



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

11 July 2024



S24/0360

Proposal:	Installation of a solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years.
Location:	Land west of Church Lane, Welby
Applicant	Padero Solaer Ltd (PS Renewables)
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	Called in by Cllr Sarah Trotter for the following reasons: <ul style="list-style-type: none"> • Negative impact on the District's agricultural land asset due to loss of Best and Most Versatile Agricultural Land • Ineffective use of land • Absence of local community support
Key Issues:	Climate Change / Principle of Development Effect of the proposal on agricultural land Effect of the proposal on the character and appearance of the area Effect of the proposal on biodiversity and ecology
Technical Documents:	<ul style="list-style-type: none"> • Planning Statement • Design and Access Statement • Statement of Community Involvement • Environmental Report • Archaeological Desk Based Assessment • Setting Impact Assessment • Ecological Impact Assessment • Draft Landscape and Ecological Management Plan • Flood Risk Assessment • Landscape and Visual Appraisal • Construction Traffic Management Plan • Agricultural Land Classification and Agricultural Land Asset Impact Statement

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Lincrest

Reviewed by:

Phil Jordan, Development Management &
Enforcement Manager

2 July 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

1 Description of the site

- 1.1 The application site comprises an area of approximately 43.65 hectares (107.86 acres) of irregular shaped land situated to the west of Church Lane / east of High Dike (B5403), and situated approximately 1km to the south of the village of Welby and circa 5km north-east of the town centre of Grantham. The site currently comprises of 6(no) fields of agricultural land, which are currently in agricultural use, and form part of a single agricultural unit. The site lies within an area of broadly flat topography with the land falling slightly to the south-east from 121m AOD to 117m AOD.
- 1.2 The application site primarily follows the established field boundaries, with the exception of the southern boundary which does not follow a clearly defined physical feature. All other internal and external boundaries of the site are marked by mature hedgerow and vegetation, with some sporadic mature trees within the site, which are primarily positioned along the internal field boundaries.
- 1.3 The site is bound to on all sides by open countryside, including further agricultural land. Access to the site is proposed to be taken via an existing agricultural field access situated on Church Lane to the east of the site; but is separated from the main body of the site by a 2 fields of land. Similarly, High Dike (B6043) runs adjacent to the site's western boundary, but is separated from the main body of the site by a further agricultural field.
- 1.4 As indicated above, the proposed development site lies outside of the main built-up area of defined settlement within the District – the nearest settlement is Welby, which is located approximately 0.7km from the northern boundary of the proposed development site – and therefore, the site falls to be defined as being located within the Open Countryside. The site is also identified as being within Flood Zone 1 of the Flood Map for Planning, but includes areas of medium and higher surface water flood risk. Furthermore, the Natural England Provisional Agricultural Land Classification Maps identify the site as being Grade 3 agricultural land value; a detailed Agricultural Land Classification Survey has been completed as part of the application submission, and this is discussed in further detail below. The site also falls within a Minerals Safeguarding Area for Limestone as designated in the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016).
- 1.5 The site is not subject to any statutory landscape designations. However, the site is located within the Southern Lincolnshire Edge Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by the large-scale, open arable landscape character; and comprises of open rectilinear fields under arable cultivation with some fragmented hedgerow trees, which allow extensive views.
- 1.6 Similarly, the proposed development site does not contain any designated built heritage assets, but there are a number of designated built heritage assets located within the surrounding area; including the Grade I Listed Belton House and its associated Registered Park and Garden (approx. 2.5km north-west), Grade I Listed Church of St. Bartholomew, Welby (approx. 1km to the north), Grade II* Listed Church of St. John the Baptist (approx. 1.7km north-west), and the scheduled Site of the Cistercian Grange (approx. 1.75km east).
- 1.7 Furthermore, whilst the site is not subject to any ecological designations, it is noted that Church Lane is identified as a Local Wildlife Site and forms one of ten LWS' within 2km of the proposed development site. The nearest nationally designated site is the Kirton Wood Site of Special Scientific Interest, which is approximately 3.5km to the south-east.

- 1.8 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: S23/0587) in July 2023, 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.
- 1.9 Furthermore, whilst the site is not located within close proximity of any of the approved planning permission for solar development within the District, it is acknowledged that there are currently 2 planning applications for solar development within the immediate vicinity of the site, which are pending consideration by the Local Planning Authority. These are as follows:
- LPA Ref: S24/1040 – Pastures Farm, High Dike, Welby – approximately 110 hectares of land situated to the north of Welby (approximately 2.2km north of the current application site), which is proposed to use the same grid connection point as the current application scheme.
 - LPA Ref: S23/2199 – Land at High Dike, Londonthorpe (Ash Tree Solar Farm)– approximately 141 hectares of land situated to the north-west of Welby, on the opposite side of the High Dike (approximately 2km north-west of the current application site), which also proposes to use the same grid connection point as the current application scheme.

2 Description of the proposal

- 2.1 The current application seeks full planning permission for the installation of solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years.
- 2.2 The proposed solar farm is anticipated to have an energy generating capacity of up to 24 megawatts (MW), and would be operational for a temporary 40 year period; with all equipment removed from the site at the end of the operational period, and the land subsequently returned to its current agricultural use.
- 2.3 The application states that the solar farm would provide the equivalent energy needs of approximately 9000 homes in the UK.
- 2.4 The application submission has been accompanied by a series of Proposed Plans and Elevations, as well as detailed technical assessments, which indicate that the development would consist of the following:
- 2.5 Approximately 62,000 Solar Photovoltaic (PV) panels based on a simple metal framework (table) facing south to form an array. The proposed arrays would be tilted between 15 and 35 degrees from the horizontal axis and would be a maximum height of 3.5m above ground.
- 2.6 Up to 6 combined inverter / transformer cabins would be positioned around the site and would measure 10.5 in length, 2.6m in width and would have a maximum height of 3m.
- 2.7 A Customer Substation (Delivery Station) and DNO Station, which would both be 9m in length, 2.5m in width and 4.2m in height are proposed to be positioned in the south-west corner of the site, adjacent to the proposed grid connection corridor.

- 2.8 A Control Room would also be positioned in the south-west corner of the site and would measure 10.5m in length, 2.6m in width and 3m in height.
- 2.9 Boundary fencing (deer fencing) around the site perimeter which would be 2m high and would include a gap at the bottom for small mammals to pass through.
- 2.10 CCTV cameras are proposed to be positioned on a 2.8m monopole located around the boundary of the site.
- 2.11 Internal access tracks totalling 600m would be constructed of compacted stone of aggregate. An additional 2km of existing access tracks would also be utilised and are proposed to be upgraded.
- 2.12 The proposed development would connect to the National Grid via an existing substation located approximately 1.1km to the west of the site, with connection made via a cable buried underground, and running through agricultural fields to the west of High Dike.
- 2.13 Access to the site is proposed to be taken via the existing agricultural field access into the site from Church Lane to the east. The access is proposed to be used for construction of the proposed development, as well as the operational period, including periodic attendance by maintenance operatives.
- 2.14 The application submission has also been accompanied by a Proposed Landscape Mitigation Plan, which indicates that the existing boundary and internal hedgerow will be retained and enhanced through gapping up with native hedgerow; further additional native hedgerow is to be planted on open boundaries to the south of the site. The existing northern hedgerow boundary is to be planted with new oak trees. Within the site, the existing agricultural land is proposed to be seeded with native species and species rich grassland.

3 Relevant History

Application Ref	Description of Development	Decision
S23/0587	Request for an EIA Screening Opinion for the installation and operation of a solar farm with associated infrastructure	EIA Not Required 20.07.23

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 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 Appendix 3 – Renewable Energy

- 4.2 **Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016)**
Policy M11 – Safeguarding of Mineral Resources
- 4.3 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**
- 4.4 **National Planning Policy Framework (NPPF) (Published December 2023)**
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 and beautiful 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
Section 17 – Facilitating the sustainable use of minerals
- 4.5 **National Policy Statement for Energy (EN1) (Published November 2023)**
- 4.6 **National Policy Statement for Renewable Energy (EN3) (Published November 2023)**

5 Representations Received

5.1 Association of Gardens Trust

5.1.1 No comments to make

5.2 Civil Aviation Authority

5.2.1 No comments received.

5.3 Defence Infrastructure Organisation

5.3.1 No comments received.

5.4 Environment Agency

5.4.1 No comments received

5.5 Heritage Lincolnshire

5.5.1 No objection subject to conditions.

5.5.2 A desk-based archaeological assessment has been undertaken to assess the potential archaeological impacts of the proposed solar farm. A geophysical survey identified a number of anomalies of possible archaeological origin across the site. In November 2023, a programme of archaeological trial trenching was undertaken and identified archaeological remains of Roman and Iron Age date. Reports describing the results of the above projects have been submitted in support of the application.

5.5.3 The archaeological evaluation has established that archaeological remains are present on the site. A mitigation strategy is now required. The Construction Management Plan should refer to the archaeological mitigation strategy and establish a mechanism for its implementation. All archaeological fieldwork to be undertaken for the mitigation strategy should be in accordance with a Written Scheme of Investigation approved by the Local Planning Authority.

5.6 Historic England

5.6.1 No objections.

5.7 **Lincolnshire County Council (Highways & SuDS)**

5.7.1 No objections subject to conditions.

5.7.2 It is proposed that the site will be accessed off the A52 and then Church Lane. Although the A52 is capable of taking the vehicle movements, Church Lane is narrow. Therefore, to prevent traffic backing up onto the A52 when trying to turn into the site or vehicles over-running Church Lane, the Highways Authority request that five passing places are installed along Church Lane.

5.7.3 As Lead Local Flood Authority, the application is proposing that the site continue to drain as it does naturally, due to the fact that there is little increase in impermeable areas on the site. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

5.8 **Lincolnshire County Council (Planning Policy)**

5.8.1 Objection.

5.8.2 Failure to protect the best and most versatile agricultural land contrary to Policy SP1 of the adopted South Kesteven Local Plan (2020) and New Policy 2 of the draft Local Plan (2024). The land within the proposed development site is classified as a mix of Grade 2, Grade 3a and Grade 3b agricultural land with the loss to food production therefore, of some good quality and very good quality land.

5.8.3 This development and its construction (on a site of over forty hectares) will impact the surrounding rural landscape character and impact visual amenity, including through glint and glare. This will be exacerbated by the cumulative impacts of other nearby applications. This is contrary to Policy SP5 and EN1 of the adopted Local Plan.

5.9 **Lincolnshire County Council (Public Rights of Way & Access)**

5.9.1 Comment.

5.9.2 The proposed development site is subject to an application seeking a definitive map modification order to add to the legal record of public rights of way, a restricted byway.

5.9.3 We advise that provision be made in the proposed scheme for the full 60-foot width public road recorded in the Enclosure Award, as this would mitigate any issues arising in the future should a DMMO be made and confirmed. Planning permission would grant the right to development, and would not provide licence to obstruct a public right of way. Failure to take the full width of the public road into account in the scheme could result in enforcement action being taken to make the route available for public use should it be proven to be a public right of way by way of the evidence-driven statutory processes.

5.10 **Lincolnshire Fire and Rescue**

5.10.1 No objections.

5.11 **Lincolnshire Wildlife Trust**

5.11.1 Comment.

5.11.2 We are encouraged to see the applicant has undertaken a full BNG assessment of the site as well as measures to incorporate areas for ground nesting birds, such as skylark, following our response to the EIA request.

- 5.11.3 In regards to the habitats to be created on site, we would strongly encourage use of a seed mix that includes flowering plant species as opposed to grass only mix. The field parcels fall under the “Biodiversity Opportunity Mapping” carried out by the Greater Lincolnshire Nature Partnership and are designated as areas of “opportunity for creation”. This highlights the strategic significance of the site in contributing to the Local Nature Recovery Strategy.
- 5.11.4 In view of this, we feel a different seed mix should be used that contains both grasses and wildflowers in order to provide important nectar sources for pollinators, other invertebrates and thereby taxa of higher trophic levels. The two closest road verges to the site are both areas of calcareous grassland which should be the desired habitat to be created on site.
- 5.11.5 We note that there is no intention to enhance the small parcel of woodland on site. Given the two parcels fall just short of achieving a moderate condition, we feel that minor interventions could be made during the habitat management phase to improve the condition of these wooded areas. A similar measure may be taken with hedgerow management in which cutting can be reduced to encourage the growth of the hedge, as well as enabling them to provide more flowers as well as fruit for declining wintering birds which rely on this food source.
- 5.11.6 Subject to permission being granted, we would request a habitat management and monitoring plan for the full period of the project.
- 5.12 **National Grid**
- 5.12.1 No comments received.
- 5.13 **National Highways**
- 5.13.1 No objections.
- 5.14 **National Trust**
- 5.14.1 Comment.
- 5.14.2 It is noted that the applicant’s Setting Impact Assessment has considered Belton and the Registered Park and Garden. Also, highlighting the relevance of the landscape setting and the importance of key approaches. The unique position of Bellmount Tower as a viewing platform is discussed. However, there is greater potential for the applicant to consider rooftop eastward and south-eastward views to help shape their analysis. The applicant’s Landscape and Visual Appraisal also appears to consider viewpoints relatively close to the application site, which could be expanded.
- 5.14.3 Attention is drawn to the Belton House and Park Setting Study (2010), jointly commissioned by South Kesteven District Council and the National Trust which offers a wider analysis of setting. This could be given greater attention by the Applicant.
- 5.14.4 Given both the topography and separation distances, it is considered that there is less risk to the more intimate, experiential nature of setting associated with Belton’s eastern parkland. There may be some wider intervisibility between the parkland and the application site, with the introduction of a more functional visual feature in the wider landscape. This is also accounting for the construction phase, alongside additional security measures and infrastructure.
- 5.14.5 With regard to Belton’s significance and setting, the National Trust request that relevant heritage, landscape and ecological review is carried out within the decision-making process.

Also, that the potential cumulative impact of this, and nearby, solar farm proposals are given due consideration.

5.14.6 More broadly, if SKDC consider that this application should be approved, we request that the type and nature of solar panels is agreed to minimise the risk of glint and glare in the wider landscape. This includes the use of non-glare / non-reflective type panels. Also, that all opportunity is taken to maximise visual screening in a measure suitable to the site and landscape. Finally, an appropriate site decommissioning and restoration plan should also be in place with robust associated conditions.

5.15 **Natural England**

5.15.1 No comments to make.

5.16 **SKDC Conservation Officer**

5.16.1 No objections raised.

5.16.2 The Applicant has provided an extensive Heritage Impact Assessment assessing the potential impacts upon heritage assets within 5km for Grade I and II* listed assets as well as scheduled monuments, as well as grade II listed assets in a 1km radius. Whilst this assessment addresses the potential impacts upon the Grade I and II* listed assets, as well as the Lonthorpe Conservation Area, there is a lack of assessment of the grade II listed buildings. The assessment regarding Belton House Park and Garden as well as the Grade I listed Church of St. Bartholomew appear appropriate in scale. There are a number of grade II listed buildings, especially in Welby, which may be affected.

5.17 **SKDC Environmental Protection Officer**

5.17.1 No objection, subject to conditions requiring compliance with Construction Management Plan.

5.18 **Welby Parish Council**

5.18.1 We recognise the need to decarbonise and achieve net zero targets and welcome the benefits of smart, cheaper, green energy.

5.18.2 We note from the EIA related to this submission that less than 1/3 of the proposed land is actually Grade 3B and none of it lower than Grade 3B. The vast majority of the land is of a much higher grade and consists of land that is actively farmed for arable crops. We note that, whilst agriculture and energy production are not mutually exclusive and in some instances will need to be shared by necessity, and that this land will have a supplemental use for livestock grazing, the loss of high grade arable land is of concern to our community. The relevant importance of food security versus energy security is a judgement that needs to be strongly considered.

5.18.3 The proposed development is one of three such schemes at various stages of planning and all are in close proximity to the village of Welby. The cumulative impact of loss of arable land, the impact to the fundamental nature of the landscape and the sense of encirclement needs to be noted.

5.18.4 The lack of unanimous community support for this submission and for the others.

5.18.5 The South Kesteven Local Plan does not make any provision for solar farms, which makes it difficult to recognise the basis for the approval of these plans.

5.18.6 Solar development is inefficient and may not result in net zero emissions over the course of the production and implementation of the development equipment.

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 letters of representation have been received from 14 interested parties, all of whom have raised formal objections. The material considerations raised within the representations can be summarised as follows:

(1) Principle of development

- The Local Plan does not allocate any land for solar development within the District.

(2) Impact of the development on agricultural land

- Objection to the loss of Grade 2 (Very Good) quality agricultural land.
- Insufficient assessment of alternative sites

(3) Effect of the development on the character and appearance of the area

- Objection to the impact of the development on the rural landscape character and setting.

(4) Effect of the development on heritage assets

- The proposed development would adversely affect the setting and significance of Belton House.

(5) Effect of the development on ecology and biodiversity

- The proposed development would have an adverse impact on protected species.

(6) Cumulative Impacts

- Objection to the cumulative impact of the proposed development in combination with the nearby applications on the rural landscape character.

(7) Effect of the development on glint and glare

- Adverse impact of the development on the landscape character, aviation and road users as a result of glint and glare

(8) Other Matters

- Insufficient information about the capacity and layout of the development.

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 for the current application.

7.2 The Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016) also forms the development plan for the District in relation to minerals planning.

7.3 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.

7.4 The policies and provisions set out in the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2023), and the National Policy Statements for Energy (EN1) and Renewable Energy (EN3) are also a relevant material consideration in the determination of applications.

7.5 **Principle of Development / Effect of the proposals on climate change**

7.5.1 It is noted that representations received from Welby Parish Council and members of the public have raised objections to the application proposal on the basis that the adopted Local Plan does not specifically allocate land for solar development. Similarly, it is also noted that representations received from Welby Parish Council have also raised objection on the basis that the application scheme does not benefit from local community support.

7.5.2 In this respect, it is acknowledged that the proposed development site is located outside of the main built-up area of an existing settlement within the District; the nearest settlement is Welby, which is located approximately 0.7km to the north of the site. Therefore, the site falls to be defined as being located with the Open Countryside. Policy SP5 (Development in the Countryside) limits development in such locations to that which has an essential need to be located outside of the existing built form of a settlement. This policy includes support for rural diversification projects. The proposed solar development would reasonably fall within the consideration of a rural diversification project, and therefore, would be acceptable within this open countryside location.

7.5.3 The application proposals would have a generating capacity of approximately 24MW and would provide sufficient energy generation to power the equivalent of 9,000 homes in the UK. This would make a positive contribution towards meeting the national objectives in respect of energy generation, and would also be consistent with the principles of the adopted Local Plan, which supports renewable energy generation in principle, subject to material considerations. It is also acknowledged that South Kesteven District Council has formally declared a climate emergency, and has also published a Climate Change Strategy (2023) which, amongst other things seeks to maximise opportunities for the District to become more self-sufficient for energy and to reverse biodiversity loss and expand existing habitats. It also recognises that the development of renewable energy at every level will be important to drive local energy generation and provide a tangible contribution to national Net Zero targets. These matters are both material considerations that weigh in favour of the application.

7.5.4 In assessing the application proposals against the specific policy obligations of Policy RE1 (Renewable Energy Generation):

- (a) A detailed Agricultural Land Classification Survey (Reading Agricultural Consultants) (January 2024) has been completed and identifies that 7.8ha (19%) of the site comprises Grade 2 (Very Good Quality) land, 19.7 ha (49%) comprises Grade 3A (Good Quality) land, and 13.0 hectares (32%) comprises Grade 3B (Moderate Quality) land. As such, the proposed development scheme would result in the temporary loss of Best and Most Versatile Agricultural Land (BMVAL) from active food production. The effect of the development on the District’s agricultural land resources is discussed in further detail below.

- (b) The application submission has been accompanied by a Statement of Community Involvement (PS Renewables) (February 2024), which provides a summary of the public consultation undertaken by the Applicant prior to the submission of the application. It is noted that representations received from Welby Parish Council and members of the public during the course of the consideration of the application have all raised objections to the proposed development and, therefore, it can be concluded that the proposal cannot demonstrate the support of the affected local community.

Notwithstanding this, it is noted that the Inspector's appeal decision for the Folkingham solar development (LPA Ref: S23/0511) concluded that Policy RE1 does not make any distinction between different types of renewable energy schemes and, in the absence of Appendix 3 (Renewable Energy) of the adopted Local Plan making any specific reference to requiring community support for solar development proposals, there is no firm basis for requiring such proposals to demonstrate the support of the local community. In addition, national policy does not require solar development to demonstrate support of the local community and, therefore, it was concluded that the imposition of such a requirement would be inconsistent with the requirements of the NPPF.

As such, whilst the application scheme does not benefit from the support of the affected local community, in light of the Folkingham appeal decision, it is concluded that this does not constitute a conflict with Policy RE1(b) in this case.

- (c) The application proposals would have a generating capacity of up to 24MW. Electricity generated from the development would be transferred to the National Grid via substation located approximately 1.1km to the west of the site, with connection made via a cable buried underground, and running through agricultural fields to the west of High Dike.
- (d) The submitted Planning Statement confirms that permission is sought for a temporary period of 40 years from the date of the first export of electricity from the site to the National Grid. The Statement also confirms that the site would be decommissioned at the end of the operational period.
- (e) Other relevant local and national planning policies and the prospective impacts of the development are discussed in further detail.

7.5.5 Taking the above into account, it is Officers' assessment that the principle of renewable energy generation development is supported by Policy SD1, SP1 and RE1 of the adopted Local Plan, subject to material considerations. These matters are discussed in further detail below.

7.6 **Effect of the development on agricultural land**

7.6.1 It is noted that representations received from Welby Parish Council and public representations have raised objections to the application on the basis that the proposed development would result in the loss of Grade 2 (Very Good) agricultural land, and that there has been insufficient assessment of alternative sites to justify the loss of this BMVAL.

7.6.2 As outlined above, the submitted Agricultural Land Classification Survey identifies that 7.8ha (19%) of the site comprises Grade 2 (Very Good Quality) land, 19.7 ha (49%) comprises Grade 3A (Good Quality) land, and 13.0 hectares (32%) comprises Grade 3B (Moderate Quality) land. As such, the proposed development scheme would result in the temporary

loss of 27.5ha Best and Most Versatile Agricultural Land (BMVAL) from active food production.

7.6.3 Policy SP1 and Criteria 9 of the Renewable Energy Appendix of the adopted Local Plan required development proposals to follow a sequential approach to the siting of solar energy development proposals; with the loss of BMVAL requiring robust justification and evidence that there is insufficient lower grade agricultural land to accommodate the development proposal.

7.6.4 In this respect, the current application scheme has been accompanied by an Alternative Sites Assessment (PS Renewables) (February 2024), which identifies the following key conclusions:

- In order to remain viable, a solar farm project connecting at a 33kV substation must typically be 5MW or greater and within 2.5km of the connection point.
- PSR identified four areas for further consideration. Having looked into these areas in greater detail, three were then identified as having land within them which may be suitable subject to further survey and a commercial agreement. PSR was able to reach a commercial agreement with the landowner which although identified as potentially containing some BMV land, was largely provisional Grade 3 agricultural land.
- Although the site was confirmed to contain a mix of BMV and non-BMV land, PSR's conclusion remained that the other plots of land provisionally identified as having some high-level suitability on potentially lower grade agricultural land were less suitable for development for a variety of planning, environment and technical reasons and could also have contained BMV land not identified within the provisional mapping.
- Taking the balance of planning and environmental considerations into account, PSR was unable to identify any suitable alternatives that were on lower grade agricultural land.

7.6.5 With regards to the above, it is the Case Officer's assessment that the submitted Alternative Sites Assessment does not provide adequate justification for the proposed use of BMVAL. In particular, it is Officer's assessment that the use of Grade 2 BMVAL for solar development within the District is unnecessary and has not been robustly justified.

7.6.6 Whilst it is accepted that the Provisional Agricultural Land Classification Maps identify large areas of the District as being Grade 3 land, and it is not possible to distinguish between Grade 3A (BMVAL) and Grade 3B (non-BMVAL), quality land without further investigation, even in the circumstances where a site is identified as being Grade 3A land, the use of this land would still be sequentially preferable to the use of Grade 2 (Very Good) quality land.

7.6.7 In this context, it is noted that the Alternative Sites Assessment also suggests that a maximum cable connection route of 2.5km is required in order for development proposals to remain viable. However, in this respect, it is acknowledged that the LPA are currently in receipt of a planning application for solar development at Welby Pastures, which is approximately 2.2km to the north of the site, and proposes to connect to the grid via the same 33kV substation at Londonthorpe. This site is located solely on Grade 3 land (40.3ha of Grade 3A BMVAL and 58.9ha of Grade 3B non-BMVAL), and therefore, indicates that a viable development could be provided on land of lower grade agricultural land quality. The fact that this land is currently subject to an application for solar development with an

alternative operator demonstrates that it is available for development, and would be deemed to be a reasonable alternative.

7.6.8 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 to accommodate the development proposals. As such, the proposed development would result in the temporary loss of 27.5ha of BMVAL from food production, including 7.8ha of Very Good Quality Grade 2 land.

7.6.9 In view of the above, it is Officer's assessment that the application proposals would be contrary to Policy SP1 and Solar Energy Criteria 9 of the Renewable Energy Appendix of the adopted Local Plan. This policy conflict falls to be weighed in the overall planning balance.

7.7 **Effect of the development on the character and appearance of the area**

7.7.1 It is appreciated that representations received on the application due to the impact of the development on the rural landscape character and setting.

7.7.2 In this regard, it is acknowledged that the application site is not subject to any statutory landscape designations. However, the site is located within the Southern Lincolnshire Edge Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by the large-scale, open arable landscape character; and comprises of open rectilinear fields under arable cultivation with some fragmented hedgerow trees, which allow extensive views.

7.7.3 The application has been accompanied by a Landscape and Visual Appraisal (Stephenson Halliday) (February 2024), which identifies the following key conclusion(s):

- Access to the proposed development would be taken from Church Lane and formation of the new entrance would require a minor upgrade to an existing farm track. Formation of the internal access tracks would not require any hedgerow removal as they would pass through existing gaps at field boundaries. The overall field pattern boundary would be unaffected.
- There would be no loss of hedgerow, trees or other vegetation and therefore no adverse impacts on landscape fabric as a result of the operational phase of the development. The effect on the landscape fabric would be negligible neutral in Year 1, becoming minor beneficial as the new hedgerow, tree and grassland planning reaches maturity by year 10.
- The primary change in landscape character would arise from a localised change in landcover from arable fields to a solar scheme, surrounded by deer fencing although the land beneath and surrounding the array would be seeded to develop as grassland. Solar PV panels and associated infrastructure would introduce new, human-made structures, which would be perceived in the context of the locally agrarian landscape that is interrupted in part by existing pylons and movement of vehicles on surrounding roads. The height of the proposed structural would be largely consistent with the existing structure of the landscape in terms of existing hedgerows, trees and residential agricultural built form.
- Prior to the establishment of mitigation planting, the large scale of change would be experience over a limited extent within the surrounding fields whilst medium and small scale change would be experienced over a localised extent of the LCA from

publicly accessible areas and open land beyond. These effects would be medium term. There would be a Moderate magnitude of effect, resulting in a Moderate adverse effect on the landscape character within this area.

- Following the establishment of mitigation planting (assumed to be between 5 and 10 years), whilst there would remain a large scale of change within the site itself, the scale of change won landscape character beyond the site boundary would reduce to small or negligible. The changes identified would be experienced over a limited extent of the landscape in the long-term. There would be a slight magnitude of effect, resulting in a minor adverse effect on landscape character within the Southern Lincolnshire Edge LCA.

7.7.4 In respect of the above, it is the Case Officer's assessment that the proposed development scheme would invariably result in an impact on the landscape character of the area, as result of the change of use of the site and the introduction of the proposed large scale energy infrastructure. Whilst these impacts would be softened through the proposed soft landscaping scheme, there would remain an adverse visual impact on the landscape character, contrary to the requirements of Policy EN1 of the adopted Local Plan, Solar Energy Criteria 1 of the Renewable Energy Appendix, and Section 12 of the Framework. This policy conflict falls to be assessed within the overall planning balance discussed below.

7.7.5 With regards to the localised visual effect of the development, as identified above, the application site falls to be defined as being within the Open Countryside, and is separated from the main built-up edge of Welby by approximately 0.7km. However, the site also falls to be experienced by users of the local highways network, which runs to the east and west of the site. Similarly, it is noted that the site is not subject to any formal public rights of way; albeit the Lincolnshire County Council Public Rights of Way and Access Officer has advised that there are in receipt of an application to establish a bridleway running from the south-east to the north-west of the site.

7.7.6 In respect of the visual impact of the development, the LVIA provides the following assessment:

- **High Dike (B6403)** – Prior to the establishment of mitigation, the effects would be localised and experienced in the medium term. There would be a slight magnitude of effect resulting in a moderate / minor adverse effect. Following the establishment of planting, the residual scale of change would be small / negligible over a long-term period, there would therefore be a residual slight / negligible minor effect.
- **Church Lane** – Prior to the establishment of mitigation plant, there would be a medium scale of change in views from sections of Moor Lane, but no greater than a small scale of change in views from the vast majority of the route between the A52 and Welby. Overall, the effects would be limited in extent and experienced in the medium term. There would be a slight magnitude of effect result in a moderate / minor impact. Once mitigation planting has matured there would remain a small scale of change in views from a localised section of the road, particularly at the site entrance. In the long-term, there would be a residual slight / negligible magnitude of effect and a minor impact.

7.7.7 Similar to the above landscape character assessment, the proposed development would inevitably result in a degree of visual impact as a result in the change of use of the land and the scale of the proposed development. The proposed soft landscaping scheme would assist in softening the extent of this impact, but there would remain a slight minor adverse

impact from localised visual receptors, primarily users of the adjacent local highways network. As such, the proposed development would be contrary to Policy EN1 of the adopted Local Plan and Section 12 of the National Planning Policy Framework. This policy conflict falls to be assessed within the overall planning balance discussed below.

7.8 **Impact on heritage assets**

7.8.1 The proposed development site does not contain any designated built heritage assets, but there are a number of designated built heritage located within the surrounding area; including the Grade I Listed Belton House and its associated Registered Park and Garden (approx. 2.5km to the north-west), Grade I Listed Church of St. Bartholomew, Welby (approx. 1km to the north), Grade II* Listed Church of St. John the Baptist (approx. 1.7km north-west) and the scheduled Site of Cistercian Grange (approx. 1.75km east).

7.8.2 In this regard, it is noted that public representations received on the application have raised objections on the basis of the impact of the development on the setting and significance of Belton House.

7.8.3 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.

7.8.4 A Settings Impact Assessment (Landgate Heritage) has been submitted as part of the application, and provides the following conclusions:

- The assessment has concluded that the proposed development would not harm the setting or significance of the Church of St. Bartholomew.
- The assessment has also considered the potential from the proposed development to affect Belton House and the Registered Park and Garden and found that the proposed development would not result in any harm or loss due to the distance involved and the presence of intervening landscape features.
- The assessment also considered the potential for the proposed development to affect the Londonthorpe Conservation Area and it was found that there would be no harm due to the nature of intervening topography.
- The assessment considered the potential for cumulative effects with the solar installation proposed at Ash Tree Farm, to the north and north-west of the study site. It was found that, as the proposed development would not harm the setting or significance of any built heritage assets in the surrounding area, it follows that it would not result in any cumulative impacts when considered alongside the proposed development at Dike Road, Londonthorpe.

7.8.5 In relation to the above, the Council's Conservation Officer has been consulted on the application and has not raised any formal objections. It is noted that as part of their comments, they have requested that further information is provided in relation to Grade II Listed Buildings within the identified zone of theoretical visibility.

7.8.6 Furthermore, in respect of the potential impact of the development on Belton House and the Registered Park and Garden, Historic England and the National Trust have both commented on the application. In this respect, it should be noted that neither party has raised a formal objection to the application proposals. Historic England have directed Officer's to the comments that they made on the Ash Tree planning application in relation to the historic

views available from Bellmount Tower; these comments refer to the extensive views of a surrounding rural, agricultural landscape.

7.8.7 Similarly, National Trust have not raised any objection but have advised that there may be some wider intervisibility between the Registered Park and Garden and the application scheme, which would result in the introduction of a functional feature in a wider rural landscape. They have requested that these matters are taken into account in the decision-making process and, if the application is to be approved, they have requested details of the type and nature of solar panels, as well as a decommissioning and restoration plan, to be secured via planning conditions. These matters are included within the recommended schedule of conditions below.

7.8.8 In light of the above, it is the Case Officer's assessment that the proposed development scheme would invariably result in a degree of impact on the rural landscape character in which the site is experienced, and this landscape may have some degree of heritage value as part of the setting of the nearby Belton House Registered Park and Garden. In view of the above, it is the Case Officer's assessment that the proposed development would result in a minor adverse impact on the landscape character of the area, and that this would alter the setting of the Registered Park and Garden. However, due to the limited intervisibility between the Registered Park and Garden and the application site, it is the Case Officer's assessment that this would not amount to harm to the setting of the Conservation Area and would not harm the significance of the Registered Park and Garden.

7.8.9 Taking the above into account, it is Officer's assessment that the application proposals would not result in harm to the setting or significance of Belton House Registered and Park and Garden, or any other nearby heritage assets. As such, the application scheme would be in accordance with Policy EN6 of the adopted South Kesteven Local Plan, and Section 16 of the National Planning Policy Framework.

7.9 **Impact on archaeological assets**

7.9.1 Heritage Lincolnshire (as Local Archaeological Advisors) 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 an Archaeological Mitigation Strategy, which sets out areas where remains are to be protected and / or recorded during construction. This is included within the recommended schedule of conditions set out below.

7.9.2 Taking the above into account, subject to conditions, the application proposals would accord with Policy EN6 of the Local Plan, and Section 16 of the Framework in respect of archaeological matters.

7.10 **Cumulative Impacts**

7.10.1 It is noted that representations received from Welby Parish Council and members of the public have raised objections due to the potential cumulative impact of the development, in combination with the other solar development proposals, on the loss of agricultural land, and the landscape character of the area.

7.10.2 As referenced above, it is noted that the application site is not located within close proximity of any of the approved planning permissions for solar development within the District. However, it is acknowledged that the Local Planning Authority are in receipt of two further planning applications for solar development within the immediate vicinity of the site. These are as follows:

- LPA Ref: S24/1040 – Pastures Farm, High Dike, Welby – approximately 110 hectares of land situated to the north of Welby (approximately 2.2km north of the current application site), which is proposed to use the same grid connection point as the current application scheme.
- LPA Ref: S23/2199 – Land at High Dike, Londonthorpe (Ash Tree Solar Farm)– approximately 141 hectares of land situated to the north-west of Welby, on the opposite side of the High Dike (approximately 2km north-west of the current application site), which also proposes to use the same grid connection point as the current application scheme.

7.10.3 In this respect, these proposed schemes do not currently represent a committed / allocated development scheme. As such, it is not appropriate to consider any cumulative impacts associated with those proposals as part of the determination of the current application. In the event that the Committee resolved to approve the current application, the cumulative impacts of the application together with the other proposed solar developments within the area would be a matter for consideration as part of the subsequent determination of the other two applications.

7.10.4 Notwithstanding the above, it is noted that the technical reports submitted as part of the current application have considered the potential cumulative impact of the other two proposed developments. For example, the submitted Landscape and Visual Appraisal (Stephenson Halliday) concludes the following in relation to the potential cumulative impact of the development on the character and appearance of the area:

- In the scenario that both proposal are constructed, it is recognised that there would be some, albeit limited, additional cumulative effects to landscape character from the addition of the proposed development. In this scenario, solar development would already have become an established feature of the northern extents of the study area, with the proposed development extending the influence of solar development on the landscape character further south to Green Lane. Arable farming would remain the dominant land use and characteristic in this part of the LCA albeit energy infrastructure would also be a prominent feature of the landscape.
- In the scenario that only one of the other two schemes was constructed, the existing presence of solar development in the landscape would be marginally less well established but the same analysis would apply, specifically that the proposed development would extend the influence of solar development further south to Green Lane.
- The combined effect of any two or all three of the proposed solar developments on the Southern Lincolnshire Edge LCA would inevitably be greater than if any one of them was constructed in isolation. Each of the three schemes has mitigation built into the proposal to reduce landscape effects in the long term. Combined, it is likely that there would still be an overall moderate adverse effect in year 1, but it is acknowledged that the extent over which this effect is experienced would be wider than if any one of the schemes was constructed in isolation. Once mitigation for all three projects has established, the overall effect on the LCA may remain at a moderate adverse, but this would be a minor effect.

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

7.11 **Effect of the development on biodiversity and ecology**

7.11.1 As detailed previously, the site is not subject to any ecological designations. However, it is noted that Church Lane is identified as a Local Wildlife Site and forms one of ten LWS' within 2km of the proposed development site. The nearest nationally designated site is the Kirton Wood Site of Special Scientific Interest, which is approximately 3.5km to the south-east.

7.11.2 It is noted that public representations received on the application have raised objections on the bases of the potential adverse impact of the development on protected species.

7.11.3 The application scheme has been accompanied by an Ecological Impact Assessment (Environmental Solutions Ltd) (February 2024), which identifies the following:

- Church Lane Verges LWS is located along Church Lane and therefore included within the site access. The proposed works include an upgrade of the existing bellmouth, however, these works will be contained within areas of existing bare ground and therefore will not result in the loss of grassland habitat.
- The loss of arable habitat will be mitigated through the creation of grassland under the panels. All hedgerows, trees and woodland areas will be retained and protected during works in line with the Arboricultural Impact Assessment.
- As well as retaining all trees and hedgerows, the site will be enhanced through the landscape strategy with the planting of 424m of new native, species rich hedgerow, the planting up of gaps within existing retained hedgerows and 12 new native hedgerow trees.
- No adverse impacts are anticipated for protected species.

7.11.4 The aforementioned mitigation measures are incorporated within the Proposed Landscaping Plan submitted alongside the application. Conditions are proposed to require compliance with this plan, as well as the submission of a detailed Landscape and Ecological Mitigation Plan. Similarly, conditions are proposed to require compliance with the submitted Ecological Impact Assessment including the provision of the proposed bat and bird nesting boxes.

7.11.5 A Biodiversity Net Gain Assessment has been undertaken as part of the submission and this has calculated that the proposed development would result in a net gain of 59.94% (58.45 units) habitat units and 21.66% (6.73 unit) hedgerow units, and would also satisfy all trading rules.

7.11.6 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. As part of their comments, they have expressed their support for the inclusion of areas for ground nesting birds, as well as the completion of a full BNG assessment. It is noted that they have requested amendments to the proposed landscaping strategy to provide for a different seed mix. In this respect, whilst it is noted that Lincolnshire Wildlife Trust have indicated that the use of an alternative seed mix would result in further biodiversity benefits through contributing to the Local Nature Reserve Strategy for Lincolnshire, there is currently no policy basis for obligating development proposals to contribute to the delivery of this strategy. Thus, whilst the amendment to the proposed seed mix would be desirable, the current proposals do fulfil the policy obligations for delivering a

biodiversity net gain required by Policy EN2, and this exceeds the 10% required by the Environment Act 2021.

- 7.11.7 Similarly, it is noted that the Wildlife Trust have requested the conditions to require the submission of a Habitat Management and Monitoring Plan for the full operational period of the development. This is a statutory condition imposed by the requirements of the Environment Act 2021 and therefore does not need to be repeated on the decision notice, should the application be approved. Nonetheless, conditions are proposed to require the submission of a detailed Landscape and Ecological Management Plan, which will be in broad accordance with the outline plan submitted as part of the application, this will ensure the appropriate measures are implemented for the establishment and maintenance of the soft landscaping scheme.
- 7.11.8 In respect of the impact of the development on the existing field boundary hedgerows and trees, the application submission has been accompanied by an Arboricultural Impact Assessment and Method Statement (St Aubyn Tree Consultancy), which identifies the following:
- Very minor works to trees and hedgerows are required to implement the proposals. Subject to adherence with the recommendations within the method statement at Section 4 of the report, it is considered that the proposals would have a negligible impact on the health and longevity of the retained trees and hedgerows. Adherence to the method statement could be readily secured by an appropriate planning condition.
- 7.11.9 In the context of the above, conditions are proposed to require compliance with the arboricultural method statement throughout the duration of the construction period.
- 7.11.10 Taking the above into account, subject the imposition of conditions, the application proposals would accord with Policy EN2, Solar Energy Criteria 7 of the Local Plan, Section 15 of the National Planning Policy Framework and the Environmental Act 2021.

7.12 **Access and Highways Impacts**

- 7.12.1 It is appreciated that public representations received on the application have raised concerns in relation to highways safety; particularly in respect of the potential impact of glint and glare on road users.
- 7.12.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have raised no objections subject to the imposition of conditions. In respect of matters of highways safety, the Local Highways Authority have confirmed that the A52 is capable of accommodating the required vehicular movements, however, Church Lane is narrow and therefore would require passing places to be installed to avoid potential queueing of vehicles and to enable vehicles to safely pass one another on Church Lane. As such, conditions are requested to require the implementation of five passing places on Church Lane. In this regard, it is noted that the LHA's comments request that these passing places are implemented prior to the site being brought into use; however, it is the Case Officer's assessment that the majority of vehicular movements associated with the development are associated with the construction of the development and as such, the passing places need to be installed prior to commencement to ensure that the road network can accommodate these additional vehicular movements. As such, it is proposed to include the condition as a pre-commencement condition.

7.12.3 Similarly, National Highways have been consulted on the application proposals and have also raised no objections.

7.12.4 In view of the above, subject to the imposition of conditions the application proposals would not give rise to any unacceptable adverse impacts on highways safety and / or capacity during the construction, operation and decommissioning phases of the development. As such, the application proposals would accord with Policy ID2 of the Local Plan, Solar Energy Criteria 6 of the Renewable Energy Appendix, and Section 9 of the Framework.

7.13 **Flood Risk and Drainage**

7.13.1 In respect of flood risk and drainage matters, it is noted that there have been no public representations received in relation to these matters. Nonetheless, the proposed development site is identified as being located within Flood Zone 1 of the Flood Map for Planning, but also includes areas of medium and higher surface water flood risk.

7.13.2 The Flood Risk Assessment (PS Renewables) (February 2024) submitted as part of the application identifies the following:

- It is proposed that SuDS would be used within the proposed site to intercept and infiltrate surface water runoff from the new impermeable areas. As the impermeable areas across the site are small, this would result in a small system relative to the size of the proposed solar farm.
- It is proposed to install swales along the field boundaries with a total depth of 0.15m and no less than 0.15m base width, with side slopes of 1 in 4 at the downslope edges, following the nature across the site. In addition, filter drains or swales will be located downslope alongside the hardstanding of electrical buildings. There will be no designated outfall.
- If the recommendations made in this report are followed during the development of the site, there will be a negligible impact on the discharge rate to the surrounding areas, and no extra risk of flooding to adjacent areas.

7.13.3 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application and have confirmed that the proposed development would not increase flood risk in the immediate vicinity of the site, and therefore, they have confirmed that they have no objections.

7.13.4 It is noted that comments received from the Internal Drainage Board have confirmed that any works to any ditch, dyke or watercourse would require express written consent, and have also set out the duties for the maintenance of any watercourse within the site. These matters are covered under the Land Drainage Act and therefore do not require further planning control through planning conditions.

7.13.5 Taking the above into account, it is Officer's 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.

7.14 **Pollution Control**

7.14.1 The proposed solar panels themselves would not emit noise, dust or vibration during the operational period. However, the operation of the solar farm will require the installation of transformers and inverters which would convert the solar energy generated into AC

(Alternating Current) to be supplied to the National Grid. The operation of the inverters and transformers would generate a low level of noise.

- 7.14.2 In this respect, the Council's Environmental Protection Team have been consulted on the application and have not raised any objections in relation to noise impacts.
- 7.14.3 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.
- 7.14.4 In relation to the potential for noise, dust and vibration to be generated as a result of the construction and decommissioning of the proposed solar farm, the Council's Environmental Protection have raised no concerns subject to compliance with the submitted Construction and Environment Management Plan. Conditions are proposed to require compliance with the submitted Construction Environmental Management Plan, and Construction Traffic Management Plan throughout the construction period of the development.
- 7.14.5 Furthermore, conditions are proposed to require the submission of a detailed Decommissioning Plan, which will be required to include details relating to decommissioning activities. Conditions will also be required for the submission of an Operational Environmental Management Plan, which will set out details of any approval for maintenance or repair works, to ensure that these operations do not give rise to any unacceptable impacts on the amenity of residents of the surrounding villages.
- 7.14.6 Taking the above into account, it is Officer's 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 dust, noise and vibration. Therefore, the application proposals would be in accordance with Local Plan Policy EN4 and Section 15 of the National Planning Policy Framework.

7.15 **Aircraft Movements and Associated Activities**

- 7.15.1 Criteria 8 of the 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.
- 7.15.2 In connection with this, it is noted that public representations received on the application have raised objections on the basis of the impact of glint and glare on local aviation safety.
- 7.15.3 In this regard, a Glint and Glare Assessment (Charlotte Peacock Associates) (February 2024) has been submitted as part of the application. This assessment identifies the following:
- Glint effects are only possible on a small area of two approaches to the runway at RAF Barkston Heath Airfield. These effects are only possible during a limited time in the afternoon and evening throughout the year and will generally be peripheral or distant to views down the runway during approach. Significant impacts are therefore no predicted on aircraft on final approach to RAF Barkston Heath Airfield.
 - Therefore, reflected glint from the proposed solar PV development is not predicted to cause a hazard to air safety.

- 7.15.4 In connection with the above, the Defence Infrastructure Organisation and the Civil Aviation Authority have been consulted on the application and no objections have been received.
- 7.15.5 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.
- 7.16 **Other Matters**
- 7.16.1 It is noted that representations received from members of the public have raised objections on the basis that there is insufficient information relating to the capacity and layout of the site. In this respect, as detailed within this report, it is Officer's assessment that there is sufficient information provided as part of the application scheme on which to appropriately assess the merits of the application. With regards to matters of capacity and layout specifically, the potential generating capacity of the proposed solar development is included within the Planning Statement submitted as part of the application, and the potential layout of the site has been identified on the submitted Proposed Site Layout Plan.
- 7.16.2 Furthermore, it is noted that the proposed site lies within a Minerals Safeguarding Area. The application scheme would involve the temporary change of use of the land to form a solar development, and therefore the development proposals would be reversible, and would retain the potential for future minerals extraction at the site. As such, the application scheme would accord with Policy M11 of the Lincolnshire Minerals and Waste Local Plan.

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 panels, mounting system, inverters, substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure with a generating capacity of up to 24 megawatts.
- 10.3 The proposed development is located within an area of Open Countryside, where 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 a series of criteria which consider the site specific impacts associated with a particular proposal. As such, the application proposals are acceptable in principle, subject to material planning considerations.

- 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 2019. On a local level, South Kesteven District Council have formally declared a climate emergency, and the published Climate Action Strategy identifies increasing the provision of sustainable forms of energy as a key action for achieving net zero. These matters are material considerations that weigh in favour of the application proposals.
- 10.5 In respect of the above, the application proposals would result in the loss of an area of approximately 27.5 hectares of best and most versatile agricultural land (BMVAL), and whilst this loss would be temporary, it is Officer's assessment that there is insufficient evidence to justify the loss of BMVAL from potential food production during the operational period of the development. In addition, it is Officer's assessment that there is sufficient availability of lower quality land which could be used to meet the need for renewable energy such that the use of Grade 2 (Very Good) quality land is wholly unjustified. As such, the application proposals are contrary to Policy SP1 and Solar Energy Criteria 9 of the Renewable Energy Appendix of the adopted Local Plan. However, it is Officer's assessment that this would not result in a 'significant' loss of BMVAL in the context of the overall availability of such quality land within the District and, therefore, would be in accordance with Policy RE1(a). In view of the amount of BMVAL to be lost, it is Officer's assessment that the conflict with Policy SP1 of the adopted Local Plan would be limited, and therefore, attribute this limited weight in the planning balance.
- 10.6 In respect of the effect of the development on the character and appearance of the area, it is Officer's assessment that the proposed development would invariably result in a notable impact on the landscape character of the area and for visual receptors of the neighbouring public highways, as a result of the change in use of the site and the scale of the proposed development. Whilst these landscape and visual impacts can be reduced through the submitted proposed landscaping scheme, the application proposals would still result in a minor adverse impact on the landscape character and visual receptors, contrary to Policy DE1 and EN1 of the adopted South Kesteven Local Plan and Solar Energy Criteria 1 of the Renewable Energy Appendix.
- 10.7 Taking the above into account, it is Officers' assessment that the application proposals would result in an identified conflict with Policy SP1, DE1 and EN1 of the adopted Local Plan and the Solar Energy Criteria of the Renewable Energy Appendix, as a result of the temporary loss of BMVAL and the adverse impact on the landscape character and visual effects.
- 10.8 In respect of whether there are material considerations which indicate that proposal should be determined other than in accordance with the adopted Development Plan, the electricity generated by the proposed development and the contribution that this makes towards meeting the national and local objectives of reducing reliance on fossil fuels and reducing greenhouse gas emissions is a significant benefit which Officer's attribute substantial weight. In addition, the biodiversity net gain achieved by the proposed landscaping scheme would also significantly exceed the statutory 10% requirements, and therefore, Officers' would attribute this significant weight. It is appreciated that the proposed development would also attract benefits to the local economy in association with the construction of the scheme over a temporary period; accordingly, Officers' would attribute this limited weight.

- 10.9 Balanced against the proposal would be the adverse impacts on the availability of best and most versatile agricultural land, the landscape character and visual appearance of the area.
- 10.10 Taking all of the above into account, it is Officer's assessment that the identified policy conflicts with the Development Plan would be outweighed by the benefits of the proposal. Further, it is Officers' assessment that the balance of material considerations in this case would also indicate that planning permission should be granted.

11 Recommendation

- 11.1 To authorise the Assistant Director – Planning to GRANT planning permission, subject to the proposed schedule of conditions detailed below.

Schedule of Conditions

Time Limit for Commencement

Time Limit for Commencement

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Temporary Permission Limits

- 2) Written confirmation of the first export date shall be provided to the Local Planning Authority no later than 20 days following the event. The development hereby permitted shall cease on or before the expiry of a 40 year period from the date of the first export of electricity from the solar farm to the electricity grid network; excluding electricity exported during initial testing and commissioning.

The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work ("Decommissioning Scheme") which shall make provision for the removal of the solar panels and all other associated equipment, and the subsequent restoration of the site. The scheme shall include details of:

- (a) The extent of equipment and foundation removal, and the site restoration to be carried out;
- (b) The management and timing of any works;
- (c) A Traffic Management Plan to address the likely traffic impacts arising during the decommissioning period.
- (d) An Environmental Management Plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitat features and trees on the site.
- (e) The location of any temporary compound and parking areas.
- (f) Full details of the removal of the solar arrays, associated buildings and plant, any access tracks and sub-surface cabling and all associated ground restoration, including trench backfilling.
- (g) Full details of all other works to the land to all for renewed agricultural production following the removal of structures from the site.
- (h) A programme of implementation.

The Decommissioning Scheme shall be submitted to and approved in writing by the Local Planning Authority, no later than 39 years from the date of the first export of electricity and shall be subsequently implemented as approved.

Reason: The proposed development has a 40 year operational period, and to ensure that the site is fully restored to allow for agricultural use, and to maintain the rural landscape character of the area.

Approved Plans

- 3) The development hereby permitted shall be carried out in accordance with the following list of approved plans:

- a. General Layout Plan (Ref: 2.1/PLA01)
- b. Customer Substation Plan (Ref: 2.10/PLA01)
- c. Indicative Mounted Plan Dimensions (Ref: 2.2/PLA01)
- d. Inverter Station Details (Ref: 2.4/PLA01)
- e. Control Room Details (Ref: 2.5/PLA01)
- f. CCTV Camera Details (Ref: 2.5/PLA01)
- g. Security Fence and Gates (Ref: 2.7/PLA01)
- h. Permanent Gravel Road Details (Ref: 2.8/PLA01)
- i. DNO Substation Details (Ref: 2.9/PLA01)
- j. Delivery Route Plan (Ref: 3.1/PLA02)
- k. Site Entrance Visibility Splays (Ref: 3.3/PLA02)
- l. Access Improvements (Ref: 3.4/PLA02)
- m. Temporary Compound Area (Ref: 4.3/PLA02)
- n. Landscape Mitigation Plan (Received 4 March 2024)
- o. Proposed Elevations / Site Sections (Ref: 2.3/PLA02)

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the Development is Commenced

Archaeological Mitigation Plan

- 4) Before the development hereby permitted is commenced, an Archaeological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:
 - a. A plan illustrating the location of archaeological remains on the site;
 - b. Areas which are designated for archaeological monitoring and recording;
 - c. Proposals to ensure that significant archaeological remains are protected or, if appropriate, set out a programme of further archaeological works to ensure that they are recorded in advance of works on site;
 - d. A programme for the implementation of the archaeological mitigation strategy.

Thereafter, all works on site shall be carried out in accordance with the approved Archaeological Mitigation Strategy.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

Materials Details

- 5) Before any part of the development hereby permitted is commenced, a specification of the materials to be used (including the nature and type of solar PV panels to be used) in the construction of external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan; and to ensure that the development does not result in any unacceptable glint and glare impacts.

Tree Protection

- 6) No works pursuant to this permission shall commence until the Tree Protection Measures indicated on the Tree Protection Plan enclosed at Appendix 5 of the Arboricultural Impact Assessment and Method Statement (St Aubyn Tree Consultancy) (February 2024) have been implemented in full. Thereafter, the development must be carried out in accordance with the approved details and the approved measures shall be retained until all construction activities have been completed.

Reason: To protect the trees from unnecessary damage during the construction period, and in accordance with Policy DE1 (Good Quality Design) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan 2011-2036.

Landscape and Ecological Management Plan

- 7) Before the development hereby permitted is commenced, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The submitted LEMP shall be in broad accordance with the submitted Draft Landscape and Ecological Management Plan (PS Renewables) (February 2024) and shall include details of the management and monitoring of the site during the operational period.

Reason: To protect and enhance the existing landscape features on the site, and to mitigate the harm to the landscape and visual characteristics of the area as a result of the development; and in accordance with Policy EN1 (Landscape Character), EN2 (Protecting Biodiversity and Geodiversity) and DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

Church Lane Passing Places

- 8) Before the development hereby permitted is commenced, works to improve the public highway by means of the installation of five passing places on Church Lane shall have been certified complete by the Local Planning Authority.

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

During Building Works

Ecological Mitigation

- 9) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Section 1.12 of the Ecological Impact Assessment (SK Environment Solutions LTD) (February 2024), including reasonable avoidance measures for protected species.

Reason: In the interests of best ecological practice and in accordance with Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

Construction Ecological Management Plan – Compliance

- 10) All works on site shall be carried out in accordance with the General Environmental Management Plan and Construction Environmental Management Plan (PS Renewables)

(received 4 March 2024) and Construction Traffic Management Plan (PS Renewables) (Dated February 2024) throughout the construction period.

Reason: In the interests of safety and free passage of those using the adjacent public highways.

Before the Development is Operational

Landscaping Implementation

11) Before the end of the first planting / seeding season following the date when electrical power is first exported ("first export date"), all landscaping works shown on the approved Landscape Mitigation Plan (Received 4 March 2024) shall have been carried out in full.

Reason: To mitigate the harm to the rural character caused by the proposal and to secure a biodiversity net gain and in accordance with Policy EN1 (Landscape Character) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

External Material Implementation

12) Before the development is operational, the external appearance of all built form on the site shall have been completed in accordance with the details approved by Condition 5 above.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

Operational Environmental Management Plan

13) Before the date of the first export of electricity from the development hereby permitted, an Operational Environmental Management Plan (OEMP) relating to any maintenance or repair works of the approved development shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that the solar farm continues to generate electricity; and to mitigate the impacts of any further construction works required for the repair or replacement solar arrays; in accordance with Policy RE1 (Renewable Energy Generation) of the adopted South Kesteven Local Plan.

Ongoing

Lighting Details

14) No permanent illumination of the site shall be permitted unless otherwise agreed in writing by the Local Planning Authority. In such circumstances, prior to the erection of any external lighting on site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To protect the rural character of the site and in accordance with Policy EN1 (Landscape Character) of the adopted South Kesteven Local Plan.

Compliance with LEMP

15) The approved development must be carried out in accordance with the approved Landscape and Ecological Management Plan.

Reason: To protect and enhance the existing landscape features, and to mitigate the harm to the landscape and visual characteristics of the area as a result of the development; and in accordance with Policy EN1 and DE1 of the adopted Local Plan.

Landscape Protection

16) Within a period of five years from the first export date, any trees or plants provided as part of the approved Landscaping Plan that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species, unless otherwise agreed by the Local Planning Authority.

Reason: To mitigate the harm to the rural character caused by the proposal and to secure a biodiversity net gain and in accordance with Policy EN1 (Landscape Character) of the adopted Local Plan.

Early Decommissioning

17) In the event that the site ceases to generate electricity for a period of 12 months prior to the cessation of the 40 year period, a scheme of Decommissioning Works ("Early Decommissioning Scheme") shall be submitted no later than 6 months from the end of the 12 month non-electricity generating period to the Local Planning Authority for approval in writing. The early decommissioning scheme shall include the same details required under the Decommissioning Scheme set out in Condition 2 of this permission.

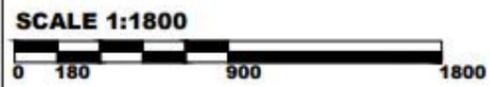
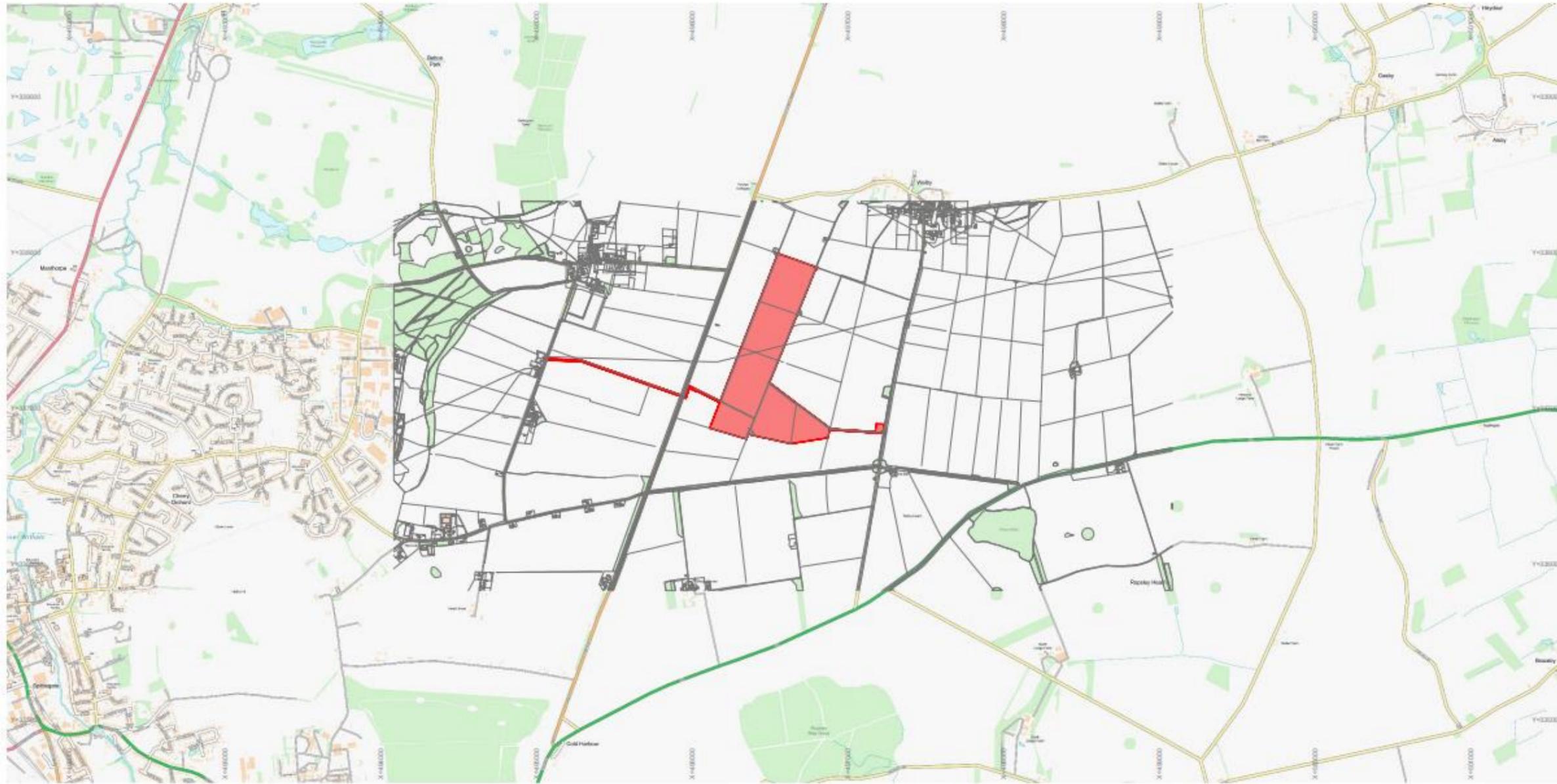
Thereafter, the early decommissioning scheme shall be carried out in accordance with the approved details.

Reason: To ensure that the solar farm continues to generate electricity or is otherwise removed to the benefit of the character and appearance, and agricultural productivity of the District; in accordance with Policy EN1 and RE1 of the adopted South Kesteven Local Plan.

Standard Note(s) to Applicant

- 1) In reaching the decision, the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (2023).
- 2) In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highways Authority in maintaining the highway by reason of damage caused by construction traffic, the Highways Authority may seek to recover these expenses from the developer.
- 3) The permitted development requires the formation of a new / amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance document is found via the following link:
<http://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>
- 4) The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highways Authority.
[www.lincolnshire.gov.uk/highways- planning/works-existing-highway](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)
- 5) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management -
<https://www.lincolnshire.gov.uk/traffic-management>

Site Location Plan



LEGEND

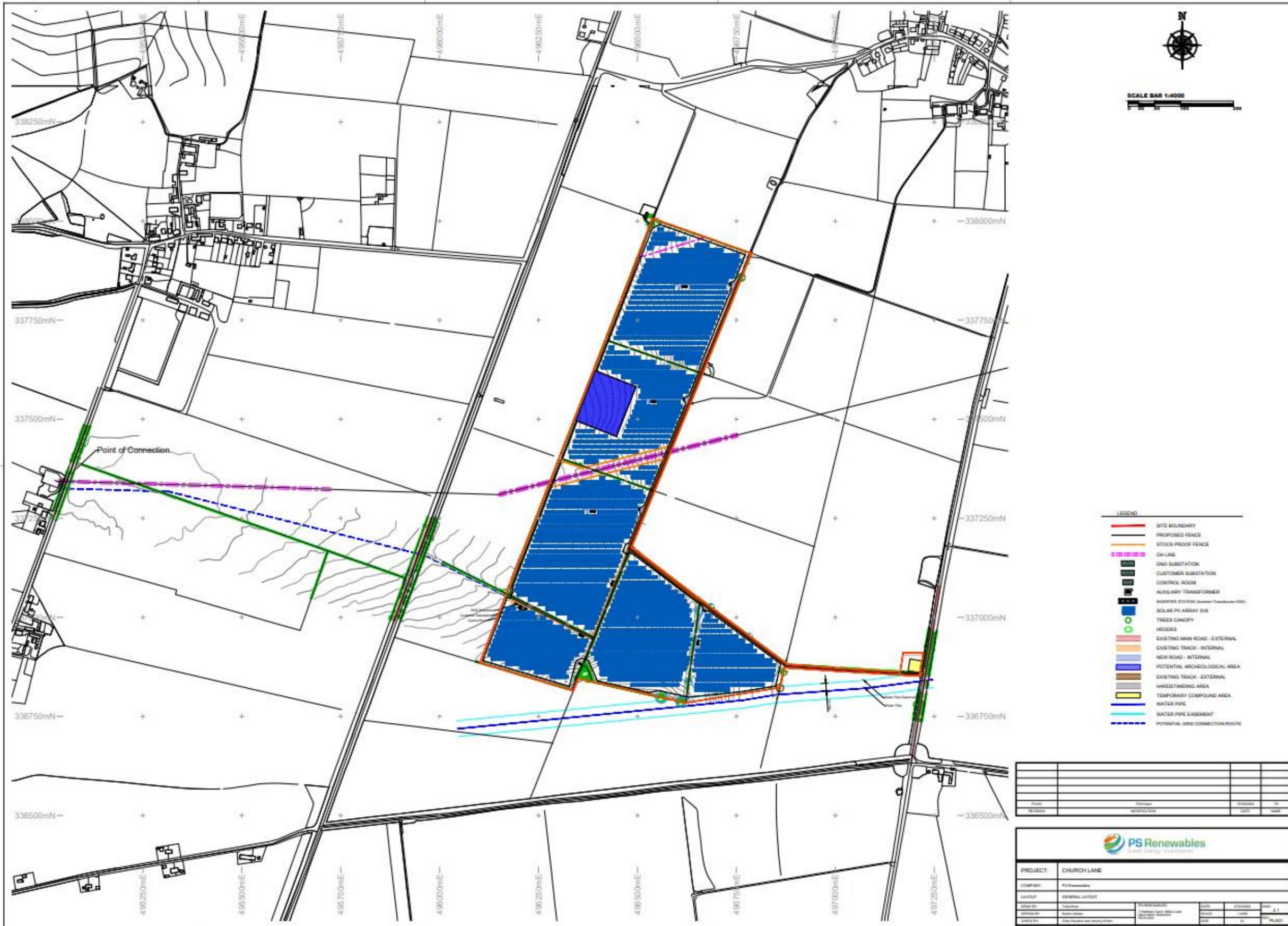
— SITE BOUNDARY

REVISION	MODIFICATION	DATE	NAME
PLA02	Updated the boundary	02/02/24	TK
PLA01	First Issue	05/02/24	TK



PROJECT:	CHURCH LANE
COMPANY:	PS Renewables
LAYOUT:	LOCATION PLAN
DRAWN BY:	Taha Khan
DESIGN BY:	Taha Khan
CHECK BY:	Glen Houston and Jeremy Hester
PS RENEWABLES:	7 Waltham Court, Millay Lane New Hall, Berkshire RG10 5AA
DATE:	02/02/24
SCALE:	1:1800
DATE:	AJ
REV:	1.1
REV:	PLA02

Proposed Site Layout



- LEGEND**
- SITE BOUNDARY
 - PROPOSED FENCE
 - STOCK PROOF FENCE
 - OH LINE
 - DNO SUBSTATION
 - CUSTOMER SUBSTATION
 - CONTROL ROOM
 - AUXILIARY TRANSFORMER
 - METER STATION (Customer Transformer-CTR)
 - SOLAR PV ARRAY 218
 - TREES CANOPY
 - HEDGES
 - EXISTING MAIN ROAD - EXTERNAL
 - EXISTING TRACK - INTERNAL
 - NEW ROAD - INTERNAL
 - POTENTIAL ARCHAEOLOGICAL AREA
 - EXISTING TRACK - EXTERNAL
 - HARDSURFACING AREA
 - TEMPORARY COMPOUND AREA
 - WATER PIPE
 - WATER PIPE SEGMENT
 - POTENTIAL GRID CONNECTION ROUTE

PS Renewables
Green Energy Solutions

PROJECT:	CHURCH LANE
COMPANY:	PS Renewables
LAYOUT:	GENERAL LAYOUT
DATE:	15/03/2024
SCALE:	1:4000
REV:	01
PROJECT:	CHURCH LANE

0730 274 097



CHURCH LANE SOLAR

FIGURE 6
 Landscape Mitigation Plan

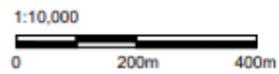
- KEY**
- Redline boundary
 - Security fence
 - Solar panel array
 - Tracks
- Mitigation Planting**
- Existing boundary hedgerow to be enhanced (gapped up)
 - Existing internal hedgerow to be enhanced (gapped up)
 - New native hedgerow to be planted on open boundaries
 - ESG2 Seed Mix: Stong Lawn Mixture (or similar).
 - ESF2 Seed Mix: Meadow Mixture (or similar).
 - New Oak tree planting on northern boundary (20m centres)

- Notes:**
- 1) Existing, enhanced and new hedgerows on the periphery of the site to be maintained at a minimum height of 3m for the lifetime of the project.
 - 2) Internal hedgerows to be gapped up as necessary and managed at a minimum height of 2m.

Projected Coordinate System: British National Grid

DATE	BY	PAPER	SCALE	QA	REV
JAN 2024	RF	A3	1:5,000	J1	-

Agricultural Land Classification Plan



KEY			
Grade 1		Grade 4	
Grade 2		Grade 5	
Subgrade 3a		Non-agricultural	
Subgrade 3b		Not present	

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Drawing title AGRICULTURAL LAND CLASSIFICATION	Ref. RAC/9805/2	Rev. 30/01/2024		Reading Agricultural Consultants Ltd Gate House Beechwood Court Long Toll Woodcote RGS ORR 01491 684233 www.reading-ag.com	
Contract CHURCH LANE, LONDONTHORPE	Scales AGM	Checked by AIF			
	Scales 1:10,000@A4	Date 01/2024			
			Rev.	Comment	Date

