



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Planning Committee

27 July 2023



### S23/0511

<b>Proposal:</b>	Installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of 27 megawatts (MW), including mounting system, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure, landscaping and environmental enhancements for a temporary period of 40 years.
<b>Location:</b>	Washdyke Farm, Billingborough Road, Folkingham
<b>Applicant</b>	GS Ignis Limited
<b>Agent:</b>	Wardell Armstrong LLP
<b>Application Type:</b>	Full Planning Permission (Major)
<b>Reason for Referral to Committee:</b>	At the discretion of the Assistant Director of Planning
<b>Key Issues:</b>	Principle of Development / Climate Change Impact on Agricultural Land Visual Impact on the Landscape Impacts on ecology and biodiversity.
<b>Technical Documents:</b>	<ul style="list-style-type: none"><li>• Agricultural Land Classification Report</li><li>• Alternative Site Assessment</li><li>• Arboricultural Impact Assessment</li><li>• Archaeology and Heritage Statement</li><li>• Construction and Environmental Management Plan</li><li>• Flood Risk Assessment</li><li>• Glint Assessment</li><li>• Landscape and Ecological Management Plan</li><li>• Landscape and Visual Impact Appraisal</li><li>• Planning, Design and Access Statement</li><li>• Phase I Ground Investigation Study</li><li>• Preliminary Ecological Appraisal</li><li>• Statement of Community Involvement</li><li>• Noise Technical Note</li><li>• Biodiversity Net Gain Technical Note</li><li>• Transport Statement</li></ul>

Report Author

Adam Murray – Principal Development Management Planner



01476 406080



Adam.Murray@southkesteven.gov.uk

**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Toller**

**Reviewed by:**

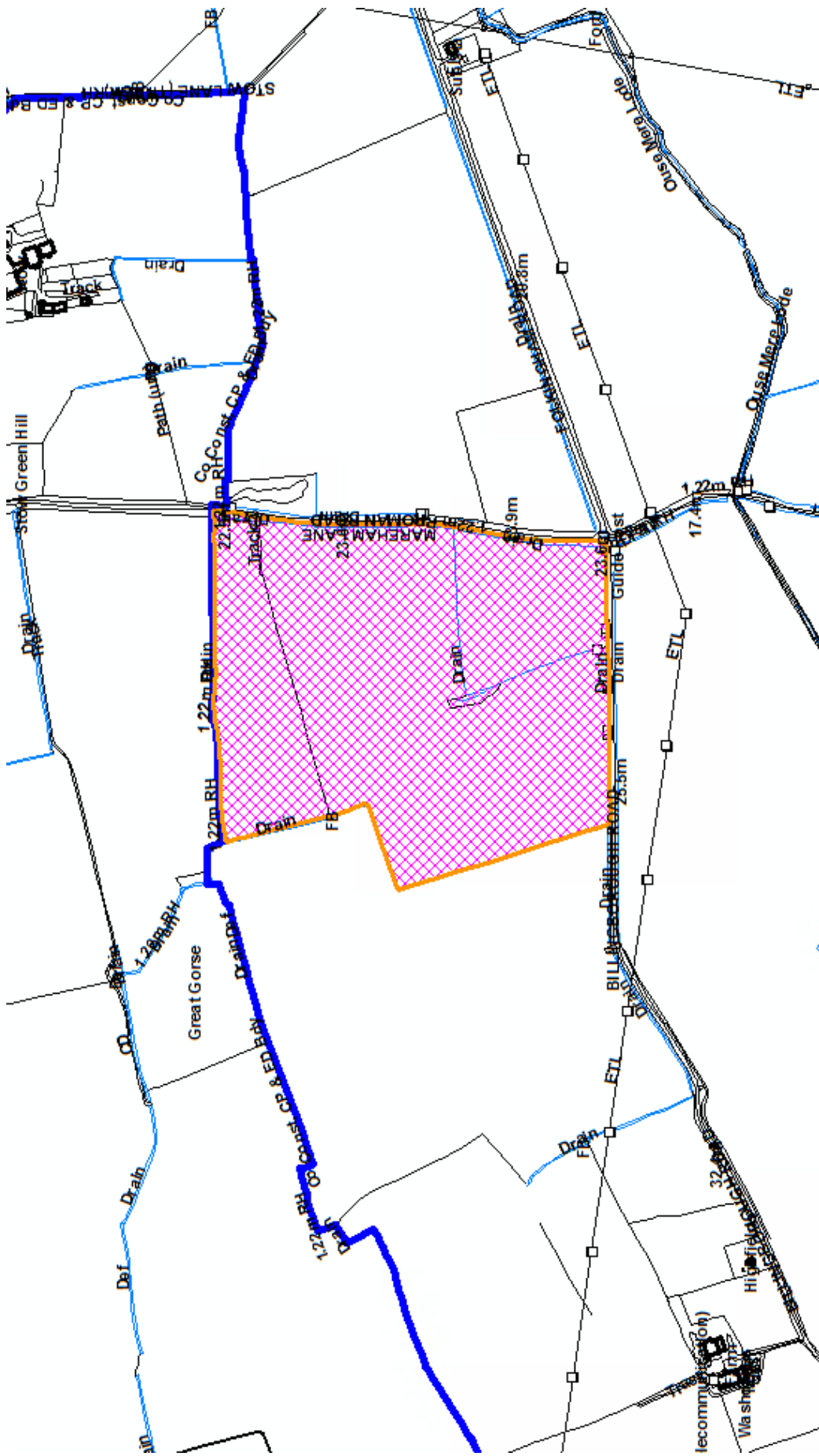
Emma Whittaker – Assistant Director of Planning

17 July 2023

**Recommendation (s) to the decision maker (s)**

To authorise the Assistant Director – Planning to REFUSE planning permission

# S23/0511 – Washdyke Farm, Billingborough Road, Folkingham



Key



Application  
Boundary



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# 1 Description of the site

- 1.1 The application site comprises an area of approximately 27 hectares (66.7 acres) of broadly L-shaped land associated with Washdyke Farm, to the north of Billingborough Road and west of Mareham Lane, Folkingham. The site is located approximately 800m east of Washdyke Farmhouse, bounded by Billingborough Road to the south and Mareham Lane to the east; with further arable agricultural land to the north and west.
- 1.2 The site is made up of a single parcel of agricultural land, which is split into two areas and currently in arable use; a field to the south-east and the remaining site area to the north and west. The boundary between the two fields consists of a wet ditch and vegetation. The site itself is generally flat and slopes gently to the south, and is enclosed by rows of mature hedgerows, trees and ditches. An existing field access is available on Mareham Lane, as well as an additional access on Billingborough Road to the south.
- 1.3 A public right of way cross the northern part of the site in an east-west direction linking Folkingham and Mareham Lane, and there is a further public right of way to the west of the proposed development site. The administrative area of North Kesteven lies immediately to the northern boundary of the site.
- 1.4 The application site is located within an area of agricultural land uses; however, it occupies a prominent position to the north-west of the Billingborough Road / Mareham Lane crossroads with the prominence of the site enhanced by the presence of mature wooded area to the north-west and east of the site.
- 1.5 The site is located outside of the main built-up area of a defined settlement within the District; the nearest villages are Threkingham (1 mile to the north), Folkingham (1.5 miles to the west) and Billingborough (1.5 miles to the east). The hamlets of Stow and Birthorpe are located to the north-east and south-east respectively. There are further isolated farmsteads in the surrounding area.
- 1.6 The site is identified as falling within Flood Zone 1 of the Flood Map for Planning and is also identified as being at very low risk of surface water flooding. Furthermore, the Natural England Provisional Agricultural Land Classification Maps identifies the site as being Grade 2 (Very Good Quality) and Grade 3 (Good to Moderate Quality) agricultural land; a detailed Agricultural Land Classification Survey has been completed as part of the application submission, and this is discussed in further detail below.
- 1.7 The site is not subject to any statutory landscape designations. However, the site is located within the Kesteven Uplands Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by a relatively unified, simple, medium scale agricultural landscape with a high proportion of historical woodland. Similarly, the proposed development site does not contain any designated or non-designated heritage assets, however, there is a Scheduled Ancient Monument situated approximately 400m north-east of the site, which comprises the site of an Anglo-Saxon nunnery and medieval chapel at Stow Green. In addition, there are also a number of Listed Buildings located within the nearby villages of Folkingham, Billingborough and Threkingham, with Folkingham and Billingborough also containing designated Conservation Areas.

- 1.8 Furthermore, the site does not contain any designated or non-designated ecological sites. The nearest designated is the Threekingham Road Verges, which is a designated Local Wildlife Site, situated approximately 700m north of the site, which is designated for its 1km continuous length of calcareous grassland.
- 1.9 The proposed development site has not been the subject of any previous planning applications. However, the application proposals have been the subject of an Environmental Impact Assessment [EIA] Screening Opinion (LPA Ref: S22/1815) in October 2022, which concluded that the proposed development was not defined as being EIA development, and therefore, the current application was not required to be accompanied by an Environmental Statement.
- 1.10 It is acknowledged that the application site is located within close proximity to the proposed Temple Oaks Renewable Energy Park, which is a proposed Nationally Significant Infrastructure Project (NSIP) for a proposed development of a 240MW solar farm, including battery storage, located at the former RAF Folkingham airfield and surrounding land, situated approximately 2km south-west of Folkingham village centre. However, the proposed Temple Oaks project is currently at pre-application stage and therefore it is not appropriate to consider any cumulative impacts associated with that proposal as part of the determination of the current application.

## **2 Description of the proposal**

- 2.1 The current application seeks full planning permission for the installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of 27 megawatts (MW), including mounting system, inverters, underground cabling, stock proof fencing, CCTV, internal access tracts, and associated infrastructure, landscaping and environmental enhancements for a temporary period of 40 years.
- 2.2 The submitted Planning Statement confirms that the proposed solar farm is anticipated to have a maximum energy generating capacity of 27MW, which would provide sufficient energy to power up to 8,710 homes per annum. The proposed development would be operational for a 40 year period and at the end of this period, all solar modules and supporting infrastructure would be removed for the site, and the land returned to the current arable, agricultural use.
- 2.3 The application submission has been accompanied by a series of Proposed Plans and Elevations, as well as a number of detailed technical assets, which identify that the development would comprise of the following elements:-
- 2.4 Solar Photovoltaic (PV) panels would be arranged on a simple metal framework (table) aligned east-west across the site and facing south to maximise solar exposes. The panels would be constructed from toughened glass with a non-reflective layer underneath, which are set on an aluminium framework. The proposed arrays would be tilted at a 15-20 degree angle and would be a maximum height of 3m above ground and will be spaced with approximately 3m between each road to avoid overshadowing. The inverters would be located on the underside of the solar array and would be installed approximately 1m above the ground.

- 2.5 The submitted Proposed Block Plan and Proposed Access Plan indicates that access to the site would be taken via the existing field access on Mareham Lane; and the proposed PV arrays would be connected by an internal network of access tracks which would be 3.5m wide and would be constructed of a permeable crushed stone.
- 2.6 5(no) transformer stations would be positioned around the site immediately adjacent to the internal access road. The transformer stations would be approximately 2.9m high by 6.1m in length and 2.45m in width, and are typically enclosed in a brick / fibreglass enclosure.
- 2.7 1 (no) District Network Operator (DNO) Substation would be located immediately adjacent to the access to the site from Mareham Lane, which would house the necessary Low Tension and High Tension switchgear and control panels, and a transformer, and underground cabling feeding into the substation would be backfilled across the site. The DNO substation would measure approximately 2.6m in height, 3.6m in width and would have a depth of approximately 3.1 metres.
- 2.8 1(No) customer control building would be positioned adjacent to the DNO substation and would measure 2.85m in height, 2.4m in width and 4.5m in length.
- 2.9 A single storage container for spare parts would be located within the central compound containing the customer control building and DNO substation and would be 12.2m in length, 2.8m in height, and 2.45m in width.
- 2.10 The PV arrays and associated equipment would be enclosed by stock (deer) fencing which will be 2m high and would include small mammal holes to enable the continued free passage of animals. The proposed fencing would be timber post with wire mesh and would be pile drive into the ground.
- 2.11 CCTV cameras would also be distributed through the site for security and would be situated on 3m high galvanised steel posts.
- 2.12 As referenced above, the main access into the development will be via the existing field access onto Mareham lane along the eastern boundary of the site. This access will be upgraded to meet the highways specification for access by Heavy Goods Vehicles, with sufficient visibility and manoeuvring space to be provided to enable vehicles to enter and egress the site in a forward gear.
- 2.13 The existing public right of way (PRoW) which crosses east-west along the northern part of the site would be segregated from the proposed solar infrastructure and would be marked by the proposed boundary fencing.
- 2.14 The proposed development would connect to the National Grid via the Sleaford Substation, with electricity generated at the proposed development site being transferred to the substation via a cable buried underneath Mareham Lane.
- 2.15 The application submission has been accompanied by detailed Landscaping Strategy Plan, which indicates that the existing hedgerows and trees located within the application site boundary will be retained, and will be supplemented by 588.81m of new hedgerow planting

along the route of the PRoW to form part of a biodiversity corridor. A series of ponds are also proposed along the western boundary of the southern field and would connect into a series of swales, which would manage surface water runoff from the site and provide further opportunities for biodiversity net gain. Species rich meadow grassland seeding will be spread throughout the site to encourage grass growth around the solar panels and around the boundary of the site bat boxes, log piles and owl boxes are proposed to enhance the biodiversity value of the site. Proposed planting will include Maple, Hazel, Hawthorn, Holly, Blackthorn, Dog Rose and Guelder Rose species.

### 3 Relevant History

<u>Application Ref</u>	<u>Description of Development</u>	<u>Decision</u>
S22/1815	Request for an EIA Screening Opinion for a 27MW solar farm	EIA Not Required 29.11.22

### 4 Policy Considerations

#### 4.1 **South Kesteven Local Plan 2011-2036 (Adopted January 2020)**

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP5 – Development in the Open Countryside

Policy EN1 – Landscape Character

Policy EN2 – Protecting and Enhancing Biodiversity and Geodiversity

Policy EN3 – Green Infrastructure

Policy EN4 – Pollution Control

Policy EN5 – Water Environment and Flood Risk Management

Policy EN6 – The Historic Environment

Policy DE1 – Promoting Good Quality Design

Policy RE1 – Renewable Energy Generation

Policy ID1 – Infrastructure for Growth

Policy ID2 – Transport and Strategic Transport Infrastructure

Local Plan – Renewable Energy Appendix 3

#### 4.2 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**

#### 4.3 **National Planning Policy Framework (NPPF) (Published July 2021)**

Section 2 – Achieving sustainable development.

Section 4 – Decision-making

Section 9 – Promoting sustainable transport.

Section 11 – Making effective use of land.

Section 12 – Achieving well-designed places.

Section 14 – Meeting the challenge of climate change, flooding and coastal change.

Section 15 – Conserving and enhancing the natural environment.

Section 16 – Conserving and enhancing the historic environment.

#### 4.4 **National Policy Statement for Energy (EN-1) (Published 2011)**

4.5 **National Policy Statement for Renewable Energy (EN-3) (Published 2011)**

**5 Representations Received**

5.1 **Adjacent Authority – North Kesteven District Council**

5.1.1 Comment

5.1.2 The site lies adjacent to the southern boundary of the District and it is noted that, due to topography, views from within North Kesteven are largely restricted to the area south of the ridge which runs east-west to the north of the site and south of PRow Thre/2/1.

5.1.3 Viewpoint 9 within the Landscape and Visual Appraisal provides a useful baseline, but unfortunately the referenced View on Completion from this viewpoint (and from Viewpoint 4) is not available.

5.1.4 In addition, whilst Viewpoint 2 shows the baseline from PRow Thre/3/2, the position chosen is such that the site is largely screened by intervening hedgerows and small copse, and the more prominent views from this PRow and Thre/3/3 and Mareham Lane are not illustrated.

5.2 **Black Sluice Internal Drainage Board**

5.2.1 Comment

5.2.2 A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses of site to allow for future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed.

5.2.3 Access should be agreed with the Local Planning Authority, Lincolnshire County Council and the 3<sup>rd</sup> party that will be responsible for the maintenance. All drainage routes through the site should be maintained both during the works on site and after the completion of the works.

5.2.4 Consideration must be given to the route of flows downstream of the site from the discharge point to an appropriately maintained watercourse; this should include consideration of whether any off-site works or the need for increased maintenance will be required to safeguard the site discharge for the lifetime of the development.

5.3 **Billingborough Parish Council**

5.3.1 For the reasons listed below, Billingborough Parish Council objects to the proposed application:

(a) The Agricultural Land Classification Report states that approximately 40% of the land as classed Grade 2, approximately 10% is Grade 3A, and approximately 50% as Grade 3B. As such, this loss of currently farmed, agricultural land is contrary to the adopted Local Plan Policy RE1: Renewable Energy Criteria (a).

(b) Billingborough Parish Council is already seeing an increase in incidents of surface water flooding, this is especially a cause for concern in the Birthorpe Road area and in Birthorpe hamlet itself.

The problem of a possible increased risk of surface water flooding due to run-off from the panels to an area already classified as high risk, before any increase resulting from climate change, is of concern and has been highlighted in the Flood Risk Assessment.

- (c) The Council is concerned that when driving on Mareham Lane, there will be considerable timeframe before mitigation is established, and that the effects of glint and glare could be problematic and potentially hazardous.
- (d) The Traffic Management Plan as proposed, from the A15 to Billingborough Road is not acceptable due to the narrow width of Billingborough Road and the angle of the turning from the A15 into Billingborough Road. However, an alternative proposal to turn off the A52 to enter Mareham Lane is also unacceptable as the crossroads at the A52 is an accident hotspot and Mareham Lane carries more traffic than Billingborough Road.
- (e) There is no clarity about Section 106 monies being available, and the Developer has provided mixed and contradictory information about accessing any central funding or grants. Billingborough Parish Council requests guarantees that any monies provided are ring-fenced for use on local projects in the three parishes neighbouring the site i.e., Billingborough, Folkingham and Threkingham.
- (f) Disruption to both the public, the environment and infrastructure that will be caused by deliveries to the site and the cable being laid on Mareham Lane. It is requested that should permission be granted, a condition is applied that requires the length of Mareham Lane from the site to the A52, and from the A52 to the substation, to be resurfaced at the Developer's expense.
- (g) The safety of exiting the site at the southern end onto the Mareham Lane crossroads. The Parish Council would request that a condition is included requiring suitable modification to this junction.

#### 5.4 **Defence Infrastructure Organisation – Ministry of Defence**

5.4.1 No objections

5.4.2 The application relates to a site outside of the Ministry of Defence Safeguarding Areas. The MoD therefore has no safeguarding objections to this proposal.

#### 5.5 **Environment Agency**

5.5.1 No objection

#### 5.6 **Folkingham Village Design Group**

5.6.1 No objections

#### 5.7 **Folkingham Parish Council**

5.7.1 Comment

- (a) We are concerned that over 40% of the land proposed for the solar farm is Grade 2 agricultural land.
- (b) We would want assurances that any Section 106 function would be ring-fenced for projects within the locality; particularly Folkingham, Billingborough and Threekingham.
- (c) Support the proposed biodiversity net gain but more detail needs to be included in the ongoing management plan to ensure that this net gain is achieved.
- (d) Object to the current traffic management proposal to bring construction traffic from the A15 and along Billingborough Road from Folkingham. The road near the A15 junction is in poor condition and liable to flooding.
- (e) We have concerns about disruption along the cable route to Sleaford down Mareham Lane.
- (f) We are concerned about potential flooding on site from surface water runoff from the panels.
- (g) The solar panels should be sourced from the EU to reduce the carbon footprint.

## 5.8 **Heritage Lincolnshire**

5.8.1 No objection subject to conditions

5.8.2 The site for the proposed development lies in an area of archaeological interest. Designated heritage assets in the area of the proposed development include Scheduled Ancient Monuments:- the site of an Anglo-Saxon nunnery and medieval chapel, Stow Green, and the medieval earthwork remains of a probable medieval fortification at Folkingham. Evidence of prehistoric cropmarks, medieval and later occupation are recorded in the vicinity of the site.

5.8.3 Cropmarks of possible prehistoric enclosures are recorded in proximity of the development site and undated cropmarks of boundaries and enclosures have been recorded within the proposed development boundary. The site of a farmstead of probable 19<sup>th</sup> century date is recorded in the north-eastern part of the site.

5.8.4 The developer should be required to commission a Scheme of Archaeological Work to determine the presence, character and date of any archaeological deposits at the site. This evaluation should initially comprise geophysical survey followed by a programme of trial trenching.

## 5.9 **Lincolnshire County Council (Highways & SuDS)**

5.9.1 No objection.

5.9.2 Whilst local residents have referred to recent accidents and “near misses”, there has been no recorded Personal Injury Accidents (PIAs) in the vicinity of this site and the affected

junctions in the last 5 years. The Local Highways Authority do not consider that this proposal would result in an unacceptable impact on highway safety.

5.9.3 The proposal will generate 65(no) two-way movements per day passing through Folkingham. In highways terms, this volume of traffic can be accommodated at the junctions, within capacity and will not result in an unacceptable impact on highways safety. There may be impacts on residents amenity, noise and air pollution. However, these environmental impacts are for the Local Planning Authority to consider.

5.9.4 The Lead Local Flood Authority does not consider that this proposal would increase the flood risk in the immediate vicinity of the site.

## 5.10 **Lincolnshire County Council (Planning)**

5.10.1 Objection

5.10.2 Lincolnshire County Council objects to the proposed solar farm due to loss of best and most versatile (BMV) agricultural land. In particular, the loss of a large amount of Grade 2 (Good Quality) land, comprising 40% of the development site, is contrary to Local Plan Policy RE1 (Renewable Energy Generation) Criteria (a).

## 5.11 **Lincolnshire Wildlife Trust**

5.11.1 Holding Objection

5.11.2 In the PEA it is noted that there are skylarks on site and recognises that the species will be negatively impacted during the construction phase. Mitigation in the form of retaining foraging habitat and reinstating grassland habitat has been suggested. There is no reference, however, to the loss of skylark breeding habitat and therefore, no mitigation measures to suggested to offset its destruction as a result of this development. Skylarks require open vistas in order to breed, meaning small field margins and grassland patches are not sufficient.

5.11.3 We therefore ask that skylark mitigation plots are incorporated into the plans for the site.

5.11.4 LWT are pleased to see that a Biodiversity Net Gain calculation has been completed for the site and significant gains predicted as a result of the development. We would also commend the Applicant on an exemplary management plan which seeks to ensure the site delivers for biodiversity over a period of 40 years. The planned use of local provenance seed mix is also encouraging to see.

## 5.12 **National Grid**

5.12.1 No comments received.

## 5.13 **Natural England**

5.13.1 No comments received.

## 5.14 **SKDC Conservation Advisor**

5.15 No objection

5.15.1 The site is at an approximate distance of 2km from the villages of Folkingham, Billingborough and Threkingham.

5.15.2 Due to the distance, general topography and intervening landscaping screening, the development is not considered likely to impact on built heritage assets within these settlements.

#### 5.16 **SKDC Environmental Protection**

5.16.1 No objection subject to conditions.

5.16.2 The information contained within the Noise Technical Note by Wardell Armstrong (dated November 2022) calculates that the substation, transformers and inverters should be located at least 55m away from existing sensitive receptors to prevent noise impacts. If permission is granted, this should be secured via planning condition.

5.16.3 The Phase I Desk Study by Wardell Armstrong (dated March 2023) recommends that further targeted ground investigation to assess contamination risks may be required. Therefore, the remaining investigations should be secured via planning condition.

5.16.4 The Construction Environmental Management Plan by Wardell Armstrong (dated March 2023) has been reviewed. If permission is granted, a final version of this document should be provided, which includes construction hours and dust management for the site.

#### 5.17 **County Council – Mr M Hill**

5.17.1 I object to the proposed access for deliveries. The road between Folkingham and the application site is narrow, undulating with bends and incapable of allowing HGVs and other vehicles to pass reasonably. It would also entail extra disturbance in Folkingham as 600 (x2) long HGVs would need to negotiate a 90 degree turn on a junction with limited visibility.

5.17.2 It would be much better to access the site via the A52 from the north, which has a much better junction and Mareham Lane is wider than Folkingham Lane, allowing vehicles to pass easier. It would also avoid using the minor crossroads which also has visibility issues.

5.17.3 The Ouse mere lode and surrounding land to the application site is prone to flooding in severe rainfall incidents due to the low lying and flat topography.

5.17.4 Billingborough is occasionally at risk at the A15 does flood at the bridge. Rainfall falling off the solar panels would accentuate this problem when the land is saturated.

## **6 Representations as a Result of Publicity**

6.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and 2(no) letters of representation have been received, both of which have raised objections to the application scheme. The submitted letters have raised the following relevant material considerations:

1. The proposed development would have an adverse impact on the rural landscape.

2. The potential impacts of the development should be considered cumulatively with the Temple Woods Solar Farm proposals.
3. Construction traffic would have a significant impact on highways capacity and safety.
4. The Landscape and Ecological Management Plan does not include any proposals for grazing of the land by the landlord.

## **7 Evaluation**

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 on 30 January 2020, and this forms the Development Plan for the District and is the basis for decision-making in South Kesteven.

7.2 In addition, the Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021) and this document is a material consideration in the determination of planning applications.

7.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) (“the Framework”) (Published July 2021) are also a relevant material consideration in the determination of applications.

7.4 Furthermore, in the context of the current application proposals, the National Policy Statement for Energy (EN-1) and National Policy Statement for Renewable Energy Infrastructure (EN-3) (both published in 2011) are a material consideration in the assessment of the current application. It is noted that the Government are currently in the process of producing revised National Policy Statements for Energy, and recently completed a consultation (ending on 23 June 2023) on draft revised Statements. However, given the draft status of these documents, they are currently attributed limited weight as a material consideration.

### **7.5 Principle of Development / Climate Change**

7.5.1 Policy SP1 (Spatial Strategy) identifies that the overall strategy of the Local Plan is to deliver sustainable growth. Decisions on the location and scale of new development are to be taken on the basis of the settlement hierarchy in Policy SP2, and all development proposals are required to protect best and most versatile agricultural land to protect opportunities for food production and the continuation of the agricultural economy.

7.5.2 It is acknowledged that the proposed development site is located outside of the main built-up area of any existing settlements within the District, the nearest villages are Folkingham and Billingborough, which are located approximately 1.5 miles to the west and east of the application site respectively. Therefore, the site falls to be defined as being located within an area of Open Countryside. Policy SP5 (Development in the Open Countryside) strictly limits development in such locations to those which have an essential need to be located outside of the existing built-up area of a settlement. This policy includes an exception for

rural diversification schemes, and the current application proposals would reasonably fall within this exception. As such, the proposed development would be in accordance with Policy SP5 and would be an acceptable form of development within the open countryside in this instance.

7.5.3 Policy RE1 (Renewable Energy Generation) states that proposals for renewable energy generation will be supported, subject to meeting the detailed criteria set out in the accompanying Renewable Energy Appendix 3, and provided that:

- (a) *The proposal does not negatively impact on the District's agricultural land asset;*
- (b) *The proposal can demonstrate the support of affected local communities;*
- (c) *The proposal includes details for the transmission of power produced;*
- (d) *The proposal details that all apparatus related to renewable energy production will be removed from the site when power production ceases; and*
- (e) *That the proposal complies with any other relevant Local Plan policy and national planning policy.*

7.5.4 The National Policy Statement for Energy (EN-1) (July 2011) confirms the Government's commitment to the legally binding target to cut greenhouse gas emissions by 80% by 2050, compared to 1990 levels. It also identified the need to dramatically increase the amount of renewable electricity generating capacity in order to meet the commitments under the EU Renewable Energy Directive and to improve energy security by reducing dependence on imported fossil fuels, decrease greenhouse gas emissions and provide economic opportunities.

7.5.5 Paragraph 152 of the NPPF identifies that the planning system should support the transition to a low carbon future, and it should help to support renewable and low carbon energy and associated infrastructure. Similarly, Paragraph 158 of the Framework states that when determining applications for renewable and low carbon development, Local Planning Authorities should:

- (a) *Not require Applicant's to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- (b) *Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, Local Planning Authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate the proposed location meets the criteria use in identifying suitable areas.*

7.5.6 As indicated above, the application proposals would have an energy generating capacity of up to 27MW, which is considered to provide sufficient electricity generation to power approximately 8,710 homes per annum. This proposed energy generation would make a positive contribution towards meeting the national policy objectives in respect of reducing greenhouse gas emissions and reliance on fossil fuels, and would also be consistent with the overarching principles of the adopted South Kesteven Local Plan, which supports sustainable development proposals. It is noted that South Kesteven District Council has formally declared a climate emergency, and this is a material consideration which weighs in

favour of the application proposals. Taking the above into account, the proposed solar energy development would be acceptable in principle, subject to material planning considerations.

7.5.7 In the context of the above, in terms of the specific policy obligations of Local Plan Policy RE1:

- (a) An Agricultural Land Classification Report (Wardell Armstrong) (dated November 2022) has been submitted as part of the application. This report identifies that 11.23ha (40.29%) of the site comprises Grade 2 (Very Good Quality), 2.77ha (9.94%) is Grade 3A (Good Quality), and the remaining 13.87ha (49.77%) comprises Grade 3B (Moderate Quality) agricultural land. As such, approximately half of the proposed development site would be defined as Best and Most Versatile (BMV) agricultural land. Taking the above into account, the proposed solar farm would result in the temporary (40 year) loss of an area of best and most versatile agricultural land. Whilst the Agricultural Land Classification Report indicates that agricultural activity, in the form of grazing, could occur during the operation period, the same could be applied to most agricultural land and would not provide sufficient justification for the use of BMV as part of the application proposals. As such, the application proposals would give rise to an adverse impact on the District's agricultural resources, contrary to the requirements of criteria (a).
- (b) The application submission has been accompanied by a Statement of Community Involvement (Wardell Armstrong) (March 2023), which provides a summary of the public consultation undertaken on behalf of the Applicant prior to the submission of the application. This identifies that a project website was launched to gather feedback from members of the public and other stakeholders prior to the submission of the application. A Press Release was published in the Spalding Guardian, brochures were delivered to properties in Folkingham, Threkingham and Billingborough; and 2(no) public consultation events were held at Folkingham Village Hall and Billingborough Village Hall, which were attended by approximately 40 people. The submitted SCI indicates that there was no strong opposition to the proposed development, with key concerns raised relating to (i) agricultural land classification and food security; (ii) potential inconvenience during the laying of the cable for grid connection; and (iii) potential for cumulative impacts with other solar development in the area.

Notwithstanding the above, it is noted that representations received from Billingborough Parish Council and Folkingham Parish Council have raised objections to the proposed development, and the public representations received have also identified objections to the application. As such, the results of the statutory consultation would indicate that the proposed development does not benefit from the support from the affected local communities.

- (c) The application proposals would have a generating capacity of a maximum of 27MW and would produce sufficient electricity to power the equivalent of 8.710 homes per annum. Electricity generated from the development would be transferred to the National Grid via the Sleaford Substation and connection to the

substation would be made via a subsurface cable to be installed along Mareham Lane.

- (d) The submitted Planning Statement confirms that permission is sought for a temporary period of 40 years from the date of first export of electricity from the site to the National Grid. The Statement also confirms that all solar modules and supporting infrastructure will be removed from the site at the end of the operational period, and the site will be restored to agricultural use.
- (e) Other relevant local and national planning policies and the prospective impacts of the development are discussed in further detail below.

7.5.8 Taking the above into account, it is acknowledged that Local Plan Policy RE1 provides a permissive approach to proposals for renewable energy generation, including solar farm proposals. However, this support in principle is subject to compliance with a series of site-specific criteria.

7.5.9 In this case, the application proposals would result in the loss of an area of approximately 14 hectares of BMV agricultural land, and whilst this loss would be temporary and it would be plausible for the site to be in continued grazing use during the operational period, the application fails to provide sufficient justification for the loss of BMV throughout the lifetime of the development. In this respect, Officers' consider that there is sufficient availability of lower quality agricultural land which could be used to meet the identified need for renewable energy, including within the immediate vicinity of the proposed grid connection point. As such, the application proposals would be contrary to Policy RE1(a); this would also result in the application proposals being contrary to Policy SP1, which seeks to protect BMV agricultural land unless it is the sequentially preferable site option.

7.5.10 In addition, representations received during the course of the statutory consultation from Folkingham Parish Council and Billingborough Parish Council would suggest that the affected local communities do not support the application proposals and therefore, the application scheme would be contrary to Policy RE1(b).

7.5.11 Consequently, it is Officers' assessment that on balance, the application proposals would have an unacceptable adverse impact on the District's agricultural land asset and do not benefit from support from the affected local communities, contrary to the site-specific impact criteria set out within Policy RE1; and as a result, the objectives of Policy SP1 of the adopted Local Plan. Therefore, the principle of development on this site would be contrary to the adopted Development Plan when taken as a whole, and this identified policy conflict falls to be weighed against the scheme in the overall planning balance detailed below.

7.5.12 Assessment of the application proposals against the remaining material considerations are discussed in detail below, using the 9 criteria for assessing site-specific impacts set out within the Local Plan Renewable Energy Appendix 3.

## 7.6 **Impact on Agricultural Land Quality**

- 7.6.1 It is noted that representations received from Lincolnshire County Council (Planning), Folkingham Parish Council and Billingborough Parish Council have all raised objections to the application due to the loss of BMV agricultural land that would occur as a result of the proposed development.
- 7.6.2 As indicated above, an Agricultural Land Classification Report (Wardell Armstrong) (dated November 2022) has been submitted as part of the application. This report identifies that 11.23ha (40.29%) of the site consists of Grade 2 (Very Good Quality) land, 2.77ha (9.94% of the site is Grade 3A (Good Quality) land, and the remaining 13.87ha (49.77%) is Grade 3B (Moderate Quality) agricultural land. As such, approximately 14 hectares of the proposed development site falls to be defined as Best and Most Versatile (BMV) agricultural land.
- 7.6.3 The proposed development scheme would result in the temporary loss of the site from agricultural production, and in this respect, Local Plan Policy SP1 (Spatial Strategy) advocates a sequential approach to the potential loss of BMV agricultural land. It states that development affecting best and most versatile agricultural land will only be permitted if:
- (a) *There is insufficient lower grade land at that settlement (unless development of such a lower grade land would be inconsistent with other sustainability considerations); and*
  - (b) *Where feasible, once any development which has been permitted has ceased its useful life, the land will be restored to its former use and will be of at least equal quality to that which existed prior to the development taking place (this requirement will be secured by planning condition where appropriate).*
- 7.6.4 Furthermore, Footnote 58 of the National Planning Policy Framework is clear that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Similarly, the National Planning Practice Guidance (Paragraph 013) explains that where a proposal involves greenfield land, consideration should be given to the proposed use of any agricultural land has been shown to be necessary, and poorer quality land has been used in preference for higher quality land; and to whether the proposal allows for continued agricultural use (where applicable) and / or encourages biodiversity improvements around arrays.
- 7.6.5 With regards to the above, the applicant has submitted an Alternative Sites Assessment (Wardell Armstrong) (dated November 2022), which seeks to assess whether there are alternative sites on lower quality agricultural land which could reasonably accommodate a solar farm development of the same scale as the current application proposals. The Assessment provides the following search parameters:
- (a) *Grid Connection – alternative sites will require an appropriate connection to the electricity grid. This requires consideration of the availability of capacity within the grid network to accept connection, the availability of the connection point to accept connection, and the proximity and cost of connection.*
  - (b) *Local Plan Renewable Energy Appendix Criteria 9 – the appendix sets out the Council’s expectations for any sequential assessment as follows:- (i) undertake an*

*extensive search for derelict or brownfield sites; (ii) carry out a search for poorer quality agricultural land; (iii) provide the agricultural land classification for the application site; and (iv) demonstrate why the site has to be located close to a particular grid connection point.*

*(c) Constraints – the suitability of alternative sites has taken into account the following site constraints:*

- (i) Visual impact on the landscape or heritage settings – including designated landscapes, listed buildings, registered parks and gardens, scheduled monuments and conservation areas.*
- (ii) Visual impact on dwellings or communities – including residential areas or properties.*
- (iii) Cumulative impacts*
- (iv) Noise*
- (v) Highways and safety*
- (vi) Nature conservation – including Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation, Local Nature Reserves, Ancient Woodland and Flood Zones.*
- (vii) Agricultural land value*

*(d) Scale – Alternative sites must be of a similar scale in order to accommodate the number of solar panels required to achieve the same electrical output (27MW).*

7.6.6 The Applicant states that the proposed development has a grid connection offer in place for the Sleaford Substation, approximately 11km to the north of the site, and there is no available capacity at the nearest connection point (Billingborough Substation). As such, the search area for alternative sites has been set at 15km from Sleaford Substation; the search area includes land within South Kesteven, North Kesteven, Boston, and South Holland. The Report concludes that 7(no) alternative sites have been identified, but these are less suitable due to their proximity to other solar energy developments and residential properties, together with limited screening features.

7.6.7 In relation to the above, previous appeal decisions and guidance clearly indicates that the targets for renewable energy are national, and there the areas of search should not be restrictive, and should cover extensive areas throughout the District, as well as neighbouring authorities. In this context, it is the Case Officers' position that the Alternative Sites Assessment submitted by the Applicant is overly restrictive within its search parameters insofar as it restricts the study area to a 15km distance from the Sleaford Substation; whilst Officers' acknowledge that this distance may be beyond what could be viable for a grid connection point, it is noted that there are alternative grid connection points within the District, which do have available capacity to accommodate solar energy developments (for example S23/0689, which is also for consideration as part of the Committee Agenda). Furthermore, the Assessment discounts sites identified as being Grade 3 on the Provisional Agricultural Land Classification Maps, on the basis that it is not possible to differentiate between Grade 3A (BMV agricultural land) and Grade 3B without further soil analysis. Whilst this is correct, in the event that the site were to be identified as Grade 3A land, it is likely that it still be sequentially preferable to the application site, which is identified as containing large areas of Grade 2 (Very Good Quality) agricultural land. Similarly, the report discounts

potential alternative sites on the basis that they have limited screening features, however, it should be noted that Officers' consider that such a constraint may be appropriately mitigated through an appropriate landscaping scheme.

- 7.6.8 In addition to the above, the report notes that RAF Folkingham is a large area of brownfield / non-agricultural land, located within the search area, however, it has been discounted from the assessment due to it being under option for solar development (Temple Oaks Solar Park). However, the sequential approach requires an assessment of the availability of land for development i.e., has the owner of the alternative site indicated a willingness to bring their land forward for the type of development proposed? In this respect, the fact that areas of RAF Folkingham are under option and being actively progressed for renewable development as part of the Temple Oak Solar Farm, indicates that the site is available for development for the proposed land use; albeit an alternative operator is progressing this option.
- 7.6.9 Taking the above into account, it is Officers' assessment that the application proposals have failed to demonstrate that there is insufficient poorer quality agricultural land availability to accommodate the development proposals. Whilst the Agricultural Land Classification Report indicates that agricultural activity, in the form of grazing, could occur during the operation period, the same could be applied to most agricultural land and would not provide sufficient justification for the use of BMV as part of the application proposals.
- 7.6.10 As such, the application proposals would conflict with Policy SP1, Solar Renewable Energy Criterion 9 of the Renewable Energy Appendix, and Section 14 of the National Planning Policy Framework. This policy conflict falls to be weighed in the overall planning balance.

## 7.7 **Impact on the Landscape**

- 7.7.1 It is appreciated that public representations received on the application have raised objections to the potential impact of the development on the rural landscape.
- 7.7.2 In respect of the above, it is acknowledged that the application site is not subject to any landscape designations. However, the site does fall within the Kesteven Uplands Landscape Character Area (LCA) of the South Kesteven Landscape Character Assessment (2007); this assessment identifies the following key characteristics for this area:
- (a) A relatively unified, simple, medium-scale agricultural landscape with a high proportion of historic woodland. This is a mostly harmonious rural landscape, with farmland, woodland and parkland with small stone built villages. Where the undulations are more pronounced, with small woodlands and fields, it is a relatively small scale, intimate landscape. The higher land tends to be more open with bigger fields and woodland blocks creating a large scale yet simple rural landscape.
  - (b) Undulating landform based around the valleys of the River Witham, East and West Glen, and Welland.
  - (c) High concentration of houses and parks, with areas of farmland under estate management

(d) A dispersed, nucleated settlement pattern, mostly following the river valleys.

(e) Enclosed mostly by hedgerows, with hedgerow trees.

7.7.3 A Landscape and Visual Impact Appraisal (Wardell Armstrong) (dated March 2023) has been submitted as part of the application and has identified the following key conclusion(s):-

*(a) The proposed development utilises arable land, which would be replaced by solar arrays with land under the panels being used for the biodiversity enhancements. The existing perimeter vegetation consisting of hedgerows with trees alongside hedgerows forming the field boundaries, will be retained except for vegetation removed for the access/ Change in landscape character will largely be a result of modification to the land use and the introduction of PV panels that will influence the presence of man-made features within the study area.*

*(b) There would be a minor adverse effect on the landscape character of the site during construction and completion, reducing to negligible adverse by year 15 as the proposed mitigation planting matures to enhance the existing field boundaries within the site.*

*(c) The views from the local roads are restricted to the short sections of local "C" roads in the vicinity of the proposed development such as Mareham Lane, Folkingham Road and Billingborough Road. The views from Mareham Lane are restricted by a low hedgerow and individual trees spaced along this route. Raised landform to the north of the site screens the views from the north, whilst glimpsed and partial views of the site will be available from a short section of Mareham Lane to the south of the site. The views from Folkingham Road are heavily screened, primarily by trees along Mareham Lane, whilst the views from Billingborough Road are more open, however, only along short sections of the road.*

7.7.4 In connection with the above, Officers' acknowledge that the application site occupies a prominent position located on the Billingborough Road / Mareham Lane junction; and also sits within a predominantly tranquil, rural landscape with the raising topography to the north and the copse of woodland to the north-west and east, helping to further focus visibility on the application site. As such, it is Officers' assessment that the sensitivity of the application site to change would be relatively high.

7.7.5 The submitted LVIA provides details of the Proposed Landscaping Strategy outlined above, which has been designed to mitigate the potential impacts of the development. As alluded to above, the submitted strategy includes the following key measures:-

*(a) Existing trees and hedgerows within and around the perimeter of the site will be retained.*

*(b) Mitigation planting will consist of tree belts created by the introduction of narrow woodland edge blocks, the introduction of hedgerow trees along the existing hedgerows, altered management of the existing hedgerows to allow for growth over 3 metres and gapping up of hedgerows. This will provide a greater level of screening to views from visual receptors and a more robust structural landscape.*

(c) *The mitigation will include other habits such as scrub areas, rough grassland and wildflower mix in some locations between the edge of the panels and field boundary vegetation.*

7.7.6 Taking the above into account, it is Officers' assessment that the application proposals would have an adverse impact on the landscape character of the area due to the introduction of built-form / infrastructure within an area of otherwise unspoilt tranquil landscape character. However, it is Officers' position that these landscape impacts would be sufficiently mitigated through the implementation of the identified Landscape Strategy and Landscape and Ecological Management Plan; which could be secured via planning conditions.

7.7.7 As such, subject to conditions, the application proposals would be in accordance with Local Plan Policy EN1, Solar Energy Criterion 1 of the Renewable Energy Appendix and Section 12 of the National Planning Policy Framework.

## 7.8 **Visual Impact on Dwellings or Communities**

7.8.1 As previously detailed, the application site falls to be defined as being within Open Countryside, with the nearest villages being Threkingham (1 mile to the north), Folkingham (1.5 miles to the west) and Billingborough (1.5 miles to the east), and the hamlets of Stow and Birthorpe located to the north-east and south-east, with further isolated farmsteads in the surrounding area. A public right of way cross the northern part of the site in an east-west direction linking Folkingham and Mareham Lane, and there is a further public right of way to the west of the proposed development site. The administrative area of North Kesteven lies immediately to the northern boundary of the site.

7.8.2 It is noted that North Kesteven District Council (as adjoining authority) have commented on the adequacy of the submitted Landscape and Visual Impact Assessment, and have stated that the submitted report fails to appropriately consider the impact of the development on the more prominent viewpoints from PRow Thre/3/2, Thre/3/3 and Mareham Lane.

7.8.3 In respect of the visual impact of the development on residential receptors, the LVIA provides the following assessment:-

(a) *There are very few residential properties within the study area that potentially can experience a change in the views. A detailed analysis of potential views from these receptors identified only one residential receptor – Highfields – that will experience a change in the view. Negligible adverse effects were identified in operation (Years 1 and 15) due to the screening provided by garden vegetation.*

(b) *There will be no views from villages such as Folkingham and Billingborough.*

7.8.4 Nonetheless, as identified above, the key visual receptor to change is likely to be users of the Public Rights of Way network within the immediate context of the application site, including the PRow which crosses through the application site, and the wider network within the surrounding area. In this regard, the LVIA identifies the following:-

- (a) It is expected that the construction will be prominent in views from some visual receptors close to the proposed development or those located on slightly more elevated land. Major adverse effects were identified from recreational users of PRow Thre/2/1 located to the north of the site, as the existing trees along the northern boundary of the site and within the site will provide little screening to construction activities occupying most of the view.
- (b) Moderate adverse effects were identified during construction for recreational users of PRow Folk/3/2 west of the site, as construction will be visible through gaps in vegetation at close distance. Moderate adverse effects were also identified for recreational users along Beacon Lane, as the views are slightly elevated allowing for partially open views of construction.
- (c) Moderate adverse effects are identified from PRow Thre/2/1 and Beacon Lane during operation, as panoramic views are available from elevated sections of the footpath. Moderate adverse effects were also identified in PRow Folk/3/2 where close-distance views of solar panels will be available through the gaps in the mitigation planting vegetation.
- (d) By year 15, the proposed mitigation planting will mature to fully or partially screen the proposed development. Minor adverse effects were identified from Beacon Lane. Negligible adverse effects were identified for other identified visual receptors.

7.8.5 In view of the above, it is Officers' assessment that the proposed development scheme would invariably have some impact on the local community, as a result of the change of use of the land and the scale of the proposals involved. In this case, the most sensitive receptor is recreational users of the Public Rights of Way network, including Thre/3/2 which traverses the site, and Thre/3/3 which extends to the north of the site. The submitted report concludes that the proposed landscaping strategy would assist in mitigating / softening the proposed visual impacts of the development, but notes that the scheme will continue to have a minor adverse impact in year 15 following the establishment of the planting proposals.

7.8.6 Consequently, it is Officers' assessment that the application proposals would have an adverse visual impact on recreational users of the public right of way network which passes through the application site, and extends to the wider area. As such, the scheme would be contrary to Policy DE1, EN1, EN3 of the adopted Local Plan, Solar Energy Criteria 2 of the Local Plan Renewable Energy Appendix, and Section 12 of the National Planning Policy Framework. This identified policy conflict falls to be weighed in the overall planning balance detailed below.

## 7.9 **Ecology and Biodiversity**

7.9.1 As detailed previously, the application site is not subject to any ecological designations. However, the site is located within proximity to the Threkingham Road Verges Local Wildlife Site (LWS), which is situated approximately 700m north of the site, and is designated for its continuous length of calcareous grassland.

- 7.9.2 It is noted that representations received from Folkingham Parish Council have provided support for the potential Biodiversity Net Gain (BNG) to be achieved from the proposed development scheme, but have indicated that further details are required in relation to the long-term management of the site to ensure that the objectives are realised. In addition, public representations received on the application have stated that the submitted Landscape and Ecological Management Plan is inaccurate as it fails to include any reference to continued grazing of the site, which has been referenced in other documents of the submission.
- 7.9.3 The application submission has been accompanied by a Preliminary Ecological Appraisal (Wardell Armstrong) (March 2023), which identifies the following:

- (a) Threekingham Road Verges LWS – There is potential for indirect adverse impacts from construction traffic either from depositing mud on the road or parking on the verge. Appropriate measures detailed within a Construction and Environmental Management Plan are recommended to ensure the LWS is not impacted by the development proposals or construction activities.*
- (b) Hedgerows – hedgerows along field margins and running adjacent to the dry ditch in the centre of the site will be retained and should be protected via an operational buffer of at least 2m. However, if small sections are required to be removed for vehicle access and to facilitate the installation of solar panels, these losses should be compensated for by the provision of new hedgerows elsewhere within the development of a longer length, using similar species of local provenance.*
- (c) Birds – the habitats within the site are dominated by arable land and are not expected to support a diverse breeding bird community. However, notable species such as skylark, which are typically associated with arable land are likely to be present. The hedgerows and field margins provide suitable foraging habitat for barn owl and T6 and T10 provide suitable features for breeding barn owls due to large open cavities. These trees will be retained and protected as part of the proposals.*

- 7.9.4 As referenced previously, the results of the ecological survey work, as well as the Landscape and Visual Impact Assessment, have informed the preparation of the Proposed Landscaping Strategy Plan, which includes the following biodiversity enhancement measures:-

- (a) Creation of log / brash piles to create habitat for invertebrates, small mammals, amphibians, reptiles and birds.*
- (b) Bat and barn owl boxes installed on existing mature trees.*
- (c) A series of ponds are proposed along the western boundary of the southern field, which will connect into a series of swales which would manage surface water runoff from the site and provide an enhancement to the existing pond.*
- (d) Species rich meadow grassland will be seeded throughout the site to encourage grass growth beneath the PV panels.*

7.9.5 A Biodiversity Net Gain Technical Note (Wardell Armstrong) (Ref: GM11883/0015) has been submitted as part of the application and has confirmed the following:

- (a) No irreplaceable habitats or statutory designated sites are impacted by the proposed development.*
- (b) The site is currently mainly composed of cereal crop, which is heavily managed and is of low biodiversity value and low-medium distinctiveness. The hedgerows are of high biodiversity value and medium – high distinctiveness. The habitats are currently of poor or moderate condition with the exception of the hedgerows which are assessed as being of good condition.*
- (c) The loss of the low biodiversity value cereal crop is not significant, as it will be replaced with species rich grassland, swale habitat and three new ponds. These new habitats will achieve a higher condition and be of much higher biodiversity value. The area of poor neutral grassland to the south of the site is of low value and will be replaced with higher biodiversity value pond habitat.*
- (d) The proposed habitats include the planting of native species and species listed under the qualifying criteria for priority habitat status.*
- (e) The current proposal will result in a net gain of habitat units (+192.56%) and hedgerow units (+18.12%).*

7.9.6 A Landscape and Ecological Management Plan has also been submitted, which outlines the measures for habitat creation, management measures and monitoring requirements over a the 40-year operational period. This includes Hedgerows within the site will be trimmed on a 3-year rotation, incrementally increasing the cutting height each year to achieve 3m in height. A single annual cut of grassland will occur in late August to early September to approximately 50mm in height.

7.9.7 Lincolnshire Wildlife Trust have been consulted on the application proposals and have confirmed that they support the proposed biodiversity enhancements and the evidence of good practice principles of net gain, as well as the proposed long-term management plan. However, they have imposed a holding objection on the application due to the absence of appropriate measures to mitigate against the loss of breeding habitat for skylark.

7.9.8 In view of the above, it is Officers' conclusion that the application proposals would result in the loss of breeding habitat for protected breeding birds, and do not provide appropriate mitigation measures to address the identified harm to protected species. As such, the application proposals conflict with Policy EN2, Solar Energy Criteria 7 of the Local Plan Renewable Energy Appendix and Section 15 of the National Planning Policy Framework in respect of ecological impacts.

7.9.9 With regards to arboricultural impacts, the application submission has been accompanied by an Arboricultural Impact Assessment (Wardell Armstrong) (March 2023), which has identified the following:

- (a) There are no trees within or immediately adjacent to the site protected by Tree Preservation Order and the site is not within a Conservation Area. There are no ancient or veteran trees present and there is no ancient woodland, traditional orchard or woodpasture and parkland priority habitats within and outside the site boundary, but within influencing distance of the site.*
- (b) One very low quality (Category U) tree will require removal to facilitate the solar development project. This tree is unviable for retention in its present state due to its condition and proximity to the road.*
- (c) Along with this tree, two hedgerows will require very small sections to be removed in order to allow for the installation of an access road to the east of the site.*
- (d) A number of trees require removal for arboricultural safety / risk management reasons, due to their proximity to the adjacent roads and their condition. These tree works would be required irrespective of the proposed development.*
- (e) The trees and hedgerows that are to be retained on the site will be protected during the proposed works within the site security fencing and supplemented, where required, with Herras fencing. Unless otherwise stated in an Arboricultural Method Statement, the protective fencing will comprise the site's permanent perimeter stock proof fencing.*

7.9.10 In the event that the development were deemed to be acceptable in all other respects, conditions would be proposed to require the submission of a detailed Tree Protection Plan prior to the commencement of development, and subsequent adherence to the submitted details. Subject to the above, the application proposals would accord with Local Plan Policy EN2, Solar Energy Criteria 7 of the Local Plan Renewable Energy Appendix and Section 15 of the National Planning Policy Framework.

## 7.10 **Cumulative Impacts**

7.10.1 It is noted that public representations received on the application have raised objections due to the potential cumulative impact of the application scheme in connection with the proposed Temple Oaks Renewable Energy Park.

7.10.2 As referenced above, the Temple Oaks project is a proposed Nationally Significant Infrastructure Project (NSIP) for a proposed development of a 240MW solar farm, including battery storage, located at the former RAF Folkingham airfield and surrounding land, approximately 2km south-west of Folkingham village centre, and circa 5.1 miles south-west of the current application site. The Temple Oaks NSIP project is currently at pre-application stage and, therefore, does not represent a committed / allocated development scheme. As such, it is not appropriate to consider any cumulative impacts associated with that proposal as part of the current application. In the event that the Committee resolved to approve the current application, the cumulative impacts of this application together with the Temple Oaks NSIP would be a matter for the Examining Authority to consider as part of the examination of those proposals.

7.10.3 In respect of the potential cumulative impacts of the application proposals with other approved solar development within the area, the Landscape and Visual Impact Appraisal (Wardell Armstrong) has assessed the potential impacts of the development, including the potential cumulative landscape and visual impacts resulting from committed development proposals within the surrounding area. The submitted assessment provides the following conclusions in this regard:-

*“The search for valid planning application for solar developments has been carried out by reviewing the information included within the Renewable Energy Planning Database portal. However, none of the planning applications recorded in this data base are located within the study area and, therefore, the cumulative effects were scoped out from further assessment.”*

7.10.4 As acknowledged above, it is Officers’ assessment that the application proposals would result in a change to the character of the application site, as a result of the proposed solar development; and this would result in an adverse impact on recreational users of the public rights of way network within the immediate surrounding. However, whilst the scheme would give rise to an adverse visual impact, this impact would be seen largely in isolation from any other committed solar energy projects and therefore, the application proposals would not result in any additional adverse impacts when assessed alongside the existing development within the area.

7.10.5 Taking the above into account, it is Officers’ assessment that the proposed development would be in accordance with Solar Energy Criteria 3 of the Local Plan Renewable Energy Appendix.

## 7.11 **Impact on heritage assets**

7.11.1 The proposed development site does not contain any designated or non-designated heritage assets; however, it is appreciated that there is a Scheduled Ancient Monument situated approximately 400m north-east of the site; which comprises the site of an Anglo-Saxon nunnery and medieval chapel. In addition, there are also a number of Listed Buildings located within the villages of Folkingham, Billingborough and Threekingham; with Folkingham and Billingborough both having a designated Conservation Area.

7.11.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard for the desirability of preserving listed buildings and their settings, or any special architectural interest which it possesses.

7.11.3 An Archaeology and Heritage Statement (Wardell Armstrong) (March 2023) has been submitted as part of the application and reaches the following conclusions:-

*(a) The Anglo-Saxon Nunnery and Medieval Chapel – The proposed development would introduce change within the extended setting of the monument. The changes would be visual and arise due to the intervisibility between the monument and the site due to the relative topographic elevation of the asset and the widespread views of the surrounding rural landscape from the site. The change would affect the current rural setting experienced by the monument.*

*Having considered the nature and extent of the significance of the assets, including the contribution made by setting to this significance, it is concluded that the harm to the significance arising from the above change would equate to “less than substantial harm”.*

- (b) Birthorpe Manor House – the proposals would introduce change within the extended setting of the asset, however, having considered the significance of the Manor House and the contribution that its setting makes towards an understanding and appreciation of this significance, it is anticipated that there would be no harm to the significance as a result of the proposals.*
  
- (c) The Parish Church of St. Peter – the proposals would only be visible from the top stage(s) of the spire where there is no access or views permitted from. Only the upper stages of the spire of the church are visible from a number of areas within the site with these views being incidental rather than planned views. The site is not visible from the main body of the Church or from within its immediate churchyard setting and therefore, the immediate setting of the church, which contributes more expressly to its special historic interest would be considered. The village setting would also be sustained where the church would remain as a clear landmark structure and where it has prominence as the foci of historical development and where surrounding buildings respond to this in their position.*

*It is anticipated that there would be no harm to its significance as a consequence of the proposals.*

- 7.11.4 The Council’s Conservation advisor has been consulted on the application proposals and has confirmed that they have no objections. It is stated that the distance, general topography and intervening landscape are sufficient to ensure that the proposed solar development would not result in any adverse impacts on the setting and significance of the listed buildings and Conservation Areas within the surrounding villages.
  
- 7.11.5 Notwithstanding the above, it is the Case Officers’ assessment that the application proposals would give rise to less than substantial harm to the setting of the Anglo-Saxon Nunnery and Medieval Chapel at Stowe due to the change in the rural landscape in which this asset is currently experienced, as identified by the applicant’s heritage statement.
  
- 7.11.6 Paragraph 202 of the Framework identifies that “Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.
  
- 7.11.7 As such, in accordance with Policy EN6 of the adopted Local Plan, and Paragraph 202 of the Framework, the identified harm to the setting of the Scheduled Ancient Monument at Stowe falls to be weighed against the overall benefits of the development. This balance is discussed in further detail below.

## 7.12 **Impact on archaeological assets**

- 7.12.1 Local Plan Policy EN6 (The Historic Environment) identifies that where development affecting archaeological sites is acceptable in principle, the Council will seek to ensure the mitigation of impacts through the reservation of remains on site as the preferred solution.
- 7.12.2 Heritage Lincolnshire (as Local Archaeological Advisor) have been consulted on the application proposals and have confirmed that they have no objections, subject to the imposition of conditions requiring the submission of a Written Scheme of Investigation for a programme of archaeological evaluation, and for this field evaluation to be completed prior to the commencement of development on site.
- 7.12.3 Taking the above into account, subject to conditions, the application proposals would accord with Policy EN6 and Section 16 of the Framework in respect of archaeological matters.

## 7.13 **Access and Highways Impacts**

- 7.13.1 It is noted that representations received from Folkingham Parish Council and Billingborough Parish Council have raised objection to the development on the basis of the potential routing of construction traffic and the future construction and operational access arrangements. In addition, representations received from the County Councillor (Mr M Hill) has raised concerns about the potential use of A15 / Billingborough Road by construction vehicles.
- 7.13.2 A Transport Statement (Wardell Armstrong) (March 2023) has been submitted as part of the application, which sets out the proposed arrangements for access to the site, and assesses the potential impacts associated with the construction, and operation of the site. This document has been supplemented by a Construction and Environmental Management Plan, which provides further details in relation to the construction activities, and notes that a detailed Construction Traffic Management Plan could be secured via planning condition.
- 7.13.3 As previously identified, access to the site is proposed to be taken via the existing field access onto Mareham Lane, situated on the eastern site boundary. This access would be upgraded in order to accommodate HGVs associated with the construction activities, this would require the access junction to be widened and appropriately resurfaced. It is proposed that a contractor's compound would be located within the application site boundary and would provide sufficient parking and turning areas to preclude vehicles parking on the local highway network, and would also allow all vehicles to enter and exit the site in a forward gear. The designated route for all construction traffic will be from the A52 and Mareham Lane.
- 7.13.4 The submitted Transport Statement estimates that there would be a total of 608 two-way movements by HGVs associated with the construction of the development scheme, which is anticipated to take place over a four-month construction period. In addition, a maximum of 50(no) construction works are forecast to be on-site during peak construction activity. Taking this into account, the maximum average number of movements per day is anticipated to be 65 two-way movements comprising of 58 (no) cars / LGVs and 7 (no) HGVs.

- 7.13.5 Once operational, vehicle movements would be low with infrequent visits carried out for routine maintenance and inspections of the site. These would typically result in 50 (no) trips per annum.
- 7.13.6 Lincolnshire County Council (as Local Highways Authority) have raised no objections to in relation to highways matters. They have confirmed that whilst public representations have referred to the site being an accident hotspot, there is no recorded Personal Injury Accidents within the vicinity of the site within the last five years. As such, the proposed access arrangements would not result in any unacceptable adverse impacts on highways safety.
- 7.13.7 Furthermore, in relation to the proposed construction traffic management details it is noted that the submitted CEMP referred to construction traffic using the A52 and accessing the site from Mareham Lane, whilst the Transport Statement referred to construction traffic using the A15 and Billingborough Road. The Applicant has subsequently confirmed that the proposed construction route will be via the A52 and Mareham Lane, with the exception of the period during which the cabling to the substation will be laid along Mareham Lane. The Local Highways Authority's comments were received after the provision of this clarification and, as part of their comments, they have raised no concerns in relation to the proposed routing arrangements.
- 7.13.8 It is noted that representations received from Billingborough Parish Council have also raised objections due to the potential glint / glare from the panels on the safety of road users driving along Mareham Lane before the proposed mitigation planting has established.
- 7.13.9 A Glint Assessment (Wardell Armstrong) (March 2023) has been submitted, which considers the potential for driver distraction from the proposed development. The submitted assessment provides the following key conclusions on this matter:
- (a) *The analysis has shown that, prior to mitigation, there is potential for road users close to the site to see glint. The roads that do not lie in the immediate vicinity of the site are generally screened by existing vegetation and intervening topography. Glimpses of glint, if any, from these roads, from the perspective of a motorist would be very weak and pass very quickly, having no material impact.*
  - (b) *The roads closer to the site that are predicted to receive glint effects prior to mitigation will greatly benefit from the introduction of the proposed mitigation. The boundary planting in particular will provide considerable screening and, once mature, post-mitigation visibility to glint producing panels will be almost zero. Until such time as the planting matures sufficiently to provide this level of screening, some glint effects may remain visible to drivers on some of the roads.*
- 7.13.10 As detailed above, Lincolnshire County Council (as Local Highways Authority) have been consulted on the application proposals and have raised no objections in relation to potential glint and glare. They have confirmed that the application proposals would not give rise to any unacceptable impacts on highways safety.
- 7.13.11 Taking the above into account, subject to the imposition of conditions requiring compliance with the submitted Construction Traffic Management Plan, the application proposals would

not give rise to any unacceptable adverse impacts on highways safety and / or capacity during the construction and operational phases. As such, the application scheme would accord with Local Plan Policy ID2, Solar Energy Criteria 6 of the Renewable Energy Appendix, and Section 9 of the National Planning Policy Framework.

#### 7.14 Flood Risk and Drainage

- 7.14.1 It is noted that representations received from Folkingham Parish Council, Billingborough Parish Council and the County Councillor (Mr M Hill) have all expressed concerns in relation to the potential for the proposed development to unacceptably increase the risk of surface water flooding.
- 7.14.2 As identified above, the application site is identified as falling within Flood Zone 1 of the Flood Map for Planning, and is also identified as being at very low risk of surface water flooding. As such, the application site is considered to present an overall low risk of flooding.
- 7.14.3 A Flood Risk Assessment (Wardell Armstrong) (March 2023) has been submitted as part of the application, which includes a Surface Water Drainage Strategy. The submitted report outlines the following:
- (a) *The EA Flood Map for Planning shows that the site is located within fluvial Flood Zone 1 with an annual probability of flooding of less than 1 in 1000 years. The closest area of Flood Zone 3 is located approximately 150m to the south of the site adjacent to the Ouse Mere Lode. This area is at lower elevation than the site with ground levels falling east away from the site and does not therefore pose a risk of flooding to the site.*
  - (b) *The EA Extent of Flooding from Surface Water map shows that surface water flood risk is Very Low in the majority of the site. There is a narrow section of Low, Medium and High risk adjacent to the northern site boundary which are aligned with the low-lying ground adjacent to the northern boundary field drain.*
  - (c) *The existing development area consists of greenspace with no impermeable hardstanding areas. The solar panels will be supported on metal posts driven into the ground without any form of concrete base. These would occupy minimal ground surface area and their presence would not affect the present character of the ground. Rain falling onto the panels would run off to the ground below and disperse naturally, mimicking the existing drainage regime.*
  - (d) *The total increase in effective impermeable areas (i.e., access tracks, transformer stations and substations) as a result of the proposed development will be 2250 sq. metres, which is equivalent to 0.027% of the total site area. There would, therefore, be negligible impact on the rate and volume of surface water runoff generated during extreme storm events. Therefore, mitigation measures are not required.*
  - (e) *Notwithstanding this, a series of precautionary linear swales will be installed across the site area to intercept surface water runoff, to ensure that flood risk is not increased as a result of the proposed development and climate change. The swales would provide temporary storage for surface water runoff during storm*

*events, allowing the runoff to disperse by a combination of infiltration, evaporation and uptake by vegetation. This will mimic the existing drainage regime at the site.*

7.14.4 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the submitted details and have confirmed that they have no concerns in relation to flood risk and drainage, and have not identified any requirement for the submission of a detailed drainage strategy.

7.14.5 Taking the above into account, it is Officers' assessment that the application proposals would not give rise to any unacceptable risk of flooding, and therefore would accord with Policy EN5 of the adopted South Kesteven Local Plan and Section 14 of the Framework.

#### 7.15 **Pollution Control**

7.15.1 As previously identified, it is appreciated that the application site currently comprises an area of arable land, and therefore, there is the potential ground contamination is associated with the previous activities at the site.

7.15.2 In this regard, a Phase I Ground Investigation Study (Wardell Armstrong) (March 2023) has been submitted alongside the application, and this identifies the following key conclusions:

*(a) The site has historically been predominantly fields and consequently the potential for extensive and significant volume of made ground and contamination as a result of historical land uses is considered to be low. The potential for localised areas of made ground associated with the construction and demolition of buildings and the infilling of surface depressions, tracks etc. cannot be discounted.*

*(b) Based on the available information, it is considered that a targeted ground investigation will be required, subject to the final design of the development. It is recommended that the ground investigation forms a part of the detailed design phase to target areas of increased risk, this would consist of:*

- (i) Drilling boreholes and sampling of the near surface deposits*
- (ii) Trial pitting and sampling to confirm the near surface deposits and allow in-situ testing and sampling.*
- (iii) Laboratory chemical and geotechnical analysis – to characterise the near surface deposits at the site.*
- (iv) Provide recommendations for suitable solutions for the infrastructure;*
- (v) Provide recommendations with regard to any other geotechnical aspects pertaining to the development.*

7.15.3 In relation to the above, the Council's Environmental Protection Team have been consulted on the submitted details and have confirmed that they have no objections, subject to the imposition of conditions requiring the completion of the recommended further ground investigations. In the event that the development were to be deemed acceptable in all other respects, this would be secured via pre-commencement conditions.

- 7.15.4 Furthermore, it is appreciated that the proposed solar panels themselves do not emit any noise, dust or vibration during the operational period. However, the operation of the solar farm will require the installation of a series of inverters, transformer stations and substations, which would convert the solar energy generated into AC (Alternating Current) for it to be supplied to the National Grid. The operation of the on-site inverters, transformers and substation would generate a low level of noise.
- 7.15.5 A Noise Technical Note (Wardell Armstrong) has been submitted as part of the application, and has assessed the potential impact of noise generated by the operation of the solar farm on the surrounding noise sensitive receptors. This study has identified the following key matters:-
- (a) *The closest existing sensitive receptor is located approximately 380m from the northern boundary. At distances greater than 55m, the noise from the solar farm would be less than the estimated background sound level of 35dB at the receptors.*
  - (b) *Mitigation measures may be required with the noise from the equipment is tonal. However, any tonal characteristics will likely be imperceptible at the sensitive receptors due to distance attenuation and, therefore mitigation measures are very unlikely to be required.*
  - (c) *Therefore, the development will avoid causing any adverse noise impact at receptors. In terms of NPSE, the potential impact would be less than the Lowest Observed Adverse Effect Level. Therefore, in terms of noise, we would recommend that planning approval is granted, with the distances identified above secured through a condition.*
- 7.15.6 The Council's Environmental Protection Team have been consulted on the submitted details, including the Noise Technical Note, and have confirmed that they have no objections, subject to the imposition of conditions requiring all transformers, inverters and the substation to be located a minimum of 55m from the nearest noise sensitive receptor. In this case, the submitted Proposed Site Layout confirms that these elements of the proposed development would be positioned within the centre of the eastern boundary, adjacent to Mareham Lane and, therefore, would comply with the relevant separation distances.
- 7.15.7 As such, it is Officers' assessment that the proposed solar operations would not result in any unacceptable adverse impacts on noise sensitive receptors, and therefore would be in accordance with Local Plan Policy EN4 (Pollution Control), Solar Energy Criteria 5 of the Renewable Energy Appendix, and Section 15 of the National Planning Policy Framework on these matters.
- 7.15.8 Furthermore, it is noted that representations received from Folkingham Parish Council and Billingborough Parish Council have raised concerns due to the potential disruption to local residents caused by construction activities, namely the volume of construction traffic and the laying of the subsurface cable connecting the site to the proposed District Network Operator connection point at Sleaford Substation.
- 7.15.9 In this respect, a Construction and Environmental Management Plan (Wardell Armstrong) (dated March 2023) has been submitted as part of the application. As indicated above, the Council's Environmental Protection Team have been consulted on the submitted details and

have confirmed that they have no objections, subject to conditions requiring the submission of a detailed CEMP, including construction hours and dust management arrangements.

7.15.10 Therefore, it is concluded that construction activities associated with the proposed solar farm would not have an unacceptable impact on the amenity of residents of the nearby settlements. In respect of the potential disruption caused by the laying of the underground cable along Mareham Lane to the Sleaford Substation, whilst this is likely to cause a period of diversions and inconvenience to road users, the effects of this would be temporary and would not be sufficiently adverse to warrant refusal on these grounds. Further details in respect of mitigation measures could be secured as part of the criteria for a detailed Construction and Decommissioning Method Statement.

7.15.11 Taking the above into account, it is Officers' assessment that, subject to conditions, the construction, operation and decommissioning of the proposed solar farm would not give rise to any unacceptable adverse impacts in relation to ground contamination, dust, noise and vibration. Therefore, the application proposals would be in accordance with Local Plan Policy EN5 and Section 15 of the National Planning Policy Framework.

## 7.16 **Aircraft Movements and Associated Activities**

7.16.1 Criteria 8 of the Local Plan Renewable Energy Appendix requires proposals to demonstrate that the design and positioning of the proposed solar installation has been carefully considered to avoid the potential nuisance of glint and glare to aircraft movements.

7.16.2 As identified previously, a Glint Assessment (Wardell Armstrong) (March 2023) has been submitted as part of the application, and this Assessment has included consideration of the potential for the proposed development to impact on aircraft movements. The submitted report provides the following conclusions:-

(a) *The closest licenced aerodrome to the site is Fenland airfield, which sits just outside the village of Holbeach St. John's , located 29.3km away from the site. Ancaster airfield, an unlicenced airfield just outside of Ancaster is located 11.7km away from the site.*

(b) *None of the runways are considered to be close enough to experience glint, the orientation of these runways further limits the possibility of pilots experiencing glint.*

(c) *Glint is therefore not considered to have a material effect on light aircraft at the surrounding airfields. Any effects would be considerably lower than reflections from large bodies of still water.*

7.16.3 In connection with the above, the Ministry of Defence – Defence Infrastructure Organisation have confirmed that the site does not fall within a safeguarding area, and therefore, they have no objection to the submitted scheme,

7.16.4 As such, it is Officers' assessment that the application proposals would not give rise to any unacceptable adverse impacts on aircraft movements and associated activities, and

therefore, the application proposals comply with Solar Energy Criteria 8 of the Local Plan Renewable Energy Appendix.

## **7.17 Other Matters**

- 7.17.1 It is noted that representations received from Folkingham Parish Council and Billingborough Parish Council have both requested that any Section 106 funding for the development is ring-fenced for the local communities affected by the development, including the Parishes of Folkingham, Billingborough and Threekingham.
- 7.17.2 Based on the terminology used within the full representations, it is Officers' assumption that the funding referred to by the Parish Council's is actually a reference to a Community Benefits Fund as opposed to a Section 106 financial contribution. Community Benefits Funding is a mechanism by which Developers can negotiate a financial package directly with local communities affected by renewable energy projects to be spent on providing improvements to the local area during the operation of the development; these may be small scale projects, or larger renovation projects and the community funding is normally managed by an external body, but delivered in partnership with the affected local community. However, it should be noted that a Community Benefit Fund are industry-led, voluntary initiatives and sit outside of the planning process, any funding to be provided through a Community Benefit Fund does not form a material planning consideration and does not fall to be assessed as part of the determination of the current application.
- 7.17.3 In respect of Section 106 funding, the statutory tests of Regulation 122 of the CIL Regulations states that a planning obligation can only be secured if it is (i) necessary to make the development acceptable in planning terms; (ii) directly related to the development; and (iii) fairly and reasonably related in scale and kind to the development. In this case, no requests for Section 106 contributions have been identified during the consultation period, and it is Officers' assessment that there is no evidence to suggest that any financial contribution to the local community would be required to mitigate against the impact of the development in order to make it acceptable in planning terms.
- 7.17.4 It is noted that the representation received from Folkingham Parish Council have stated that the solar PV panels should be sourced from the EU in order to reduce their carbon footprint. Whilst the embodied carbon footprint associated with the construction and operation of a proposed development may be a relevant material consideration in relation to the climate credentials of a development proposal, planning applications are concerned with the appropriateness of a land use and, therefore, cannot include conditions / restrictions on the sourcing of building materials. Any such condition would not meet the legal tests set out within Paragraph 56 of the National Planning Policy Framework.

## **8 Crime and Disorder**

- 8.1 It is concluded that the proposals would not result in any significant crime and disorder implications.

## **9 Human Rights Implications**

- 9.1 Article 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is concluded that no relevant Article of the Act will be breached in making this decision.

## **10 Planning Balance and Conclusions**

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 10.2 The application proposals seek planning permission for the installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of 27 megawatts, including mounting system, inverters, substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure, landscaping and environmental enhancements for a temporary period of 40 years. The generating capacity of the proposed solar farm is indicated as being equivalent to the energy needs of approximately 8,710 homes per annum.
- 10.3 The proposed development is located within an area of Open Countryside, where Local Plan Policy SP5 strictly limits development to those which have an essential need to be located within such areas; this includes support for rural diversification projects, such as the current application proposals. In addition, Policy RE1 (Renewable Energy Generation) of the Local Plan advocates a generally permissive approach to renewable energy schemes, subject to compliance with a series of criteria which consider the site-specific impacts associated with a particular proposal.
- 10.4 In this context, the application proposals would make an important contribution towards meeting the national objectives in respect of reducing greenhouse gas emissions as set out in the Climate Change Act (2050 Target Action Order) 2019. On a local level, South Kesteven District Council have formally declared a climate emergency, and this is a material consideration which weighs in favour of the application proposals.
- 10.5 However, the application proposals would result in the loss of an area of approximately 14 hectares of Best and Most Versatile (BMV) agricultural land, and whilst this loss would be temporary and the Applicant has indicated that the site would be retained for continued grazing use during the operational period, it is officers' assessment that there is insufficient evidence to justify the loss of BMV agricultural land from productive use during the operational period of the development. Further, it is Officers' assessment that there is sufficient availability of lower quality land which could be used to meet the identified need for renewable energy. As such, the application proposals would be contrary to Policy RE1(a), and this would also result in the proposals being contrary to Policy SP1, which evokes a sequential approach to the loss of BMV agricultural land, and Solar Energy Criteria 9 of the Renewable Energy Appendix.
- 10.6 Furthermore, representations received from Folkingham Parish Council and Billingborough Parish Council, as well as public representations received, during the statutory consultation period would indicate that the application proposals do not benefit from the support of the affected local communities, contrary to the obligation of Policy RE1(b).

- 10.7 As such, it is Officers' assessment that, on balance, the application proposals are contrary to the overarching objectives of Policy SP1, and the site-specific impact criteria of Policy RE1, of the adopted Local Plan. Therefore, the principle of the development would be contrary to the adopted Development Plan.
- 10.8 In addition, it is Officers' assessment that the proposed development would invariably result in a notable impact on the landscape character of the site, as result of the change in use of the site and the scale of the proposed development. However, whilst landscape impacts could be suitably mitigated by the submitted proposed landscaping scheme, the proposed development would still result in a minor adverse visual impact for recreational users of the public rights of way network; including the PRow which crosses through the site, and the PRow running immediately north of the site. Therefore, the scheme would be contrary to Policy DE1, EN1, EN3 of the adopted Local Plan and Solar Energy Criteria 2 of the Local Plan Renewable Energy Appendix.
- 10.9 Furthermore, it is the Case Officers' assessment that the proposed development scheme would give rise to less than substantial harm to the setting of the site of the Anglo-Saxon Nunnery and Medieval Chapel at Stowe Green, which is a Scheduled Ancient Monument. It is the Case Officers' assessment that this harm should be afforded great weight in the overall planning balance.
- 10.10 Similarly, it is acknowledged that the proposed landscaping scheme would demonstrably result in a significant biodiversity net gain, and this is a significant positive features which weighs in favour of the application proposals. However, comments received from Lincolnshire Wildlife Trust have identified that the proposed landscaping scheme does not include appropriate measures to mitigate against the loss of breeding habitats for protected breeding birds, namely skylark. As such, the application proposals in their current form would result in harm to habitats of ecological importance, contrary to the objectives of Policy EN2 of the adopted Local Plan and Solar Energy Criteria 7 of the Renewable Energy Appendix.
- 10.11 However, subject to the imposition of conditions, the application proposals would accord with the adopted development plan in respect of access and highways, flood risk and drainage, ground conditions, glint and glare, and impact on heritage and archaeological assets.
- 10.12 Nonetheless, taking all of the above into account, it is Officers' assessment that, on balance the application proposals would be contrary to the adopted Development Plan when taken as a whole.
- 10.13 In respect of whether there are material considerations which indicate that the proposal should be determined other than in line with the adopted development plan, the electricity generated by the proposed development and the contribution that this makes towards meeting the national objective of reducing reliance of fossil fuels and reducing greenhouse gas emissions is a significant benefit which Officers' attribute substantial weight. In addition, the biodiversity net gain achieved by the proposed landscaping scheme would also be a significant benefit, which Officers' would attribute significant weight. It is appreciated that

the proposed development scheme would also attract benefits to the local economy associated with the construction of the scheme for a temporary period; and accordingly, Officers' would attribute this limited weight.

- 10.14 Weighing against the proposal would be the adverse visual impacts of the development on recreational users of the public rights of way network within the surrounding area. In addition, the proposed development temporary loss of 14 hectares of best and most versatile agricultural land from agricultural production during the operational period. Whilst it is noted that the application submission indicates that there is the potential for ongoing grazing during the operational period, the site would be lost from productive use, and Officers' would attribute this temporary loss and, therefore harm, significant weight.
- 10.15 Taking all of the above into account, it is Officers' assessment that the application proposals would be contrary to the adopted Development Plan when taken as a whole, and the balance of the material considerations in this case would also indicate that planning permission should not be granted.
- 10.16 Therefore, the proposed development would be contrary to the development plan, and there are no other considerations, including the provisions of the Framework, which outweigh this conclusion.

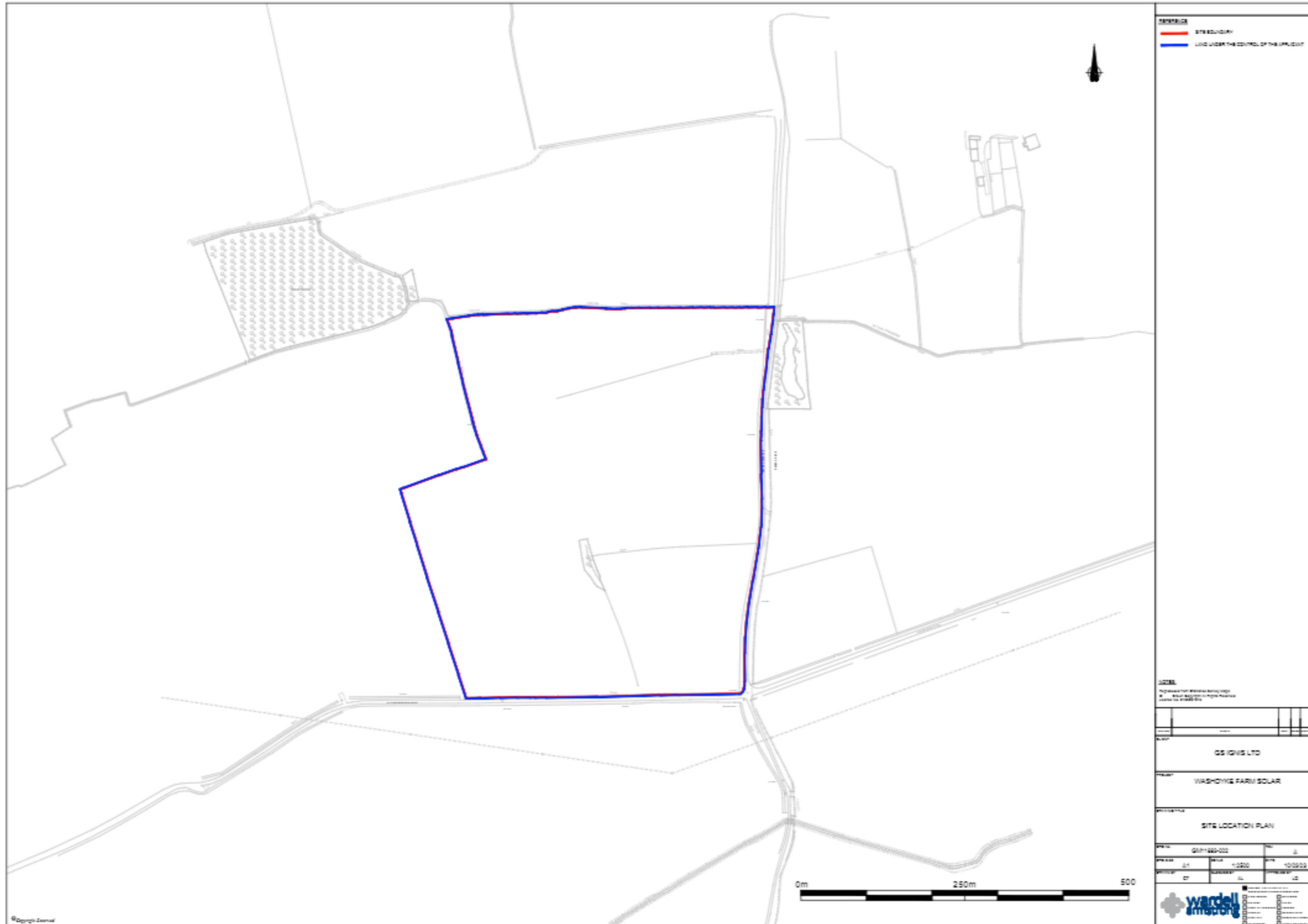
## **11 Recommendation**

- 11.1 To authorise the Assistant Director – Planning to REFUSE planning permission for the following reason(s):
1. The application proposals would result in the loss of an area of approximately 14 hectares of BMV agricultural land, and whilst this loss would be temporary and it would be plausible for the site to be in continued grazing use during the operational period, the application fails to provide sufficient justification for the loss of BMV throughout the lifetime of the development. In this respect, the Local Planning Authority considers that there is sufficient availability of lower quality agricultural land which could be used to meet the identified need for renewable energy, including within the immediate vicinity of the proposed grid connection point. As such, the application proposals would be contrary to Policy RE1(a); this would also result in the application proposals being contrary to Policy SP1, which seeks to protect BMV agricultural land unless it is the sequentially preferable site option.
  2. Representations received during the course of the statutory consultation from Folkingham Parish Council and Billingborough Parish Council would suggest that the affected local communities do not support the application proposals and therefore, the application scheme would be contrary to Policy RE1(b) of the adopted South Kesteven Local Plan 2011-2036.
  3. The application proposals would have an unacceptable adverse visual impact on recreational users of the public right of way network which passes

through the application site, and extends to the wider area. As such, the scheme would be contrary to Policy DE1, EN1, EN3 of the adopted Local Plan, Solar Energy Criteria 2 of the Local Plan Renewable Energy Appendix, and Section 12 of the National Planning Policy Framework.

4. The application proposals would result in the loss of breeding habitat for protected breeding birds, and do not provide appropriate mitigation measures to address the identified harm to protected species. As such, the application proposals conflict with Policy EN2, Solar Energy Criteria 7 of the Local Plan Renewable Energy Appendix and Section 15 of the National Planning Policy Framework in respect of ecological impacts.
5. The application proposals would result in less than substantial harm to the setting of the Anglo-Saxon Nunnery and Medieval Chapel at Stowe Green, which is a Scheduled Ancient Monument. In this respect, the Local Planning Authority considers that the public benefits of the proposal, including the provision of renewable energy, would not outweigh the identified harm. As such, the application proposals are contrary to Policy EN6 of the Local Plan and Section 16 of the National Planning Policy Framework.

Site Location Plan



**LEGEND**  
 SITE BOUNDARY  
 LAND UNDER THE CONTROL OF THE APPLICANT

**NOTES**  
 1. All dimensions are in metres unless otherwise stated.  
 2. All dimensions are to the centre of the line unless otherwise stated.

Client	OS IGHS LTD
Project	WASHOVING FARM SOLAR
Document Title	SITE LOCATION PLAN
Drawn By	GP/1000-002
Checked By	GP/1000-002
Date	10/09/09
Scale	1:2500
Sheet No.	1 of 1

OS IGHS LTD

WASHOVING FARM SOLAR

SITE LOCATION PLAN

GP/1000-002

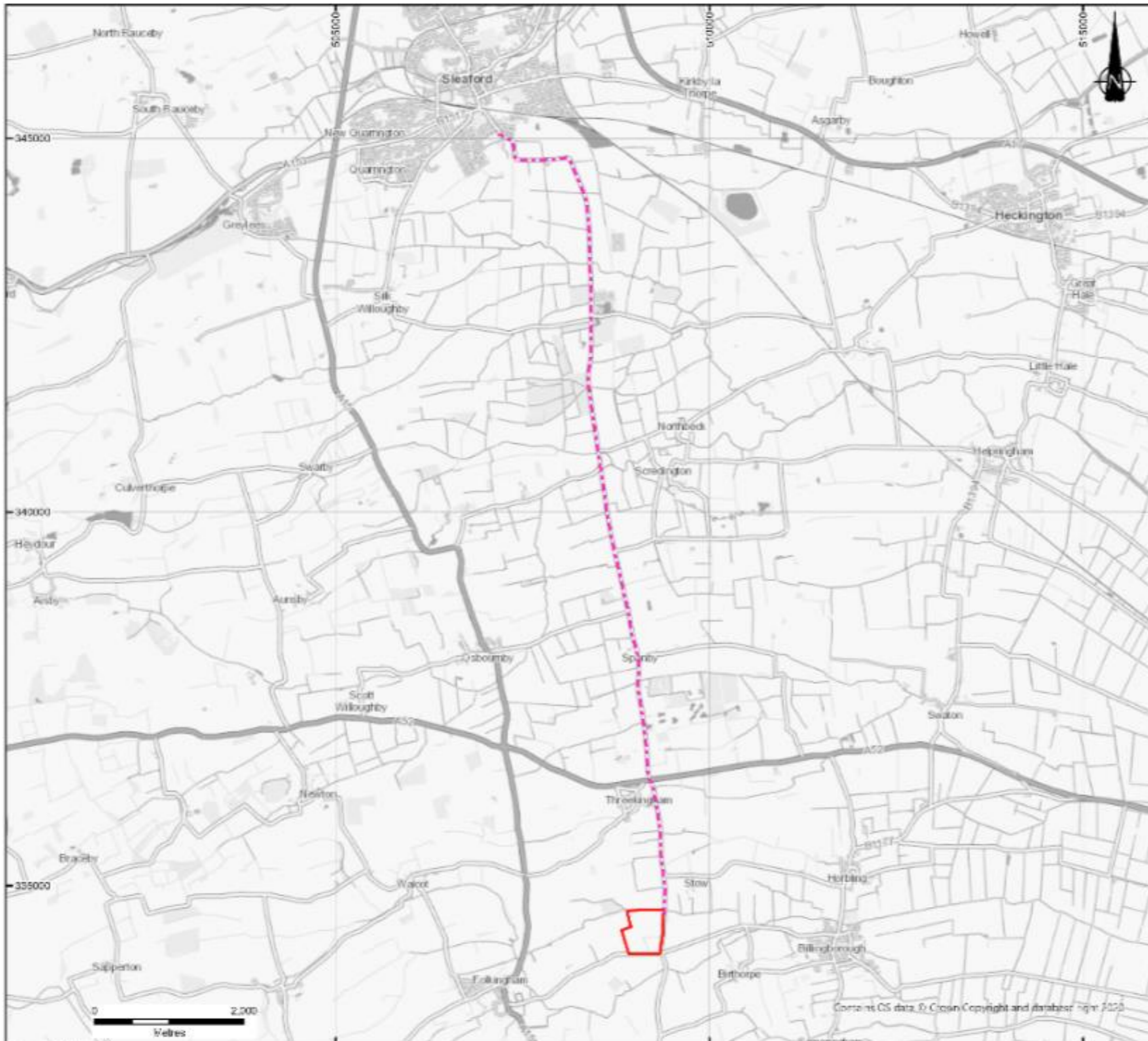
GP/1000-002

10/09/09



Proposed Block Plan





**KEY**

- Site Boundary
- Proposed cable route to Point of Connection at Sleaford substation

**Notes:**

DATE	SCALE	DATE	SCALE	DATE	SCALE

OWNER  
**GS IGNIS LTD**

PROJECT  
**WASHDYKE FARM SOLAR  
FOLKINGHAM  
LINCOLNSHIRE**

DRAWING TITLE  
**SITE LOCATION PLAN WITH  
PROPOSED CABLE ROUTE**

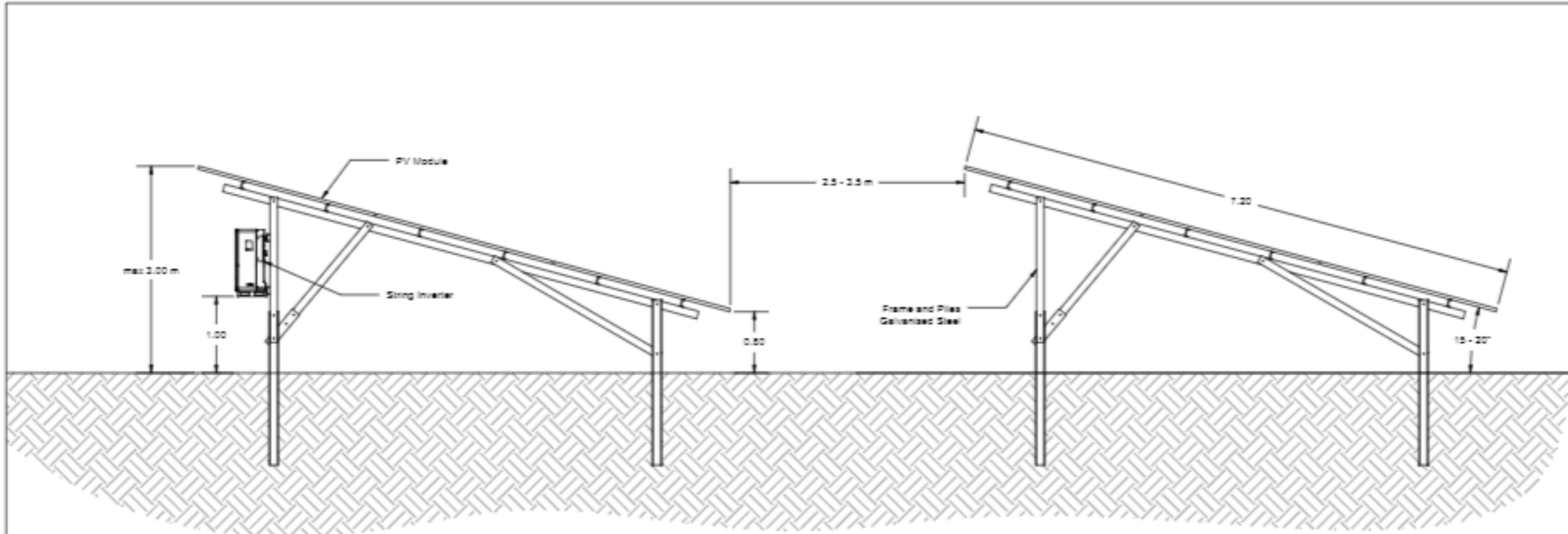
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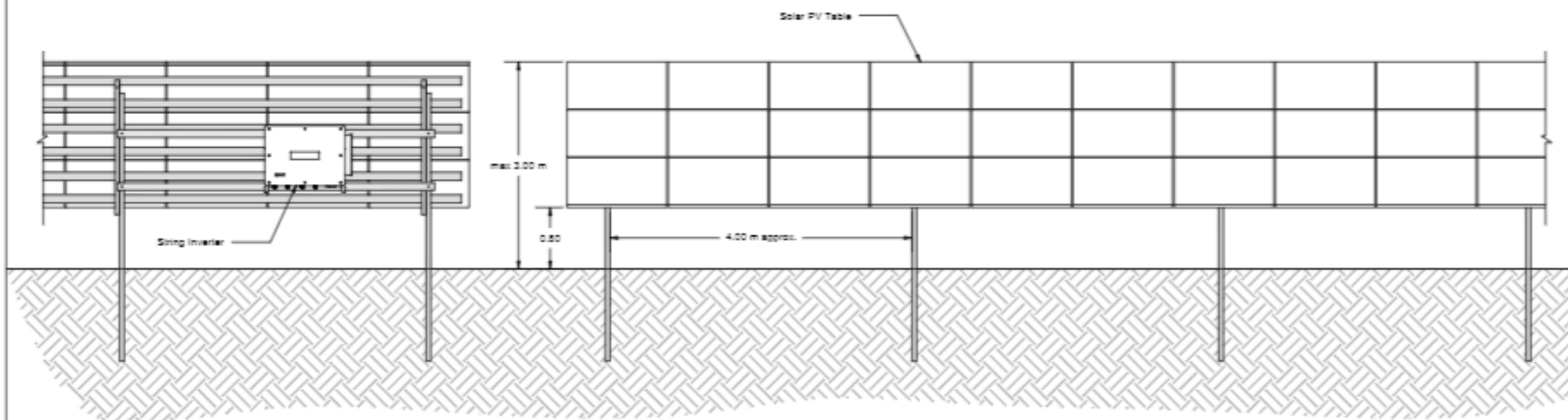





Proposed Solar PV Array Details



SIDE ELEVATION



REAR ELEVATION

FRONT ELEVATION



NOTES

- All dimensions are in metres unless otherwise specified. Follow figured dimensions - Do not scale for construction.

FOR PLANNING

REVISION	DETAILS	DATE	DRAWN	APPROVED

PROJECT  
**WASHDYKE SOLAR FARM**

DRAWING TITLE  
**SOLAR PV ARRAY  
 DETAIL**

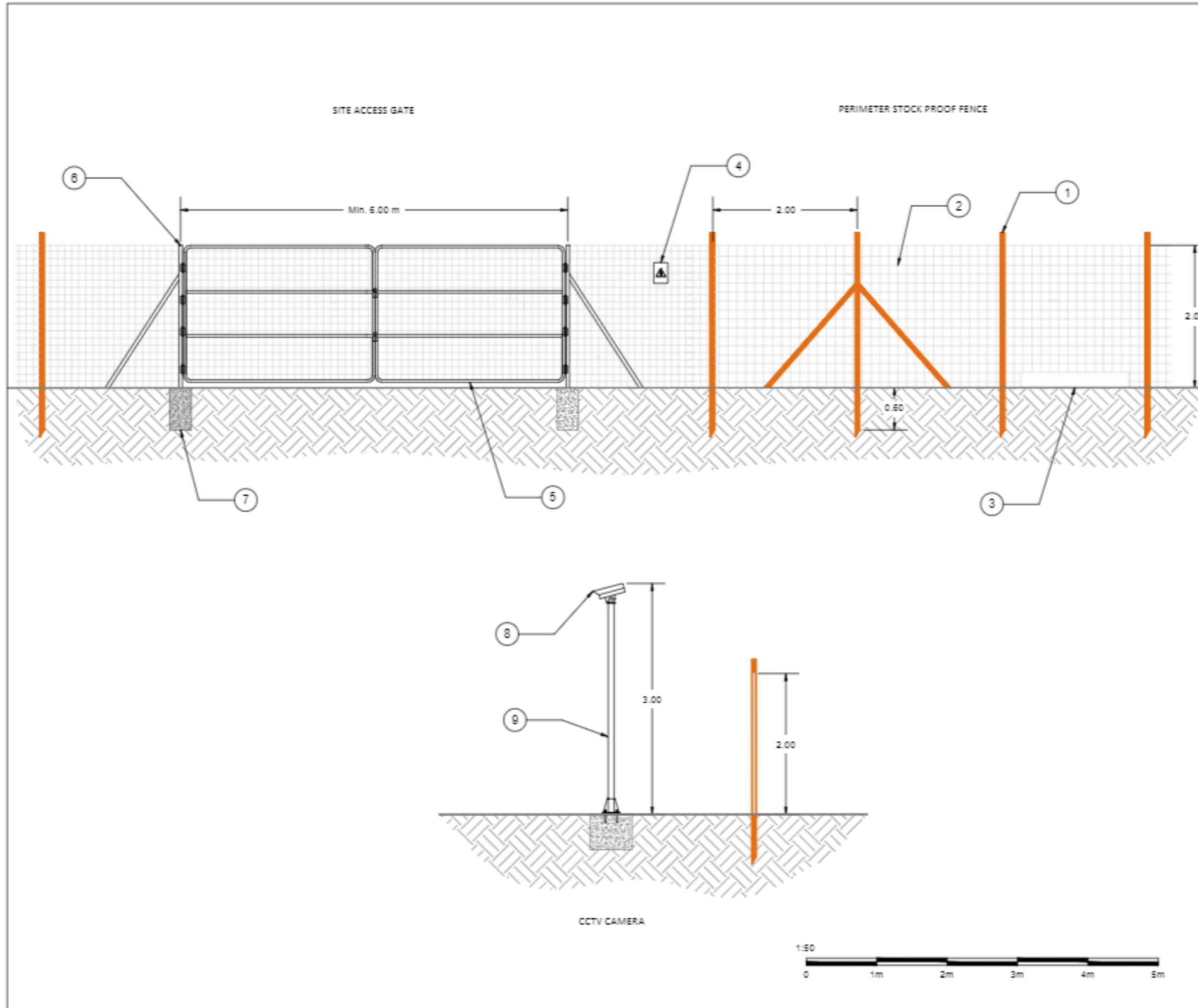
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 L2 2 2QP

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Proposed Fence and CCTV Plan



NOTES

1. Treated timber post
2. Wire mesh - Ø 3 mm galvanized steel
3. Hole for passage of animals 1.5 x 0.2 m
4. Rain and UV resistant signs that read "Danger High Voltage"
5. Galvanized steel gate
6. Galvanized steel post buried to a depth of 0.5 m
7. Concrete base to suit ground conditions
8. CCTV camera
9. Galvanized steel post

FOR PLANNING

REVISION	DETAILS	DATE	DRAWN	CAPPD

PROJECT  
WASHDYKE SOLAR FARM

DRAWING TITLE  
PERIMETER FENCE  
CCTV DETAIL

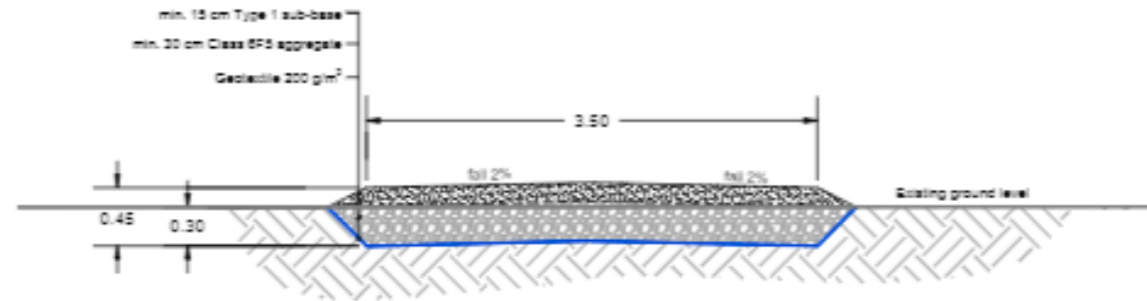
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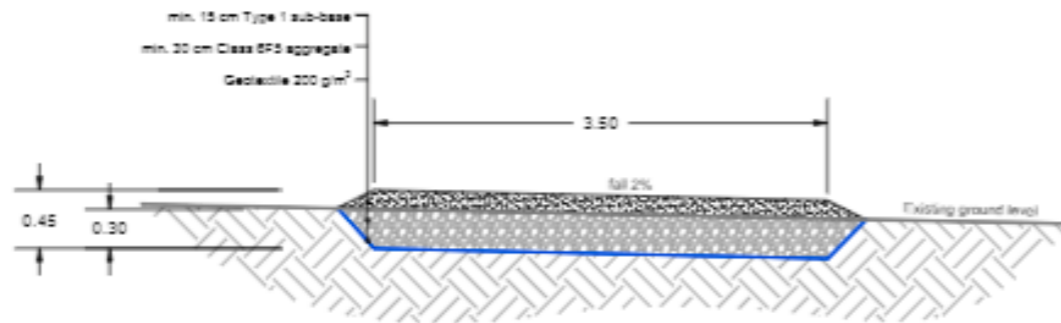
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Proposed Internal Access Track Plan



ACCESS TRACK - FLAT GROUND



ACCESS TRACK - SLOPING GROUND



NOTES

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REVISION	DETAIL	DATE	DRAWN	APPD

PROJECT  
WASHDYKE SOLAR FARM

DRAWING TITLE  
INTERNAL ACCESS TRACK  
DETAIL

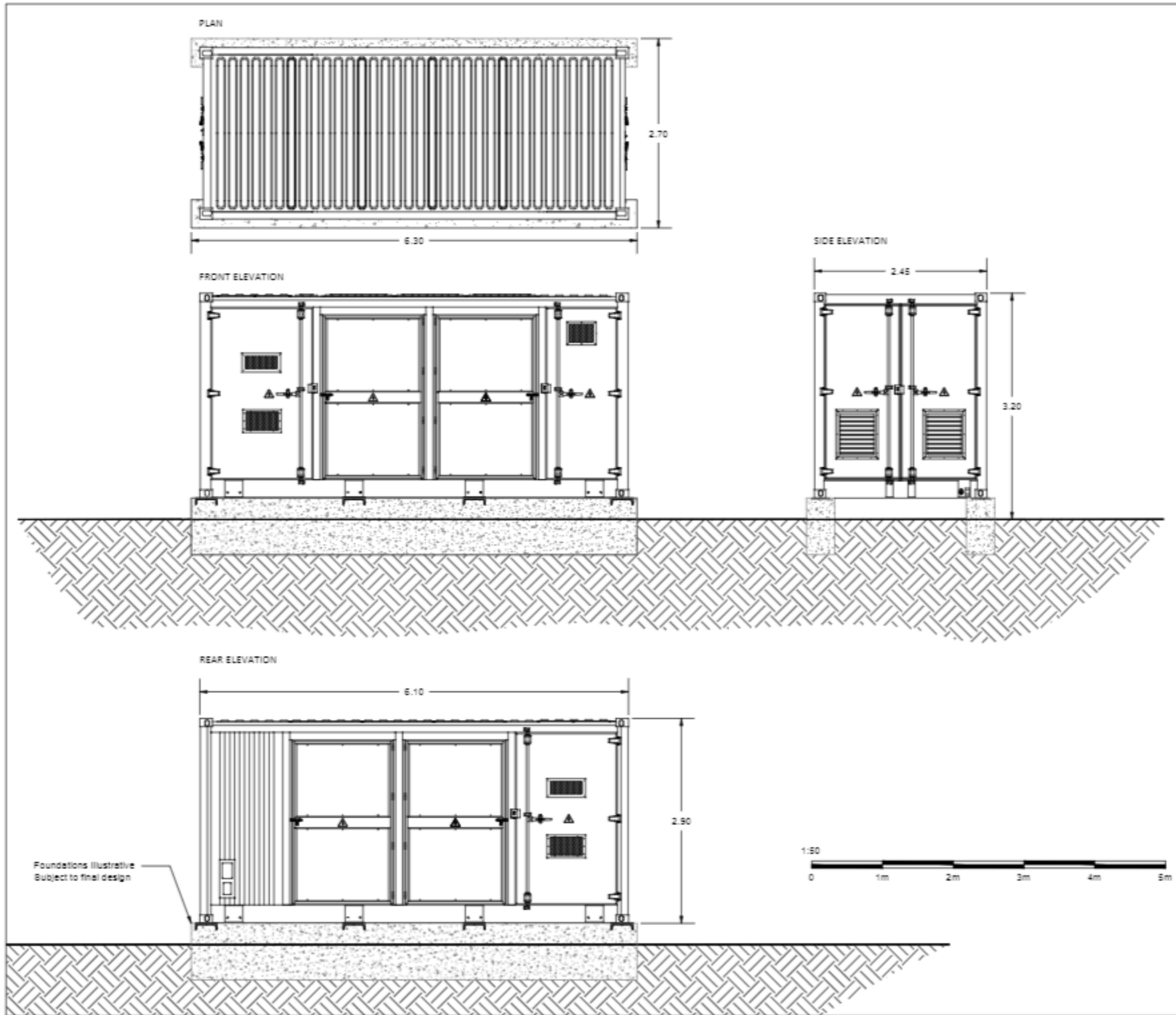
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Proposed Transformer Station Plan



NOTES

- All dimensions are in metres unless otherwise specified. Follow figured dimensions - Do not scale for construction.

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REVISION	DETAILS	DATE	DRAWN	APPROVED

PROJECT  
WASHDYKE SOLAR FARM

DRAWING TITLE  
TRANSFORMER STATION

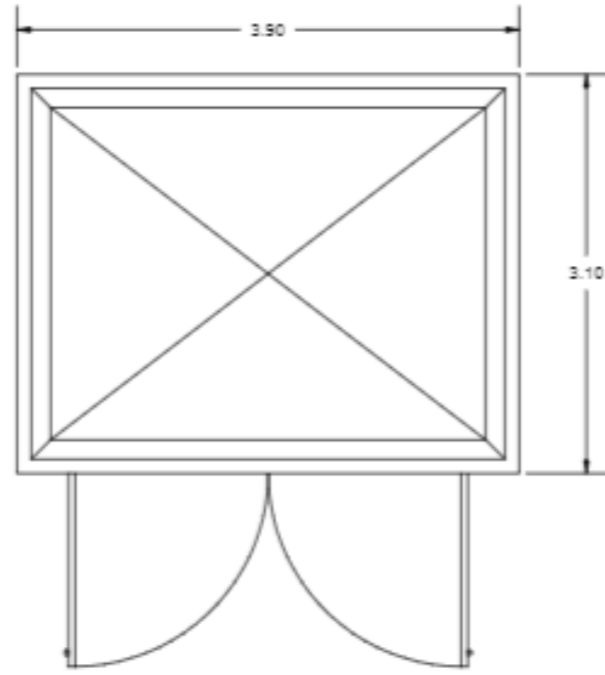
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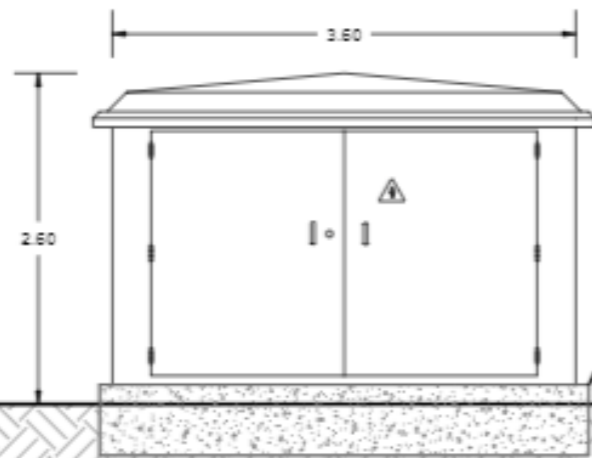
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Proposed DNO Substation Plan

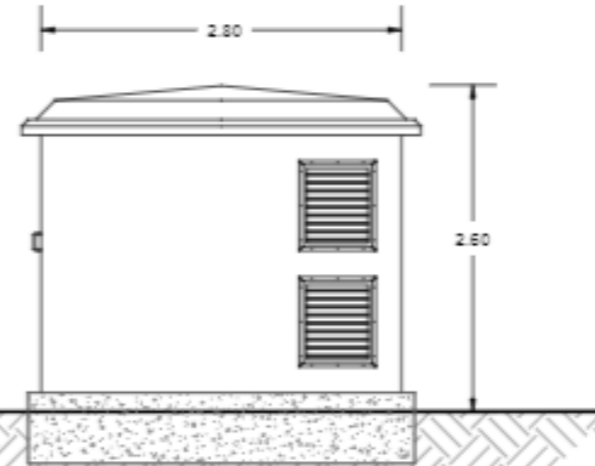


PLAN



FRONT ELEVATION

Foundations Illustrative  
Subject to final design



SIDE ELEVATION



NOTES

1. All dimensions are in metres unless otherwise specified. Follow figured dimensions - Do not scale for construction.

FOR PLANNING

REVISION	DETAILS	SITE	DATE	APPD

PROJECT  
WASHDYKE SOLAR FARM

DRAWING TITLE  
DNO SUBSTATION  
INDICATIVE DETAIL

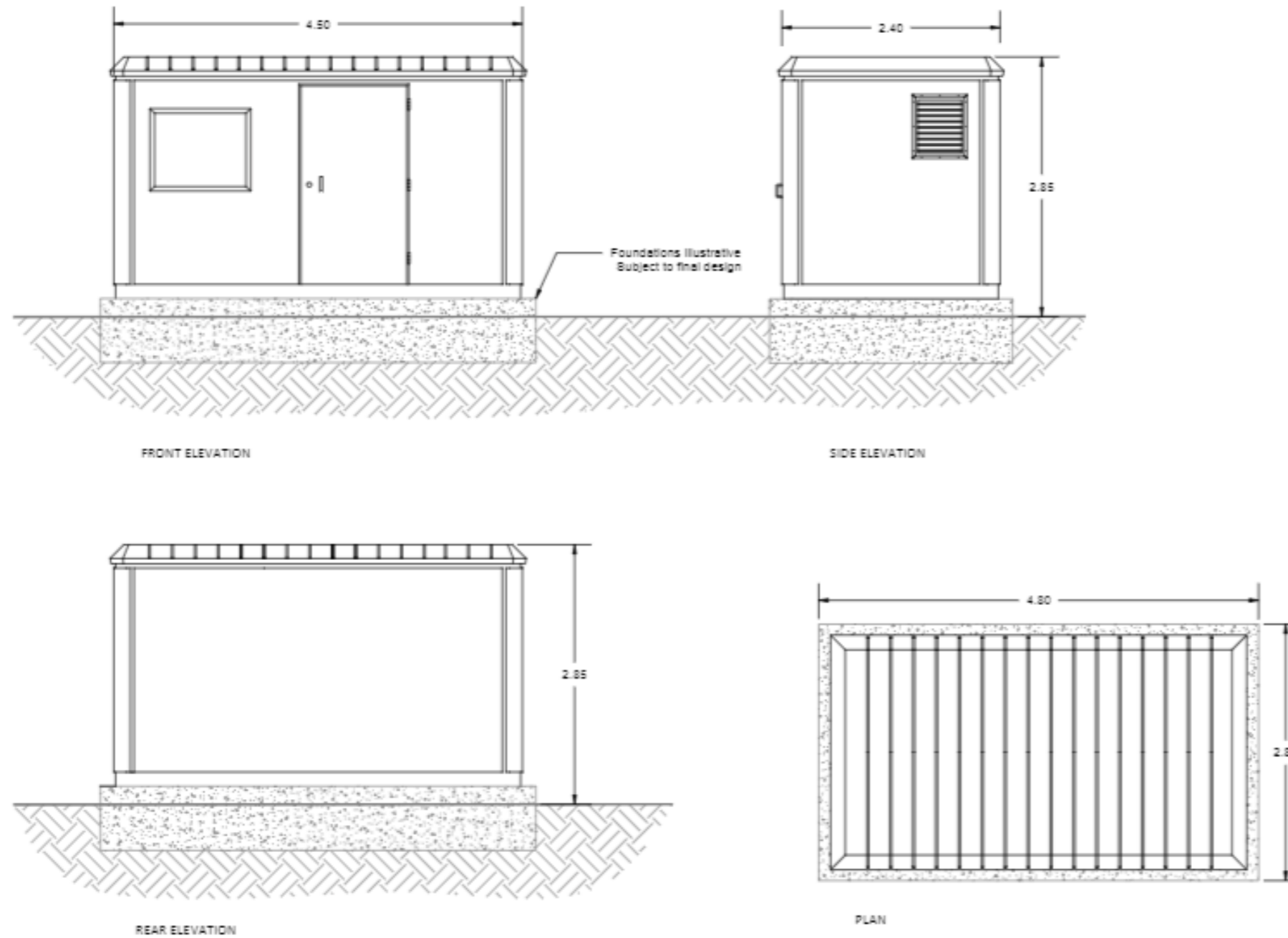
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DRAWN BY	AC	APPROVED	PD



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Proposed Control Building Plan



NOTES

1. All dimensions are in metres unless otherwise specified. Follow figured dimensions - Do not scale for construction.

FOR PLANNING

REVISION	DETAILS	DATE	DRAWN	APPD

PROJECT  
WASHDYKE SOLAR FARM

DRAWING TITLE  
CONTROL BUILDING  
DETAIL

DRG No.	1009-007	REV	A
SCALE	1:50 @ A3	DATE	12/01/2023
DRAWN BY	AC	APPROVED	PD

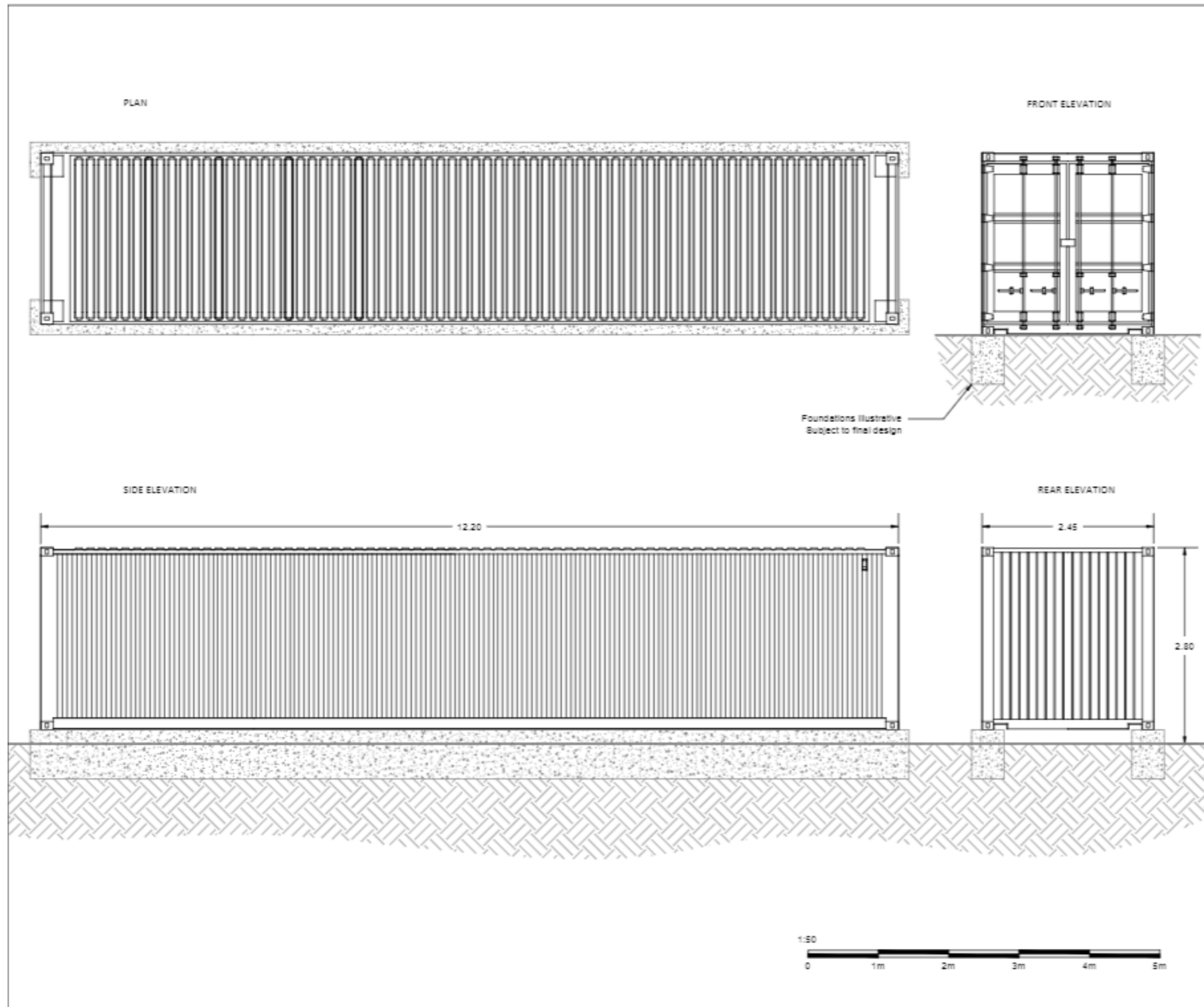


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TITHEBARN ST.  
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Proposed Spares Container Plan



NOTES

- 1. All dimensions are in metres unless otherwise specified. Follow figured dimensions - Do not scale for construction.

FOR PLANNING

REVISION	DETAILS	DATE	DRAWN	APPD

PROJECT  
**WASHDYKE SOLAR FARM**

DRAWING TITLE  
**SPARE PARTS CONTAINER**

DRG No.	1009-008	REV	A
SCALE	1:50 @ A3	DATE	21/12/2022
DRAWN BY	AC	APPROVED	PD



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 TITHEBARN ST.  
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