transmission assets in this area.

6.50 Cadent Gas

6.51 No response received.

6.52 Historic England

6.53 The proposed substation (A) will introduce additional infrastructure into the historic landscape setting of Wykeham Chapel, which gains considerable significance from its agrarian context alongside the River Witham (for all the changes in that landscape since the medieval period through increased drainage and arable improvements it character remains agricultural).

6.54 As a part of the infrastructure delivery associated with the Great Grid Upgrade and the strive to Net Zero this area to the north-east of Spalding is the focus of several schemes as discussed in the submitted account of cumulative impacts. This present application will contribute to the overall change in the setting of Wykeham Chapel and as part of that landscape change itself contributes a low level of less than substantial harm to the Chapel's significance.

6.55 It will be for your authority to set such harm against the public benefits delivered by the scheme with appropriate weight as set out in part 16 of the National Planning Policy Framework.

6.56 We have not identified additional mitigations in respect of this specific scheme (beyond measures set out in the application), we refer you to the expertise of your archaeological advisers. We will advise on other associated schemes via the relevant applications. Recommendation Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph number 207 and 208.

6.57 In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Your authority should take these representations into account in determining the application.

6.58 HSE

6.59 This application does not relate to a relevant development on which to consult the HSE Land Use Planning (LUP) Team, as it would not lead to a material increase in the number of people within a consultation distance. There is therefore no need to consult the HSE LUP team on this planning application and the HSE LUP team has no comment to make.

6.60 Active England

6.61 Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application.

6.62 Planning Policy

6.63 This proposal is in the 'Countryside' as defined by Policy 1 of the SE Lincolnshire Local Plan. As such proposals will be permitted that are "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". This type of development must go in the countryside as plainly it can't fit into an urban location. South Holland does not have any large brownfield sites, such as former RAF stations, like those found in East Lindsey, and so agricultural land will be used. The SELLP has several policies that the proposal should be considered against.

- Policy 2, bullets 1, 4, 6, 7, 8.
- Policy 3, bullets 3, 11, 12, 14.
- Policy 4. Policy 28, bullet 3.
- Policy 29, bullets A, C.
- Policy 30, bullets 2, 3, 5, 6, 7.
- Policy 31, bullets A:2, 5.

6.64 Conservation Trees

6.65 No response received.

6.66 Conservation Officer

6.67 The proposed development is within visual range of several major designated heritage assets - The grade I listed Wykeham Chapel and the associated scheduled ancient monument, as well as Churchyard Cross, St Mary's Churchyard which is also a scheduled ancient monument in the grounds of a Grade I listed building. The area also contains a substantial number of listed buildings and Non-Designated Heritage Assets (as outlaid in sections 5.2 and 5.3 of the Historic Environment Desk Based Assessment).

6.68 I am satisfied that for the most part, the scale and nature of the development is such that it would have a relatively innocuous effect on the historic environment setting of the great majority of these sites. However, a more substantial effect is identified as regards to Wykeham Chapel. Considering the cumulative effect of the overall development, there is a substantial alteration in the setting of the chapel, via the introduction of yet further heavy infrastructure into the landscape setting of the scheduled monument. As corroborated by the comments of Historic England, a sizeable portion of the significance of the asset is borne from the agrarian, rural setting, and so the introduction of large, modern energy infrastructure - of which this development contributes to further - into the setting will undoubtedly cause a form of harm to the setting of that asset.

6.69 I agree with the conclusion of Historic England by assigning that harm into the 'less than substantial harm' category, per para. 212 of the NPPF and agree that given the scale of the development and separation distances, that should be considered to be on the lower end of the 'less than substantial harm' scale. It will, however, necessitate a balanced judgement by the LPA as to whether the public benefits of this scheme outweigh that harm in accordance with para. 215 of the NPPF.

6.70 The applicant has satisfied Paras. 207 and 208 of the NPPF, and it falls upon us as the LPA to determine whether we believe that the proposal satisfies the remainder of the paras of Section 16. It is my view that, on the understanding that the LPA considers there to be substantial enough public benefit to outweigh the harm, per para. 215, that the proposal shall have satisfied Section 16 of the NPPF. On this understanding, I do not wish to raise any objections to the proposal at this time.

6.71 Ecology

6.72 Natural England advises that additional information should be submitted by the applicant, which will better inform the HRA screening assessment for likely significant effects of impacts (noting that mitigation measures should not be included in this initial screening phase). If, following this submission, we conclude that there is a likelihood of significant effect for some of these impact

pathways, then an appropriate assessment (in consultation with Natural England) is needed to assess the impacts of the proposal in view of the conservation objectives for the Wash SPA/SAC, as well as in consideration of the effects of mitigation options.

6.73 The large majority of the land area required for both the substation and the new overhead line works is arable land consisting of relatively common and low ecological value habitats, and the watercourses that will be impacted have been similarly demonstrated to support species that are common/widespread. Nonetheless, the survey work submitted with this application demonstrates that the area supports numerous protected species, including species that are qualifying features of the Wash SPA, Ramsar site, and The Wash and North Norfolk Coast SAC, and thus the area is considered to provide functionally linked habitat to The Wash. In addition, the site falls within the Impact Risk Zones of two SSSIs and is within 2 km of twelve Local Wildlife Sites. Additional protected species survey reports have now been submitted.

6.74 The biodiversity net gain requirement can be achieved by this development. The authority should secure the on-site biodiversity gains via undertaking a section 106 planning obligation with the applicant prior to works commencing.

6.75 Environmental Protection

6.76 Initially requested further information on operational noise and Air Quality. These matters have been resolved. It's recommended that conditions in relation to Land Contamination, Noise, CEMP and Lighting are imposed on any planning permission.

6.77 **Public Representation**

6.78 The application has been advertised in accordance with the Development Management Procedure Order and the Councils Statement of Community Involvement. In this instance 104 letters of representation have been received 2 in support and 102 in Objection.

6.79 The Letters of support raise the following:

6.80 General support for Energy Infrastructure Projects and from Outer Dowsing Wind Farm:

'The Project will be one of the UK's largest offshore wind farms upon completion, generating renewable electricity equivalent to the annual electricity consumption of over 1.6 million households, playing a critical role in bolstering UK energy security and independence, reducing emissions and creating thousands of skilled UK-based jobs during the construction phase and hundreds of jobs for the Project's 30+ years of operations.

The Project has been identified as Critical National Priority infrastructure, for which there is an urgent need. As noted in the cover letter accompanying the Application, the WM-A Works will facilitate the connection of the Project to the national electricity transmission system.

The Project is contracted with the National Energy System Operator ("NESO") to connect by 2030, and this agreement has been in place since 2023. The Project's DCO includes all necessary works to connect the Project to the national electricity transmission system via the WM-A Works only.

Timely delivery of the WM-A Works is critical to enabling The Project's progression and to supporting the Government's Clean Power 2030 Action Plan, which identifies electricity networks and connections as key enablers of a clean and secure power system. Therefore, the WM-A Works are required independently of any wider network reinforcement works. As the WM-A Works will pave the way for the timely connection of the Project in accordance with our contracted connection date with NESO, ODOW supports the grant of planning permission for the WM-A Works pursuant to the Application.'

6.81 The Objections raise the following:

- Application should not be decided locally outside of the NSIP process for G to W.
- Environmental assessment incomplete because the infrastructure has been split across different cosseting regimes.

- Damage to farmland, wildlife and Fenland environment.
- Harm to local communities and overwhelm roads.
- Damage to Historic Fenland Landscape.
- Application conflicts with national policy (EN1 and EN 5 expects grid upgrades to be coordinated and to use existing substations and corridors where possible) and has no alternatives assessment.
- Severe Highway Risks and Infrastructure Damage.
- Failure to account for Population Growth - National Grid's traffic and socio economic baseline data is completely outdated. It fails to model the cumulative impacts on an expanding community, entirely ignoring the approximately 200 new homes built in Weston between Autumn 2024 and Spring 2026. This growth has already increased the baseline traffic and pressure on rural infrastructure.
- Flood Risk and Sequential Test failure. The site sits entirely within Flood Zone 3. Under the National Planning Policy Framework (NPPF) and Local Plan Policy LP14, major industrial developments must pass the Sequential Test by proving no alternative lower-risk sites exist. The applicant has failed to provide a rigorous district-wide site selection analysis, making approval a clear breach of flood risk policy.
- Noise and Pollution.
- Landscape Intrusion.
- No Local Benefits.
- Wrong Location should be located in an industrial area not countryside.
- Conflict with Construction Traffic and exercising of horses from Hall Gate and Weston Marsh River Bank.
- Stonegate not suitable for Construction Traffic particularly its current bad condition and narrow width.

6.82 Further Objections have been received from:

6.83 1. The RT Hon John Hayes MP summarised as:
- Detrimental impact on Fenland Farmland
- Profoundly reduce local amenity
- Detrimental change to the character and nature of the surrounding environment
- Flood Risk concerns
- Destruction of agricultural land in combination with other Projects.

6.84 2. Councillor Eldridge summarised as:
- Harm to landscape character and rural setting
- Cumulative Infrastructure Impacts
- Flood Risk and Drainage concerns
- Loss of Agricultural Land
- Ecology and Biodiversity impacts
- Traffic, Construction and Residential amenity impacts
- Impact upon Ground Conditions.

6.85 3. InterGen summarised as the adverse impact on the InterGen high pressure pipeline in terms of safety and integrity of the pipeline. InterGen are seeking crossing agreements, a pipeline protection plan and costs undertakings from National Grid.

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Principle of Development

7.3 Policy S3 of the National Planning Policy Framework ('the Framework') provides for the Presumption in Favour of Sustainable Development at part b 'Outside Settlements' (as is the case with this application) policy S5 should apply. Policy S5 defines the types of development acceptable outside settlements and specifically defines Infrastructure as one of these types of development, at part 1a that should be approved outside settlements unless benefits of doing so would be substantially outweighed by any adverse effects.

7.4 Policy W3 of the Framework requires substantial weight to be given to the benefits of improving

energy security, supporting economic development and transition to a net zero future in respect of renewable and low carbon energy developments and electricity network Infrastructure. This Policy goes onto state that the Applicant of such development should not be required to demonstrate need.

7.5 The National Policy Statement (NPS) EN 1 also defines 'a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure to meet the Clean Power 2030 Mission and net zero.' and defines 'network reinforcement and upgrade works, and associated infrastructure such as substations.' as part of the CNP.

7.6 There are no specific policies within the Development Plan that reference specific infrastructure developments such as the Proposed 400 KV Substation other than Policy 31 Part B Renewable Energy that references associated infrastructure and therefore this application will be considered against the criteria of this part of the Policy.

7.7 Policy 1 'Spatial Strategy' of the SELLP provides the settlement hierarchy for the area and in relation to development in the Open Countryside such as the Proposed Development Part D states, 'development will 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.'

7.8 Policy 2 'Development Management' of the SELLP requires proposals to demonstrate sustainable development considerations have been met through a number of criteria. The Policy is an overarching policy that all development proposals should be considered against.

7.9 The principle of development is therefore dependent upon benefits weighed against any adverse impacts at a national level and at a local level the above criteria-based policies and the other general criteria-based policies of the SELLP namely 4, 28, 29 and 30 that are relevant and that apply to specific matters such as the Natural Environment which are considered in the subsections below.

7.10 ***Design and Layout***

7.11 The total footprint of the proposed Substation would be approximately 8.4 hectares, including a 5 metre buffer around the fence, with the high voltage compound approximately 7.8 hectares. An additional outer compound area is proposed of approximately 0.6 hectares near the entrance to Substation for ancillary equipment and car parking.

7.12 The maximum height for the High Voltage plant is 12.5 metres and buildings within the substation is 6 metres. The maximum height for gantries, which connect the new overhead line to it, is 15 metres. The height of the Control Building would be 5.35 metres.

7.13 A permanent new access road to provide operational access to the Substation is proposed from Marsh Road to the north of the Substation. The visual profile of the substation is characterised by open air steel lattice framework's, busbars, and specialist electrical assemblies such as electrical plant, transformers, gantries, support structures, control and relay buildings. As well as security fencing, lighting, drainage infrastructure and ancillary equipment. The overall appearance of the Weston Marsh Substation A reflects its functional and operational requirements as electricity infrastructure.

7.14 The planning application utilises the Rochdale Envelope Principle in that defined maximum parameters are utilised (described above) with the final design of the substation secured via condition. This condition would ensure that the final design falls within the assessed parameters and that detailed design be approved prior to commencement of development. This is because detailed engineering and procurement often occurs post-consent and it permits flexibility. This approach is entirely lawful and common place for Strategic Energy Infrastructure.

7.15 The proposed 400 KV Air Insulted Switchgear (AIS) Substation has been designed to balance vital technical and electrical safety standards with the need to minimise impacts on local landscape character and visual amenity. The layout and design of the Substation is functional by its very nature.

7.16 The impacts of the design and layout of the Proposed Development on the area would be reduced and minimised by the proposed landscape mitigation and the proposed Substation would therefore comply with the provisions of Policy 3 where the particular criterion are applicable to the Proposed Development.

7.17 **Permanent loss of BMV Agricultural Land**

7.18 Policy 31 of the SELLP is split into two parts, A: climate change and B: renewable energy. Part B 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 they would not cause significant harm to the following; visual amenity, landscape character or quality, residential amenity, highway safety, agricultural land take, aviation and radar safety, heritage assets and the natural environment.

7.19 There is no policy presumption that precludes the development of BMV Agricultural Land. The Framework at Policy N2 part B in relation to Agricultural Land states that development proposals should: 'Take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and if significant development of agricultural land is necessary, use areas of poorer quality land where possible. The proposed development will have a temporary impact on agriculture and soils that will result in the temporary loss of agricultural production and there will also be the permanent loss of agricultural land from production as a result of the size of the substation (approximately 8.4 hectares) and the high grade of Agricultural Land (Grade 1). South Holland is a Critical Food Producing Area, supporting both local and national food security, and contributing significantly to the agricultural economy.

7.20 There are therefore potential negative effects from the permanent loss of Best and Most Versatile Agricultural Land of approximately 8.4 hectares (Cumulatively 19.69 hectares) and temporary impact on agriculture and soils that will result in the temporary loss of agricultural production.

7.21 Approximately 111.21 hectares would be taken temporarily during the construction period for uses such as construction access and construction compounds and reinstated after construction, this comprises the majority of the Scheme Site area. 35.13 hectares is to be used for mitigation and would not impact the soil.

7.22 The Applicants assessment concludes that the permanent Grade 1 land take (19.69 ha) represents 0.03% of the land classified as Provisional Grade 1 land, and 0.004% of land classified as Best and Most Versatile (defined as land mapped as Provisional ALX Grades 1, 2 and 3) in Lincolnshire.

7.23 A Soil Management Plan is proposed to detail management measures to minimise adverse effects on soil resource and such a Plan is to be secured via Planning Condition. The Soil Management Plan would accord with the Outline Soil Management Plan at Annex A to the Outline CEMP and include the details specified at table 1.2 of the Outline CEMP.

7.24 The permanent loss of BMW Agricultural Land is an adverse impact of the Proposed Development that ultimately is weighed against the benefits of the Proposed Development in the overall planning balance.

7.25 **Visual and Landscape Impact**

7.26 The SELLP does not have a single policy that considers this issue. However, Policy 2: Development Management, Policy 3: Design of New Development and Policy 31: Climate Change and Renewable and Low Carbon Energy do refer to elements of the proposal that impact landscape and visual impacts i.e. size, scale, layout, density, orientation, design, improving the character and quality of an area, protecting or incorporating existing built assets and green infrastructure.

7.27 The site is not located within a landscape designation (at both a local or national level) and

therefore the landscape is not protected. The landscape of the site is of relatively low value. The site would be located within NCA 46: The Fens at a national level. At a local level, it would be within Regional Landscape Character Area 2A: Settled Fens and Marshes within the East Midlands Region Landscape Character Areas and Settled Fens Landscape Character Type in the South Holland Strategic Capacity Study. These areas are characterised by a large-scale, flat and open low-lying landscape, which results in expansive views and level horizons that create a strong sense of openness.

7.28 The surrounding landscape is predominantly open flat agricultural land punctuated by the existing 400kV 2WS and 4ZM overhead lines that form the Spalding Tee, land drains, roads and areas of planting often linear along the drains and roads or to screen built form. The size of the substation (approximately 8.4 ha) and its location within this landscape has the potential to give rise to adverse impacts.

7.29 Landscaping is however proposed along the northern, western and southern boundaries of the Substation to screen views. Additional areas of landscaping would be planted to the northwest and south of the Substation, as well as alongside Marsh Road to further reduce visibility. These measures include:

1) Planting around the boundary of the proposed substation where the overhead line entries and future cable entries allow. To the east of the substation, an area of woodland planting, with a minimum width of 30 m, is proposed to screen the substation from receptors on Marsh Road including Welland House Farm and Pickmere and properties further south along Marsh Road.
2) A belt of woodland planting to the south of the substation to filter longer distance views across the landscape from the south including from Bass Cottages and Stone Gate.
3) A belt of woodland planting to the north east of the substation to screen views from Western Barn House and filter longer distance views from properties on Carrington Road and from the PRoW.
4) Hedgerow and tree planting along Marsh Road and the PRoW to filter views for those visual receptors in closer proximity to the substation including Crowtree Cottages, people accessing Wigwam Holiday Cottage and people using the PRoW.

7.30 These mitigation measures are secured via planning conditions.

7.31 The mitigation measures to be employed during the construction phase of the Proposed Development will minimise direct or indirect impacts on landscape and visual receptors. These mitigation measures include a Landscape Ecological Management Plan (LEMP) including landscape planting mitigation measures and ecological mitigation areas. A Construction Environmental Management Plan (CEMP) is proposed to minimise the impacts of Construction on the Environment including landscape and visual receptors.

7.32 While adverse landscape and visual effects occur during construction and operation, the construction impacts are temporary in nature, and the CEMP provides for Control and Management measures to minimise these effects. Further, the proposed landscape mitigation will reduce these effects as the landscape planting matures over time.

7.33 The impacts upon the Natural Environment in respect of Landscape and Visual effects are therefore mitigatable to the extent that they minimise and reduce adverse effects as far as is practicable. Whilst it is acknowledged that some landscape harm would occur to the locality as a result of this proposal, the harm and effects should be weighed up against the benefits of the scheme in the planning balance. In the opinion of officers, the benefits of the scheme in terms of the delivery of renewable energy connection to the grid, and the wider climate change benefits that the proposal would help deliver, would outweigh the localised landscape harm that would arise when considered in the planning balance.

7.34 **Flood Risk**

7.35 Policy 4 'Approach to Flood Risk' - developments must satisfy the sequential test and be supported by a site-specific flood risk assessment covering risk from all sources of flooding including the impacts of climate change. It must be demonstrated that surface water from the development can be managed and will not increase the risk of flooding to third parties.

7.36 Policy 31 'Climate Change and Renewable and Low Carbon Energy' requires all development proposals to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated.

7.37 The Site Boundary is situated adjacent to the River Welland within Flood Zone 3 with patches of Flood Zone 2 (depending on the exact siting of the Substation). There are a number of drains that also cross the site which fall within the area of South Holland Internal Drainage Board within the Lords North and South catchment.

7.38 Table 2 of Annex F of the Framework defines electricity network infrastructure as essential infrastructure and the development as such requires an Exception Test within Flood Zone 3a. Essential Infrastructure should be designed and considered to remain operational and safe in times of Flooding. A Flood Risk Assessment incorporating Sequential and Exception Test and a Drainage Strategy were submitted in support of the Planning Application.

7.39 Residual tidal and fluvial flood risk would be mitigated by locating the Weston Marsh Substation A and other sensitive infrastructure on a raised platform with a minimum finished flood level (FLL) of 4.45 m AOD.

7.40 The Environment Agency do not object to the planning application on Flood risk or drainage grounds and confirm 'that the proposed development will be safe for its lifetime and remain operational in times of a flood. The applicant has assessed the impact a pump failure and shown that all infrastructure will be sufficiently raised above this flood level.'

7.41 The proposed development is considered to pass the Sequential and Exception Test. In accordance with the Environment Agency's view, Officer's consider that the development will be safe from flood risk and will not increase flood risk onto any surrounding land. In this context the proposed development is considered to comply with the policies of the Framework and Policy 4 of the Development Plan.

7.42 Drain Diversion

7.43 The Proposals involve the diversion of an existing drainage ditch (IDB Ditch 'R11 New Drain') to a new location to the east of the proposed Weston Marsh Substation A via a 10-metre-wide drain with an easement of 9 metre to facilitate access and maintenance activities.

7.44 The diversion of this drain requires prior formal approval under Section 23 of the Land Drainage Act 1991. Planning Permission does not give the right to alter or move an IDB drain. The Applicant will need Land Drainage Consent from the IDB before any works to the watercourse take place.

7.45 The IDB have objected to the Planning Application on the basis that formal approval under the Drainage Act will be required and that the current design does not meet the IDB byelaws. However, the current design of the drain diversion is indicative and the final design of the drain to be diverted is proposed to be the subject of a planning condition. An informative is proposed so that the Applicant gains the appropriate Land Drainage consents prior to the discharge of the planning condition.

7.46 The Applicant is continuing discussions with the IDB over the design of the proposed diverted drain and the Outline CEMP includes a commitment (W01) to comply with IDB Byelaws and apply for necessary Land Drainage Consents.

7.47 Further, Policy DM7 of the Framework makes it abundantly clear that planning decisions are not intended to seek to duplicate controls by other regulatory regime and that decision makers should assume that those separate regimes will operate effectively.

7.48 **Ecology**

7.49 Policy 28 'The Natural Environment' - Requires the protection, enhancement and management of natural assets, by ensuring all development proposals provide an overall net gain in

biodiversity.

7.50 The Wash SPA and Ramsar site and The Wash and North Norfolk Coast SAC fall within 10 km of the Site Boundary. The Impact Risk Zones (IRZ's) for Surfleet Lows SSSI and The Wash SSSI partially overlap with the Site Boundary. Three LWS are located within 0.5 km of the Site Boundary: Pinchbeck Marsh LWS and Surfleet Seas End Saltmarsh LWS and Vernatt's Drain LWS.

7.51 Given the proximity of the Proposed Development to the above statutory designated sites, a Habitats Regulations Assessment (HRA) Screening report forms part of the Planning Application. The Applicant has submitted a further HRA to address Natural England's concerns over the content and conclusions of the HRA and Members will be verbally updated at Planning Committee on Natural England's conclusions on the HRA.

7.52 An Ecological Impact Assessment is included as part of the Planning Application. Along with supporting surveys such as an Aquatic Survey and the relevant species survey which include, Breeding Birds, Non Breeding Birds, Badger, Bats, GCN, Otter, and Water Vole.

7.53 The Mitigation measures to be employed during the construction phase of the Proposed Development will avoid and/or minimise direct or indirect impacts on ecological features. These mitigation measures include a Landscape Ecological Management Plan (LEMP) including ecological mitigation measures and a Construction Environmental Management Plan (CEMP).

7.54 Additional ecological measures have also been proposed to protect the farmland bird assemblage and barn owls. These are as follows:

1) Approximately 35 hectares of agricultural land near Crowtree Farm has been included in the Substation Works Site Boundary to facilitate conversion to a different cropping regime to benefit farmland birds.
2) One barn owl box, bat boxes if trees removed that contain roosts will also be installed and a peregrine platform will be installed on a pylon situated a suitable distance away from the Scheme.

7.55 These mitigation measures are secured via the planning condition that requires the submission of a Landscape and Ecological Management Plan based upon the indicative Landscape and Ecological Mitigation Proposals. In this context the Proposed Development complies with Policy 28 of the Development Plan.

7.56 **Biodiversity Net Gain**

7.57 Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain standardised biodiversity units measured by statutory biodiversity metrics.

7.58 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.

7.59 The biodiversity net gain condition is a pre-commencement condition. This relates to a condition that seeks once planning permission has been granted, a Biodiversity Net Gain Plan that must be submitted and approved by the Local Planning Authority before commencement of development, alongside the need to submit a Habitat Management and Monitoring Plan and any associated necessary legal mechanism such as Planning Obligation via s106 or Conservation Covenant.

7.60 The development in this instance is subject to the Statutory 10% Biodiversity Net Gain

requirements. A Biodiversity Net Gain Report and Metric accompany the Application. The submitted details indicate that 10% mandatory net gain can be achieved via a mix of on-site and off-site provision.

7.61 The Partnerships Ecologist has confirmed that overall, the biodiversity net gain assessments, habitat maps, and statutory metric appear suitably detailed and rigorous such that the authority can be confident in their conclusions. In addition, the approach taken to on-site biodiversity provision is justifiable and reasonable, wherein, 10% BNG can be achieved via a mix of on-site and off-site provision.

7.62 Therefore, the LPA can be confident that the proposal complies with this statutory requirement, in accordance with Schedule 7A and Policy 28 of the Local Plan.

7.63 **Historic Environment**

7.64 Policy 29 'The Historic Environment' - Distinctive elements of the Southeast Lincolnshire historic environment will be conserved and, where appropriate, enhanced.

7.65 There are no Designated Heritage Assets within the Site Boundary so no Designated Heritage Assets will be directly affected. The impact upon Designated Heritage Assets is therefore through alteration of their Settings either through the Construction Activities or the visual effect of the Proposed Development.

7.66 The introduction of electrical infrastructure at scale will alter the rural and historic baseline of nearby designated heritage assets. These effected Designated Heritage Assets are considered to be:

·St Mary's Churchyard 300 metres to the south west of the site
·Wraggmarsh House and Pigeoncote (Grade II Listed) 390 metres to the north-east of the site
·Oakleigh House and the Barn (Grade II Listed) 510 metres to the south west of the site
·The Gables (Grade II Listed) 700 metres to the north west of the site
·Scheduled monument of Wykeham Chapel moated monastic grange and the grade I listed Wykeham Chapel of St Nicholas 760 metres to the southwest of the site.

7.67 In each of the above designated Heritage Assets the setting is considered to contribute to the significance of the Heritage Asset. Due to the existing topography and proposed embedded mitigation and the Landscape mitigation the magnitude of change on the setting of the heritage assets is considered low.

7.68 There are also a number of Non-Designated Heritage Assets within the Site Boundary and within the surrounding area. There is the potential for archaeology associated with Medieval and post medieval times. The Medieval Sea Bank Weston is situated within the Site Boundary as are a number of demolished farmstead and other proposals in the area have encountered archaeological artefacts.

7.69 An Archaeological DBA accompanied the application along with Geophysical Survey for the main Substation Site with some limitations in terms of coverage (temporary haul road route).

7.70 LCC Archaeology advise that this application be accompanied by a Heritage Impact Assessment informed by an additional Geophysics Survey, specific Geoarchaeological Assessment and full standard Trial Trench Archaeological Evaluation in order to properly assess the site's significance, inform appropriate archaeological planning advice, and design a suitable mitigation strategy should consent be granted.

7.71 The areas where geophysical surveys are required to cover the site have been delayed due to difficulties with gaining access to the land and Autumn Crops being in situ. The Geophysical Surveys are therefore delayed until after the harvest.

7.72 The Applicant has agreed the Written Scheme of Investigation for the remaining Geophysical Surveys and is also looking to agree in principle the WSI for field evaluation. This indicates a

clear commitment from the Applicant to complete the necessary archaeological works.

7.73 The LCC archaeologist agrees with DBA and Geophyisical Survey conclusions. It's the timing of the additional Geophysical Surveys and the Field Evaluation that is of concern to LCC archaeologists. As the main site for the Substation has been subject to Geophysical Surveys delaying the next phase of Surveys via a phased approach to archaeological works is considered to be low risk.

7.74 Groundbreaking works, foundation excavations for the platform compound and the construction compounds and temporary haul road carry the risk of direct permanent displacement or destruction of unknown buried archaeological deposits. A program of archaeological mitigation will be secured via planning condition to preserve by record any finds or features of archaeological interest.

7.75 The proposed Substation has the potential to result in localised direct impacts on subsurface archaeological remains (if present) and will have indirect impacts upon the wider setting of nearby designated heritage assets, which can be acceptably mitigated through targeted mitigation conditions.

7.76 Nevertheless, harm has been identified, and this harm should be weighed against the public benefits of the proposal. This balance is undertaken at the Public Benefits Test section of this Report. Therefore, any potential impacts upon the Historic Environment are mitigatable and therefore comply with Policy 29.

7.77 **Impact upon PROW**

7.78 Part of WSTN/8/1 and all of WSTN/7/1 PROW's cross the site. PROW WSTN 8/1 is proposed to remain open at all times during the Construction Period. A temporary suspension of 980 m of PROW Wstn/7/1 and diversion during construction is proposed.

7.79 Two potential diversion route options are indicated to maintain access and PROW network links. The proposed temporary diversions will route to the north of the existing 4ZM overhead line with the preferred option routing along a private road and the alternative option routing adjacent to the existing field boundary and both options returning along Marsh Road for connections to footpath Wstn/8/1. The diversions will result in an additional 600-750 m walking distance for users of the PRoW throughout the duration of the proposed construction works.

7.80 The final design of the Substation will confirm the exact diversion route in agreement with the County Council.

7.81 The temporary diversion for a Public Right of Way (PROW) is a separate legal process independent of this planning application. Planning permission does not grant the right to close or obstruct a path. The Applicant will need to apply for a Temporary Traffic Regulation Order (TTRO) or use specific statutory diversion powers (such as under the Town and Country Planning Act) via the local highway authority.

7.82 The Outline CEMP submitted as part of the Planning Application include measures to ensure that the users of these PROW's are not unduly affected by the Construction Activities. The Outline CEMP includes a commitment (TT03) to apply to the County Council for all necessary consents for the temporary diversion of PROW Wstn/7/1.

7.83 **Impact of Construction Activity**

7.84 Policy 30 'Pollution' Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon: health and safety of the public; the amenities of the area; or the natural, historic and built environment; by way of: air quality, including fumes and odour; noise including vibration; light levels; land quality and condition; or surface and groundwater quality.

7.85 The closest properties are at Crowtree Farm including the Wigwam site, Marsh House Farm,

Pickmere and Base Cottages. These properties and other properties in proximity to the Proposed Development will potentially be subject to disturbance during the construction period.

7.86 The proposed core hours for construction are Monday to Friday 07.00 to 19.00 and 08.00 to 17.00 Saturday, Sunday, Bank Holidays and Other Public Holidays. The core construction working hours exclude start up and close down activities which could take up to one hour before or after the core construction working hours.

7.87 As part of the planning application an Outline CEMP has been submitted. The Outline CEMP provides control and management measures to ensure that impact of the construction activities would be kept to a minimum including hours of operation, site management, noise abatement, dust management, pollution prevention and control. The final CEMP is secured via Planning Condition based upon the parameters within the Outline CEMP. The EHO has made comments in respect of the CEMP, to ensure that all sensitive receptors are identified including the Wigwam Site and construction impacts mitigated against within the final CEMP, and recommended conditions in regard to the CEMP, Lighting Nosie and Vibration and Land Contamination.

7.88 Any potential impacts of the Construction Activity are temporary in nature, and the CEMP provides control and management measures to mitigate the impacts of construction and therefore the proposed development complies with policy 30.

7.89 **Construction Traffic Impacts**

7.90 Policy 33 'Delivering a More Sustainable Transport Network' - reinforces the national approach to promoting sustainable alternatives to the car through new development, making the best use of, and seek improvements to, existing transport infrastructure and services. Solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel are supported.

7.91 The proposals include a temporary haul road. The temporary haul road would be constructed from Stone Gate to facilitate the Substation Works and provide access for HGVs and LGVs. Highway widening improvement works are also proposed at Stone Gate. Both of these measures are in order to manage the impacts of Construction traffic.

7.92 The Construction Traffic routes are also confirmed as three distinct categories of access routes based on their suitability for construction-related traffic:

1) 'Core Routes - the A16 and A17 are identified as the main A-roads providing strategic connection across the wider area and are deemed suitable for use by both construction workers and HGVs.
2) Local Links - the A151 and Stone Gate are local links providing local access from the main A-roads to the haul route for access to the construction compounds. These have been assessed as generally suitable for HGV access, with localised improvements including widening or provision of passing places.
3) Worker Routes - additional routes through Spalding to Marsh Road and local routes through Moulton, Whaplode and Spalding are identified as worker access routes. These are additional local roads and junctions not promoted for HGV use, but which may be used by workers cars/LGVs for accessing the Works sites.'

7.93 As part of the planning application an Outline CTMP has been submitted. The Outline CTMP provides control and management measures to ensure that impact of the construction traffic would be kept to a minimum.

7.94 The Highway Authority have raised no objection subject to conditions in regard to the submission of CTMP based upon the outline CTMP and the completion of the road widening at Stone Gate. The final CTMP is secured via Planning Condition based upon the parameters within the Outline CTMP.

7.95 Any potential impacts of the Construction Traffic are temporary in nature and the CTMP provides control and management measures to mitigate the impacts of Construction traffic and therefore the Proposed Development comply with policy 33.

7.96 **Socio Economics**

7.97 The SELLP does not have a single policy that considers this issue. However, Policy 31: Climate Change and Renewable and Low Carbon Energy does relate to this issue in part owing to it supporting renewable energy development. As a consequence, it encourages economic activity through the construction of such schemes and with its links to mitigating climate change ameliorates societal impact.

7.98 A socio-economic impact assessment was submitted with the Application. The socio-economic impact assessment concludes that:

The Scheme is expected to create 76 (fulltime equivalent) jobs per year on average during the construction phase. Whilst a temporary benefit, the increase in economic activity will result in increased National Grid spending in the local economy such as in shops, hotels and amenity facilities, and will support related industries in the supply chain.

7.99 A planning condition will secure a skills supply chain and employment plan. Such a Plan is required to ensure that opportunities for individuals and businesses to access employment and supply chain opportunities associated with the development and the means for publicising such opportunities are identified and implemented.

7.100 Although it is not for consideration during the decision-making process for this Planning Application Members should be aware that there will be a Community Fund available on the basis that the Substation is Transmission Infrastructure that falls within the Government Guidance upon Community Funds for Transmission Infrastructure.

7.101 **Cumulative Impacts**

7.102 This section assesses the potential cumulative effects of the Proposed 400 KV Substation in combination with other existing, consented or reasonably foreseeable developments.

7.103 Cumulative effects are required to be considered to ensure that a site does not lead to an unacceptable incremental accumulation of environmental pressures. This assessment considers both inter-project effects (the interaction of different environmental impacts from this project on a single receptor) and intra-project effects (the combined impact on this project alongside other developments).

7.104 The Applicant has submitted a Cumulative Effects Assessment Report to accompany the application. The following NSIP schemes have been identified that could interact with the Proposed Development:

·Grimsby to Walpole (pre-application stage)
·Overhead Line works to OHL 2WS and 4ZM (under consideration by SOS)
·Weston Marsh to East Leicestershire (pre-application stage)
·Meridian Solar Farm (at Examination)
·Outer Dowsing Offshore Wind Farm (DCO made)

7.105 The key cumulative Assessment topics are considered to be:

·Loss of BMVAL
·Landscape and Visual
·Cultural Heritage
·Impact of construction activities

7.106 Officers have carefully evaluated the combined footprint of the Proposed Development alongside surrounding applications. While the physical and visual scale of high voltage infrastructure is inherently large the robust legally binding mitigation measures, ensures that the cumulative environmental impacts do not exceed acceptable thresholds in regard to the above topics. Therefore, the Proposed Development complies with local and national policy regarding cumulative impacts.

7.107 **Other Matters**

7.108 InterGen do not say they object to the principle of the Substation but to the grant of planning permission without the agreement on Protective Provisions. The provisions are required to legally secure the physical integrity, operational safety and unrestricted maintenance access during both the construction and operation of the Proposed Development.

7.109 The Applicant is in discussion with InterGen and are confident that such Protective Provisions can be agreed outside of the planning process and Members will be updated verbally at Planning Committee.

7.110 **Benefits of the Substation**

7.111 The following are considered to be the Benefits of the Proposed Development:

·Net Zero and Clean Energy Benefits: The Scheme will make a significant contribution to the UK's decarbonisation requirements and climate change targets. The Scheme supports the reduction of reliance on fossil fuels, and helps towards achieving the target of a fully decarbonized electricity system by 2035.

·Clean Energy Integration: The Scheme will assist in ensuring that the supply of energy remains secure, reliable and affordable by providing a connection to the grid for a renewable energy generation project which would provide 1.5 GW of power to the UK energy supply.

·Energy Security and Independence: By providing a connection to the grid for the ODOW project, the Scheme supports the supply of clean, renewable energy from a domestic source, to help reduce the UK's dependence on volatile imported fuels, stabilising energy costs.

·Meeting Increased Demand: By providing a connection to the grid for the ODOW project, the Scheme supports the upgrading of the electricity transmission network to handle a predicted doubling of electricity demand by 2050.

·Improved Reliability and Modernization: The Scheme will provide infrastructure with new, more efficient power lines, that will strengthen the overall network and enable a more automated, efficient, and flexible system.

·Habitat creation and enhancement: The Substation Works will deliver biodiversity benefits through a combination of on-site and off-site habitat creation and enhancement.

·Economic Growth and Employment: The Scheme is expected to create 76 (fulltime equivalent) jobs per year on average during the construction phase. Whilst a temporary benefit, the proposal is considered to result in increased economic activity.

·Highway widening improvements at Stonegate designed to a permanent standard and capable of adoption by the Highway Authority.

7.112 **Public Benefits Test**

7.113 It is considered that the proposed development will cause a degree of harm to the setting of designated Heritage Assets and has the potential to cause harm to unknown buried archaeology deposits as identified at the Historic Environment section of this Report.

7.114 Harm to Heritage Assets should be given considerable weight and importance. Substantial weight should be given to the benefits of improving energy security, supporting economic development and transition to a net zero future in respect of renewable and low carbon energy developments and electricity network Infrastructure.

7.115 It is considered that the Public Benefits identified at the Benefits section of this report outweigh the harm caused to Heritage Assets by virtue of localised direct impacts on potential subsurface archaeological remains and indirect impacts upon the setting of nearby designated heritage assets.

7.116 **Planning Balance**

7.117 As detailed within section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that Local Planning Authorities make decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.118 The proposed development of a 400 KV Substation is needed in order to connect the consented Outer Dowsing Offshore Windfarm into the Grid. The Outer Dowsing Offshore Windfarm is a Critical National Infrastructure, and the Development Consent Order for the Project establishes a number of significant Renewable Energy and Economic Benefits. These factors should be given substantial weight in the Planning Balance as required by the Framework and the NPS. Further Policy W3 of the Framework requires substantial weight to be given to the benefits of improving electricity network Infrastructure.

7.119 Such benefits should be weighed against the localised environmental and community impacts of the proposed Substation both in terms of operation and construction. In addition, the proposed development of a Substation will facilitate local employment and supply chain opportunities during the construction phase via the Skills and Employment Plan to be secured via a planning condition.

7.120 The proposed Substation will cause a number of adverse impacts particularly upon the loss of Best and Most Versatile Agricultural Land, landscape and visual receptors, cultural heritage and potential disruption to residents during the construction phase. There are however a number of mitigation measures that have been put in place and secured via planning condition to reduce and minimise these adverse impacts as far as practicable.

7.121 With the proposed mitigation secured via planning conditions, the Critical National Priority for the Infrastructure and the substantial weight to be given to benefits improving energy security, supporting economic development and transition to a net zero future in respect of renewable and low carbon energy developments and electricity network Infrastructure, there are considered to be significant material considerations in this case that would substantially outweigh the harm identified, therefore the planning balance is for the proposal.

7.122 **Additional Considerations**

7.123 Public Sector Equality Duty

7.124 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.

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

7.126 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.

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

7.128 Human Rights

7.129 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).

7.130 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.

7.131 **Conclusion**

7.132 Taking these material factors into consideration, the proposal is considered to broadly accord with the Policies of the SELLP, accord with the polices of the NPPF and the NPS. With the proposed mitigation secured via planning conditions, the Critical National Priority for the Infrastructure and the substantial weight to be given to benefits improving energy security, supporting economic development and transition to a net zero future in respect of renewable and low carbon energy developments and electricity network Infrastructure, there are considered to be significant material considerations in this case that would substantially outweigh the harm identified, therefore the planning balance is for the proposal.

8.0 RECOMMENDATIONS

8.1 It is recommended that the Application be APPROVED subject to the conditions contained within 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 herby permitted shall be carried out in accordance with the following approved plans:

   GWNC-WSP-ZZZZ-ZZZZZ/PLN-PM-00001 Site Location Sheets 1-4
   GWNC-WSP-ZZZZ-ZZZZZ/PLN-PM-00003 -Topographical Survey Sheets 1 -32
   GWNC-WSP-ZZZZ-ZZZZZ/PLN-PM-00004 - Typical Fence Plan
   GWNC-WSP-ZZZZ-ZZZZZ/EN-000001 Site Layout Plam 1-14
   GWNC-WSP-ZZZZ-ZZZZZ/EN-000003 Substation Proposed Elevations
   GWNC-WSP-ZZZZ-ZZZZZ/EN-000004 Substation Layout
   GWNC-WSP- ZZZZ-ZZZZZ- DRW-EN-000001 A Cesspool Details
   GWNC-LST- H70-ZZZZZ- DRW-EN-000029 A Illustrative watercourse outfall basin
   GWNC-LST- H70-ZZZZZ- DRW-EN-000030 A Illustrative Bridge Detail for Watercourse Crossing
   GWNC-LST- H70-ZZZZZ- DRW-EN-000031 A Illustrative Culvert Detail for Watercourse Crossings
   GWNC-LST-OH70- ZZZZZZ-DRW-EN-000032 B Illustrative Construction Compound
   PDD-100944-HWY-953 Rev P01- Indicative Road widening and drainage alterations

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

3. With the exception of the enabling works as defined in the informative, no development shall commence until details of:

(a) the layout, scale, elevations and external appearance of the substation;
(b) proposed finished ground levels;
(c) operational lighting;
(d) hard surfacing materials; and
(e) vehicular and pedestrian access, parking and circulation areas,

have been submitted to and approved by the Local Planning Authority. The details submitted must be in accordance with the Planning, Design and Access Statement. Thereafter, the development must be carried out in accordance with the approved details.

Reason: To ensure that the development meets a high standard of design and respects the character of the surrounding area.

4. With the exception of the enabling works as defined in the informative, no development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The submitted CEMP must be in accordance with the submitted Outline CEMP including table 1.2 Management Plans, 5.1 Overarching Environmental Commitments and 5.2 to 5.12 Control and Management Measures. All Construction works shall be undertaken in accordance with the approved CEMP.

Reason: To safeguard the residential amenities, and prevent pollution of the air, soil, and water environment during the construction phase.

5. With the exception of the enabling works as defined in the informative, no development shall commence until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved by the Local Planning Authority. The submitted LEMP must be in accordance with the submitted Indicative Landscape and Ecological Mitigation Proposals and the specification at table 1.2 of the Outline CEMP. All works shall be carried out in accordance with the approved LEMP.

Reason: to ensure the protection, maintenance and enhancement of the sites natural assets and mitigate environmental effects

6. With the exception of the enabling works as defined in the informative, no development shall commence until the final design details of the drain diversion in relation to the main substation works as defined by the informative, have been submitted to and agreed in writing with the Local Planning Authority in consultation with the Environment Agency and the South Holland Internal Drainage Board. Development must be carried out in accordance with the approved details.

Reason: To ensure that the diverted drain meets the appropriate design standards and to ensure that the drainage system operates effectively.

7. With the exception of the enabling works as defined in the informative, the development hereby permitted shall not be commenced until such time as a scheme to isolate and dispose of substation drainage (in the event of a fire or pollution incident) has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented as approved.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

8. With the exception of the enabling works as defined in the informative, the development hereby permitted shall not be commenced until such time as a scheme to contain and dispose of construction wastewater (from concrete washout and wheel washing activities) have been submitted to, and approved in writing by, the LPA. The scheme shall be implemented as approved.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

9. The development hereby permitted shall be carried out accordance with the approved Flood Risk Assessment including the specified Flood Risk Mitigation Measures.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 19 of the National Planning Policy Framework.

10. With the exception of the enabling works as defined in the informative, no development shall commence until a Soil Management Plan (SMP) has been submitted to and approved by the Local Planning Authority. The submitted SMP must be in accordance with the submitted Outline SMP at Annex A of the Outline CEMP and the specification at table 1.2 of the Outline CEMP. All Construction works shall be undertaken in accordance with the approved SMP.

Reason: To protect soil as valuable resource and ensure it is nor permanently damaged during the construction phase

11. Any land within the Planning Application site which is used temporarily for construction and operation of the Temporary Haul Road and not ultimately incorporated in permanent works or approved landscaping must be reinstated, in accordance with such details to be submitted to and approved by the Local Planning Authority, within twelve months of completion of the development or such other period as the local planning authority may approve.

Reason: In the interest of proper planning and to ensure that the Temporary Hau Road is reinstated.

12. Prior to the installation of any operational external lighting associated with the development hereby permitted, a detailed External Lighting Scheme and Light Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, as a minimum, the following information:

a) A layout plan showing the exact position, height, type, and orientation of all proposed external lighting units, luminaires, and support structures.
b) Full technical specifications of all luminaires, including manufacturer data sheets, lamp types, wattage, lumen output, colour , and spectral distribution profiles.
c) Details of optical control measures, including hoods, cowls, louvres, shields, or asymmetric lenses designed to eliminate upward light output and minimize lateral light spill.
d) A comprehensive Isolux diagram (contour plot) showing predicted horizontal and vertical illuminance levels (in Lux) mapped across the site and extending a minimum of 10 meters beyond the site boundaries.
e) An Operational Management Plan for the lighting, specifying standard operating hours, automated curfew protocols, dimming profiles for off-peak hours, and emergency/security lighting overrides.

The external lighting shall be installed, tested, maintained, and operated strictly in accordance with the approved details thereafter. Within 1 month of the installation being completed, a post-commissioning verification report by a qualified lighting engineer shall be submitted to the Local Planning Authority to confirm compliance with the approved parameters.

Reason: To minimize light pollution, safeguard the visual and residential amenities of the locality

13. No development shall commence until the applicant, or their agents has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. This WSI shall include:

1. An assessment of significance and proposed strategy for evaluation
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 works shall be undertaken in accordance with the approved WSI.

Reason: To ensure and secure the appropriate preparation and archaeological evaluation, prior to development, in compliance with Section 20 of the National Planning Policy Framework and Policy 29 of the South East Lincolnshire Local Plan.

14. 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 13 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in compliance with Section 20 of the National Planning Policy Framework and Policy 29 of the South East Lincolnshire Local Plan, 2019.

15. The development hereby permitted shall not be first brought into operation, until a copy of the final report required in connection with the approved written scheme of investigation, as required by Conditions 13 and 16, is submitted to and approved in writing by the Local Planning Authority. This final report shall also be submitted to the Lincolnshire Historic Environment Record within three months of completion of the work.

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 and archiving of possible archaeological remains in compliance with Section 20 of the National Planning Policy Framework and Policy 29 of the South East Lincolnshire Local Plan.

16. No development hereby permitted shall be carried out, other than those works detailed in accordance with the written scheme of investigation approved under Condition 18, until a separate Archaeological Mitigation Strategy for the mitigation phase, has been submitted to and approved in writing by the Local Planning Authority; unless the evaluation undertaken under Condition 18 explicitly demonstrates that archaeological mitigation is not required.

The Archaeological Mitigation Strategy shall set out:
1. The scope and methodology of the mitigation (e.g. strip, map and record, excavation, monitoring)
2. Provision for analysis, reporting, publication and dissemination
3. Provision for archive deposition
4. Nomination of a competent organisation to undertake the work
5. Compliance with the Lincolnshire Archaeological Handbook.

The archaeological mitigation shall be undertaken in accordance with the approved Archaeological Mitigation Strategy and shall be completed in its entirety prior to the first occupation or use of the development hereby permitted.

Reason: To ensure that any archaeological remains are appropriately mitigated in compliance with Section 20 of the National Planning Policy Framework and Policy 29 of the South East Lincolnshire Local Plan, 2019.

17. With the exception of the enabling works as defined in the informative, no development shall commence until a skills, supply chain and employment plan has been submitted to and approved by the Local Planning Authority. The skills, supply chain and employment plan must identify opportunities for individuals and businesses to access employment and supply chain opportunities associated with the development and the means for publicising such opportunities. The skills, supply chain and employment plan must be implemented as approved.

Reason: To ensure that the scheme provides local economic and social benefits.

18. With the exception of the enabling works as defined in the informative, no part of the development hereby permitted shall be commenced before the works to improve the public highway by means of widening Stone Gate (as shown indicatively on drawing number PDD-100944-HWY-953 Rev P01) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

19. With the exception of the enabling works as defined in the informative, the development hereby permitted shall be undertaken in accordance with a Detailed Construction Traffic Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Detailed Plan and Statement shall be based on the submitted Outline CTMP and 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.

20. With the exception of the enabling works as defined in the informative, the permitted development shall be undertaken in accordance with a detailed surface water drainage strategy (SWDS) which shall first have been approved in writing by the Local Planning Authority prior to the commencement of development. The detailed scheme shall be in accordance the submitted Outline SWDS. The scheme shall:

· be based on verified groundwater levels and seasonal variations, as evidenced through on-site monitoring conducted over a six-month winter period;
· be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
· provide flood exceedance routing for storm event greater than 1 in 100 year;
· provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
· provide attenuation details and discharge rates which shall be restricted to 2/L/HA or greenfield Qbar rate whichever is the greater;
· provide details of the timetable for and any phasing of implementation for the drainage scheme; and
· provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall not be brough into use the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

21. With the exception of the enabling works as defined in the informative, no development hereby permitted shall commence until an assessment of construction noise and vibration has been submitted and approved in writing by the LPA. The assessment shall be undertaken in accordance with BS 5228-1 &2:2009+A1:2014. Where recommendations are made, these shall be used to inform the CEMP and throughout all site works, Best Practicable Means (BPM) as defined by Section 72 of the Control of Pollution Act 1974 shall be employed to control emissions and ensure no significant adverse impact is caused at any noise-sensitive receptor.

Reason: To safeguard the residential amenities, to control noise and vibration emissions and to ensure no significant adverse impacts at sensitive receptors during the construction phase.

22. No development shall commence until a biodiversity gain plan including a habitats management & monitoring plan has been submitted to and approved in writing by the Local Planning Authority. The development shall 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) and Policy 28 of the Local Plan

23. With the exception of the enabling works as defined in the informative, no development hereby permitted (except demolition and site clearance) within any approved phase shall commence until the following land contamination documents have been submitted to and approved in writing by the Local Planning Authority:

I. Generic Quantitative Risk Assessment (GQRA)
Submission of this document is the minimum requirement.
II. Detailed Quantitative Risk Assessment (DQRA).
Submission of this document if GQRA requires it.

The documents referred to above shall characterise potential risk to sensitive receptors, giving consideration to human health, controlled waters and the wider environment and be prepared in accordance with the following guidance: Land Contamination Risk Management (LCRM).

Reason: To prevent unacceptable risk to human health and controlled waters, and to prevent pollution of the environment in accordance with the aims and Policy P2 Ground Conditions of the National Planning Policy Framework (August 2026).

24. If required by condition 23 above, no development hereby permitted (except demolition and site clearance) within any approved phase shall commence until the following land contamination documents have been submitted to and approved in writing by the Local Planning Authority:

I. Remedial options appraisal.
Submission of this document if approved 'GQRA or DQRA' requires it.

II. Remediation strategy.
Submission of this document if approved 'GQRA or DQRA'' requires it.

III. Verification plan.
Submission of this document if approved 'GQRA or DQRA'' requires it

The documents referred to above shall be informed by the findings of the approved' GQRA/DQRA' and prepared in accordance with the following guidance: Land Contamination Risk Management (LCRM).

Reason: To prevent unacceptable risk to human health and controlled waters and to prevent pollution of the environment in accordance with the aims and Policy P2 Ground Conditions of the National Planning Policy Framework (August 2026).

25. If required by condition 24 above, the development hereby permitted within any approved phase shall not be occupied or brought into use until the following land contamination works are completed:

I. Any required remediation works have been completed in accordance with the approved remediation strategy and;
II. A verification report has been submitted to and approved in writing by the Local Planning Authority.

The verification report must include information validating all remediation works carried out within any approved phase; details of imported material source/quantity/suitability); details of exported materials; and details of any unexpected contamination. The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management(LCRM).

Reason: To prevent unacceptable risk to human health and controlled waters and to prevent pollution of the environment in accordance with the aims and Policy P2 Ground Conditions of the National Planning Policy Framework (August 2026).

26. The development hereby permitted within any approved phase shall not be occupied or brought into use until written confirmation is provided to the Local Planning Authority in relation to the following land contamination considerations:

· Unexpected or previously-unidentified contamination was not encountered during the course of development works or;
· Any such contamination that was encountered has been appropriately addressed.

Reason: To prevent unacceptable risk to human health and controlled waters and to prevent pollution of the environment in accordance with the aims and Policy P2 Ground Conditions of the National Planning Policy Framework (August 2026).

27. If, during development, unexpected or previously-unidentified contamination is found to be present, no further works shall be carried out at the affected location until the following documents have been submitted to and approved in writing by the Local Planning Authority:

I. Risk assessment (GQRA or DQRA);
II. Remediation strategy and verification plan;

Where remediation is required, it shall be carried out in accordance with an approved remediation strategy and verification plan. Upon completion of remediation works, a verification report shall be submitted to the Local Planning Authority for approval. The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management (LCRM).

Reason: To prevent unacceptable risk to human health and controlled waters and to prevent pollution of the environment in accordance with the aims and Policy P2 Ground Conditions of the National Planning Policy Framework (August 2026).

28. No development shall hereby commence until the details of the enabling works have been submitted and approved by the Local Planning Authority. This will include details of the bell mouth access from Stone Gate, trackway material, road widening details for Stone Gate, details for the temporary construction compound north of Stone Gate and details of associated temporary ancillary infrastructure. Thereafter, the development shall be undertaken in accordance with the approved details.

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

29. No development shall commence until an Enabling Works Construction Management Plan (EWCMP) has been submitted and approved by the Local Planning Authority. The EWCMP must be in accordance with the Outline CEMP. Thereafter, the development shall be undertaken in accordance with the approved EWCMP.

Reason: To safeguard the residential amenities, and prevent pollution of the air, soil, and water environment during the enabling works phase.

30. **Informatives**

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 by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

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

31. **Public Right of Way**

The granting of planning permission does not authorise any definitive closure, diversion or obstruction of PROW Wstn/7/1 which crosses the application site. The right of way must remain unobstructed and open for safe public use at all times unless a statutory legal order is in place.

If the PROW cannot be safely maintained on its current alignment during construction works, the developer must apply to the Highway Authority to temporarily close or divert the path. This application must be approved, confirmed and implemented prior to the commencement of any works that would impact the path.

32. **Land Drainage Consent**

Under Section 23 of the Land Drainage Act 1991 you must obtain formal Land Drainage Consent before starting any works that alter, obstruct or affect the flow of an ordinary watercourse, independently of whether you have planning permission.

33. Enabling and Main Substation Works Informative

For the avoidance of doubt, where conditions attached to this permission refer to "Enabling Works", those works comprise the construction of a bell mouth from Stone Gate and the trackway from Stone Gate to the platform of the substation, highway improvement and road widening works along Stone Gate, and the establishment of the temporary construction compound north of Stone Gate, together with any associated site clearance, temporary works, and ancillary infrastructure (including temporary task lighting, temporary traffic management alongside street works signing, lighting, and guarding in accordance with the New Roads and Street Works Act (NRSWA), fencing, and welfare facilities) necessary to facilitate those works. This informative is provided to clearly identify the scope of the Enabling Works and to avoid repetition within the wording of the planning conditions.

The main substation works are defined as the construction of the permanent substation development, including earthworks for the operational platform, foundations, installation of electrical plant and equipment, construction of control buildings, internal access roads, drainage infrastructure, security fencing, lighting, landscaping, utility connections and all other operational infrastructure associated with the approved substation.

34. **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

Name and Post:	Nick Atkinson , Lead Development Management Planner (Interim) - BBC & SHDC
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Appendices attached to this report:

Appendix A Plan A