



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

6 March 2025



### S24/2100

Proposal:	Installation of solar farm, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters and transformers, stock proof fencing, CCTV internal access tracks and associated infrastructure and landscaping for a temporary period of 40 years.
Location:	Home Farm, Dyke Drove, Bourne
Applicant	Integrum SPV 21014 Limited
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	Called in by Councillor Zoe Lane citing the following considerations: <ul style="list-style-type: none"><li>• Impact on the open countryside</li><li>• Impact on residential amenity</li></ul>
Key Issues:	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 Flood Risk and Drainage
Technical Documents:	<ul style="list-style-type: none"><li>• Agricultural Land Classification Survey</li><li>• Alternative Site Assessment</li><li>• Arboricultural Impact Assessment</li><li>• Construction Traffic Management Plan</li><li>• Ecological Impact Assessment</li><li>• Flood Risk Assessment and Drainage Strategy</li><li>• Flood Evacuation and Emergency Plan</li><li>• Geophysical Survey</li><li>• Glint and Glare Report</li><li>• Historic Environment Desk Based Assessment</li><li>• Landscape and Visual Appraisal</li><li>• Ground Investigation</li><li>• Planning, Design and Access Statement</li><li>• Preliminary Ecological Appraisal</li><li>• Statement of Community involvement</li><li>• Transport Statement</li></ul>

#### Report Author

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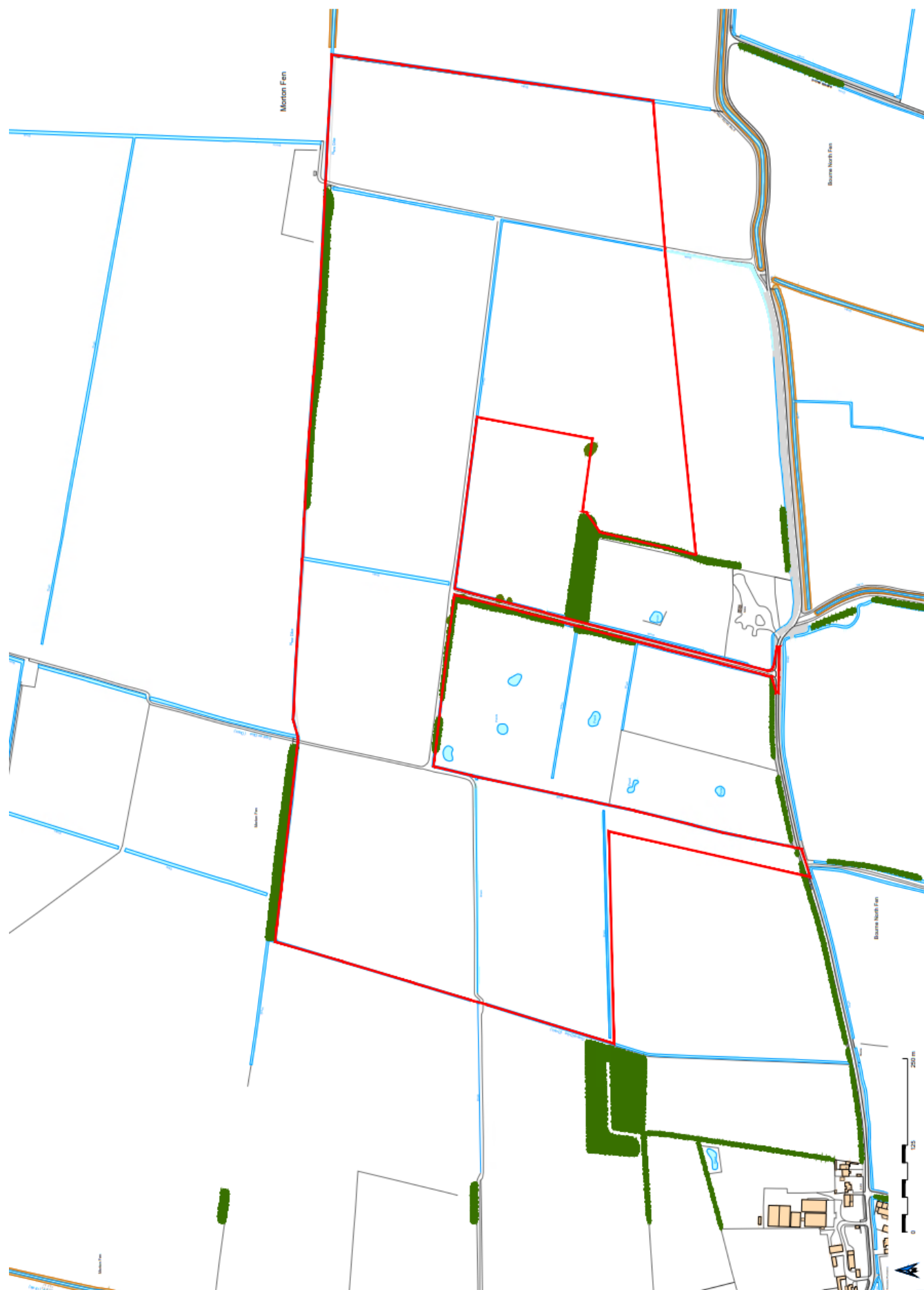
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Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Bourne East
Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	25 February 2025

Recommendation (s) to the decision maker (s)

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

S24/2100 – Home Farm, Dyke Drove, Bourne



# 1 Description of the site

- 1.1 The application site consists of an area of 54.53 hectares (134.74 acres) of irregular shaped land located to the north of the A151 (Spalding Road) and situated to the east of Dyke and the north-east of the main built-up area of Bourne. The site comprises of 6 fields of arable agricultural land with an internal access track, part of which is an existing track, and drainage ditches.
- 1.2 The site is bound by drains maintained by the Black Sluice Internal Drainage Board. The northern edge of the site is bound by the New Dike Drain; the western boundary is defined by Gravel Dike Drain; and Herring Dike runs north to south along the eastern boundary. The site is bound to the south by Dyke Drove and the site's internal boundaries are defined by internal drains, trees and hedgerows. There is an existing 4.6MW operational solar farm located 1.4km to the south of the site, which was granted planning permission in 2011.
- 1.3 The proposed development site lies outside of the main built-up area of a defined settlement, and therefore, falls to be defined as being located within the Open Countryside. The site is also identified as being within Flood Zone 3 of the Flood Map for Planning and also includes areas of medium risk of surface water flooding. Furthermore, the Natural England Provisional Agricultural Land Classification Maps identify the site as being Grade 2 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.
- 1.4 The site is not subject to any statutory landscape designations. However, the site is located within the Fens Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by large scale open rectangular fields divided by drainage ditches and embanked rivers, with sparse tree and woodland cover.
- 1.5 The site does not contain any designated heritage assets. However, there are a number of designated assets located within the main built-up area of Dyke; including a cluster of 9no. Grade II Listed Buildings. In addition, Car Dyke, south of Dyke, is a Scheduled Ancient Monument, located approximately 630 metres to the west of the site.
- 1.6 The site includes two designated Local Wildlife Sites (LWS), which include Dike Fen Drains LWS, and Gravel Dike and New Dike. There are also a further 8 statutory designated ecological sites within 10km of the site.
- 1.7 There are no public rights of way that cross the site. The nearest are located at Dyke and form a network of routes connecting Dyke to Morton.
- 1.8 The proposed development has not been the subject of any previous planning applications. However, the application proposals have been the subject of an Environmental Impact Assessment [EIA] Screening Opinion (LPA Ref: S24/1052) in August 2024, which concluded that the proposed development was not defined as being EIA development, and therefore, the current application was not required to be accompanied by an Environmental Statement.
- 1.9 In respect of potential cumulative effects, it is appreciated that the current application is one of four solar proposals on the eastern side of Bourne. The current status of these proposals are as follows:
  - LPA Ref: S11/0431 – Limes Farm – approximately 1.4km to the south-east of the current application site. Operational 4.6MW solar farm granted planning permission in 2011.

- LPA Ref: S24/2191 – Limes Farm – approximately 1.2km to the south east of the current application site. Proposed 20MW solar farm with Battery Energy Storage System. Pending Consideration.
- Northorpe Fen Farm – located approximately 3.7km to the south of the current application site. EIA Screening Opinion issued in April 2024. No application has been submitted to date.

## **2 Description of the proposal**

- 2.1 The current application seeks full planning permission for the installation and operation of a solar farm, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, transformers, 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 28 megawatts (MW) and would be operational for a temporary 40-year period, with all equipment to be 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 energy generating capacity of the solar farm would provide the equivalent energy needs for approximately 13,661 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 a metal mounting structure to form an array, which would be pile driven into the ground. The panels would be tracker panels which would follow the sun throughout the day. The arrays would be positioned with a maximum height of up to 2.9m at the highest point in the day.
  - 6 solar transformers – 2.4m wide, 6.1m length and 2.6m height with finished levels a minimum of 0.3m above ground level.
  - 1 Project Control Room – 3.3m wide, 12m length and 3m height with finished levels a minimum of 0.3m above ground level
  - 1 auxiliary transformer – 2.2m wide, 1.8m length and 2m height with finished levels a minimum of 0.3m above ground level
  - Boundary Fencing – deer fencing, comprising of wooden posts and wire mesh fencing approximately 2km 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
  - Upgrade of site access and internal access tracks to connect the site
- 2.4 The proposed development would connect to the National Grid via the existing Bourne BSP substation located to the west of the centre of Bourne. The cable connection is to be undertaken by the District Network Operator utilising permitted development rights and, therefore, the cable connection route does not form part of the consideration of the current application.

- 2.5 Access to the site for the development is to be taken via an existing agricultural access from Dyke Drove, which currently serves Home Farm. The access is proposed to be widened to accommodate construction traffic, as well as vehicles accessing the site during the operational period; including emergency vehicles if necessary.
- 2.6 The application submission has also been accompanied by a Proposed Landscaping Strategy, which identifies that all existing tree, hedgerow and shrub vegetation will be retained, and new hedgerow planting is proposed to the southern boundary to enhance the east-west hedgerows evident elsewhere along Dyke Drove. New tree and native planting is proposed along the site boundaries to provide further screening. A 5m buffer is proposed around all internal drains, and a 9m buffer is proposed to the IDB ditches to the boundaries of the site. Within and around the PV arrays and infrastructure, the land will be sown with a meadow seed mix and will be managed as a species rich neutral grassland.

### 3 Relevant History

Application Ref	Description of Development	Decision
S24/1052	Request for an EIA Screening Opinion for the installation of a ground mounted photovoltaic solar farm with grid connection and supporting infrastructure	EIA Not Required 12.08.2024

### 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 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**
- 4.3 **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 places  
 Section 14 – Meeting the challenge of climate change, flooding and coastal change  
 Section 15 – Conserving and enhancing the natural environment  
 Section 16 – Conserving and enhancing the historic environment

- 4.4 **National Policy Statement for Energy (EN1) (Published November 2023)**
- 4.5 **National Policy Statement for Renewable Energy (EN3) (Published November 2023)**

## **5 Representations Received**

### **5.1 Bourne Town Council**

- 5.1.1 No objections.

### **5.2 Civil Aviation Authority**

- 5.2.1 No comments received.

### **5.3 Defence Infrastructure Organisation**

- 5.3.1 No objections.

### **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 A Historic Environment Desk Based Assessment and geophysical survey have been undertaken over the proposed area of the development. A programme of pre-determination archaeological trial trenching was undertaken during August 2024, although the report has not been submitted. The results of the trial trenching evaluation should be submitted to the Local Planning Authority so that an informed decision can be made on any required archaeological mitigation.

5.5.3 A mitigation strategy should be submitted to and agreed by the Local Planning Authority prior to the commencement of any development. The strategy should set out a scheme of mitigation which details how the long-term survival of archaeological remains identified in the area of development will be achieved. The scheme may include proposals for preservation in situ or investigation and recording of archaeological remains, or a combination of both measures.

5.5.4 The strategy should contain illustrations which show the locations of significant archaeological remains set against all areas of proposed impact and ground disturbance. This should include temporary compounds, drainage proposals and landscaping. Consideration should also be given to the impact of construction traffic during development and decommissioning. Written details of construction methods and groundworks should be detailed as part of the process of compiling the strategy. Protected areas should be clearly demarcated and fenced off during construction and decommissioning to prevent incursion into these areas.

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

- 5.6.1 No objections.

### **5.7 Lincolnshire Fire and Rescue**

- 5.7.1 No objections.

### **5.8 Lincolnshire Wildlife Trust**

- 5.8.1 No objection.

- 5.8.2 The applicant sought early advice from Lincolnshire Wildlife Trust regarding any potential ecological impacts the solar farm may have, opportunities for biodiversity enhancement and developed an evidence-based strategy to mitigate against the impacts of breeding success of skylarks. The implementation of the latter along with regular monitoring of their breeding success would be a milestone in improving our understanding of solar farm impacts on this ground nesting bird in lowland arable landscapes.
- 5.9 The ecology information and BNG metric includes the drains (watercourses) throughout the site. While watercourse units remain difficult to achieve in reality, habitat enhancement can nevertheless be achieved through sensitive management of bankside vegetation. We understand IDBs are positive towards cutting only one side of ditches under their management per single year. This has been shown to lead to a significant increase in breeding territories of warblers, bunting and waterfowl and will improve habitat connectivity along these easements. We strongly encourage these management practices are implemented across the site with the co-operation of the IDB.
- 5.10 This is an example of a non-NSIP solar farm proposal that has actively looked at opportunities to deliver multiple benefits for people and nature. Seeking early advice on such matters exemplifies this and has demonstrated biodiversity uplift through additional measures additional to that captured in the BNG metric.
- 5.11 **Morton Parish Council**
- 5.11.1 No comments received.
- 5.12 **Natural England**
- 5.12.1 No objections.
- 5.13 **SKDC Environmental Protection**
- 5.13.1 No comments received.
- 5.14 **SKDC Conservation Officer**
- 5.14.1 No objections.
- 5.14.2 The proposed location of the site has limited to no visibility with the nearby listed buildings and will not negatively impact their setting in the village of Dyke.

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

- 6.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and letters of public representation have been received from 2 interested parties; both of which have raised formal objections. The material considerations raised within the representations can be summarised as follows:
- (1) Impact of the development on agricultural land
- Objection to the use of BMVAL.
- (2) Effect of the development on residential amenity
- Objection to the noise impacts associated with the inverters and tracker panels on residential properties.
- (3) Cumulative Impacts



- Objection to the cumulative impact of the proposed development in connection with the Limes Farm proposal and the Mallard Pass NSIP.

#### (4) Access and Highways

- Objection to the impact of construction vehicles travelling through local villages and causing damage to local roads.

## 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 Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021), and this document is a material consideration in the determination of planning applications.
- 7.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Published 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.
- 7.4 **Principle of Development / Effect of the proposals on climate change**
- 7.4.1 The proposed development site is located outside of the main built-up area of an existing settlement within the District, and therefore, 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 project. The proposed solar farm would be defined as a rural diversification project and, therefore, would be acceptable within this countryside location.
- 7.4.2 The application proposals would have a generating capacity of approximately 28MW and would make a positive contribution towards meeting the national objectives in respect of energy generation and would also be consistent with the principles of the adopted Local Plan, which supports renewable energy generation in principle, subject to material considerations. It is also acknowledged that South Kesteven District Council has formally declared a climate emergency, and has 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.
- 7.4.3 In assessing the application proposals against the specific policy obligations of Policy RE1 (Renewable Energy Generation):
- (a) A detailed Agricultural Land Classification Report has been submitted as part of the application and confirms that 41.64 hectares of the site is classed as Grade 2 (Very Good) quality land and the remaining 12.89 hectares is classed as Grade 3A (Good Quality) land. Therefore, the total 54.53 hectare site is classed as Best and Most Versatile Agricultural Land (BMVAL).

- (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 the submission of the application. It is noted that representations received from Bourne Town Council during the course of the application have raised no objections, and there has been a low number of public representations raised objections to the proposals. Therefore, without any significant evidence to the contrary, it can be concluded that the proposed scheme does benefit from support from the affected community.

Notwithstanding this, the Folkingham appeal decision (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 direct reference to solar proposals requiring community support, there is no firm basis for requiring such schemes 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.

- (c) The application proposals have a generating capacity of up to 28MW and this limit is recommended to be controlled via planning condition. Electricity generated from the development would be transferred to the National Grid at the Bourne BSP substation using permitted development rights.
- (d) The submitted Planning, Design and Access Statement confirms that permission is sought for a temporary period of 40 years from the date of 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 to be submitted would ensure that the site is appropriately reinstated at the end of the operational lifetime.
- (e) Other relevant local and national planning policies and the prospective impacts of the development are discussed in further detail below.

7.4.4 Takin the above into account, it is Officer's 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.

## 7.5 **Effect of the development on agricultural land**

7.5.1 It is noted that representations have raised objections on the basis that the proposed development would result in the loss of an area of BMVAL agricultural land, and the submission documents do not adequately justify the use of BMVAL to accommodate the development.

7.5.2 As outlined above, 41.64 hectares of the site is classed as Grade 2 (Very Good) quality land and the remaining 12.89 hectares is classed as Grade 3A (Good Quality) land. Therefore, the total site is classed as BMVAL.

7.5.3 Policy SP1 requires a sequential approach to the development of BMVAL; with the use of BMVAL requiring robust justification and evidence that there is insufficient lower grade agricultural land to accommodate the development proposal. In this regard, the application has been accompanied by an Alternative Sites Assessment & Site Justification Statement, which outlines the following:

- The starting point for the assessment is the identification of a suitable point of connection with adequate capacity. National Grid confirmed capacity at Bourne BSP substation and did not report sufficient capacity at any further substations at the time of undertaking the search.
- A 6km search radius from the Bourne BSP was used, based on the length of a viable connection route.
- Areas to the east of Bourne are identified on the Provisional Agricultural Land Classification Maps as Grade 2 land quality. The land to the west of Bourne is identified as Grade 3 but is subject to restriction relating to Bourne Wood, Elsea Wood, Round Plantation and Grimsthorpe Park (Grade I Listed Registered Park and Garden).
- 9 alternative areas of approximately 50ha (required to accommodate the scale of development proposed) are identified, which excludes areas of Grade 2 agricultural land. All 9 sites are discounted from further assessment on the basis that the Landowners were contacted and did not express an interest for promoting their land for development. As such, these sites cannot be deemed to be available.
- Northorpe Fen Farm and Limes Farm were identified as being alternative sites, but they also contain Grade 2 quality land on the Provisional Maps, and therefore, it is determined that they are not sequentially preferable to the application site.
- The application site represents approximately 6% of the landowners agricultural holding, and therefore, would not undermine the continued operation of the farm.

7.5.4 Whilst the proposed development would result in the use of Grade 2 (Very Good) quality agricultural land, the submitted assessment has adequately demonstrated that there are no available sites within a reasonable proximity of the proposed grid connection point, which are solely Grade 3 or lower value land. The available sites within the area (Limes Farm and Northorpe Fen Farm) are also shown to include Grade 2 land, and whilst it is possible that these alternative sites would have a lower proportion of BMVAL, it is acknowledged that it is not possible to confirm the proportion of BMVAL without accessing private land to undertake intrusive soil assessments. Appeal decisions have accepted that such an approach would be disproportionate, impractical and unreasonable, and is not the intent of national policy.

7.5.5 Taking all of the above into account, it is the Case Officer's assessment that the submitted Alternative Sites Assessment does provide adequate evidence to demonstrate that the application site is sequentially preferable.

7.5.6 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 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.

7.5.7 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.

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.

## **7.6 Effect of the development on the character and appearance of the area**

7.6.1 The site is not subject to any statutory landscape designations. However, the site is located within the Fens Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by large scale open rectangular fields divided by drainage ditches and embanked rivers, with sparse tree and woodland cover.

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

- The key characteristics of The Fens LCA would be unaffected by the development at Day 1. There would be a minimal change to the perceptual qualities where views of the development would be available from the more open locations to the east but limited generally to glimpsed over long distances and filtered by intervening vegetation. The Fens LCA is judged to be subject to minimal change overall in terms of magnitude of landscape effect, resulting in no importance of landscape effects at Day 1 and remaining at Year 15.

7.6.3 In this respect, it is the Case Officer's assessment that the proposed development would invariably result in a change in the landscape character of the application site, as a result of the change of use of the site and the introduction of the proposed large scale energy infrastructure. However, it is the Case Officer's assessment that the topography of the surrounding area, together with the existing and proposed landscaping, would ensure that the extent of landscape impacts would be localised to the application site. As such, the proposed development would not result in any adverse impacts or residual harm to the overall landscape character area.

7.6.4 With regards to the visual impact of the development, it is appreciated that the proposed development would be visible to users of the Public Rights of Way network (PRoW) and road users in the immediate area, as well as residential properties within Dyke. In connection with the effect on these receptors, the LVA provides the following assessment:

- The development would be seen from the PRoW network to the north, north-west and west of the site where the existing vegetated context of the site is perceived, and the landscape generally includes a higher degree of tree and hedge cover than the more open arable landscape of the Fens to the east. No users of the PRoW would experience open and direct views of the development, and none are assessed as experiencing an importance of effect greater than moderate adverse in Year 1 or slight adverse in Year 15.
- The majority of private properties are contained by hedges and garden vegetation that would screen views of the development. Where views are considered likely to be possible, these are likely to result in minimal changes. Taking a precautionary approach, two properties are identified where visual effects may be of a moderate adverse impact at Year 1, however, by Year 15, new planting provided as part of the development would reduce this to slight adverse.

7.6.5 As such, the proposed development would result in a visual impact, which would be reduced through the proposed landscaping mitigation scheme, which can be secured via planning conditions. However, there would remain a residual, minor adverse visual impact and, therefore, the proposed development would be contrary to Policy DE1 of the adopted South Kesteven Local Plan and Section 12 of the National Planning Policy Framework. This policy conflict falls to be weighed in the overall planning balance.

## 7.7 Flood Risk and Drainage

7.7.1 The site is identified as being within Flood Zone 3 of the Flood Map for Planning and also includes areas of medium risk of surface water flooding.

7.7.2 Local Plan Policy EN5 (Water Environment and Flood Risk Management) and Section 14 of the National Planning Policy Framework require a sequential approach to the location of development, seeking to direct development to the areas of lowest risk of flooding. In addition, the development is also required to pass the exception test, which obliges the Applicant to demonstrate that the development would provide wider sustainability benefits to the community that outweigh the flood risk, and the development will be safe for its lifetime, without increasing flood risk elsewhere.

7.7.3 In connection with the above, the Flood Risk Assessment and Drainage Strategy submitted as part of the application outlines the following:

- The Sequential Test has been carried out as part of the Alternative Sites Assessment, which assesses a number of alternative locations and concludes that the application site is the most suitable.
- Wider sustainability benefits – it is necessary to increase the number of solar farms across the UK to provide renewable energy. This contributes to the reduction of carbon emissions and supports national renewable energy targets. The local community will benefit from the energy produced by the solar farm.
- Safety for the lifetime of the development – The Flood Risk Assessment considers the potential flood risk posed to the site during a 1 in 100 year plus 20% climate change fluvial flood event, with further modelling undertaken to ensure that there is minimal risk to the site during a fluvial breach event. Flood mitigation measures are specified to ensure the safety of the solar panels and the electrical equipment. Furthermore, a drainage strategy has been devised with an attenuation allowance for up to and including the 1 in 100 year + 40% climate change event post development. A Flood Evacuation and Emergency Plan has also been provided for the development.
- In order to mitigate against the risk of fluvial flooding, the majority of essential infrastructure on the site has been located outside the area of risk to ensure that the equipment remains operational throughout any flood event. The easternmost solar transformer is still located within the fluvial flood extent. This transformer has been placed in this location due to operational reasons, as well as site constraints, and therefore cannot be relocated outside of this area. The flood risk to this transport will be dealt with via bunding around the equipment up to 1.25m AOD, which will allow the transformer to remain safely operational during this flood event.
- The primary option for surface water disposal is to use an outfall to a watercourse, subject to an agreement with the LLFA/IDB. There are a number of suitable

watercourses located within the site boundary. It is proposed that surface water will discharge through an unnamed watercourse within the centre of the site.

- 7.7.4 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application proposals and have raised no objections in relation to matters of flood risk. It is noted that matters relating to works to any ditch, dyke or watercourse within the site would require express written consent and also require maintenance of an appropriate 9m easement. The submitted plans demonstrate that this can be accommodated, and they are also regulated through the Land Drainage Act and therefore do not require any further planning control through planning conditions.
- 7.7.5 The Environment Agency (EA) have confirmed that they have no objections subject to conditions requiring the submission of a detailed flood mitigation scheme which outlines measures to ensure that the site will remain operational during any flooding events. This is proposed to be included as a pre-commencement condition and is proposed to require details of any bunds around the operational infrastructure.
- 7.7.6 Conditions are also proposed to require compliance with the submitted Flood Evacuation and Emergency Plan during the operational period of the development. This Plan outlines how the Applicant will sign up to the EA Flood Alert and Warning System and shall display a site notice on the site indicating the live flood alert status. A safe egress point will be maintained from the site to Main Road, Dyke to the west, to ensure that the site remains safe for maintenance operatives during the operational period.
- 7.7.7 Taking the above into account, it is the Case Officer's assessment that the applicant has demonstrated that the site is sequentially preferable and thus has passed the sequential test. In respect of the exception test, the proposed solar farm would provide renewable energy which would provide significant public benefits to justify the need to be located within an area of flood risk, and subject to conditions, the site would remain safe for the lifetime of the development. As such, subject to the imposition of conditions, the proposed development would not give rise to any unacceptable risk of flooding, and therefore, the development would accord with Policy EN5 of the adopted Local Plan and Section 14 of the Framework.

## 7.8 **Access and Highways Impacts**

- 7.8.1 Access to the site is proposed to be taken via an existing access located on Dyke Drove, to the south of the site, which currently serves Home Farm. The access is proposed to be used for the construction of the proposed development, as well as the operational period, including periodic attendance by maintenance operatives. The proposed access is to be widened at the western radii of the junction onto Dyke Drove to ensure construction/delivery/emergency vehicles can appropriately access the site in a forward gear.
- 7.8.2 Lincolnshire County Council (as Local Highways Authority) have been consulted and have not raised any objections. It is acknowledged that they have requested further information regarding the management of vehicles along Dyke Drove, and it is understood that this is in relation to HGVs used during the construction period. In this respect, it is the Case Officer's assessment that these details would be secured through conditions requiring the submission of a detailed Construction Environmental Management Plan, which is to include details of the vehicle routing and management of construction vehicles to avoid conflicts on Dyke Drove. This is proposed to be imposed as a pre-commencement planning condition.

- 7.8.3 It is noted that public representations received on the application have similarly raised objections on the basis of adverse impacts on amenity resulting from construction vehicles travelling through the local villages. In addition, concerns have been raised about potential damage to roads due to the increase in use by HGVs.
- 7.8.4 In connection with the above, details relating to the routing of construction vehicles would be confirmed by planning conditions requiring the submission of a detailed Construction Environmental Management Plan. Nonetheless, the application has been accompanied by an Indicative Construction Traffic Management Plan, which confirms that construction vehicles will not be routed through Dyke. It is anticipated that construction traffic is to be routed onto Cherry Holt Road and then onto Spalding Road before routing north onto Meadow Drive. Nonetheless, any impacts relating to construction vehicles would be temporary and would not be adequate grounds to warrant refusal of the application.
- 7.8.5 Similarly, in relation to potential damage to roads resulting from intensified use, this is a matter controlled by Section 59 of the Highways Act. An informative is to be included on the decision notice which reaffirms the responsibilities under this Act and the ability for the Highways Authority to recover any costs associated with repairing damage from construction vehicles.
- 7.8.6 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.

## 7.9 Cumulative Impacts

- 7.9.1 It is noted that public representations have raised objections on the basis of the potential cumulative impact of the development, in combination with other proposed solar developments together with the consented Mallard Pass NSIP, on the loss of agricultural land and the landscape and visual impact on the area.
- 7.9.2 As referenced above, it is appreciated that the application scheme is one of four solar developments on the eastern side of Bourne. The current status of the proposals are as follows:
- LPA Ref: S11/0431 – Limes Farm – approximately 1.4km to the south-east of the current application site. Operational 4.6MW solar farm granted planning permission in 2011.
  - LPA Ref: S24/2191 – Limes Farm – approximately 1.2km to the south east of the current application site. Proposed 20MW solar farm with Battery Energy Storage System. Pending Consideration.
  - Northorpe Fen Farm – located approximately 3.7km to the south of the current application site. EIA Screening Opinion issued in April 2024. No application has been submitted to date.
- 7.9.3 The existing, operational 4.6MW solar farm at Limes Farm has been operational for an extended period of time, and as such, the assessments of the current application have accounted for the solar farm within the baseline conditions. As such, the cumulative impacts of the application in associated with the existing solar farm has been included within the respective technical assessments outlined elsewhere within this report.

7.9.4 In respect of the other proposals within the Bourne area, these schemes do not currently benefit from planning permission. Therefore, it is not necessary to consider any cumulative impacts associated with those proposals as part of the determination of the current application. In the event that the Committee resolve to approve the current application, the cumulative impacts would be a matter for consideration as part of the subsequent determination of applications for the other sites.

7.9.5 Notwithstanding this, the Landscape Visual Appraisal submitted as part of the current application has considered the potential cumulative impact of the other proposed developments. The submitted report concludes the following:

- Given the flat topography and the distance between the application site and the proposed Limes Solar Farm site, and their separation by an expanse of agricultural land including vegetation with proposed setbacks and new planting, it is considered that the potential for cumulative landscape and visual impacts is limited.
- There is the potential for both developments to be perceived from parts of Bourne Drove and Dyke Drove but this would be likely to be restricted to glimpses of new horizontal built form on Day 1. The lack of elevated landform in the locality means that there are no views across both sites or wider intervisibility between the two that are considered to alter the overall perception of the landscape.

7.9.6 In respect of the Mallard Pass Solar Project, which has been formally consented, the application site is sufficiently separated to ensure that there would be no cumulative visual impacts. The submitted representations suggest that there is no justification for additional solar development schemes in view of the large scale nature of the consented NSIP. However, it should be appreciated that the Local Plan adopts a permissive approach to renewable energy proposals, and does not impose any limitations or targets on the level of solar development allowed within the District. The Council have formally declared a climate change emergency and national policy indicates that a step change is required to achieve a reduction in greenhouse gas emissions. As such, the consenting of Mallard Pass does not mean that further solar development proposals cannot be consented.

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

#### 7.10 **Effect of the development on biodiversity and ecology**

7.11 As outlined previously, the site includes two designated Local Wildlife Sites (LWS), which include Dike Fen Drains LWS, and Gravel Dike and New Dike. There are also a further 8 statutory designated ecological sites within 10km of the site.

7.11.1 The application has been accompanied by an Ecological Impact Assessment (MKA Ecology) (November 2024), which outlines the following:

- Five of the ditches on or immediately adjacent to the site form part or all of three Local Wildlife Sites identified for their botanical value. Ditches on site are to be fully retained within the development and development set back by a minimum of 5m and up to 9m in place.
- The majority of on site habitat is arable cropland. Although of value to certain species, this habitat is not considered to be of high value in itself. Overall impacts upon habitats at the completion phase are therefore considered to be minimal.



- The creation of new habitats, including neutral meadow grassland (precautionary classified as modified grassland in the Metric), woodland, and mixed scrub will lead to a net gain of 62.31% in habitat units. The planting of native hedgerows will result in an overall net gain of 833.20% in hedgerow units, whilst the reduction in riparian encroachment alongside the ditches will result in a net gain of 18.95% watercourse units.
- It is considered that the creation of these new habitats will significantly compensate for the losses that are expected, this is evident given that the trading rules are satisfied.
- A mitigation plan for skylarks has been developed in consultation with Lincolnshire Wildlife Trust. Adjacent land parcels within the same ownership will be used to deliver mitigation for skylarks in the form of plots. The creation of skylark plots will significantly increase the productivity of these species. Plots will be a minimum of 3m wide and 16 sq. metres in area and will be located within nearby land defined as suitable by Lincolnshire Wildlife Trust.
- The creation of 46ha of species rich meadow grassland will result in enhanced foraging opportunity for many bird species.
- In order to minimise risks of impacts to wildlife, and to ensure that ecological features are retained, created and managed effectively, a Construction Ecological Management Plan and Habitat Management Plan and Monitoring Plan will be required.

7.11.2 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. As part of their comments, they have indicated that the current application scheme is an exemplar scheme in relation to delivering biodiversity net gain and ecological benefits as part of a non-NSIP solar development.

7.11.3 Conditions are proposed to required compliance with the submitted Landscaping Strategy Plans, 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 development is subject to the statutory biodiversity gain condition, which will require the submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan prior to the commencement of the development.

7.11.4 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:

- Tree protection measures are not required for the majority of the site as works are not located in proximity to trees. The exception is G8 where security fencing is in proximity to trees. It is recommended that this fencing is installed prior to other works in the area and can then act as tree protection fencing.
- Overall, the development will have no significant impact on the arboricultural value of the site.

7.11.5 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.

## **7.12 Pollution Control**

- 7.12.1 Representations received from members of the public have raised objection of the basis of adverse impacts on residential amenity as a result of noise from the operation of the inverters and the solar panels.
- 7.12.2 The proposed solar panels themselves would not emit noise, dust or vibration during the operational period. However, the operation of the solar farm does require the installation of transformers and inverters which would convert the solar energy generated into AC (Alternating Current) to be supplied to the National Grid. The inverters would be operational during daylight periods when the solar panels were generating electricity and would be actively cooled with the operation of fans to control the temperature.
- 7.12.3 The Noise Impact Assessment concludes that the proposed development would generate noise levels that would not exceed background sound levels in the area, and therefore, would not be harmful to residential amenity.
- 7.12.4 The Council's Environmental Protection Team have been consulted on the application and have raised no objections.
- 7.12.5 As such, it is Officers assessment that, the proposed solar operations would not result in any unacceptable adverse impacts on noise sensitive receptors and therefore, would be in accordance with Local Plan Policy EN4 (Pollution Control), Solar Energy Criteria 5 of the Renewable Energy Appendix, and Section 15 of the National Planning Policy Framework.
- 7.12.6 In relation to the potential for noise, dust and vibration to be generated as a result of the construction and decommissioning of the proposed solar farm, 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.
- 7.12.7 Furthermore, conditions are proposed to require the submission of a detailed Decommissioning Plan, which will be required to include details relating to decommissioning activities. Conditions 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.
- 7.12.8 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.

## **7.13 Impact on heritage assets**

- 7.13.1 The site does not contain any designated heritage assets. However, there are a number of designated assets located within the main built-up area of Dyke; including a cluster of 9 no. Grade II Listed Buildings. In addition, Car Dyke, south of Dyke, is a Scheduled Ancient Monument, located approximately 630 metres to the west of the site.

7.13.2 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.

7.13.3 A Historic Environment Desk Based Assessment has been submitted as part of the application, which draws the following conclusions:

- Car Dyke is a Scheduled Monument and is located c. 630m to the west of the site. There does not appear to be any evidence that the scheduled monument extends into the site and the site walkover has not identified any views between the site and the monument. The site is not considered to make a contribution to the scheduled monuments significance.
- The Assessment has identified three designated and non-designated built heritage assets within a 1km radius of the site. The site is not considered to contribute to the significance of the three built heritage assets and is located within the wider agricultural context to these assets.
- Whilst the development would result in a change to this agricultural context it is not considered that there would be any harm to the significance of the built heritage assets arising from the development.
- It is noted that the development has incorporated vegetation planting, appropriate to the surrounding landscape, which would further reduce any visual impact.

7.13.4 The Council's Conservation Officer has been consulted on the application and has raised no formal objections.

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

#### 7.14 **Impact on archaeological assets**

7.14.1 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, 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.

7.14.2 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.

#### 7.15 **Aircraft Movements and Associated Activities**

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

7.15.2 In connection with 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.

- 7.15.3 As such, it is Officers assessment that the application proposals would not give rise to any unacceptable adverse impacts on aircraft movements and associated activities, and therefore, the application proposals would accord with Solar Energy Criteria 8 of the Local Plan Renewable Energy Appendix.

## 7.16 **Other Matters**

- 7.16.1 Lincolnshire Fire and Rescue have been consulted on the application and have raised no objections.

## **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 comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, transformers, 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 28 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, Polic 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 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 emissions as set out in the Climate Change Act 2019. On a local level, South Kesteven District Council have formally declared a climate emergency, and the published Climate Action Strategy identifies increasing the provision of sustainable forms of energy as a key action for achieving net zero. These matters are material considerations that weigh in favour of the application proposals.
- 10.5 In respect of the effect of the development on the character and appearance of the area, it is Officers assessment that the proposed development would result in a minor impact on localised visual receptors, as a result of the change of use of the site and the scale of the proposed development. Whilst these visual impacts can be reduced through the submitted landscaping scheme, the application proposals would still result in a minor adverse impact,

contrary to Policy DE1 of the adopted South Kesteven Local Plan and Solar Energy Criteria 1 of the Renewable Energy Appendix.

- 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 significant 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 minor 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 visual appearance of the area.
- 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 Plan (Ref: INT1002-110 Rev12)
- (b) Compound Area Contextual Elevation Plan (Ref: INT1002-240 Rev06)
- (c) Compound Area (Ref: INT1002-140 Rev0)
- (d) Solar Array Elevation (Ref: INT1002-200 Rev01)
- (e) Project Control Room (Ref: INT1002-221 Rev03)
- (f) Spare Part Container Details (Ref: INT1002-222 Rev01)
- (g) Solar Transformer (Ref: INT1002-223 Rev04)
- (h) Access Track Section Details (Ref: INT1002-230 Rev01)
- (i) Fence & Gates Details (Ref: INT1002-231 Rev02)
- (j) CCTV Pole Mounting Details (Ref: INT1002-232 Rev0)
- (k) Auxiliary Transformer (Ref: INT1002-256 Rev03)

Unless otherwise required by another condition of this permission.

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

#### Power Output

- 4) The exported output of the solar farm hereby approved must not exceed 28 MW.

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 site
  - 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 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 Indicative Construction Traffic Management Plan (Andrew Moseley Associates) (November 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 and construction vehicles.
  - b. Construction hours
  - c. The routing and management of all construction vehicles to avoid conflicts on Dyke Drove
  - 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.

## **During Building Works**

### *Flood Risk and Drainage*

### Flood Mitigation Scheme

- 8) The development of the essential infrastructure on site, namely the Project Control Room, Solar Transformer and Auxiliary Transformer, shall not commence until a detailed flood mitigation scheme to ensure that the development shall remain operational during a fluvial flood breach event with a 1 in 1000 (0.1%) chance of occurring in any year during its lifetime, has been submitted to and approved in writing by the Local Planning Authority.



The mitigation scheme shall be implemented as approved and subsequently shall be retained and maintained thereafter for the lifetime of the development.

Reason: To ensure that the development remains operational at times of flooding in accordance with Policy EN5 of the adopted South Kesteven Local Plan, Section 14 of the National Planning Policy Framework and Paragraph 079 of the Planning Practice Guidance.

### *Biodiversity / Ecology*

#### Ecological Mitigation

- 9) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Section 6 of the Ecological Impact Assessment (MKA Ecology) (November 2024), including reasonable avoidance measures for protected species and the provision and retention of skylark mitigation plots, as detailed in the accompanying appendices.

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

- 10) 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

- 11) Before the end of the first planting / seeding season following the date when electrical power is first exported ("first export date"), all landscaping works shown on the approved Landscaping Strategy (Huskisson Brown) (Ref: HBA-942-001 (Rev L)) 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

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

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

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

#### *Flood Risk and Drainage*

#### Flood Warning and Evacuation Compliance

- 14) Before the date of the first export of electricity from the development hereby permitted, the Flood Evacuation and Emergency Plan (Andrew Moseley Associates) (November 2024) submitted as part of the application, shall be implemented and shall be retained for the lifetime of the development.

Reason: To ensure that the safety of all users during the lifetime of the development, as required by the Exception Test for flooding detailed in Policy EN5 of the adopted Local Plan and Section 14 of the National Planning Policy Framework.

#### **Ongoing**

#### *Landscape and Visual Impact*

#### Lighting Details

- 15) 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

- 16) 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

- 17) 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

18) 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.

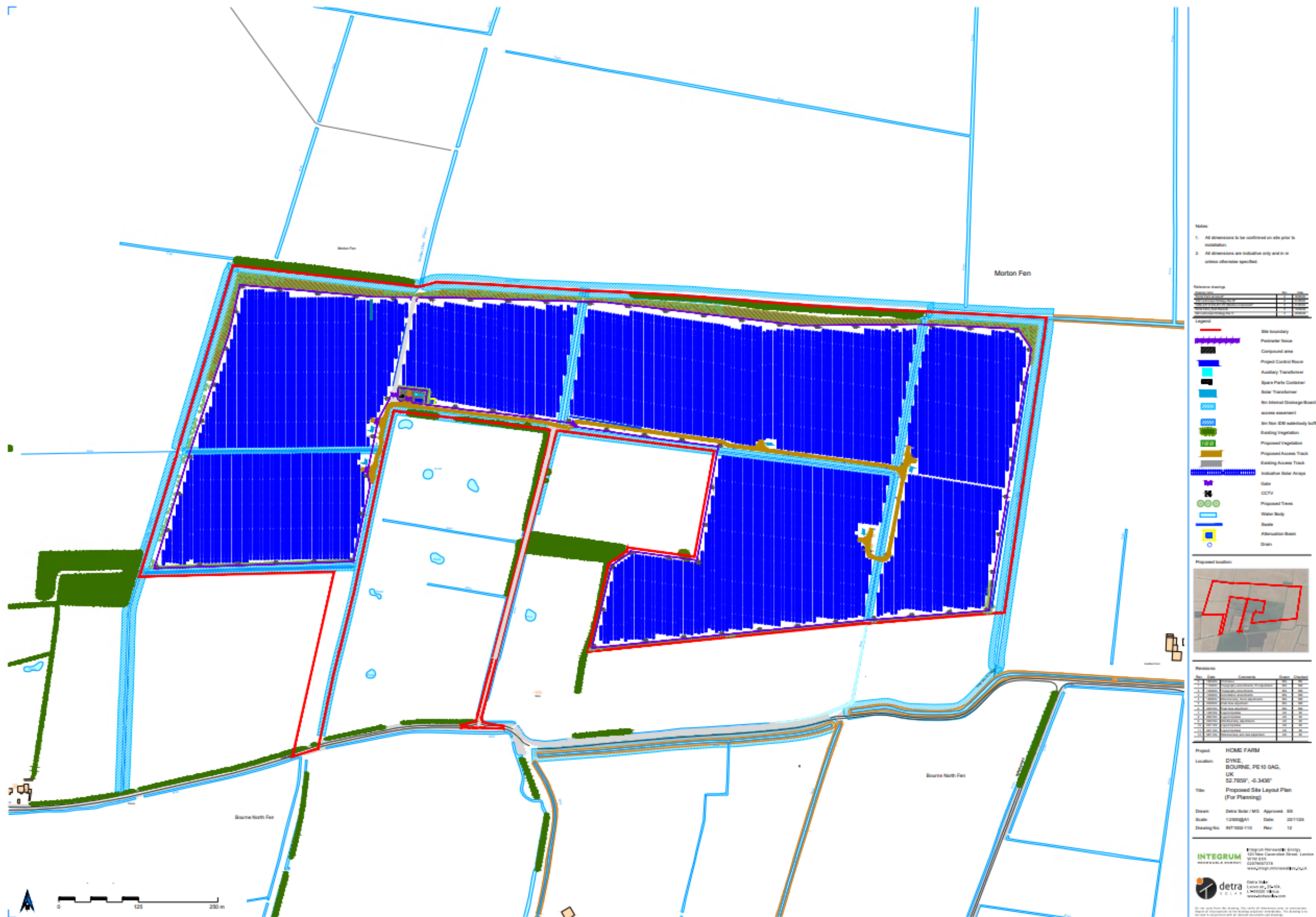
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

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) 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.
- 4) 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

