



Planning Committee

6 February 2025

S24/1040

Proposal:	Installation of solar farm with associated battery storage, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters and transformers, electrical substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure for a temporary period of 40 years
Location:	Pastures Farm, High Dike, Welby
Applicant	Welby Solar Farm Limited
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	At the discretion of the Assistant Director – Planning & Growth
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">• Agricultural Land Classification Report• Arboricultural Impact Assessment• Biodiversity Net Gain Report• Construction Traffic Management Plan• Cultural Heritage Assessment• Cumulative Impact Assessment• Drainage Strategy• Ecological Impact Assessment• Flood Risk Assessment• Geophysical Survey• Glint & Glare Assessment• Landscape and Visual Appraisal• Minerals Resource Assessment• Noise Assessment• Planning, Design and Access Statement• Statement of Community Involvement• Sustainability Statement• Transport Appraisal

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Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Lincrest
Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	28 January 2025

Recommendation (s) to the decision maker (s)

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

S24/1040 – Pastures Farm, High Dike, Welby



1 Description of the site

- 1.1 The application site consists of an area of approximately 144.9 hectares of land situated to the east of High Dike (B6403) and situated approximately 1.5km north of the village of Welby. The site comprises of 99.2 hectares of land for the proposed solar farm, and 45.7 hectares of land for the proposed grid connection route, which is situated approximately 4km to the south-west of the site. The site currently consists of an area of agricultural land, which are currently in arable use, and form part of a single agricultural unit associated with Pastures Farm.
- 1.2 The application site primarily follows the established field boundaries, with the exception of the south-eastern boundaries, which do not follow a clearly defined physical feature. The boundaries of the site are largely marked by mature hedgerow and trees.
- 1.3 The site is bound to the north, south and west by open countryside, including further agricultural land and associated dwellings and storage buildings; and to the west by High Dike (B6403), with the former RAF Barkston Heath, and Belton House Registered Park and Garden located beyond. There are a number of Public Rights of Way (PRoW) within the immediate vicinity of the site, including Bridleway Heyd/19/1, which runs adjacent to the northern boundary of the site.
- 1.4 As referenced above, the proposed development site also includes a cable connection route, which extends from the southern western boundary of the solar farm, running southwards adjacent to the High Dike before crossing approximately 0.7km south of High Road and running for approximately 1km to the east connecting to the Grantham BSP substation.
- 1.5 As alluded to above, the proposed development site lies outside of the main built-up area of a defined settlement within the village – the nearest settlement is Welby, which is located approximately 1.5km to the south of the proposed development site – and, therefore, falls to be identified as being located within the Open Countryside. The site is identified as being within Flood Zone 1 of the Flood Map for Planning but is also identified as including areas of medium and higher risk of 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 designed in the Lincolnshire Minerals and Waste Local Plan.
- 1.6 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.
- 1.7 Similarly, the proposed development site does not contain any designated built heritage assets. However, there are a number of designated assets located within the surrounding area. The Grade I Listed Belton House and its associated Registered Park and Garden are approximately 1.8km to the west of the site on the opposite side of the High Dike. Honington Camp Scheduled Monument is located approximately 2.4km to the north west of the site. There are a number of listed buildings also located within the village of Welby.

1.8 Furthermore, whilst the site is not subject to any ecological designations, it is noted that the verges immediately adjacent to the High Dike on the western boundary are identified as a Local Wildlife Site, and form one of five LWS within 1km of the site. Similarly, there are also a number of nationally designated sites within the immediate area, including Wilsford Heath Quarry Site of Special Scientific Interest, which is located within approximately 600m to the north of the site. The site is located within the SSSI Impact Risk Zone for this site.

1.9 The proposed development site has not been subject to any previous planning applications. However, the application proposals have been the subject of an Environmental Impact Assessment [EIA] Screening Opinion (LPA Ref: S23/1845) in December 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.

1.10 It is appreciated that the site is one of three solar proposals within the immediate vicinity of Welby. The current status of these proposals are as follows:

- LPA Ref: S24/0360 – Church Lane, Welby – approximately 2.2km to the south of the current application site and uses the same grid connection point as the current application scheme. Allowed on Appeal in January 2025.
- LPA Ref: S23/2199 – Land at High Dike, Londonthorpe (Ash Tree Solar Farm) – located on the opposite side of the High Dike. Refused planning permission following resolution by Planning Committee in October 2024. Currently pending appeal.

2 Description of the proposal

2.1 The current application seeks full planning permission for the installation of a solar farm with associated battery storage, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, transformers, electrical substation, underground cabling, stock proof fencing, CCTV, internal access tracks 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 46 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. The application states that the solar farm would provide the equivalent energy needs for approximately 14,500 homes in the UK.

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:

- Ground mounted solar array – panels based on metal mounting structure to form an array, which would be pile driven into the ground. The panels would be tracker panels, which would run to south and rotate east to west tracking the sun throughout the day. The arrays would be positioned 2.3m above ground and therefore, the panels would be 0.8m above ground at their lowest point and 3.5m at their highest point in the day.
- Battery Storage Compound – the battery energy storage system (BESS) would be located in the north-east corner of the site and screened by Welby Hazels. The units would be grouped in approximately five sets of eight units divided by internal access tracks. The individual units are 6m in length, 2.5m in width and 2.9m in height.

- 33kV Customer Substation – the substation and control building consists of a prefabricated container structure situated on a concrete foundation. The building is approximately 12.5m in length, 2.9m in width and 2.4m in height and contains two entrances.
- Power Conversion Block – the conversion blocks would house the inverters, transformers and associated equipment to convert the energy into Alternating Current energy. There are proposed to be 17 conversion units within the site with 10 situated in the BESS area. The conversion units would be 2.2m in height, 2.6m in width, and 11.7m in length and would be a metal panel situated on a stell base frame.
- Boundary Fencing – deer fencing, comprising of wooden posts and wire mesh fencing approximately 2km in height. The on-site substation would be bound by metal palisade fencing approximately 3m in height. The BESS compound would be bound by weldmesh fencing which would be 2.5m in height.
- CCTV system – the CCTV system is to be pole or fence mounted around the perimeter of the site at a maximum height of 3.5m
- Storage container for spare parts
- Water Tanks for the Battery Energy Storage System (BESS) – the proposed water tanks would have capacity for 228,000 litres and would be 2.57m in height, 2.42m in width and 5.42m in length.
- Upgrade of site access and internal access tracks to connect the site

2.4 The Proposed Site Layout indicates that the proposed development would exclude the central field of the site, which will be retained in agricultural use for the lifetime of the development.

2.5 As referenced above, the proposed development would connect to the National Grid via the existing Grantham BSP substation. The cable connection route will be taken from the south-western corner of the site and would run parallel to the High Dike for 3km before crossing to the south of High Road and running for approximately 1km to the east to the substation. The cable would be buried underground for the extent of its connection route, and agricultural land would be fully reinstated following installation of the cable.

2.6 Access to the site is proposed to be taken via the existing agricultural access from the High Dike (B6403), which currently serves Pasture Farm. The access is proposed to be used for construction of the proposed development, as well as during the operational period.

2.7 The application submission has also been accompanied by a Proposed Landscape Mitigation Plan, which identifies that the existing hedgerow boundaries will be retained and enhanced through closing existing gaps with native hedgerow. New species rich hedgerow with occasional tree planting will be planted within the internal boundaries of the site and adjacent to the existing access route. The internal field boundaries are to be planted with new species diverse grassland under the panels, and nectar rich and tussocky grassland on all other areas. A 10m buffer is to be retained around Welby Hazels. New skylark plots are to be provided in the central field which is being retained in arable use.

3 Relevant History

Application Ref	Description of Development	Decision
S23/1845	Request for an EIA Screening Opinion for the installation and operation of a 46MW ground mounted photovoltaic solar farm with battery storage, grid connection and supporting infrastructure	EIA Not Required 18.12.23

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 2024)**

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 objection subject to conditions.

5.3.2 The application site occupies the statutory safeguarding zones surrounding RAF Barkston Heath, RAF Cranwell ad East 1 WAM network. Specifically, the application site falls within the aerodrome height and birdstrike safeguarding zones, and the technical zone around the East 1 WAM network, an asset which facilitates air traffic services.

5.3.3 Within this zone, the principal concern of the MOD is the creation of new habitats that may attract and support populations of large and / or flocking birds close to an aerodrome.

5.3.4 After reviewing the plans and documentation provided in the application, given the location of the development relative to RAF Barkston Heath, it is identified that the landscaping plans have the potential to form an attractive environment to those large and / or flocking bird species that may be hazardous to aviation safety.

5.3.5 The land underneath the panels is shown as species diverse grassland, which if maintained by grazing, may introduce an attractive environment for birds hazardous to aviation. Other habitats which will be provided include modified grassland, other neutral grassland, mixed scrub, trees and hedgerow with an enhancement of existing ditches. Whilst the indicative landscaping plan identifies the species that would be planted, no details of the proportions or numbers of individual species have been provided. To address that potential harm, a condition requiring the submission, approval and implementation of a detailed planting and landscape management plan should be added to any consent that might be issued.

5.3.6 The technical safeguarding zone defines areas to regulate the height of development, materials used in construction and introduction of sources of electro-magnetic fields around radars, transmitter / receiver sites and other types of technical installations supporting operational defence and national security requirements.

5.3.7 It is identified that the volume of ground mounted photovoltaic panels has the potential to generate Electrical Noise Interference which may impact on the operation and capability of technical assets forming part of the East 1 WAM network, an asset used to facilitate air traffic management with resultant degradation in aviation safety.

5.3.8 In order to prevent this harm, the MOD requests that a condition is added to any consent to require the submission, approval and implementation of an Electric Noise Management Plan.

5.4 **Environment Agency**

5.4.1 No objection subject to conditions.

5.5 **Heritage Lincolnshire**

5.5.1 No objection subject to conditions.

5.5.2 The site for the proposed development lies in an area of archaeological interest, approximately 2km to the south of the meeting point of two Roman roads, Ermine Street to the west and King Street to the east. Cropmarks of possible prehistoric date comprising a field system and a ring ditch lie immediately beyond the northern boundary of the proposed development and other cropmarks of prehistoric date lie to the south. Romano-British

pottery, roofing tile and stone building debris were identified at a site to the west of Ermine Street, approximately 1.5km from the western boundary of the proposed area of development.

5.5.3 Trial trenching has identified a range of archaeological deposits distributed over several areas which are predominantly of late Iron Age and Roman data. Previous investigations on deposits within the site have been undertaken in advance of the construction of an Anglian Water pipeline. Prior to these investigations, the archaeological remains were unidentified, although cropmarks plotted in the area have indicated their presence. The identified remains have the potential to contribute to the regional archaeological research agenda and to consideration of the setting of the nearby Iron Age hillfort at Honington which is a Scheduled Monument of national importance.

5.5.4 We recommend that an archaeological mitigation strategy is imposed as a condition of any planning permission which may be forthcoming. The mitigation strategy should be submitted to and agreed by the Local Planning Authority prior to the commencement of development. The strategy should contain illustrations which show the locations of significant archaeological remains against all areas of proposed impact and ground disturbance. Written details of construction methods and groundworks should be detailed as part of the process of compiling the strategy and protected areas should be clearly demarcated and fenced off during construction and decommissioning.

5.6 **Historic England**

5.6.1 No objections.

5.6.2 With regard to the assessment of setting impacts on Honington Camp Scheduled Monument, there is evidently a setting relationship between the later prehistoric – Roman remains indicated in the geophysical survey and previous investigations, and the Iron Age scheduled monument which sits on the same mass of rising ground the other side of Barkston Heath.

5.6.3 Our key concern in respect of the setting of Honington Camp is that associated archaeological remains on the proposal site are appropriately addressed through the planning process both as setting and as assets in their own right.

5.7 **Black Sluice Internal Drainage Board**

5.7.1 No objections

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

5.8.1 No objections subject to conditions.

5.9 **Lincolnshire County Council (Minerals)**

5.9.1 No comments received.

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

5.10.1 No comments received.

5.11 **Lincolnshire Fire and Rescue**

5.11.1 No objections.

5.12 **Lincolnshire Wildlife Trust**

5.12.1 No comments received.

5.13 **Londonthorpe and Harrowby Without Parish Council**

- 5.13.1 There is limited evidence to support the sequential search test as specified in the Local Plan has been appropriately carried out. The 5km search area used due to the cost of connection is not part of the sequential selection criteria and should be disregarded.
- 5.13.2 Lincolnshire County Council has recently stated that they will not endorse solar farms on Grade 1, 2 or 3A land, and that 3B may only be considered to facilitate access to poorer quality brownfield land.
- 5.13.3 The proposal impacts the golden triangle of Londonthorpe and the woods, Alma Park Woods and Belton House and Park.
- 5.13.4 We are pleased that the cable does not pass through the heritage area of Londonthorpe village.
- 5.13.5 We cannot see that existing wildlife has been taken into account. A bat survey has not been carried out; the night time operation of the battery units may produce high frequency noise which will act against the significant deer population.
- 5.13.6 We believe that a noise attenuation plan should be required for the battery storage system.
- 5.13.7 We request that the construction routing is revised and uses the new Grantham bypass under construction.
- 5.13.8 We do not agree that a biodiversity net gain will be achieved.

5.14 **Natural England**

- 5.14.1 No objections.
- 5.14.2 From the description of the development, this application is likely to affect 18.8 hectares of Grade 3A BMV agricultural land. We consider that the proposed development, if temporary as described, is unlikely to lead to significant permanent loss of agricultural land as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards. Although some components of the development, such as construction of the substation, may permanently affect agricultural land this would be limited to small areas of which is BMVAL.
- 5.14.3 However, during the life of the proposed development, it is likely that there will be a reduction in production over the whole development area. The LPA should therefore consider whether this is an effective use of land in line with Paragraph 180 of the NPPF, which encourages the siting of large solar farms on previously developed and non-agricultural land.
- 5.14.4 The application is accompanied by a Biodiversity Net Gain Assessment, which follows the DEFRA biodiversity metric method. The assessment indicates that the proposals meet the required minimum 10% BNG required by law.

5.15 **National Trust**

- 5.15.1 The National Trust recognise that the applicant has reviewed the Belton House and Park Setting Study when considering the scope of the landscape and heritage impacts as a result of the proposal. Further analysis is also provided, alongside the supporting Landscape and Visual Appraisal and Zone of Theoretical Visibility (ZTV) work. Given both topography and separation distances, it is considered that there is less risk to the more intimate, experiential

setting associated with Belton's eastern parkland. There may be some wider incidental intervisibility between the parkland and the application site, with the introduction of a more functional visual feature in the wider landscape. This also accounting for the construction phase, alongside any additional security measures and infrastructure.

- 5.15.2 It is noted that visual screening, both existing and proposed, is liable to change over time and seasonally. Also, accounting for maturity, and in relation to Bellmount Plantation, the current management of ash dieback disease.
- 5.15.3 In light of the above, and with regard for Belton's significance and setting, the National Trust request that relevant heritage, landscape and ecological review is undertaken during the decision-making process. Also, that the cumulative impact of this, and nearby solar farm proposals are given due consideration.
- 5.15.4 More broadly, if SKDC consider that this application should be approved we request the type and nature of panels is agreed to secure the use of non-reflective panels, and that all opportunity is taken to maximise visual screening.

5.16 **North Kesteven District Council**

- 5.16.1 No objections.
- 5.16.2 We note that the application site immediately borders the North Kesteven District Council boundary on the northern edge of the site, and we can confirm that we have had pre-application discussions in relation to the proposed development.
- 5.16.3 We have no objection to the proposed development and advised at pre-application stage that cumulative LVIA impact with the registered NSIP solar projects in North Kesteven District along with the Lincolnshire Reservoir were unlikely owing to separation distances involved. We recommended that the applicant consider cumulative LVIA impacts with the Temple Oaks Renewable Energy Park solar NSIP project. We note that these points are addressed in the LVIA and that the applicant has referenced the North Kesteven Landscape Character Assessment in their assessment.
- 5.16.4 We note that the LVIA assigns a minor or moderate adverse impact on the Wilsford Heath Landscape Character Area and from Viewpoints 4, 5 and 7 which are located in North Kesteven, and we agree with these conclusions.
- 5.16.5 We recommend that the applicant consider soft landscaping and mitigation measures which respond to the characteristics of the Wilsford Heath LCA and also considers the Central Lincolnshire Biodiversity Opportunity Mapping study, which illustrates opportunity areas immediately adjacent, within North Kesteven District.

5.17 **National Grid**

- 5.17.1 No comments received.

5.18 **National Trust**

- 5.18.1 No comments received.

5.19 **SKDC Conservation Officer**

- 5.19.1 The Grade I listed Belton Park and Garden has been noted to be within the ZTV of the proposed solar farm. This is assessed to be not impacted upon by the proposed solar farm. The site is screen from Belton Park by hedgerows and trees. Care should be taken to strengthen the visual barrier with strong hedgerows and a tree line along the western and

southern boundaries of the solar farm. By itself, it is not considered to cause harm to the setting, the cumulative impact should be considered.

5.19.2 The DBA confirmed that there will be intervisibility with the Scheduled Monument of Honington Camp. The assessment confirms that there will be a less than substantial impact upon the setting of the Scheduled Monument. As noted by Historic England as well as Heritage Lincolnshire, the results of further archaeological interventions should be submitted to the LPA, to assess the archaeological potential, and its potential inter-relationship with the Honington Camp, to fully assess the level of the potential impact. At this point, the proposed works would result in a less than substantial impact upon the setting, however the potential unknown below ground archaeology could raise this to a higher level of impact.

5.19.3 Further less than substantial impact has been noted on the nearby farmsteads Wilsford Heath Farm, Quarry Farm and Gipple Farm, as well as RAF Barkston Heath. The assessment concluded that '*changes may impact the significance of the heritage assets due to altering the rural context in which these assets are understood and appreciated*' (Arcadis 2024, 64). Wilsford Heath Farm is set approximately 400m to the north of the site, and would be slightly screened by the field between the boundary and the farm. It is also proposed to add more trees and mixed shrub planting to the existing boundary. Additionally, a small area of grassland margins are to be retained to the north, which would further soften the immediate visual impact of the solar farm. While there would be a less than substantial harm to the setting of this heritage asset, it is considered to be at a low level at most, due to the change in the immediate and wider rural landscape appearance. The inclusion of further tree planting as visual and noise barrier may further reduce this harm.

5.20 **SKDC Environmental Protection Officer**

5.20.1 No objection subject to conditions.

5.20.2 The findings of the Noise Assessment are accepted.

5.21 **Welby Parish Council**

5.21.1 We recognise the need to decarbonise and achieve net zero targets.

5.21.2 We note from the EIA related to this submission that 19 acres of the proposed land is Grade 3A and none of it lower than Grade 3B. The vast majority of the land is actively farmed for arable crops. We note that, whilst agriculture and energy production are not mutually exclusive and in some instances land will need to be shared, the loss of high grade arable land is of concern to our community.

5.21.3 The proposed development is one of three 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. The cumulative impact on biodiversity should be considered collectively.

5.21.4 There is a lack of unanimous community support for this submission.

5.21.5 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.

5.21.6 Solar development is inefficient and therefore the benefits of these schemes need to be questioned.

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 no letters of public representation have been received.

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 2024), 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 Furthermore, whilst each application is required to be determined on its own merits, it is acknowledged that the current application scheme forms one of three proposed solar farms within the vicinity of Welby. Land at Church Lane (LPA Ref: S24/0360) has recently been allowed on appeal following refusal of the application in July 2024. The Inspector's Decision Letter (**Appendix 1**) for that appeal refers directly to the current application scheme and, therefore, is a material consideration for the determination of the current application.

7.6 Principle of Development / Effect of the proposals on climate change

7.6.1 It is noted that representations have raised objections to the application proposals on the basis that the adopted Local Plan does not specifically allocate land for solar development. In addition, it is also noted that representations have raised objections on the basis that the proposed development scheme cannot demonstrate substantial local community support.

7.6.2 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 1.5km to the south. Therefore, the site falls to be defined as being located within 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 countryside location.

7.6.3 The application proposals would have a generating capacity of approximately 46MW, and 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 the excess energy generated during the sunnier periods, to allow for a smoother delivery to the Grid. The proposed development would make a positive contribution towards

meeting the national objectives in respect of energy generation, and would also be consistent with the principles with 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 material considerations that weigh in favour of the application.

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

- (a) A detailed Agricultural Land Classification Report has been submitted as part of the application and confirms that 40.3ha (40.6%) of the site is classed as Grade 3A (Good Quality) land and therefore constitutes BMVAL. The remaining 58.9ha of the site (59.4%) is classed as Grade 3B and therefore does not constitute BMVAL. As referenced above, the proposed layout excludes the central field of the site (21.5 ha) which is identified as being the majority of the BMVAL, and therefore, the proposed development would result in the use of 18.8ha of BMVAL in total.
- (b) The application submission has been accompanied by a Statement of Community Involvement which provides a summary of the consultation undertaken by the Applicant prior to submission of the application. It is noted that representations received from Welby Parish Council and Londonthorpe and Harrowby Without Parish Council during the course of the consideration of the application have raised concerns about the proposed development and, therefore, it can be concluded that the proposal cannot demonstrate the express support of the affected local community.

Notwithstanding this, it is noted that the Inspector's 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 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 the 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 Framework.

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

- (c) The application proposals have a generating capacity of up to 46MW and this limit is recommended to be secured by planning condition. Electricity generated from the development would be transferred to the National Grid at the Grantham BSP substation located to the south-west of the site.
- (d) The submitted Planning, Design and Access Statement confirms that permission is sought for a temporary period of 40 years from the date of the first export of

electricity 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 restoration 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 below.

7.6.5 Taking the above into account, it is Officers' assessment that the principle of renewable energy generation 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.

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

7.7.1 It is noted that representations have raised concerns on the basis that the proposed development would result in the loss of an area of BMVAL and that there has been insufficient assessment of alternative sites to justify the loss of this BMVAL.

7.7.2 As outlined above, 40.3ha (40.6%) of the site is classed as Grade 3A (Good Quality) land and therefore constitutes BMVAL. The remaining 58.9ha of the site (59.4%) is classed as Grade 3B and therefore does not constitute BMVAL. However, the proposed layout excludes the central field of the site (21.5 ha) which is identified as being the majority of the BMVAL, and therefore, the proposed development would result in the use of 18.8ha of BMVAL in total.

7.7.3 In respect of the Alternative Sites Assessment undertaken, Officer's accept that the Provisional Agricultural Land Classification Maps do not distinguish between Grade 3A (BMVAL) and Grade 3B (non-BMVAL) quality land and, therefore, it is not possible to identify alternative sites which would not involve the use of BMVAL without accessing private land to undertake intrusive soil assessment. Officers accept that requiring such an approach would not be proportionate, practical or reasonable and therefore, it is accepted that the current site is sequentially preferable having regard to the balance of considerations.

7.7.4 Furthermore, as accepted in the Church Lane appeal decision, whilst the use of higher quality agricultural land is discouraged by the Local Plan and NPPF, the proposed solar development would be for a temporary period of 40 years and, therefore, the agricultural land would not be permanently or irreversibly lost. The current application scheme allows for pasture grazing to occur between and underneath the solar panels, which would allow for the continuation of an alternative agricultural use, and also allows for the soil condition and structure to improve through recovery from the current intensive use.

7.7.5 In addition, most of the land will continue to be used for some agricultural purpose during the operational period and can be returned to arable farming at the expiration of the temporary planning permission. Also, it is accepted that the way in which agricultural land is used is not a matter of planning control and, therefore, there is nothing to restrict the farmer from using the fields subject to the current application for grazing use, or even leaving them to fallow. As such, whilst the proposals would limit the ability to carry out arable farming during the operational period, this does not result in the loss of agricultural land.

7.7.6 In view of the above, it is Officers assessment that the proposed development would be in accordance with Policy SP1 and Solar Energy Criteria 9 of Appendix 3 of the Local Plan and therefore does not negatively impact the District's agricultural land asset.

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

7.8.1 It is appreciated that representations received have raised concerns about the impact of the development on the rural landscape character and setting, particularly in view of the potential cumulative impacts.

7.8.2 It is acknowledged that 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 for extensive views.

7.8.3 The application has been accompanied by a Landscape and Visual Appraisal, which reaches the following key conclusions in relation to the landscape character impacts:

- Southern Lincolnshire Edge Landscape Character Area – accounting for the mitigation measures proposed, and the small geographic extent of impacts, there is likely to be moderate / minor adverse effects in year 1, reducing to minor / moderate adverse effects by year 15.
- Wilsford Heath Landscape Character Area -There is likely to be minor adverse effect on this character area at year 1 and at year 15

7.8.4 In respect of the above, it is the Case Officer's assessment that the proposed development 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 landscaping mitigation scheme, there would remain a residual adverse 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.

7.8.5 With regards to the localised visual impact of the development, as identified above, the application site is bound to the west by High Dike (B6403) and also there is a network of PRoW which run adjacent to the northern boundary of the site.

7.8.6 In terms of the localised visual impacts, the LVIA provides the following assessment:

- There is likely to be a moderate adverse effect at year 1 on those receptors closest to the site i.e., those using the PRoW adjacent to the northern boundary of the site, and along the PRoW between the site and Welby. These would reduce to minor and moderate / minor by year 15.
- For those visual receptors beyond 1km of the site, there is likely to be a minor / moderate effect at year 1 reducing to minor adverse effect by year 15.
- For road users beyond 500m the PV arrays and battery storage would only just be perceptible, despite being visible upon the skyline, few views are possible. Whilst the scale of change would be larger for road users closer than 500m, the proposed development would not lead to an overall change in the nature of views experienced when travelling along these routes. The scale and extent of the impacts would be reduced through the mitigation measures, and therefore, there is likely to be a minor adverse effect at year 1 and year 15.

7.8.7 Similar to the landscape character assessment, the proposed development would result in a degree of visual impact, which would be reduced through the proposed landscaping mitigation scheme, which can be secured through planning conditions. However, there would remain a residual minor adverse visual impact for localised receptors. As such, the proposed development would be contrary to Policy EN1 and DE1 of the adopted Local Plan and Section 12 of the National Planning Policy Framework. This policy conflict falls to be assessed in within the overall planning balance.

7.9 **Cumulative Impacts**

7.9.1 It is noted that representations received from Welby Parish Council have raised concerns due to the potential cumulative impact of the development, in combination with the other proposed solar developments, on the loss of agricultural land and the landscape character of the area.

7.10 As referred to above, it is appreciated that the site is one of three solar proposals within the immediate vicinity of Welby. The current status of these proposals are as follows:

- LPA Ref: S24/0360 – Church Lane, Welby – approximately 2.2km to the south of the current application site and uses the same grid connection point as the current application scheme. Allowed on Appeal in January 2025.
- LPA Ref: S23/2199 – Land at High Dike, Londonthorpe (Ash Tree Solar Farm) – located on the opposite side of the High Dike. Refused planning permission following resolution by Planning Committee in October 2024. Currently pending appeal.

7.10.1 In this respect, the Ash Tree Solar Farm does not represent a committed / allocated development scheme and, therefore, it is not necessary to consider any cumulative impacts associated with those proposals as part of the current application. In the event that the Committee resolved to approve the current application, the cumulative impact of the application together with the Ash Tree Solar Farm would be a matter for consideration by the Inspector as part of the appeal determination. Nonetheless, it is appreciated that the Church Lane scheme benefits from planning permission following the Inspector's decision to allow the appeal and, therefore, the current application must consider the potential cumulative impacts.

7.10.2 The application has been accompanied by a Cumulative Effects Addendum (Arcadis) (November 2024), which concludes the following:

- Southern Lincolnshire Edge Landscape Character Area - It is understandably expected that the combined effect on landscape character of all three developments would be greater than if any one development was singularly located in this area. Taking into account the mitigation measures planned by all three schemes, it is considered that the overall effect would be moderate in year 1 reducing to moderate / minor in year 15.
- Wilsford Heath Landscape Character Area – taking into account the distance that Ash Tree Solar Farm and Church Lane Solar Farm lie away from this LCA, it is not considered likely that there would be any cumulative effects upon this setting.
- The cumulative effects on visual receptors, including users of the PRoW and the local roads would not be substantial to cause the schemes to collectively become prominent or dominate any receptors visual experience. As the mitigation planting

establishes, it would reduce the perceptivity of the developments to the point where they would integrate effectively into the visual pattern of the surrounding landscape.

7.10.3 In connection with the above, it is noted that the Church Lane appeal decision includes the following commentary in relation to the cumulative effects:

"The proposed scheme in addition to two solar schemes subject to recent planning consideration have been assessed in terms of cumulative impact. Ash Tree Farm and Pastures Farm are located 0.6km and 2.1km respectively to the north of the site. On the assumption that all three schemes are constructed the overall cumulative effect, on the area's character and overall visual impact, would be greater. Nonetheless, mitigation measures of all three solar farms would reduce these cumulative effects to minor".

7.10.4 Taking the above into account, the application proposals in combination with the approved Church Lane solar development would result in a cumulative minor adverse impact on the character and appearance of the area. This harm falls to be weighed in the overall planning balance detailed below.

7.11 Impact on heritage assets

7.11.1 The proposed development site does not contain any designated built heritage assets. However, there are a number of designated assets located within the surrounding area. The Grade I Listed Belton House and its associated Registered Park and Garden are approximately 1.8km to the west of the site on the opposite side of the High Dike. Honington Camp Scheduled Monument is located approximately 2.4km to the north west of the site. There are a number of listed buildings also located within the village of Welby.

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

7.11.3 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 been commented on the application. In this respect, it should be noted that neither party has raised formal objections. The National Trust have advised that there may be some limited intervisibility between the Registered Park and Garden and the application scheme, which would result in the introduction of a functional feature in a 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.

7.11.4 With regards to the impact of the proposed development on Londonthorpe Conservation Area, the Council's Conservation Officer has not raised any formal objections, however, it is appreciated that they have suggested that the submitted Cultural Heritage Impact Assessment should be updated to include assessment of the Londonthorpe and Oasby Conservation Areas. The Conservation Officer has suggested that there is the potential for less than substantial harm to the setting of the Conservation Areas.

7.11.5 It is the Case Officer's assessment that the proposed development scheme would result in a degree of impact of the rural landscape character in which the site is experienced, and that this landscape does contribute to the experiential setting of Belton House Registered Park and Garden and the Londonthorpe Conservation. The extent of impact on this setting would be reduced by effective landscaping, which is to be secured via planning condition.

7.11.6 In view of the limited intervisibility between the Belton House Registered Park and Garden, and the separation distance and landscaping between the proposed development and Londonthorpe Conservation Area, it is the Case Officer's assessment that whilst the proposed development would alter the setting of these assets, it would not amount to harm to the significance of those assets.

7.11.7 In relation to the Scheduled Monument of Honington Camp, the submitted Heritage Assessment confirms that there will be less than substantial impact on the setting of the scheduled monument. Heritage Lincolnshire have acknowledged that further archaeological investigation is needed to assess the potential inter-relationship with Honington Camp, this is to be secured through planning conditions. However, there would be a less than substantial harm to the setting of the asset, and this would be at the lower end.

7.11.8 However, it is understood that this part of the setting does not contribute to the significance of the asset as it is beyond the likely extent of the defended rural landscape forming part of the setting to the historical extent of the settlement area. Therefore, the proposed development would comply with Section 16 of the NPPF.

7.11.9 Nonetheless, Local Plan Policy EN6 requires the harm to the setting of a heritage asset to be weighed against the public benefits of the proposal. In this respect, 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 proposals.

7.11.10 Taking the above into account, it is the Officer's assessment that the significant public benefits associated with the application proposals would outweigh the less than substantial harm to the setting of the Honington Camp Scheduled Monument. 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.

7.12 Impact on archaeological assets

7.12.1 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 a scheme for further investigation of the cable connection route, areas where remains are to be protected and / or recorded during construction and the safeguarding of areas during construction activities. This is included within the recommended schedule of conditions set out below.

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

7.13 Effect of the development on biodiversity and ecology

7.13.1 As detailed previously, the site is not subject to any ecological designations. However, it is noted that the High Dike, Copper Hill to Londonthorpe Verges are identified as a Local Wildlife Site and form one of five LWS's within 1km of the site. Similarly, there are also a number of nationally designated sites within the immediate area, including Wilsford Heath Quarry Site of Special Scientific Interest, which is located approximately 600m to the north

of the site; the application site is located within the SSSI Impact Risk Zone for this designated site.

7.13.2 The application has been accompanied by an Ecological Impact Assessment (Clarkson & Woods) (May 2024), which identifies the following conclusions:

- The majority of the site comprises large arable fields with little ecological importance. The installation of panels into these areas is unlikely to result in any long-term adverse impacts on biodiversity, and subject to the establishment of grassland beneath and around the panels, the scheme is likely to result in a positive impact on biodiversity within the local area.
- The design of the scheme has been modified at an early stage to ensure that the most ecologically valuable habitats within the site are retained within the development, and recommendations have been made to ensure that these habitats, and the species which may be present within them are adequately protected. This is to be secured through conditions for the production of a CEMP.
- On and off-site mitigation is proposed to enhance land to accommodate displaced skylark territories. The mitigation proposed will mitigate for up to 52% of the displaced skylark territories. It is considered that there will be a minor negative residual impact on breeding birds as a result of the proposals.
- Several areas within the site have been retained for wildlife mitigation and enhancement purposes. These areas will lie outside of the solar array construction area, and will be managed for the benefit of biodiversity, and provision of habitat for protected species.
- Post-construction, the creation of new habitats and ongoing management of retained / newly created habitats will result in a positive net gain to local wildlife. The creation and management of these habitats will be secured through the production of a LEMP.

7.13.3 In addition, the application has also been accompanied by a Biodiversity Net Gain Report (Clarkson & Woods) (May 2024), which includes the results of the statutory biodiversity metric. This confirms that the proposed development would result in a 21.21% net gain in habitat units, 19.87% net gain in hedgerow units and 52.58% net gain in watercourse units. This is a benefit that weighs in favour of the proposals.

7.13.4 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. Conditions are proposed to require compliance with the submitted Landscape Mitigation Plan, as well as the submission of a detailed Landscape and Ecological Management Plan. Similarly, conditions are proposed to require compliance with the recommendations contained in the Ecological Impact Assessment, including the submission of a Construction and Environmental Management Plan (CEMP). Furthermore, the statutory biodiversity gain condition will require the submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan prior to commencement of the development.

7.13.5 In respect of the impact of the proposed development on the existing field boundary hedgerows and trees, the submitted Arboricultural Impact Assessment (AIA) identifies the following:

- Of the total 104 arboricultural features on site, a total of one group of trees and 11 hedgerows are located within, or immediately adjacent to, development works and will require partial removal to facilitate the development.
- The proposed installation of a new access road within the RPAs of one group of trees and four hedgerows has a low potential to result in soil disturbance which has the potential to impact the structural or physiological condition of the trees. Any roots encountered will require removal and will therefore require appropriate mitigation and protection measures.
- Preliminary tree protection measures have been included within the report, when further detail is known as to the construction process at the detailed design stage, a bespoke Arboricultural Method Statement should be prepared to protect the trees to be retained over the course of the works.

7.13.6 In view of the above, conditions are proposed to require the submission of a detailed Arboricultural Method Statement and Tree Protection Plan prior to the commencement of development, which will ensure that all retained trees are appropriately protected during the course of the construction period.

7.13.7 Taking the above into account, subject to the imposition of conditions, the application proposals would accord with Local Plan Policy EN2, Solar Energy Criteria 7, Section 15 of the National Planning Policy Framework and the Environment Act 2021.

7.14 **Access and Highways Impacts**

7.14.1 Access to the site is proposed to be taken via the existing access from High Dike (B6403) serving Pastures Farm. 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.

7.14.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have raised no objections and have confirmed that the proposed access is suitable to accommodate the development.

7.14.3 In view of the above, 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.

7.15 **Flood Risk and Drainage**

7.15.1 The site is identified as being within Flood Zone 1 of the Flood Map for Planning but is also identified as including areas of medium and higher risk of surface water flooding. The Flood Risk Assessment and Drainage Strategy Reports (Arcadis) (May 2024) submitted as part of the application draw the following conclusions:

- The main part of the site where the solar farm is proposed is primarily at low risk of flooding from surface water, albeit with small areas at high risk. The drainage strategy outlines how any risks will be managed, in line with national and local policy requirements through incorporating SuDS such as swales.
- A small section of the cable route is at high risk of surface water flooding. However, the only potential for change to the drainage regime along the cable route is

temporary, during construction, and the drainage strategy outlines how these risks will be mitigated.

- The area beneath the solar panels will remain as existing and the pre-development site infiltration rate will not change. Rainwater falling onto each panel will drain freely onto the ground beneath the panels and infiltrate or runoff the ground at the same rate as it does currently.
- The localised increased surface water runoff from the development will be intercepted/collect via shallow vegetated swales which will interrupt and slow channelised flows, enhance and promote infiltration, evaporation and interception capacity and help spread the water over a greater surface area.
- Existing access tracks are impermeable. Any additional tracks will be constructed using permeable materials such as Type 1 sub-base. All runoff will be retained on site utilising trench drains to intercept where required.
- As a means of reducing flooding to the surroundings during exceedance events, by offering betterment on existing surface water rates and volumes, a swale / depression downslope will be created in each field of the solar farm.

7.15.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application proposals 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.

7.15.3 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 maintenance of any watercourse within the site. These matters are covered under the Land Drainage Act and therefore do not require any further planning control through planning conditions.

7.15.4 The Environment Agency (EA) did initially submit a holding objection raising concerns relating to the risk of pollution to groundwater sources due to the battery energy storage system. The Applicant subsequently submitted a further Groundwater Protection Strategy Report, and the EA have confirmed that they have removed their objection pending the imposition of conditions requiring the submission of a further Surface Water Drainage Strategy for managing the risk of groundwater pollution from the BESS in the event of a fire. This is proposed to be included as a pre-commencement condition.

7.15.5 Taking the above into account, subject to the imposition of conditions, the proposed development would not give risk 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.

7.16 Pollution Control

7.16.1 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. Furthermore, the application includes a Battery Energy Storage System (BESS). The operation of the power conversion units together with the battery stations would be the main sources of noise during the operation of the solar farm. The 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 the temperature. The principal source of noise within the battery system would also be the cooling fans located within the batter containers, which would operate as required to ensure the batteries operate at their correct temporary. Whilst the solar inverters would only operate during daylight hours, the equipment associated with the operation of the battery stations could potentially operate on a 24-hour basis.

- 7.16.2 The Noise Assessment submitted with the application notes that a 3m high acoustic bund has been included as part of the design for the BESS. The Assessment concludes that the operation of the solar farm would generate noise levels that would exceed the existing background noise levels, but that this would not be considered harmful to residential amenity.
- 7.16.3 The Council's Environmental Protection Team have been consulted on the application and have confirmed that they accept the findings of the Noise Assessment and, therefore have no objections.
- 7.16.4 As such, it Is Officers assessment that, subject to conditions requiring the implementation of the proposed acoustic barrier, 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.
- 7.16.5 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 in relation to the submitted Outline Environmental Management Plan. Conditions are proposed to require the submission of a detailed Construction Environmental Management Plan, prior to the commencement of development, which will reflect any updates to the proposed site layout accounting for the results of the archaeological investigations and any further requirements for surveys to be completed.
- 7.16.6 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 are also required for the submission of an Operational 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 adverse impacts on the amenity of residents of the surrounding villages.
- 7.16.7 Taking the above into account, it is Officer's assessment that, subject to conditions, the construction, operation and decommissioning of the proposed solar farm will 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 Framework.

7.17 Aircraft Movements and Associated Activities

- 7.17.1 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.
- 7.17.2 In connection with the above, the Ministry of Defence and Civil Aviation Authority have both been consulted on the application and no objections have been received. The MoD have confirmed that they have no concerns in relation to glint and glare impacts. However, they

have requested conditions for the submission of a detailed Landscape Management Plan to ensure that the proposed development does not provide an environment that encourages large and / or flocking bird species which may be hazardous to aircraft. Furthermore, they have also requested conditions to require the submission of an Electrical Noise Interference Management Plan to ensure that the proposed development does not interfere with any technical installations the support aviation activities. These matters are proposed to be included within the schedule of conditions recommended below.

7.17.3 As such, subject to conditions, 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 would accord with Solar Energy Criteria 8 of the Local Plan Renewable Energy Appendix.

7.18 **Other Matters**

Minerals Safeguarding

7.18.1 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.

Fire Safety

7.18.2 Lincolnshire Fire and Rescue have been consulted on the application and have raised no objections. Informatics are to be included as part of any planning permission granted to direct the Applicant to the comments made by LFR in relation to battery safety and the provision of suitable risk mitigation measures.

Crime Prevention

7.18.3 The proposed development scheme includes appropriate measures to mitigate against the risk of crime, this includes the installation of perimeter fencing and CCTV monitoring.

Tourism

7.18.4 As set out above, it is Officers' assessment that the application proposals would not give rise to any adverse impacts of the setting of Belton House and its associated Registered Park and Garden and, therefore, it 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 permission for the installation of a solar farm with associated battery storage, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, transformers, electrical substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure for a temporary period of 40 years with a generating capacity of up to 46 megawatts (AC).

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 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 project. 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 emission 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 Officers assessment that the proposed development would result in an impact on the landscape character area and a visual effect on localised receptors, as a result of the change of 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 these matters, contrary to Policy DE1 and EN1 of the adopted South Kesteven Local Plan and Solar Energy Criteria 1 of the Renewable Energy Appendix. Furthermore, this would result in a less than substantial impact on the setting of the Scheduled Monument at Honington Camp.

10.6 In respect of whether there are material considerations which indicate that the proposals 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 Officers attribute substantial weight. In addition, the scheme would also achieve a biodiversity net gain which exceeds 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.

- 10.7 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, both in isolation and cumulatively with the approved Church Lane, Welby solar development, and the less than substantial harm to the setting of the Scheduled Ancient Monument at Honington Camp.
- 10.9 Taking all of the above into account, it is Officers assessment that the identified policy conflicts within the Development Plan would be outweighed by the benefits. 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 & Growth 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 allow 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. Proposed Site Layout (Ref: IGP-02)
- b. Proposed PV Mounting Structure (Ref: IGP-03)
- c. Proposed 33kV Substation (Ref: IGP-04)
- d. Proposed BESS and Conversion Unit (Ref: IGP-05)
- e. Proposed Battery Energy Storage Unit (Ref: IGP-06)
- f. Proposed Battery Energy Storage Water Tanks (Ref: IGP-07)
- g. Proposed CCTV Pole Details (Ref: IGP-08)
- h. Proposed Deer Fence Details (Ref: IGP-09)
- i. Proposed Weldmesh Fence Details (Ref: IGP-10)
- j. Drainage Strategy Plan (Ref: 30183533-ARC-SW-XX-RP-CE-0001)
- k. Landscape Mitigation Plan (Ref: 30183533-ARC-ELS-ZZ-DR-LV-00016-S2-P01)

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 46 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

Heritage / Archaeology

Archaeological Mitigation Plan

- 5) 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 Written Scheme of Investigation for further archaeological evaluation of the cable connection route
 - b. A plan illustrating the location of 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.

Materials Details

6) Before any part of the development hereby permitted is commenced, a specification of the materials to be used (including the use of any non-reflective panels) 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 harm to nearby heritage assets as required by Policy EN6 of the adopted Local Plan.

Biodiversity / Ecology

Construction Environmental Management Plan

7) Before any part of the development hereby permitted is commenced, a detailed Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted CEMP shall be based on the submitted Outline Construction Environmental Management Plan (OCEMP) (Arcadis) (May 2024) and shall include measures to mitigate against the adverse effects of vehicular movements and noise and means to manage the drainage and ecological impacts of the construction stages of the development. The detailed CEMP shall include:

- a. Details of access construction to ensure that the proposed development can be accessed by emergency vehicles.
- b. Construction hours
- c. The routing of all construction vehicles
- d. The parking of all vehicles and site operatives
- e. The loading and unloading of all plant and materials
- f. The storage of all plant and materials used in constructing the development
- g. Wheel washing facilities
- h. Ecological Management Plan, including appointment of an Ecological Clerk of Works, and the implementation of Natural England licences as required.
- i. Relevant details of the archaeological mitigation strategy for the protection of retained features during the construction period.

The approved CEMP shall be strictly adhered to throughout the construction period.

Reason: To minimise the effects of the construction stage of the development on the highway, and ecological and archaeological assets.

Tree Protection & Arboricultural Method Statement

8) No works pursuant to this permission shall commence until a final detailed arboricultural method statement and protection plan for the protection of the retained trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority.

The protection scheme and plan shall be completely implemented prior to site preparation, clearance and building works, starting on site and not removed until entirely complete. The protection scheme must include details of all trees and hedgerows to be retained and positioning of protection fencing and ground covers to create construction exclusion zones. No retained tree or hedgerow shall be cut down, uprooted, or destroyed, nor shall any

retained tree or hedgerow be pruned in any manner without the prior written approval of the Local Planning Authority.

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.

Flood Risk and Drainage

Surface Water Management Plan

- 9) The development hereby permitted shall not be commenced until such time as a scheme for the disposal of surface water in the event of a fire within the battery energy storage system (BESS) have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved scheme shall be implemented before the development hereby permitted is first brought into use, and shall be retained and maintained in full for the lifetime of the development.

Reason: To ensure that the proposed development does not give risk to an unacceptable risk of surface water flooding and groundwater pollution, as required by Policy EN4 and EN5 of the adopted South Kesteven Local Plan.

Aircraft and Associated Activities

Electrical Noise Interference Management Plan

- 10) No works pursuant to this permission shall commence until such time as an Electrical Noise Interference Management Plan (ENIMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Ministry of Defence. The submitted ENIMP shall contain, but not be limited to:

- a. Manufacturers specifications for any generating and associated infrastructure to be installed at the site, to include any inverters, substations, PV panels and any associated cables (including all interconnecting cables as well as the export cables to the national grid) and connectors
- b. Details of measures designed to prevent electrical noise interference being caused to transmitter/receiver technical installations at RAF Barkston Heath
- c. A schedule setting of how the development will be operated, maintained and tested throughout its lifetime to ensure that any electrical noise interference on transmitter/receiver technical installations at RAF Barkston Heath is prevented; and
- d. 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/mitigating those impacts.

The provisions set out in the approved ENIMP and any modifications or mitigation, as agreed in writing by the Local Planning Authority shall be maintained for the lifetime of the development. No electrical component or electrical equipment not specified in the approved ENIMP shall be installed or operated within the site without the express written consent of the Local Planning Authority, in consultation with the Ministry of Defence.

Reason: In the interests of maintaining the effective operation of national defence infrastructure and to maintain aviation safety.

During Building Works

Biodiversity / Ecology

Ecological Mitigation

11) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Section 3 of the Ecological Impact Assessment (Clarkson and Woods) (May 2024), including reasonable avoidance measures for protected species and the provision and retention of skylark mitigation plots.

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

Landscape and Visual Impact

Landscape and Ecological Management Plan

12) Before the solar development hereby permitted is operational, a Landscape and Ecological Management Plan (LEMP) shall have been 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.

Landscaping Implementation

13) 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 (Ref: 30183533-ARC-ELS-ZZ-DR-LV-00016-S2-P01) shall have been carried out in full, unless otherwise required by another condition of this permission,

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

14) 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 6 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.

Access / Highways

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.

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.

Pollution Control

Noise Mitigation Implementation

16) Before the date of the first export of electricity from the development hereby permitted, a 3m high acoustic barrier to the Battery Energy Storage System (BESS) shall be installed, as indicated on Figure 6-5 of the submitted Noise Assessment (ref: 30183533-ARC-NOI-REP-00001/Rev 02).

Thereafter, the acoustic barrier shall be retained and maintained for the lifetime of the development.

Reason: To ensure that the solar farm does not give rise to any unacceptable adverse noise impacts on residential amenity, and to ensure that the development operates as assessed; and in accordance with Policy EN4 and DE1 of the adopted South Kesteven Local Plan.

Ongoing

Landscape and Visual Impact

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.

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 (2024).
- 2) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Kesteven District Council.

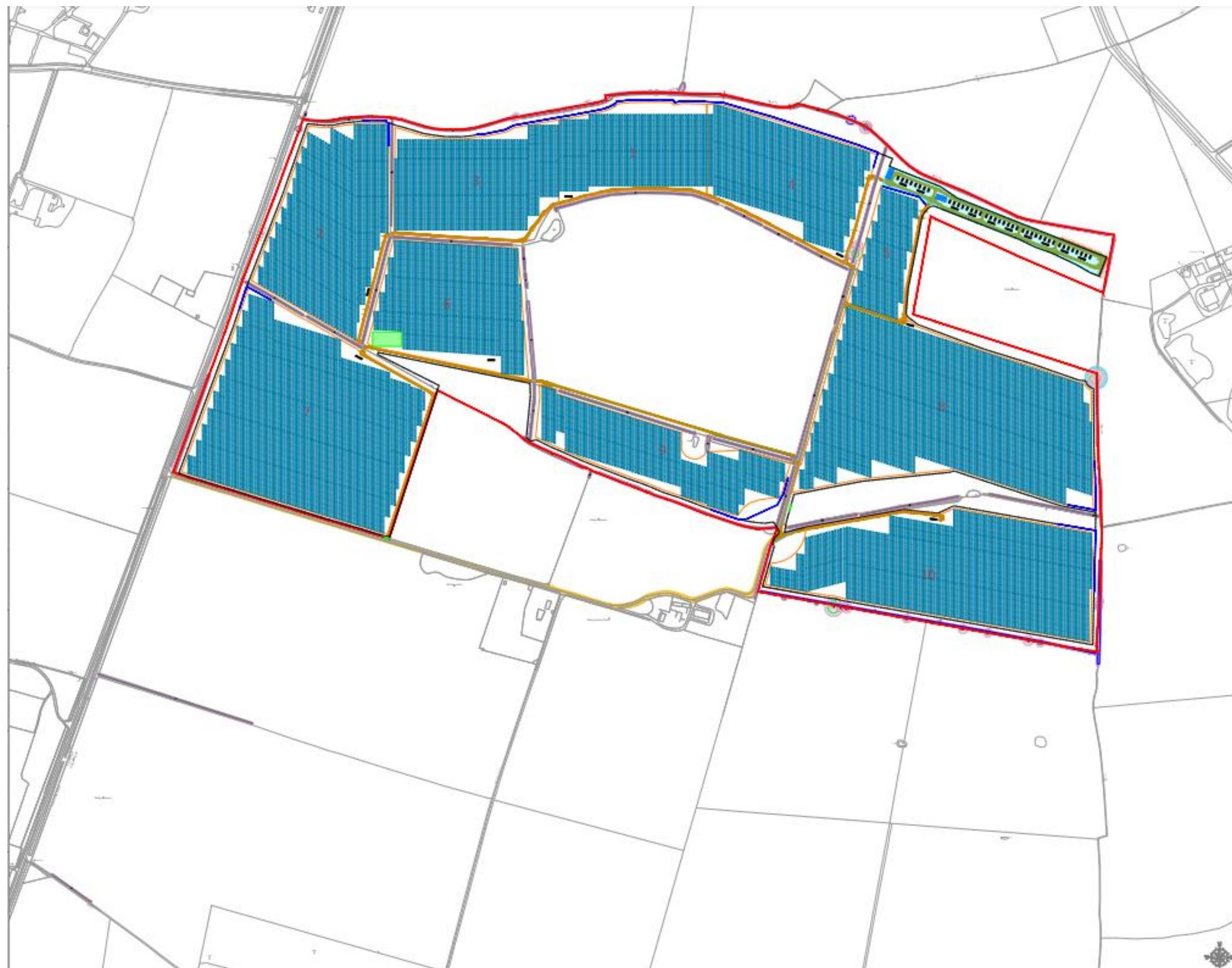
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

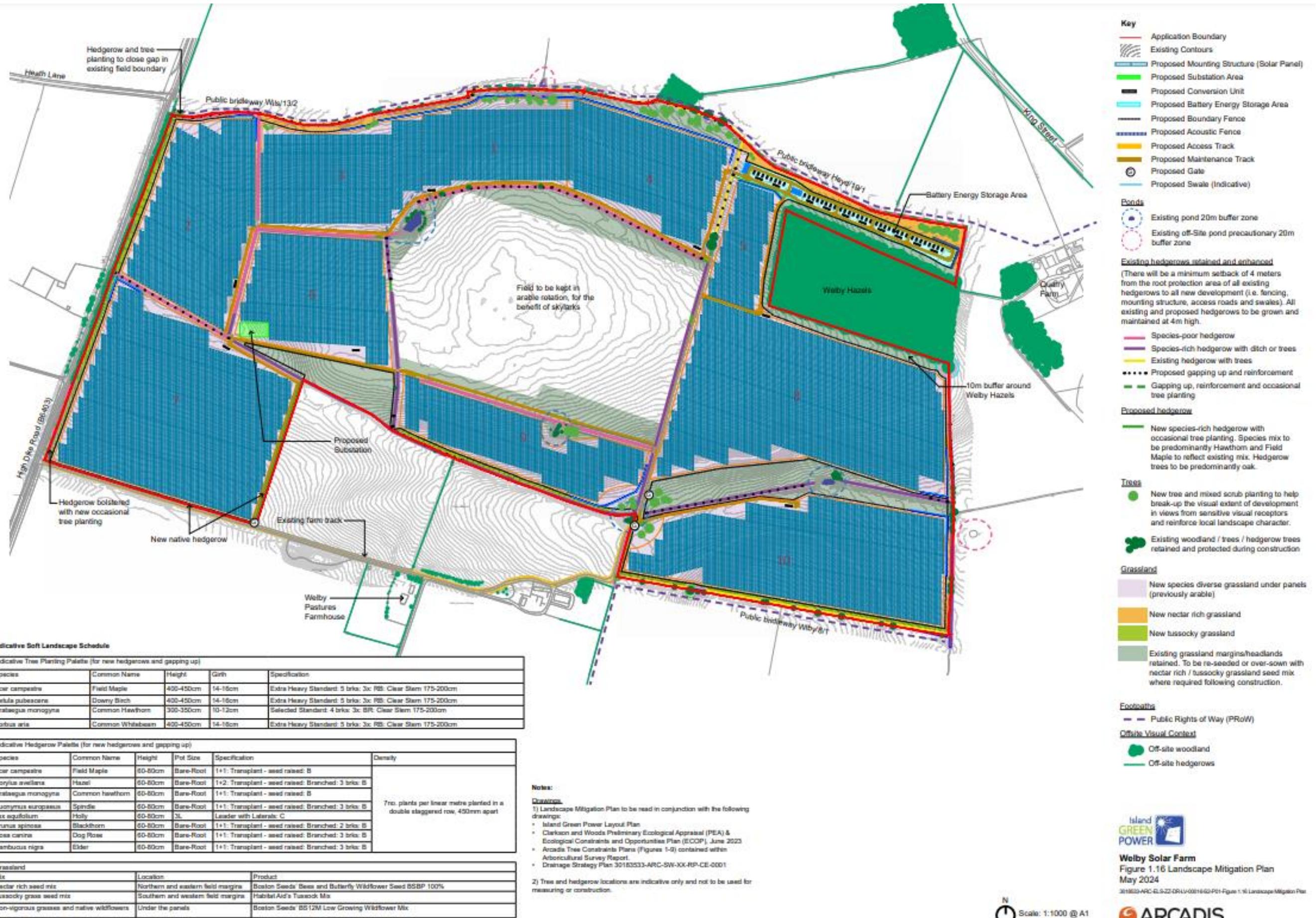
- 3) The developer should produce a risk reduction strategy (Regulation 38 of the Building Regulations) as the responsible person for the scheme as stated in the Regulatory Reform (Fire Safety) Order 2005. We would also expect that safety measures and risk mitigation is developed in collaboration with LFR.
- 4) Applicants will also need to comply with relevant Building Regulations in Part B. They require applicants to provide suitable access for the fire service. Battery storage falls within the scope of the UK's producer responsibility regime for batteries and other waste legislation. Operators' of battery storage facilities should be aware of the Producer Responsibility Regulations. When a battery within a battery storage unit ceases to operate, it will need to be removed from the site and dealt with in compliance with waste legislation. The party discarding the battery will have a waste duty of care under the Environmental Protection Act 1990 to ensure that this takes place. The Waste Batteries and Accumulators Regulations 2009 also apply
- 5) 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.
- 6) 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>

Proposed Site Layout



Proposed Landscaping Plan



N
Scale: 1:1000 @ A1



Welby Solar Farm
Figure 1.16 Landscape Mitigation Plan
May 2024

30/163533-ARC-EL-S-22-DR-LU-0081642-P01-Figure 1.16 Landscape Mitigation Plan

ARCADIS

Agricultural Land Classification Plan

