



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

17 October 2024



S23/2199

Proposal:	Construction and operation of a solar photovoltaic farm with battery storage and associated infrastructure
Location:	Land At High Dike Road, Londonthorpe
Applicant	Low Carbon Solar Park 38 Limited
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	Called in by Cllr Elvis Stooke for the following reasons: <ul style="list-style-type: none"> • Loss of BMV land • Impact of heritage assets • Lack of community support • Landscape and visual impact
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, Design and Access Statement • Consultation Report • Mineral Safeguarding Assessment • Transport Statement • Historic Environment Assessment • Glint and Glare Assessment • Preliminary Ecological Appraisal • Flood Risk Assessment • Landscape and Visual Impact Assessment • Construction Traffic Management Plan • Agricultural Land Classification Report

Report Author

Phil Jordan, Development Management & Enforcement Manager



01476 406080



phil.jordan@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Lincrest

Reviewed by:

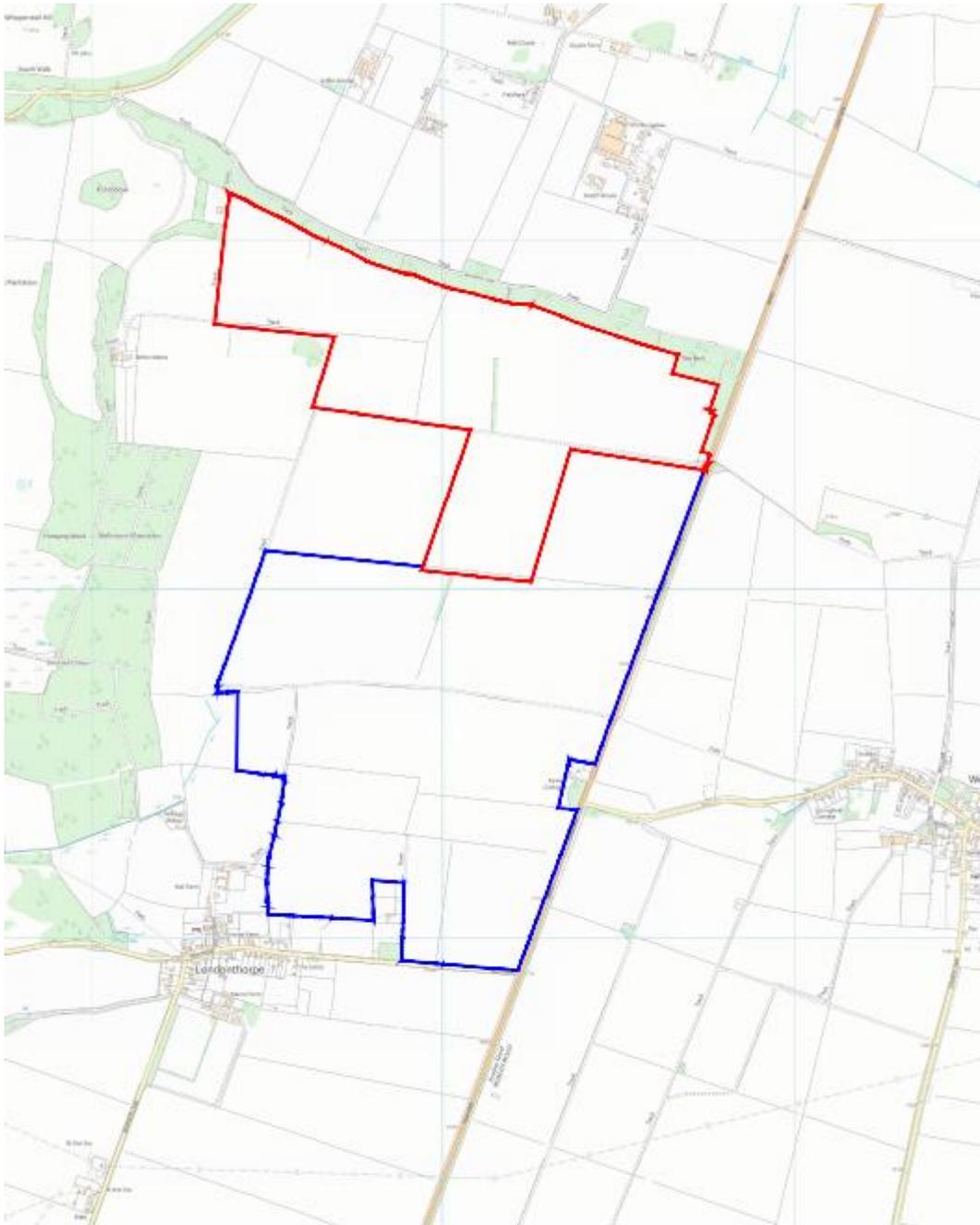
Adam Murray – Principal Development Management
Planner

09 October 2024

Recommendation (s) to the decision maker (s)

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

S23/2199 – Ash Tree Solar Farm



1 Description of the site

- 1.1 Firstly, it is noted that the current proposed scheme has been significantly reduced in scale from the proposal that was initially submitted. The initial scheme comprised 144 hectares of land, which has now been reduced to an area of approximately 53.8 hectares. The initial scheme also included over 20 hectares of best and most versatile agricultural land (BMV), which has now largely been excluded from the scheme. Land required for the cable corridor has also been excluded from the amended scheme.
- 1.2 The land is situated to the east of High Dike (B5403), approximately 1km to the north of the village of Londonthorpe and 6km north-east of the town centre of Grantham. The site comprises four adjoining fields, which are currently in agricultural use. The land levels fall gradually from the northern part of the site to the south-east.
- 1.3 The application site primarily follows the established field boundaries, with the exception of the eastern boundary to the southern part of the site 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. There is a particularly dense plantation of trees to the existing northern boundary of the site. The High Dike (B6403) runs adjacent to the eastern edge of the site, with the remaining land bound by open countryside, including further agricultural land.
- 1.4 As indicated above, the proposed development site lies outside of the main built-up area of any defined settlement within the District. The nearest settlement is Londonthorpe, which is located approximately 1km to the south of the proposed development site. The site is also identified as being within Flood Zone 1 of the Flood Map for Planning, with the vast majority of the site also at low risk from surface water flooding. 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, the Grade II* Bellmount Tower and Londonthorpe Conservation Area and associated listed buildings.
- 1.7 Furthermore, whilst the site is not subject to any ecological designations, it is noted that the High Dike, Copper Hill to Londonthorpe road verges are identified as a Local Wildlife Site (LWS) and forms one of seven LWS's within 2km of the proposed development site. The nearest nationally designated site is the Honington Camp Site of Special Scientific Interest, which is approximately 2km to the north.

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: S23/2235) determined May 2024, 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.

2 Description of the proposal

2.1 The amended application seeks full planning permission for the installation of solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, batteries, perimeter 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 49.9 megawatts (MW) (AC), 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 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:

2.4 Approximately 54,000 Solar Photovoltaic (PV) panels based on a simple metal framework

2.5 The batteries would be contained within shipping containers or similar cabin type structure. Each cabin would measure up to approximately 12 m long, 2.6 m wide and 2.9 m high. Each cabin would be placed on a hardcore/concrete base, with a stepped access at one end. Each battery would be located adjacent to heating, ventilation and cooling ('HVAC') units; and a battery power conversion system. The site layout plans shows 60 batteries in two separate areas to the south-west of the site. Each separate area contains a 260,000 litre water tank and pump house, switchgear, a spare parts container and welfare building.

2.6 The inverters/ transformers would be within containerised units similar to shipping containers. Each unit would measure approximately 12.2 m long, 2.5 m wide and 2.9 m high. Each unit would be placed on a concrete base (with up to 1 m deep foundations). The site layout plan shows 22 inverters located in central areas in each of the field parcels.

2.7 The customer substation would measure approximately 10 m long, 4 m wide and 3 m high and the DNO substation would measure approximately 8 m long, 5.4 m wide and 4.1 m high, and would be placed on a concrete base. The final details of the external appearance are not specified but the application states that the structure would either be clad in brick or wood to comply with local vernacular, or coloured green (or in any other colour) to minimise any visual impact. This is shown to be in a central area within the site.

2.8 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.

2.9 CCTV cameras are proposed to be positioned on a 2.5m posts located around the boundary of the site.

2.10 Internal access tracks would be constructed of compacted stone of aggregate.

2.11 Access to the site is proposed to be taken via an existing agricultural field access from High Dike (B6043). 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.

- 2.12 The application submission has also been accompanied by a Landscape Strategy 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 west of the site and at the site access. The existing northern boundary is to be planted with new native species trees to create a transitional woodland edge habitat. Within the site, the existing agricultural land is proposed to be seeded with native species and species rich grassland.
- 2.13 A 15m buffer is proposed between the any built development and the woodland to the north, with a 10m buffer proposed between any existing hedgerow and the solar arrays.

3 Relevant History

Application Ref	Description of Development	Decision
S23/2235	EIA Screening Opinion Request - Ash Tree solar farm.	EIA Not Required 17.05.24

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 E9 – Visitor Economy

Policy GR1 - Protecting and Enhancing the Setting of Belton House and Park

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 The Gardens Trust

5.1.1 We welcome the amended Site Layout and Landscape Strategy Plans which show an increased distance between the solar farm development and the eastern boundary of the RPG, together with strengthening of tree and hedgerow planting, and consider this will help to reduce the visual impact on the eastern area of Belton House RPG, Bellmount Tower and Bellmount Plantation. However, we are concerned that this will be less effective over the winter months and will also take some years to establish to allow effective screening. Nor are we convinced that these planting proposals will offer sufficient screening of the associated infrastructure required. In addition, careful ongoing management of the existing woodland cover will also be required to maintain effective cover, particularly if future thinning operations are considered.

5.1.2 On balance and not having been included in the earlier stages of this consultation, the GT considers the latest amendments appear to offer an improvement compared to the original proposals. However, we do not consider they will eliminate the impact on Belton House RPG and would ask that South Kesteven District Council, in making a decision, to carefully consider that this heritage asset is Registered at Grade I and should therefore be accorded great weight to its conservation in line with Nation Planning Policy Framework (NPPF) paragraph 205. Any harm to, or loss of, the significance should therefore require clear and convincing justification, and in this case should be wholly exceptional NPPF para 206.

5.2 Civil Aviation Authority

5.2.1 No comments received.

5.3 Ministry of Defence

5.3.1 Aerodrome height safeguarding zone – no concerns with height of proposed development.

5.3.2 Birdstrike safeguarding zone – Request conditions to minimise the risk of birdstrike.

5.3.3 Glint & Glare – no concerns raised.

5.3.4 Technical Safeguarding Zone – request condition to secure an Electrical Noise Management Plan (ENMP).

5.4 Environment Agency

5.4.1 No objections – but provided advice regarding managing water run-off from batteries to reduce risk of pollution and for dealing with waste at end of life.

5.5 Heritage Lincolnshire

5.5.1 The geophysical survey already undertaken on the site has revealed extensive areas of potentially significant archaeological remains. A programme of archaeological trial trenching is now required to assess the state of preservation, date and significance of archaeological remains which survive on the site. We advise that the trial trenching is undertaken prior to

determination and should inform a mitigation strategy. The mitigation strategy should be submitted as part of the application.

5.6 **Historic England**

5.6.1 We note the updated design largely addressed our concerns.

5.6.2 We note there is not a revised ZTV, and the photomontages do not show the containers/inverters/battery storage areas. It is important to consider the sighting of this infrastructure, in particular with the historic walk and ride within Belton as well as the historic approach route from the north west corner.

5.6.3 We are supportive of the reinstatement of hedgerows along historic hedgerow boundaries. To relieve linear regularity of these hedgerows, standard trees scattered through the hedges would be welcomed. Historically these were often oak, ash and elm, however we note that ash and elm would not be suitable due to disease, along with fruiting trees such as crab apple, wild cherry, hazel, elder and wild pear. Sufficient space should be allocated to ensure confidence in maintaining 3m high, dense hedgerows. We are also supportive of the enhancement of existing hedgerows, when planting into a gap of existing hedgerows, hedgerow gaps may also be suitable for planting hedgerow trees.

5.6.4 We note the argument put forward by Cotswold as regards the industrial character of solar arrays. The increasing frequency with which one encounters such installations in the rural landscape does not however in itself lessen their impact upon the significance of designed landscapes. These parks and gardens frame a relationship to the character of the countryside in which they were set. There is much more of that historic landscape context to be experienced in fields set with grass or a cycle of crops and cultivation, than in their appearance ranged with ranks of panels. Our advice takes a view on pulling back the most intrusive elements of the scheme.

5.6.5 We refer you to the expertise of the LPA's archaeological advisors. Effective measures to address the significance of archaeological remains rely upon a structured process of pre-determination evaluation including where proportionate trial trenching.

5.6.6 If design or mitigation solutions are to be relied upon the character and importance of buried remains should be understood. Sensitive structural or human remains should not be piled through, Where, as in this instance, such remains appear likely to be present trial trenching is necessary to viably deploy appropriate design / mitigation solutions.

5.6.7 Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 205, 206, 208 & 209 of the NPPF.

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

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

5.7.1 This proposal is for a solar farm and associated infrastructure. Construction period is expected to be 6 months, and during this time there would be 40 vehicles per day (including 10HGVs) using the existing access on the High Dike.

- 5.7.2 The existing access has visibility in accordance with DMRB standards, and it would require to be upgraded to LCC industrial access specification under a Section 184 application.
- 5.7.3 The volume of traffic (around 4 per hour) during the construction period would not cause capacity problems or have an unacceptable impact on highway safety.
- 5.7.4 The surface water flood risk is considered in the Flood Risk Assessment, and whilst solar farms do not significantly affect the water regime due to the runoff from the panels falling on the ground below, there is some change from access tracks and battery storage areas which are addressed by using permeable material and filter drains and swales around the perimeter.
- 5.7.5 Public Rights of Way - There are no recorded PROWs within the application site. However, a Definitive Map Modification Order Application has been submitted to add Beggar's Lane to the Definitive Map and Statement as a Public Byway. In addition, Welby Public Footpath Nos. 3 and 4 meet the High Dike to the east of the application site. It would be desirable to create a behind the hedge public footpath on the western side of the High Dike linking Welby Public Footpath Nos. 3 and 4. The footpath should be 2m in width and it would be desirable to leave a further 3m between the footpath and the solar arrays.
- 5.8 **Lincolnshire Fire and Rescue**
- 5.8.1 Provided detailed advice for mitigating fire risk associated with Battery Energy Storage System (BESS). This includes recommendation for a risk reduction strategy to be developed in collaboration with LFR.
- 5.9 **Lincolnshire Wildlife Trust**
- 5.9.1 There are a number of unknowns following the amended site layout concerning the ecological impact of the site. The scale and overplanting document states the solar arrays will be spaced further apart following the reduced land take. A revised BNG assessment will need to be produced of the revised development footprint and cable route.
- 5.9.2 We also wish to reiterate that the BNG associated with the site is predicated on the enhancement of post-development habitats and thus a management plan must be provided for the during of the operational phase of the scheme (40 years according to the design and access statement). We strongly encourage this be provided under a planning condition prior to any works beginning onsite. The Environment Act 2021 requires that BNG be assessed for all development but also include stipulations that ensure calculated gains are realised through the actions stated in documents such as Landscape Environmental Management Plans (LEMPs).
- 5.10 **National Trust**
- 5.10.1 This response is provided in relation to further recent amendments made to the proposals, amounting to a third revision. For the avoidance of doubt, this response should also be read in conjunction with our previous representations. We consider that the supporting assessment and analysis of Belton is still relevant to the decision-making process. Including that relating to Belton's historic significance, interest and setting.
- 5.10.2 We note the applicant's amended Site Layout Plan, Site Location Plan and Landscape Strategy Plan which act to further withdraw solar panels from the south and southeast of

the scheme. A new redline area has also been established. As such there is a further reduction in development massing across the south of the (former) site.

- 5.10.3 To the south and southeast, the withdrawal of additional solar panels, in principle, appears to further lower the risk to the historic setting of Bellmount Tower and Plantation. In turn helping to further mitigate the immediacy of visual impact. The reduced massing is also potentially to the benefit of views available from High Dike Road across to Belton's eastern parkland.
- 5.10.4 We note that the applicant has provided a more detailed analysis of ash dieback disease and its potential impact in a submitted Arboricultural Addendum. However, it is apparent that no Zone of Theoretical Visibility (ZTV) work is provided by the applicant supporting the amended proposals.
- 5.10.5 In relation to the northwest of the site. Notwithstanding any wider reduction, an area of proposed solar panels still appears to run into an area outlined in the Belton House and Park Setting Study (2010) as 'adjacent to the approach route that provides an appreciation of the parks rural location'. Therefore, continuing to present a potential impact on setting in this area, as outlined in the Setting Study. Specifically, the approach routes help with the appreciation of Belton's wider rural setting, landscape and character.
- 5.10.6 We ask that this, alongside the overall risk to historic setting, is given careful consideration by South Kesteven District Council. This is where the revised scale, mass and width of the amended proposals are concerned in relation to rural landscape character. This is in addition to the impact of construction, security measures (e.g. fencing and CCTV), infrastructure (e.g. battery storage) and operational impact (e.g. access, noise and glint and glare).
- 5.10.7 Additionally, it is noted that there remain wider proposals for solar development to the east of Belton. In light of this we request that an assessment of potential cumulative impact is carried out. This is with a view to the overall capacity of the rural landscape for change in its local and unique context.
- 5.10.8 In all, the National Trust recognise that the proposed amendments offer additional improvement to the scheme. Helping to further mitigate the immediacy of visual impact from within Belton's eastern parkland and reducing associated risk of impact from the south. We still have some concern, albeit this has been lessened as a result of the revised proposals.
- 5.10.9 The National Trust now ask that South Kesteven District Council arrive at a balanced decision in relation to these proposals. This is accounting for the above, alongside the overall significance, interest and setting of Belton.
- 5.10.10 More broadly, if South Kesteven District Council 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 means suitable to the site and landscape, supported by a detailed landscape management plan which assures long term management. Finally, an appropriate site decommissioning and restoration plan should also be in place, with robust associated conditions. This is to assure the future legacy of this site beyond an operational period and to seek enhancement opportunities

5.11 **Natural England**

5.11.1 No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.12 **Lincolnshire County Council (Policy)**

5.12.1 Objection to initial version of scheme and loss of Best and Most Versatile Agricultural Land.

5.13 **Black Sluice Drainage IDB**

5.13.1 A suitable maintenance strip should be left to allow access to watercourses

5.14 **SKDC Conservation Officer**

5.14.1 The new proposal noticeably reduced the extent of the solar farm in the western extent of the site, taking into account the comments from all parties especially about the potential visual impact of the south-western corner and north-western corner. The significant reduction especially at the south-western corner now sets the solar panels back sufficiently to likely not immediately be visually noticeable. Given the slope of the landscape, especially when experienced from the boundary of the Bellmount Plantation, this area is likely not visible, especially in combination with the proposed reinstatement of the historic boundary and reinforcement of the existing boundary. These are welcome steps taken to preserve the settings of the Designated Park and Bellmount Tower. The long term maintenance of the hedgerows proposed and enhanced should also be considered, to maintain their screening purpose throughout the existence of the solar farm.

5.14.2 While the large open section within the Parks boundary to the north of the site that provides a full view of the north-western extent of the site has clearly been taken into consideration with the reduction of the site, this location should have been noted as a vista point for the photomontage to fully understand the visual impact of the remaining solar panels in the northern extent, as well as of the substation and battery storage, which has not been considered. As previously noted, the corner of the site is an 'area adjacent to the approach routes that provide an appreciation of the parks rural location', and the proposed site's extent still encroaches slightly upon this. The proposed planting is unlikely to provide full coverage for some years, but will provide some level of screening.

5.14.3 The impact of glint and glare upon the heritage assets and their setting has still not been considered in depth, so further information on this would be appreciated.

5.14.4 The reduction in the size would reduce the potential visual impact upon the setting of the Londonthorpe Conservation Area. The concerns of impact for this heritage asset are therefore resolved.

5.14.5 The overall impact of the proposed works on the heritage significance of the adjacent heritage assets has definitely been reduced with the changed design. The immediate impact upon Bellmount Tower would be considered to be of less than substantial harm, which on a scale would be considered to be at a low level. The impact upon Belton Park and Garden, with the focus on the experience of the Bellmount Plantation and its wider setting, would be considered of less than substantial harm, which on a scale would be considered to be at a moderate level. This may be mitigated with some smaller design changes to a lower level.

5.15 **SKDC Environmental Protection Officer**

5.15.1 EP has reviewed the noise report dated October 2023 produced by LF Acoustics and accepts the findings. Any assumptions made within the report regarding layout should be adhered to and any material changes will require the modelling to be adjusted and resubmitted to the local planning authority.

5.16 **Londonthorpe and Harrowby Without Parish Council**

5.16.1 We note the removal of the cable route from this application, but they still do not give us any assurances that it will not eventually go through our conservation village. We all know that it should be going under the fields as per the other applications in the pipeline propose.

5.16.2 We note also the reduction in size, but this does not change the fact it is in the wrong place next to both a conservation village and the historic Belmont Woods.

5.16.3 Our objection still remains the same as per the BESS units being placed on the nearest point to the village, surely if this was to go ahead these should be at the furthest point from the populated areas.

5.16.4 There still appears to be the same objections in place from some of the Statutory Bodies as previously.

5.17 **Barkston & Syston Parish Council**

5.17.1 Raise the following points:

- Need to consider visual impact, although comment it is well separated from residential properties.
- Comments provided regarding loss of agricultural land, but note potential for grazing and that more food producing land is being lost to AD plants than solar.

5.18 **Lincolnshire Police**

5.18.1 No objections – designing out crime advice offered

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 51 letters of representation (50 objecting, 1 in support) have been received. The points raised within the representations can be summarised as follows:

Objection

- Noise impact from battery energy storage system (BESS) and inverters
- Potential for groundwater pollution
- Potential for light pollution
- Objection to the loss of agricultural land, including BMV land
- Potential negative impacts on land quality after 40 years
- Objection to the visual impact of the development on the rural landscape character and setting
- The proposed development would adversely affect the setting and significance of Belton House Registered Park and Gardens, Bellmount Tower and Londonthorpe Conservation Area

- Impact from the proposed cable route
- Impacts on ecology and biodiversity
- Objection to the cumulative impact of the proposed development in combination with the nearby applications on the rural landscape character.
- Visual impact on users of PRow network
- Impact on archaeology
- Adverse impact to visitors and walkers in the area and to tourism in the area
- No public support for proposals
- Fire risk
- Impact on property values
- Impacts during construction
- Traffic impacts
- Potential for rural crime
- Potential health impacts

Support

- Need for renewable energy
- Site is well screened
- Relatively low agricultural land quality

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 The proposed development site is located outside of the main built-up area of an existing settlement within the District; the nearest settlement is Londonthorpe, which is located

approximately 1km to the south 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.

7.5.2 The application proposals would have a generating capacity of approximately 49.9MW (AC). While the grid connection offer is stated to be 25MW, the proposed solar farm includes a Battery Energy Storage System (BESS) that allows for the storage of excess energy, meaning energy can be exported when there is less or no sun using excess energy generated during sunnier periods. This would make a positive contribution towards meeting the national objectives in respect of energy generation, and would also be consistent with the Local Plan, which supports renewable energy generation in principle. 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.

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

- (a) The amended scheme comprises 99% grade 3b agricultural land, with only two very small areas of grade 3a land remaining within the proposed layout.
- (b) The application submission has been accompanied by a Consultation Report (November 2023) which sets-out the consultation that took place prior to the application being submitted. It is noted that representations received from Londonthorpe and Harrowby Without Parish Council and members of the public during the course of the consideration of the application have raised objections to the proposed development and, therefore, it can be concluded that the proposal cannot demonstrate the support of the affected local community. The applicant has sought to overcome the objections raised by the submission of amended plans and it is noted that only two further comments were received following consultation on the latest version of the plans.

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 49.9MW (AC) and this limit is recommended to be secured by condition. Electricity generated from the development would be transferred to the National Grid via substation located approximately 2km to the south of the site, off Newgate Lane. Land required for the cable route to the grid connection point has been removed from the application. The applicant has stated that this to allow consideration of alternative options for the cable route and they maintain that they have an option that could be implemented using Permitted Development Rights. This approach has been accepted through previous appeals (including ref S23/0511) and is accepted in this instance.
- (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. A condition requiring a decommissioning and reinstatement strategy would ensure that the site is appropriately reinstated at the end of its operational life.
- (e) Other relevant local and national planning policies and the prospective impacts of the development are discussed in further detail.

7.5.4 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 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.

7.6.2 As outlined above, the amended layout plan identifies that the majority of the site is grade 3b land with only two very small parcels 0.5ha (1%) of Best and Most Versatile Agricultural Land (BMVAL) remaining. These remaining areas would be impractical to remove from the scheme and therefore it is accepted that the amended proposals now avoid any significant loss of BMVAL.

7.6.3 While the scheme would still use 53 ha of agricultural land for solar generation, the temporary 40 year period sought for the scheme is noted. Likewise, it is accepted that alternative agricultural uses such as grazing could continue during that time period.

7.6.4 In view of the above, it is Officer's assessment that the application proposals would be in accordance with Policy SP1 and Solar Energy Criteria 9 of the Renewable Energy Appendix of the adopted Local Plan.

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

- 7.7.1 The site is located within National Character Area 47 Southern Lincolnshire Edge and Regional Character Type 10a Forest Hills and Ridges. Locally, 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.
- 7.7.2 The original application was accompanied by a Landscape and Visual Impact Assessment (Aspect Landscape Planning) (November 2023), which reached the following key conclusion(s):
- There would be no significance of effect on the National Character Area 47 Southern Lincolnshire Edge and Regional Character Type 10a Forest Hills and Ridges.
 - The proposals would give rise to a low magnitude of change upon the character of the Southern Lincolnshire Edge Landscape Character Area resulting in a significance of effect of Moderate/ Minor. Any effects on the Grantham Scarps and Valleys Character Area would be negligible.
 - The significance of effect on the site and its setting would be Moderate Adverse initially which would reduce once the landscape mitigation and enhancements has established and would revert to an enhanced baseline and the end of the operational period.
 - Partial localised views were identified from the PRow network in close proximity to the east of the site and from the south-west. However, the proposals would not be seen as a whole and mitigation planting would reduce any visual effects over time.
- 7.7.3 It is noted that the amended proposals have now removed a significant portion of the site that was assessed as part of the submitted LVIA. The amended scheme is also separated by approximately 385m from the closest part of the Bellmount Plantation and over 1km from Bellmount Tower. The closest residential property is located approximately 700m to the south-east of the site, with the closest dwellings in Londonthorpe located 1km to the south. However, the amended scheme would still result in 53.8 ha of agricultural land being used for the proposed solar development. Likewise, there would remain some localised views towards the site from the PRow network to the east and from the edge of the Bellmount Plantation. As such, there would remain some visual effects and impacts 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. These impacts would be softened through the proposed soft landscaping scheme, which is recommended to be secured by condition.
- 7.7.4 The application has been assessed on the basis of the 'Rochdale Envelope' approach i.e. the worst case parameters for each component have been considered. Therefore, it is considered necessary to impose conditions allowing for the submission of the final detailed design of the scheme. This would limit development to the amended red line area, but allow further consideration of the final scale, layout, appearance of the solar scheme. This approach would also allow the final design to respond to any design recommendations which may be necessary following further archaeology and noise assessments, which are discussed further below.
- 7.7.5 In summary, it is officers' assessment that the proposed development would result in a minor adverse impact on the landscape character. There would also be some moderate

adverse visual impacts on localised views towards the site. While these adverse impacts could be partly mitigated through the implementation of a robust landscaping scheme, this harm remains contrary to Policies EN1 and DE1 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.

7.8 **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 assets located within the surrounding area; including the Grade I Listed Belton House and its associated Registered Park and Garden, the Grade II* Bellmount Tower and Londonthorpe Conservation Area and associated listed buildings.
- 7.8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard for the desirability of preserving listed buildings and their settings, or any special architectural interest which it possesses.
- 7.8.3 The amended scheme is separated by approximately 385m from the closest part of the Bellmount Plantation and over 1km from Bellmount Tower. Bellmount Tower was built in 1750, with an avenue of trees leading from Belton House towards the tower. While the tower was predominantly designed to enjoy views to the west, there are smaller windows at attic level which allow views in all directions. Further, while the plantation to the east has matured over time and now obscures views in that direction, historic maps show significantly less dense planting. Likewise, the plantation is currently subject to planned thinning as a result of Ash dieback. The plantation forms the eastern extent of the Registered Park and Garden and walks to Bellmount Tower and through the plantation are publicly accessible and managed by the National Trust. Along the eastern extent of the plantation and particularly in the north-eastern part of the plantation, there are more prominent views towards the application site which form part of the setting of the Registered Park and Garden. As such, it is concluded that the application site does make some contribution to the cultural, historic and experiential significance of the Bellmount Tower and the Belton House Registered Park and Garden, as a result of its rural landscape setting.
- 7.8.4 Londonthorpe Conservation Area is located approximately 1km to the south of the site and contains a number of listed buildings. The significance of the conservation area is largely derived from its linear plan form along High Street and the distinctive architecture and limited palette of natural materials used in the historic buildings. The conservation area is located on the rise of a hill overlooking Grantham with the Belton Estate to the west and the open heathland to the east. These rural views frame the conservation area and also make some contribution to its significance. Likewise, there are some important views heading north along Church Lane with the eastern extent of the Registered Park and Garden and the application site in the distance. As such, it is concluded that the application site also makes some contribution to the cultural and experiential significance of Londonthorpe Conservation Area, as a result of its rural landscape setting. However, this is limited to the conservation area as a whole, as opposed any individual listed buildings.
- 7.8.5 Historic England, the Council's Conservation Officer and National Trust all objected to the initial proposal raising concern that the proposals would result in less than substantial harm to the significance of the above heritage assets. All of the above bodies, as well as the Gardens Trust have acknowledged that the amended proposals reduce the adverse impacts on those designated heritage assets. Nonetheless, they all continue to raise

concerns with the proposals and emphasise the importance of an effective landscaping strategy, as well as the final detailed design of the scheme in order to further mitigate any impacts of the proposals in the event that the application is approved. The applicant's setting study and addendum (Cotswold Archaeology) submitted with the application maintains that the amended proposals would not harm the significance of any of those identified heritage assets.

- 7.8.6 It is the Case Officer's assessment that the proposed development scheme would result in a degree of impact on the rural landscape character in which the site is experienced, and that this landscape contributes to the heritage value as part of the setting of the nearby Belton House Registered Park and Garden, Bellmount Tower and Londonthorpe Conservation Area. As concluded above, 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 those designated heritage assets. The extent of the impact on those heritage assets would be reduced by effective landscaping and careful consideration of the final detailed design of the scheme which could be secured by condition.
- 7.8.7 Due to the limited intervisibility between Bellmount Tower and the application site, as well as the separation distance and landscaping mitigation between the amended proposal and Londonthorpe Conservation Area, it is the Case Officer's assessment that this would not amount to harm to the significance of those heritage assets. However, there would remain a less than substantial impact on the significance of the Registered Park and Garden.
- 7.8.8 In these circumstances, Local Plan Policy EN6 and the NPPF (para 208) require the identified less than substantial harm to the significance of the designated heritage asset, to be weighed against the public benefits of the proposal. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) (NPPF, para 205). Great weight is therefore afforded to the conservation of this important heritage asset.
- 7.8.9 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 are considered to be significant public benefits that weigh substantially in favour of the application proposals.
- 7.8.10 Taking the above into account, it is Officer's assessment that the significant public benefits associated with the application proposals would outweigh the less than substantial harm to the significance of Belton House Registered and Park and Garden. 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 The application is accompanied by a Historic Environment Desk Based Assessment (Cotswold Archaeology 2023) and a geophysical survey (Magnitude Surveys 2023).
- 7.9.2 Cropmarks interpreted as a possible prehistoric trackway and ditch are recorded running north-west to south-east through the Site, along with further cropmarks of a prehistoric

enclosure within the north-west. The Lincolnshire Historic Environment Record (HER) also records a possible cemetery within the east of the site.

- 7.9.3 Heritage Lincolnshire (as Local Archaeological Advisors) have been consulted on the application proposals and have advised that the site offers a potential for archaeological remains to be present based on the extent and type of remains recorded in the vicinity. As such, they have advised that sufficient site-specific evaluation needs to be undertaken, in order to determine the presence, significance, depth and character of any archaeological remains. They recommend that further pre-determination evaluation should consist of a programme of trial trenching in order to provide an assessment of potential and likely impact of the proposals on any archaeological deposits. The results of the evaluation should inform the archaeological mitigation strategy.
- 7.9.4 The applicants have submitted that targeted trial trenching would be appropriate and proportionate to inform an archaeological mitigation strategy and that this could be carried out post decision and prior to development commencing. Officers have considered this position and the advice from Heritage Lincolnshire and conclude that such an approach would only be acceptable if there is flexibility in the final detailed design to take account of any recommendations from archaeological mitigation strategy.
- 7.9.5 Taking the above into account, subject to the recommended conditions, the application proposals would accord with Policies GR1 and 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 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 which is proposed to use the same grid connection point as the current application scheme. This application has yet to be determined.
 - LPA Ref: S24/0360 – Land West of Church Lane, Welby – approximately 44 hectares of land situated to the south of Welby and to the west of Church Lane which also proposes to use the same grid connection point as the current application scheme. This application was refused planning permission on 25 July 2024 and an appeal has been lodged following that decision.
- 7.10.2 In this respect, these proposed schemes do not currently represent a committed / allocated development scheme. As such, it is not necessary 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.
- 7.10.3 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 set-out above, the site is not subject to any ecological designations. However, it is noted that the High Dike, Copper Hill to Londonthorpe road verges are identified as a Local Wildlife Site (LWS) and forms one of seven LWS's within 2km of the proposed development site. The nearest nationally designated site is the Honington Camp Site of Special Scientific Interest, which is approximately 2km to the north.

7.11.2 The application scheme has been accompanied by a Preliminary Ecological Appraisal (November 2023) which draws the following conclusions:

- The site is heavily managed agricultural land, and consists of cropland, modified grassland, hedgerows (some with trees), two lines of trees, a deciduous woodland, mixed scrub, and tall ruderal vegetation.
- The site is of low biodiversity value, and the habitats on site are of poor condition and are both common and widespread within the local area. This presents good opportunities for biodiversity enhancements which could have positive impacts for the site and the wider landscape.
- Any design should seek to include enhancements delivering BNG within the landholding and maximise its value (both in unit value and in terms of the Ecological Impact Assessment) by ensuring habitat connectivity and a focus on achieving local conservation priorities.
- The proposed development should seek to avoid constraints outlined within report, with both embedded measures and project commitments and the implementation of a CEMP, which is to be secured via a planning condition.

7.11.3 The report also states that the following measures should be considered for biodiversity enhancement:

- Creation of species rich grassland in areas between solar panels with shade tolerant species sown under the solar panels and wildflower grassland / meadow in field margins;
- Enhancement and strengthening of the existing hedgerows through gap and tree planting of native species, which will increase diversity;
- Reinstating historic field boundaries with new hedgerow planting within the northwest of the site;
- Provision of bird and bat boxes on suitable mature trees along the boundaries of the site; and
- Provision of mammal (specifically badger) gates in the security fencing to allow free movement throughout the site.

7.11.4 The recommended mitigation measures are incorporated within the Proposed Landscaping Plan submitted with the application. Conditions are proposed to require final details and 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 recommendations in the Preliminary Ecological Appraisal, including the submission of a Construction and Environmental Management Plan (CEMP).

7.11.5 The application was submitted prior to the statutory requirements for Biodiversity Net Gain imposed by the Environment Act. Nonetheless, given the low biodiversity value of the current site and the proposed biodiversity enhancement measures, it is likely that biodiversity net gain for both habitat and hedgerow units will be achieved, subject to compliance with the recommended conditions. This is supported by the BNG assessment that accompanied the initial submission which anticipated a total net unit change for habitat units of 320.21 (11.16%) and hedgerow units of 36.31 (116.64%).

7.11.6 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.

7.12 Access and Highways Impacts

7.13 Access to the site is proposed to be taken via an existing agricultural field access from High Dike (B6043). 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.

7.13.1 The Transport Statement (Motion, Nov 2023) submitted with the application advises that minor widening works would be required to the site access. It states that the construction phase of the proposed development will generate 40 two-way vehicle movements per day, including 10 two-way HGV movements over a temporary 26-week period and that during the operational phase, the development will generate up to 8 two-way vehicle trips per week.

7.13.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have raised no objections subject to the imposition of a condition to secure a Construction Management Plan and have advised that the access works would be completed under a section 184 application.

7.13.3 In view of the above, subject to the imposition of the recommended condition 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.

7.14 Flood Risk and Drainage

7.14.1 The site is identified as being within Flood Zone 1 of the Flood Map for Planning, with the vast majority of the site also at low risk from surface water flooding. The Flood Risk Assessment (Logika November 2023) submitted as part of the application draws the following conclusions:

- Maintenance tracks, inverters, substations, battery storage and welfare will be required as part of the Proposed Development. It is anticipated that these features are unlikely to cause significant increases in surface water runoff. However, the utilisation of SuDS such as permeable surfacing along with filter drains or swales would be incorporated to minimise surface water runoff and promote natural infiltration.
- Post construction, the on-Site management company will be responsible for the SuDS included within the scheme to ensure they are maintained appropriately and continue to remain operational for the lifetime of the Proposed Development

- 7.14.2 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application and have confirmed that the proposed development would not significantly increase flood risk in the immediate vicinity of the site, and therefore, they have confirmed that they have no objections. The Environment Agency (EA) have also provided advice on mitigating the risk of groundwater pollution from water run-off associated with the battery storage area.
- 7.14.3 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.
- 7.14.4 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, subject to a condition to secure an appropriate surface water drainage scheme.

7.15 **Pollution Control**

- 7.15.1 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. Further, the application includes a Battery Energy Storage System (BESS). The operation of the central inverters, battery stations and substation transformer would be the main sources of noise within the solar farm. The solar inverters would be operational during daylight periods when the solar panels were generating electricity. The inverters would be actively cooled, with the operation of fans to control temperature. The principal sources of noise within the battery stations would be associated with the cooling fans located within the battery containers, which would operate, as required, to ensure the batteries operated at their correct temperature. While the solar inverters would only operate during hours of daylight, the equipment associated with the operation of the battery stations would potentially operate on a 24-hour basis.
- 7.15.2 There are a small number of noise sensitive properties surrounding the proposed solar farm, which have the potential to be affected by noise attributable to the operation. These include Belton Ashes, Heath House, Pywipe Cottages and residential properties to the north of Londonthorpe village.
- 7.15.3 The noise assessment (LF Acoustics, Oct 2023) submitted with the application was based on an assessment of the initially submitted scheme. The report concludes that the operation of the solar farm would generate noise levels at surrounding properties both during the day and night-time periods that would not be considered harmful to residential amenity.
- 7.15.4 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. They did however state that updated noise modelling should be carried out to inform any mitigation in the event of any material changes to the design of the scheme. While it is noted that the scheme has been reduced in scale, the final layout is not yet confirmed and therefore it is considered necessary to impose a condition that requires an updated noise assessment and any necessary mitigation measures to be implemented, based on the final design of the scheme.

- 7.15.5 Subject to the above condition, it is Officers' assessment that the proposed solar operations would not result in any unacceptable adverse impacts on noise sensitive receptors and, therefore, would be in accordance with Local Plan Policy EN4 (Pollution Control), Solar Energy Criteria 5 of the Renewable Energy Appendix, and Section 15 of the National Planning Policy Framework on these matters.
- 7.15.6 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, 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.
- 7.15.7 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.
- 7.15.8 A condition requiring details of any external lighting is recommended to ensure that the impacts on any such scheme can be considered to avoid and mitigate against any light pollution.
- 7.15.9 Any cabling works are proposed to be located underground and the separation distances from residential properties are sufficient to ensure there would be no health risks associated with Electro Magnetic Fields (EMF).
- 7.15.10 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.

7.16 **Aircraft Movements and Associated Activities**

- 7.16.1 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.
- 7.16.2 In connection with the above, the Ministry of Defence and the Civil Aviation Authority have been consulted on the application and no objections have been received.
- 7.16.3 As such, it is Officers' assessment that the application proposals would not give rise to any unacceptable adverse impacts on aircraft movements and associated activities, and therefore, the application proposals comply with Solar Energy Criteria 8 of the Local Plan Renewable Energy Appendix.

7.17 **Other Matters**

- 7.17.1 Mineral 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.

- 7.17.2 Fire Safety – An outline battery safety management plan has been submitted and the design and layout of the battery storage areas has been changed to take account of comments and advice from Lincolnshire Fire & Rescue. The final detailed design of the scheme is to be approved and a final version of the battery storage management plan will be secured by condition, which will be subject to further consultation with Lincolnshire Fire & Rescue.
- 7.17.3 Crime Prevention – Lincolnshire Police Designing Out Crime Officer has provided advice on design measures to mitigate against the risk of crime. These include security measures for perimeter fencing and CCTV. The final detailed design of the scheme is to be approved, which will be subject to further consultation with Lincolnshire Police.
- 7.17.4 Tourism – As set-out above, the application proposals have been amended to significantly reduce any impact on Belton House and its associated Registered Park & Garden. While there would remain some minor adverse impact on limited views from the publicly available walks around Bellmount Plantation, this would be unlikely to have any material impact on the overall tourist offer or result in a reduced number of visitors to the area.

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 photovoltaic panels, including mounting systems, inverters, batteries, perimeter fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years with a generating capacity of up to 49.9 megawatts (AC).
- 10.3 The proposed development is located within an area of Open Countryside, where Policy SP5 strictly limits development to schemes 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 effect of the development on the character and appearance of the area, it is Officer's assessment that the proposed development would result in a degree of impact on the landscape character of the area and for visual receptors of the adjacent public rights of way and publicly accessible walks through Bellmount Plantation, 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 Policies DE1 and EN1 of the adopted South Kesteven Local Plan and Solar Energy Criteria 1 of the Renewable Energy Appendix. Further, this would result in a less than substantial impact on the significance of Belton House Registered Park and Garden, as a result of the minor landscape harm to the setting of that designated heritage assets. The extent of the impact would be reduced by effective landscaping and careful consideration of the final detailed design of the scheme which could be secured by condition.
- 10.6 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 that would be achieved by the proposed landscaping scheme would represent a benefit which Officers' would attribute moderate 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.
- 10.7 All other impacts assessed above are considered to be capable of being mitigated to a position of being in accordance with the development plan.
- 10.8 Balanced against the proposal would be the minor adverse impacts on the landscape character and visual appearance of the area and the associated less than substantial harm to the significance of Belton House Registered Park.
- 10.9 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. Site location plan drawing no. LCS104-SP-02 Rev 04
- b. Development Zone Plan drawing no. LCS104-DZ-03 Rev 04

Unless otherwise required by another condition of this permission.

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

Power output

- 4) The output of the solar farm, hereby approved, must not exceed 49 MW (AC).

Reason: To define the permission and ensure that the output of the proposal remains below the limitations allowed under the Town and Country Planning Act.

Before the Development is Commenced

Electrical Noise Management Plan

- 5) No development shall take place unless or until such time as an Electrical Noise Management Plan (ENMP) has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Ministry of Defence (MOD). The submitted ENMP shall contain, but not be limited to:

- manufacturer's specifications for generating, and associated, infrastructure to be installed at the site, to include any inverter(s), substation(s), PV panels, and any associated cables (including all interconnecting cables as well as the export cable(s) to the national grid) and connectors.
- details of measures designed to prevent electrical noise interference being caused to East 1 WAM Network installation;
- a schedule setting out how the development will be operated, maintained and tested throughout its life to ensure that any electrical noise interference on the East 1 WAM Network installation is prevented; and
- a protocol through which the site operator can be notified of electrical noise interference issues or observations, the measures that would be taken to investigate, and a description of the approach to resolving/rectifying/mitigated those impacts.

The provisions set out in the ENMP and any modifications/mitigation, as agreed in writing with the local planning authority in consultation with the MOD, shall be maintained for the life of the development.

Reason: In the interest of aviation safety.

Detailed Design

- 6) Prior to the commencement of the development, full details of the layout and appearance (including the specification and colours of external materials to be agreed) of the development, including the solar arrays, inverters, batteries, DNO substation, access tracks, CCTV cameras, fencing, and other associated infrastructure must be submitted to and approved in writing by the local planning authority. The details must be limited to the extent of the Development Zone Plan (LCS104-DZ-03 Rev 04) and not exceed the maximum dimensions shown on drawing nos. (LCS-SD-01.2) DNO Substation Elevations and Dimensions plan, (LCS-SD-02.1) Customer Substation Elevations and Dimensions, (LCS-SD-14 DNO) Substation Floor Plan, (LCS-SD-15) Customer Substation Floor Plan, (LCS-SD-16) Inverter Floor Plan, (LCS-SD-28) 40 ft Battery Container (HVAC on Ground with acoustic louvres), (LCS-SD-04.1) Security/Stock Fence and CCTV Elevation, (LCS-SD-06.2) Access

Track, (LCS-SD-32) Gateway Plan, (LCS-SD-33) 20ft Spare parts container, (LCS-SD-36) O&M Building, (LCS-SD-39.4) Solar Panel Elevation 3.0m.

The development must be constructed and operated fully in accordance with the approved details.

Reason: To ensure that the final appearance of the scheme is appropriate and that any necessary mitigation measures required by condition 9 (archaeology) and 7 (noise mitigation) can be taken into account.

Noise Mitigation

- 7) When an application for the detailed design of the scheme is made, that application must be accompanied by a further noise assessment based on the proposed layout and shall include details of any necessary noise mitigation measures.

The development must be carried out in accordance with the approved details.

Reason: To ensure there is appropriate mitigation from the impact of noise from the proposed development in the interests of the residential amenities of futures occupiers of the site.

Landscaping

- 8) Before any construction work above ground is commenced, details of a landscaping mitigation plan must have been submitted to and approved in writing by the Local Planning Authority. Details shall be based on the landscape strategy plan drawing no. 8298.ASP5.LSP.F and include:

- i. planting plans;
- ii. written specifications (including cultivation and other operations associated with plant and grass establishment);
- iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Archaeology

- 9) Before the development hereby permitted is commenced, a Written Scheme of Archaeological Investigation and an Archaeological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The details must include:
- a. Details of a programme of trial trenching, which must be first completed and used to inform the mitigation strategy;
 - b. A plan illustrating the location of any archaeological remains on the site;
 - c. Areas which are designated for archaeological monitoring and recording;
 - d. 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;
 - e. 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.

Tree Protection

- 10) No works pursuant to this permission shall commence until the Tree Protection Measures that indicated on the Tree Protection Plan enclosed at Appendix C of the Arboricultural Impact Assessment (Aspect Arboriculture) (November 2023) that relate to the development zone plan approved by condition 3 have been implemented. 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

- 11) 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 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.

Construction Ecological Management Plan

- 12) Before the development hereby permitted is commenced, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be carried out in accordance with the approved details throughout the construction period.

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

During Building Works

Ecological Mitigation

- 13) All works on site during the construction period shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal (Logika) (November 2023), 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.

Before the Development is Operational

Landscaping Implementation

- 14) 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 required by condition 6 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.

Operational Environmental Management Plan

15) 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.

The approved OEMP must be adhered to through the operational period of the development.

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.

Battery Safety Management Plan

16) Before the date of the first export of electricity from the development hereby permitted, a Battery Safety Management Plan (BSMP) relating to safety measures for the battery storage areas shall be submitted to, and approved in writing by the Local Planning Authority.

The approved BSMP must be adhered to through the operational period of the development.

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

17) 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

18) 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

19) 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.

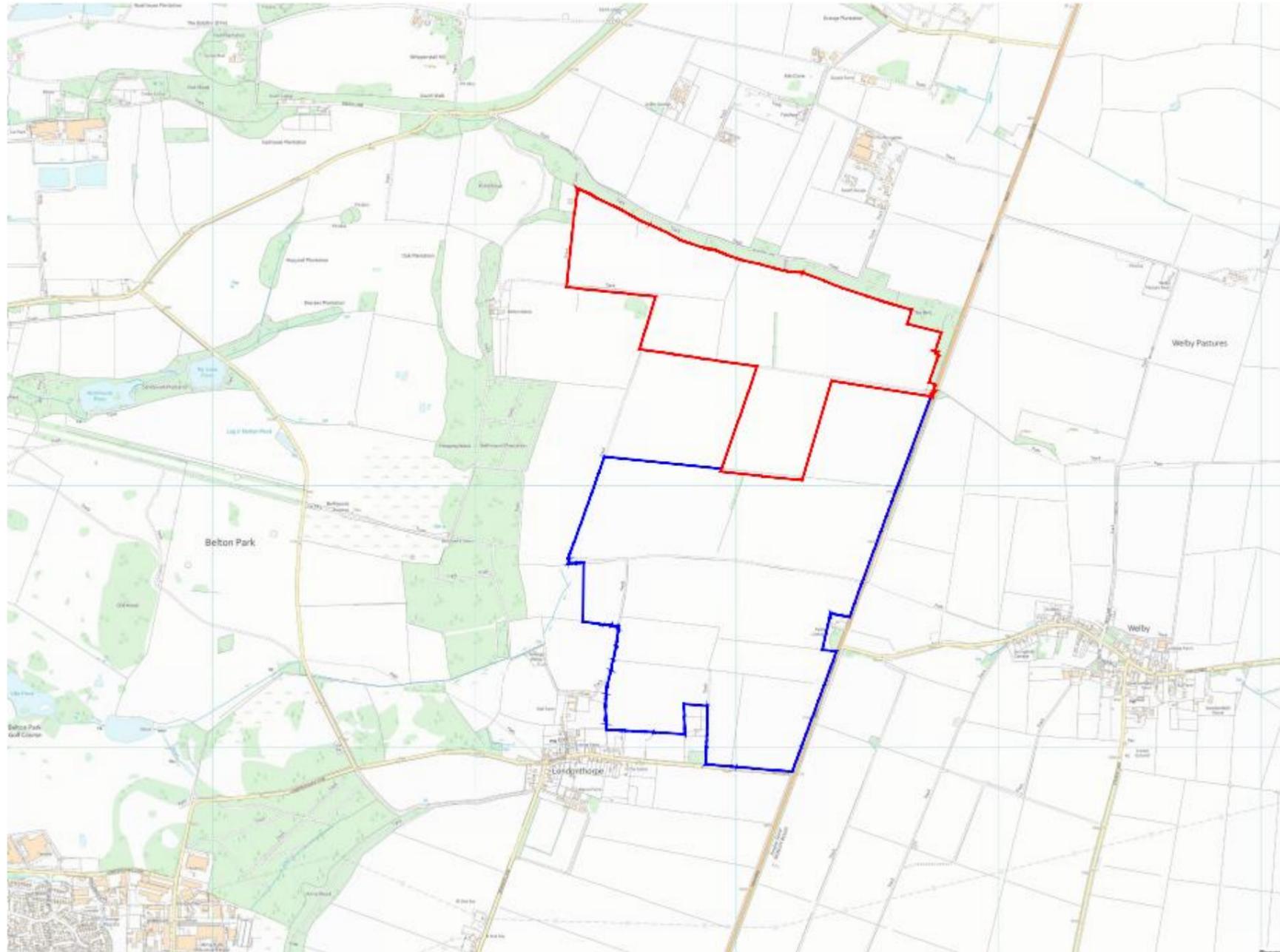
Early Decommissioning

20) 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.

Site Location Plan



Development Zone Plan



Landscaping Strategy Plan

