



## Planning Committee

8 May 2025

**S24/2191**

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:	Land adjacent to Spalding Road, Bourne, Lincolnshire
Applicant	Downing Renewable Developments LLP
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></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 Report</li><li>Arboricultural Impact Assessment</li><li>Construction Traffic Management Plan</li><li>Consultation Report</li><li>Cultural Heritage Impact Assessment</li><li>Design and Access Statement</li><li>Ecological Assessment</li><li>Flood Risk and Drainage Scheme</li><li>Glint and Glare Assessment</li><li>Land Use and Agricultural Land Statement</li><li>Landscape and Visual Impact Assessment</li><li>Noise Impact Assessment</li><li>Planning Statement</li><li>Site Selection Report</li></ul>

### Report Author

Adam Murray – Principal Development Management Planner



01476 406080



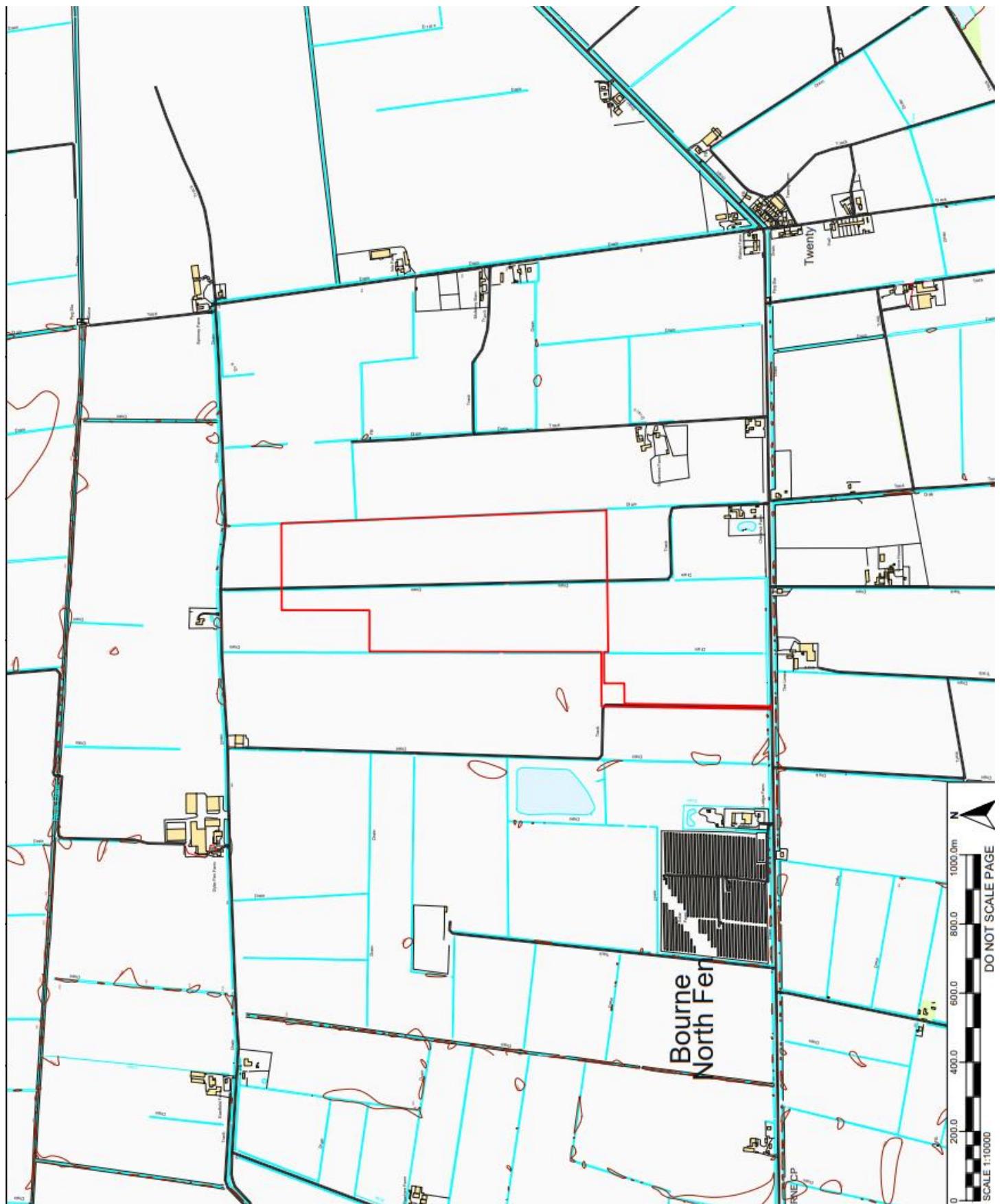
Adam.Murray@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
<b>Growth</b>	<b>Regulatory</b>	<b>Bourne East</b>
<b>Reviewed by:</b> Phil Jordan, Development Management & Enforcement Manager		29 April 2025

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

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

## S24/2191 – Land adjacent Spalding Road, Bourne



## 1 Description of the site

1.1 The application site consists of an area of 34.6 hectares (85.49 acres) of broadly rectangular land located to the north of the A151 (Spalding Road) and situated approximately 3.5km to the east of the main built-up area of Bourne. The site is generally flat and comprises of two fields of arable agricultural land.

1.2 The red line site boundary is bound on all sides by further, retained agricultural land. However, it is appreciated that a short distance (circa 0.5km to the southwest of the application site lies an existing 4.6MW solar farm, granted planning permission under LPA Ref: S11/0431). There are existing overhead electrical lines running northeast to southwest through the application site. The site boundaries are broadly undefined by physical features in this instance.

1.3 As indicated above, the 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 land 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 proposed development site is not subject to any other planning policy designations and it is not crossed by any public rights of way.

1.6 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: S22/1432) in July 2022, which concluded that the proposed development was not defined as being EIA development, and therefore, the current application was not required to be accompanied by an Environmental Statement.

1.7 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 0/5km to the south-west of the current application site. Operational 4.6MW solar farm granted planning permission in 2011.
- LPA Ref: S24/2100 – Home Farm – approximately 1.2km to the northwest of the current application site. Proposed 28MW solar farm. Approved Conditionally in March 2025.
- 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 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 development is anticipated to have an energy export capacity of up to 20 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 a reduction of approximately 9,250 tonnes of CO2 per annum.

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 tilted at an angle in the range of 15 to 25 degrees and orientated due south and will remain in a fixed position.
- Battery and Substation Storage Compound – the battery energy storage system (BESS) would be located centrally within the site and would consist of 8 battery units, together with 4 inverter stations, 1 spare parts contain and 1 customer substation. The BESS units would be 12.2m in length, 2.5m wide and 3m in height
- 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
- Water Tank for the Battery Energy Storage System (BESS) – the proposed water tank would have capacity for 235,000 litres
- 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 33kV overhead line that crosses the site and runs between Bourne Substation and Dowsby Fen Substation. Formal connection is to be delivered by the Distribution Network Operator (DNO) using permitted development rights, but the substation facilitating the connection forms part of the current application.

2.5 Access to the site is proposed to be taken via the existing agricultural access from Spalding Road (A151), which is currently a field gate entry with dirt track. The access is proposed to be used for the construction of the proposed development, as well as during the operational period.

2.6 The application submission has also been accompanied by a Proposed Landscape Mitigation Plan, which indicates that 5,304 sq. metres of new hedgerow would be planted, 32 new boundary trees would be planted, and 27,254 sq. metres of native wildflower mix grassland would be planted.

### 3 Relevant History

Application Ref	Description of Development	Decision
S24/1432	Request for an EIA Screening Opinion for a solar farm with battery energy storage scheme	EIA Not Required 13.09.2022

### 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 **Black Sluice Internal Drainage Board**  
5.1.1 No objections.

5.2 **Bourne Civic Society**  
5.2.1 Objection  
5.2.2 The use of greenfield land for solar power is unnecessary as this should be installed on industrial premises.

### **5.3 Bourne Town Council**

- 5.3.1 Objection.
- 5.3.2 The land proposed is the best and most versatile agricultural land (Grade 3 and Grade 3A).

### **5.4 Civil Aviation Authority**

- 5.4.1 No comments received.

### **5.5 Defence Infrastructure Organisation**

- 5.5.1 No comments to make.

### **5.6 Environment Agency**

- 5.6.1 No objection subject to conditions requiring compliance with the flood risk assessment and drainage strategy, and the submission of a surface water management plan to deal with potential fire events at the BESS.

### **5.7 Heritage Lincolnshire**

- 5.7.1 No objection subject to conditions.
- 5.7.2 The site for the proposed development lies in an area of archaeological interest within the fen where evidence of Iron Age and Roman settlement including salt-making has been recorded. To the west of the site is the line of a Roman canal and finds of the period have been found in the vicinity. To the northeast of the proposal evidence of finds indicating evidence of Iron Age salt-making and a Romano-British field system has been recorded. A Romano-British settlement site dating from the late first to early third century is recorded, also to the northeast, together with evidence of Roman salt making and prehistoric finds. To east of the proposal finds indicating the presence of Iron Age salterns have been recorded. A Cultural Heritage Impact Assessment accompanied by an archaeological geophysical survey has been submitted in support of the application. The results of the geophysical survey were negative.
- 5.7.3 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.

### **5.8 Lincolnshire County Council (Highways and SuDS)**

- 5.8.1 No objection subject to conditions.
- 5.8.2 The proposed solar farm and BESS will be access from one point on the A151. This is suitable for HGVs and currently serves farming, no new junctions from the public road network will be required.
- 5.8.3 The access track is to be improved with the implementation of hardcore and an improvement to the bellmouth. This is demonstrated in the submitted Construction Traffic Management Plan.
- 5.8.4 The EA Flood Map shows the application site is located within Flood Zone 3. The outline drainage strategy will consist of an underground piped system connecting to an attenuation structure (likely to be a detention basin or SuDS pond) outside the BESS compound. It is proposed to construct three soakaways/infiltration drains within the application site. The location of the soakaways has been chosen on the downward slope from the inverters. The intent is to use infiltration drainage, however, should infiltration drainage not be suitable the

discharge point will be into the drains that are on the field boundaries within the application site.

## 5.9 **Lincolnshire County Council (Planning Policy)**

5.9.1 Objection.

5.9.2 The application fails to protect the best and most versatile agricultural land contrary to Policy SP1 of the adopted South Kesteven Local Plan (2020) and New Policy 2 of the draft Local Plan (2024).

5.9.3 The land within the proposed development site is classified as either Grade 3 (31.95%), Grade 3A (38.88%) or Grade 3B (29.17%) agricultural land. The proposal would result in a loss of food production of 51 hectares of good quality and very good quality land (70.83%) for 40 years.

## 5.10 **Lincolnshire Fire and Rescue**

5.10.1 No objections.

## 5.11 **Lincolnshire Wildlife Trust**

5.11.1 No comments received.

## 5.12 **National Grid**

5.12.1 No comments received.

## 5.13 **Natural England**

5.13.1 No objection.

5.13.2 From the description of the development this application is likely to affect 51ha of BMV agricultural land. We consider that the proposed development, if temporary as described, is unlikely to lead to significant permanent loss of BMV 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.

5.13.3 A Biodiversity Net Gain (BNG) Assessment has been carried out and ecological and environmental works proposed as part of the project will result in a BNG of 130.93% in habitats units and 33.33% in watercourse units which is above the statutory requirement. We note the production of a Biodiversity Management Plan and a Landscape and Ecology Management Plan.

## 5.14 **Peterborough City Council**

5.14.1 No objection in principle, subject to the consideration of the following matters:

- Implication of the visual impacts on Peterborough City Council
- Impacts on the local highway network; and
- The observations of the Lead Local Flood Authority.

## 5.15 **SKDC Conservation Officer**

5.15.1 No objections.

5.15.2 The provided Cultural Heritage Impact Assessment analysed the potential impact upon heritage assets up to a 5km study area for Scheduled Monuments and designated heritage assets. Given the distance of the heritage assets identified, it is unlikely that the proposed development would result in an impact upon the setting of these heritage assets. There is the potential that the site would, however, contribute to the cumulative setting impact upon the heritage assets. At this stage, the solar farm is not considered to cause harm.

5.15.3 There are a number of non-designated heritage assets within close proximity to the site: Lodge Farm (MLI122190), Chestnut Farm (MLI122201), Sycamore Farm (MLI122202), Bottom Farm (MLI122203), Spinney Farm (MLI122204) and a unnamed farm (MLI122206). Given the close proximity of the site to these upstanding heritage assets, there is the likelihood that the solar farm will change the wider setting of these farmsteads, which do derive their setting from the agricultural landscape. While in the assessment the impact is noted to be negligible, it is considered that there will be at least a less than substantial harm to the setting of Chestnut Farm, Sycamore Farm, Bottom Farm and the unnamed farm. This could, however, be mitigated with a landscape strategy providing improved screening towards these farmsteads. It is noted that some screening strategy has been considered. A detailed plan locating the screening, and type of screening (type of planting e.g. hedgerow or tree line, species) should be provided.

## 5.16 **SKDC Environmental Protection**

5.16.1 No objections.

## 5.17 **South Holland District Council**

5.17.1 The Proposed Development is located on greenfield land and is supported by an Agricultural Land Classification report which demonstrates the Site forms of Grade 2 (13.5%), Grade 3a (33.2%) and Grade 3b (53.3%) land, which qualifies 46.70% of the Council Offices Priory Road Spalding Lincolnshire PE11 2XE land as 'Best and Most Versatile' (BMV) agricultural land and 53.3% as Non-BMV agricultural land.

5.17.2 Due weight should be given to the loss of BMV land and whether or not the impact on the District's food security outweighs the benefits of bringing forward a solar scheme in this area, and whether or not there are more appropriate locations for such a development.

5.17.3 Consideration should be given to any cumulative impacts, including NSIPs and other solar approvals in the vicinity.

## **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 3 interested parties; all of whom have raised formal objections. The material considerations raised within the representations can be summarised as follows:

- (1) Impact of the development on agricultural land
  - Object to the use of BMVAL
- (2) Flood Risk and Drainage
  - Object to the increase in surface water runoff due to the development
- (3) Impact on residential amenity
  - Loss of residential privacy during construction and operational periods

(4) Highways Safety

- Impact on highways safety due to increase in vehicular movements

(5) Noise

- Increase in noise from the development site

(6) Impact on biodiversity and ecology

- Insufficient consideration given to the existing features.

(7) Cumulative Impact

- Cumulative visual impact of the development together with Home Farm solar scheme.

## 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 an energy export capacity of approximately 20MW and 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 of the adopted Local Plan, which supports renewable energy generation in principle, subject to material considerations. It is also acknowledged that South Kesteven District Council has formally declared a climate emergency, and has also published a Climate Change Strategy (2023) which amongst other things seeks to maximise the opportunity 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) of the Local Plan:

- (a) A detailed Agricultural Land Classification Assessment has been submitted as part of the application and confirms that 4.5 ha (13.5%) of the site is Grade 2, 11.1 ha (33.2%) of the site is Grade 3A and 17.8 ha (53.3%) of the site is Grade 3B. As such, the proposed development would involve the use of approximately 16.6 hectares 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 the submission of the application. It is noted that representations received from Bourne Town Council during the course of the consideration of the application have raised formal objections and therefore it can be concluded that the proposed development does not benefit from 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 an energy export capacity of up to 20MW and this limit is recommended to be secured by planning condition. Electricity generated from the development would be transferred to the National Grid via the electrical overhead lines which cross the site.
- (d) The submitted Planning Statement confirms that permission is sought for a temporary period of 40 years from the date of the first export of electricity 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.

7.4.4 Taking 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 As outlined above, 13.5% of the site is Grade 2, 33.2% of the site is Grade 3A and 53.3% of the site is Grade 3B. As such, the proposed development would involve the use of approximately 16.1 hectares of BMVAL in total.

7.5.2 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 capable of accommodating the development proposal. In this regard, the application has been accompanied by a Site Selection Report, which outlines the following:

- Engagement with National Grid Energy Distribution (NGED) established that connection to the electricity grid network for a combined solar farm and BESS project was feasible off the 33kV overhead line that runs from Bourne Substation to Dowsby Fen Substation.
- Due to the ‘tee-off’ nature of the connection, a site search with a maximum distance of 0.5km from the OHL was necessary.
- The areas around the two substations were discounted due to their proximity to urban and residential zones.
- A solar development of the scale proposed (20MW) would require suitable access for construction, operation and maintenance. Therefore, the preferential location is to be near to suitable roads for access. A 1km buffer was made from the A151 and B1397, where the road buffer intersects the site selection area is a suitable site area.
- The search process identified three suitable land parcels and following further assets, a single area located within two of the three parcels was selected as the application site.

7.5.3 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 suitable proximity of the grid connection point which are identified as being Grade 3 or lower value land. Whilst it is possible that alternative sites may 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.

7.5.4 Taking all of the above into account, it is the Case Officer’s assessment that the submitted Site Selection Report does provide adequate evidence to demonstrate that the application site is sequentially preferable.

7.5.5 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.

7.5.6 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 Impact Assessment, which reaches the following conclusions in relation to the impact on the landscape character:

- The introduction of the Solar Farm will lead to a change of character within the confines of the Proposed Development boundary, where the Proposed Development is physically located. It is considered that the development will alter the landscape character within the confines of the site, adding an industrial character to the site and immediate site surroundings where views are possible. The magnitude of landscape change is considered Medium to High within the confines of the Proposed Development and the resulting significance Moderate Adverse as the site is used for agricultural.
- Indirect change will occur outside of the Proposed Development boundary, where the visibility of the Proposed Development has an influence on the perception of the character of the landscape. The indirect change in landscape character is greatest in its immediate and close surroundings where open and partial views are possible within an approximate 0.5km radius from the development boundary. The magnitude of change in these areas is considered Medium. The significance of landscape effects on the landscape character is therefore considered to be Moderate Adverse.

7.6.3 In respect of the above, it is the Case Officer's assessment that the proposed development would result in an impact on the landscape character of the area, as a 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 by the proposed landscape 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.

7.6.4 With regards to the visual impact of the development, it is appreciated that the proposed development would be visible to road users in the immediate area, as well as localised residential properties. In connection with the effect on these receptors, the LVIAs provides the following assessment:

- The majority of residential dwellings in the immediate vicinity of the proposed development are located within 1km of the site. These include residential

developments in Twenty and one-off houses and farmsteads to the north and west of the proposed development.

- The highest visual effects will be experienced within an approximate 0.5km radius of the Proposed Development boundary, from locations with open or partial views of the Proposed Development. However, areas experiencing visibility within 0.5km, will already have elements of electrical infrastructure visible within the local landscape. The magnitude of visual change for views up to 0.5km is considered Medium and the significance Moderate Adverse.
- Between approximately 1km to 5km views towards the Proposed Development will be fully screened due to intervening landform and established mature vegetation planting within the landscape. The magnitude of visual effects on local residents and road users is considered Negligible and the significance Not Significant

7.6.5 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 moderate 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.

## 7.7 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 areas shown to be at risk of flooding within the application site reach 1m AOD. Therefore, as the panels will be pile drive and lifted to be at 1.15m AOD there will be sufficient freeboard between the panel and the flood water. Electrical infrastructure such as battery storage containers, inverters and the substation are located within Flood Zone 1 only.

- It is proposed to construct three soakaways/infiltration drains within the Application Site. The location of the soakaways has been chosen on the downward slope from the inverters. The intent is to use infiltration drainage, however, should infiltration drainage not be suitable the discharge point will be into the drains that are on the field boundaries within the Application 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 also confirmed that they have no objection subject to conditions requiring the submission of a further surface water management plan 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.

7.7.6 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 an 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 field access located on Spalding Road (A151) to the south of the site. The access is proposed to be used for the construction of the proposed development, as well as the operational period, including the periodic attendance by maintenance operatives. The proposed access is to be upgraded at the bellmouth to accommodate HGVs.

7.8.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have raised no objections subject to the imposition of conditions requiring the submission of a Construction Traffic Management Plan. In this respect, it is the Case Officer's assessment that these details can be appropriately 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. This is proposed to be imposed as a pre-commencement planning condition.

7.8.3 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.

7.8.4 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 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 0.5km to the south-west of the current application site. Operational 4.6MW solar farm granted planning permission in 2011.
- LPA Ref: S24/20 – Home Farm – approximately 1.2km to the south east of the current application site. Proposed 28MW solar farm. Approved Conditionally in March 2025.
- 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 cumulative impact of the current application with the recently consented Home Farm solar farm development, the Landscape and Visual Impact Assessment submitted as part of the application has considered the potential cumulative impact of the other proposed developments. The submitted report concludes the following:

- The potential for cumulative views of the proposed development with the approved planning references from the viewpoints and local area was found to be limited, as many potential views are hindered by distance, localised variations in the topography and screening by natural and built elements across the local landscape.
- Combined medium distance views of the existing solar farm and the proposed development are anticipated along Spalding Road.
- Overall, views towards the proposed development are most significant for residential receptors and road users located to the south of the current application site within 0.5km. Current cumulative views for the receptors within 0.5km of the proposed development consist of many elements of electrical infrastructure. As such, the addition of the proposed development would result in low change to cumulative views.

7.9.5 Taking the above into account, the application proposals would result in a moderate adverse impact on the character and appearance of the area; this harm would not be increased by the cumulative impact of the development together with the approved Home Farm solar development. Nonetheless, this harm falls to be weighed in the overall planning balance.

## 7.10 Effect of the development on biodiversity and ecology

7.10.1 The application has been accompanied by an Ecological Assessment (Neo Environmental) (January 2025), which identifies the following conclusions:

- The construction of the proposed development will occur over land which has been identified primarily as agricultural or modified grassland habitat. This habitat is generally of very low ecological value and currently offers very limited potential to support wildlife.
- Loss of foraging and nesting habitat would cause an impact on birds which rely on the application site (predominantly skylark). 94% of the application site has been proposed with a variety of tussock sward, wildflower and invertebrate plants to mitigate the removal of this land from agricultural rotation and to provide suitable habitat to support the red-listed skylark.
- With the implementation of pre-commencement surveys and the proposed mitigation measures, it is considered that there will be no significant negative effects upon protected or notable species during the construction phase. The implementation of the proposed habitat species-rich grassland planting and improvement of the retained habitat will increase the potential of the application site to support local wildlife. The proposed development will lead to a positive effect on biodiversity on a local scale.

7.10.2 In addition, a Biodiversity Net Gain Assessment and statutory metric have been submitted which indicate that the development would result in an increase in 130.93% habitat units and 33.3% in watercourse units. In addition, there would be an 18.79 unit increase in hedgerow units.

7.10.3 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. Conditions are proposed to require the submission of a detailed Landscaping Plan based on the submitted Landscaping Strategy, 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 Assessment, which includes the requirement to undertake further pre-commencement surveys together with 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 development.

7.10.4 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.

## 7.11 Effect of the development on residential amenity

7.11.1 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.

- 7.11.2 The Noise Impact Assessment submitted with the application concludes that the proposed development is predicted to have only low and negligible impacts at all receptors within the study area and no mitigation is required. The Assessment confirms that the proposed development would generate noise levels that would not exceed the baselines noise levels and therefore would not be harmful to residential amenity.
- 7.11.3 The Council's Environmental Protection Team have been consulted on the application and have raised no objections.
- 7.11.4 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
- 7.11.5 In respect 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 Team have raised no concerns. 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.
- 7.11.6 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 risk to any unacceptable adverse impacts on the amenity of residents of the surrounding villages.
- 7.11.7 It is noted that public representations have raised concerns relating to the potential loss of privacy resulting from the construction and operation of the proposed development. However, it is Officer's assessment that, having regard to the guidance set out within the Design Guidelines SPD, that the proposed development would not give rise to an unacceptable adverse impact on residential amenity such to warrant any refusal of the application on this basis.
- 7.11.8 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 or residential amenity considerations. Therefore, the application proposals would be in accordance with Local Plan Policy EN4 and Section 15 of the Framework.

## 7.12 Impact on heritage assets

- 7.12.1 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.

- 7.12.2 The Council's Conservation Officer has been consulted on the application and has raised no formal objections.
- 7.12.3 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.

### **7.13 Impact on archaeological assets**

- 7.13.1 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. This is included within the recommended schedule of conditions set out below.
- 7.13.2 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.

### **7.14 Aircraft Movements and Associated Activities**

- 7.14.1 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.
- 7.14.2 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.
- 7.14.3 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.

### **7.15 Other Matters**

- 7.15.1 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 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 up to 40 years with an exporting capacity of up to 20 megawatts.

- 10.3 The proposed development is located within an area of Open Countryside, where Policy SP5 strictly limits development to those which have an essential need to be located within such areas; this includes support for rural diversification projects, such as the current 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 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 moderate 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 strategy, 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 (Rev I) (received 28 January 2025)
- b) Standard Equipment Drawings Pack (Rev 5) (received 28 January 2025)

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 to the licenced Distribution Network must not exceed 20 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 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 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
- 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**

### *Landscape and Visual Impact*

#### Detailed Soft Landscaping Plans

8) No development above ground shall commence until details of all soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. Details shall be in broad accordance with the submitted Landscape Ecological Management Plan (Ref: NEO01024\_033/Rev A) and shall include:

- a. Planting plans;
- b. Written specifications (including cultivation and other operations associated with plant and grass establishment); and
- c. Schedules of plants, noting species, plant sizes and proposed numbers / densities where appropriate.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 and DE1 of the adopted South Kesteven Local Plan

### *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.

### Flood Mitigation Scheme

10) The development shall be carried out in accordance with the submitted flood risk assessment undertaken by Neo Environmental Ltd [ref: Technical Appendix 4: Flood Risk and Drainage Scheme, dated 27 January 2025] and the following mitigation measures it details:

In particular the solar panels shall be set no lower than 1.15m above Ordnance Datum (AOD)

Reason To reduce the risk of flooding to the proposed development in line with Policy EN5 of the South Kesteven Local Plan

### *Biodiversity / Ecology*

#### Ecological Mitigation

11) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Table 2-11 and Table 2-12 of the Ecological Impact Assessment (Neo-Environmental) (January 2025).

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 Landscaping Strategy 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.

## **Ongoing**

### *Landscape and Visual Impact*

#### Lighting Details

16) 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

17) 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

18) 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

19) 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.

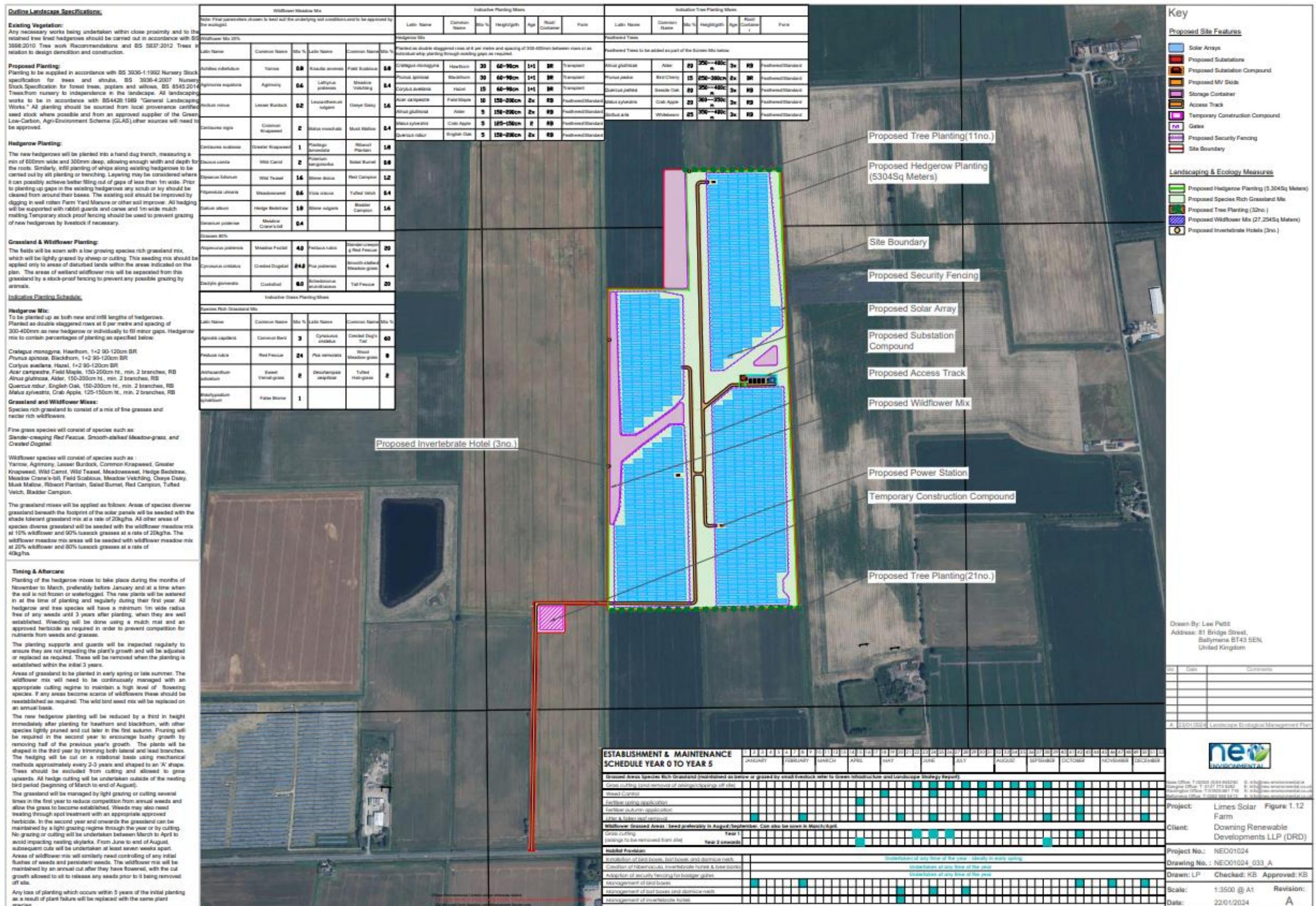
- 3) The developer should produce a risk reduction strategy (Regulation 38 of the Building Regulations) as the responsible person for the scheme as stated in the Regulatory Reform (Fire Safety) Order 2005. We would also expect that safety measures and risk mitigation is developed in collaboration with 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



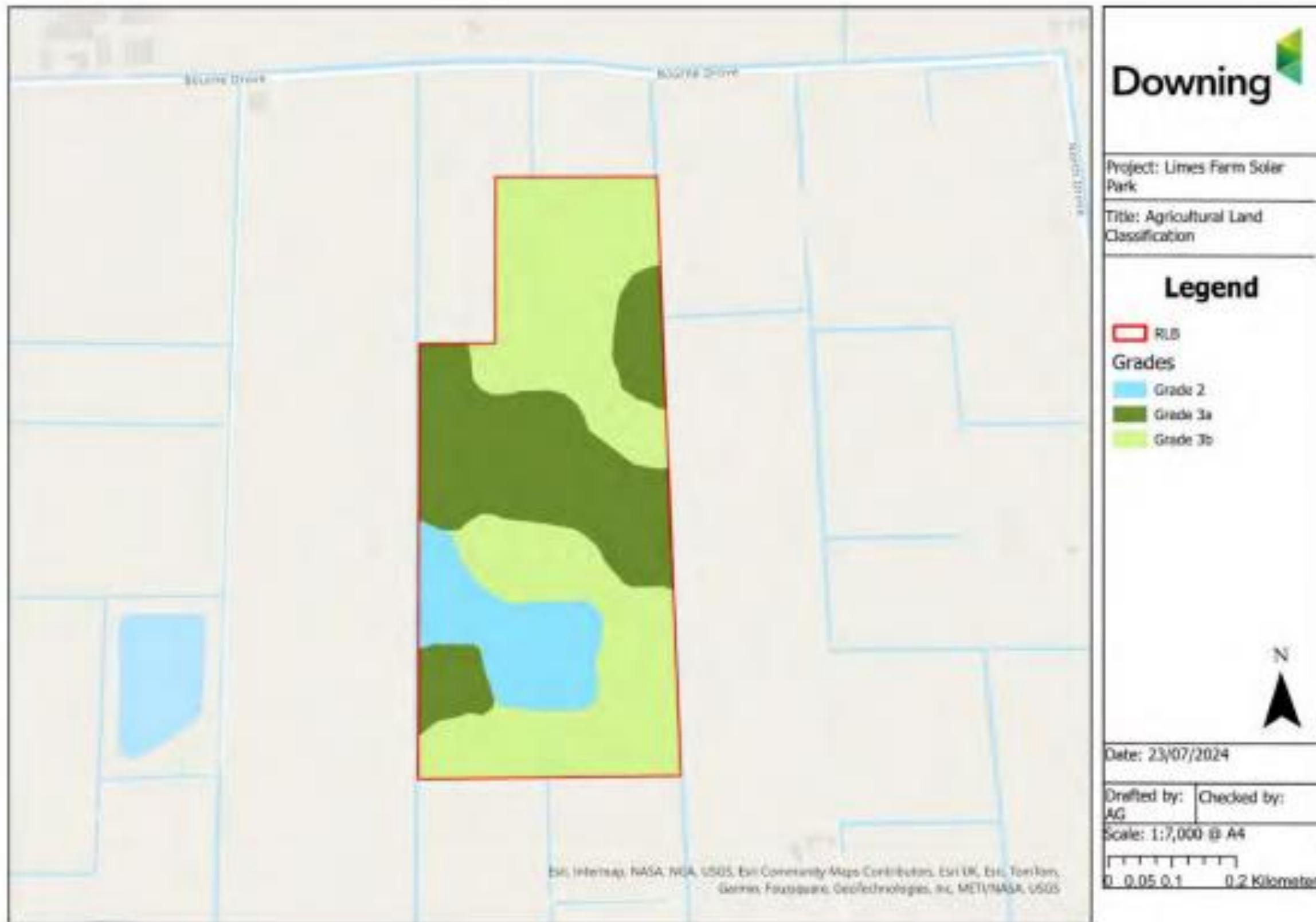


Figure 1 - Agricultural Land Classification Survey Map