

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 10 March 2021

(Author: Lucy Buttery - Principal Planning Officer)

Purpose: To consider Planning Application H18-1126-20

Application Number: H18-1126-20

Date Received: 11 December 2020

Application Type: FULL

Description: Change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with capacity of up to 49.9mw with associated infrastructure and landscaping.

Location: Land to the South of Centenary Way Sutton Bridge Spalding

Applicant: EDF Renewables

Agent: Arcus Consultancy Services Ltd.

Ward: Sutton Bridge

Ward Councillors: Cllr C J T H Brewis
Cllr M D Booth

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H18-1126-20>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Part of the application site lies outside of the Local Plan allocation.

2.0 PROPOSAL

2.1 This is a full planning application for the change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with capacity of up to 49.9mw with associated infrastructure and landscaping on land to the south of Centenary Way, Sutton Bridge.

2.2 The development would cover 118.3ha of arable agricultural land. The development is anticipated to have a lifespan of 40 years, after which the land could be returned to agricultural use.

2.3 The solar farm is predicted to have a peak output of 49.9 megawatts, sufficient to generate an estimated 70,000 megawatt hours per year, which could power approximately 16,100 homes.

2.4 The development would consist of solar PV panels, arranged in rows (known as strings) with approximately 3-6m between to avoid inter-panel shading and provide suitable access. Each string of panels would be mounted on a metal frame, with metal supports pile drive into the ground to a depth of approximately 1-2m. The panels would be orientated south towards the sun and would typically be tilted at an angle of between 15 and 25 degrees. The panels would be mounted at approximately 0.8m from the ground at the lowest point (the southern edge) rising to up to approximately 3m at the highest point (the northern edge). In the south-western

part of the site, the panels would be raised above the maximum flood level, meaning that they will be approximately 1.3m from the ground at the lowest point and up to 3.5m at the highest point. The indicative layout of the panels is shown on the Site Layout Plan that accompanies the application, with the taller panels shaded in orange.

- 2.5 The development would also include a substation compound, MV power stations, CCTV, 2m high post and wire perimeter fencing and landscaping.
- 2.6 The electricity generated by the solar development will be fed into the Walpole National Grid Substation around 2.5km to south of the site via buried cables. Any works associated with the connection to the substation will be subject to a separate planning application.
- 2.7 The Local Planning Authority responded to a request for a screening opinion under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 on 6th June 2020. It was concluded that the proposed development was not EIA development and need not be accompanied by an Environmental Statement.

3.0 SITE DESCRIPTION

- 3.1 The site comprises of 118.3ha greenfield arable agricultural land. It is located approximately 1.25km south and east of the village of Sutton Bridge, on the eastern side of the River Nene and south of Sutton Bridge Power Station. The site has a flat topography and is largely open, but being divided by drains, agricultural access tracks and lines of mature trees and hedges which provide screening along parts of the northern and eastern boundaries.
- 3.2 The northern boundary abuts Sutton Bridge Power Station and Centenary Way, from which there is an existing field access. The western boundary is close to East Bank on the eastern side of the River Nene. The southern and eastern boundaries are defined by existing drains.
- 3.3 Although the predominant character of the area is rural, there are some residential properties to the east on King John Bank as well as some individual properties/farmsteads off East Bank to the west, Chalk Lane to the north and Gunthorpe Road to the south.
- 3.4 The Grange Wind Farm lies approximately 600m west of the site on the other side of the River Nene.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 4 - Approach to Flood Risk
Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio
Policy 28 - The Natural Environment
Policy 29 - The Historic Environment
Policy 30 - Pollution
Policy 31 - Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework (NPPF), 2019

Section 2 - Achieving sustainable development

Section 9 - Promoting sustainable transport
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

Planning Practice Guidance (PPG)

Renewable and low carbon energy
Natural environment
Historic environment
Flood risk and coastal change
Noise

5.0 RELEVANT PLANNING HISTORY

5.1 H18-0001-06 - Erection of a 1800mw combined cycle gas turbine power station (Sutton Bridge B) (consented by Secretary of State in September 2015)

6.0 REPRESENTATIONS

6.1 Cllr Booth

Support. I believe this is the way we should be generating green power for the future and will be giving South Holland benefits. This development of 49.9MW could supply 9500 households and would reduce consumption of fossil fuels. I am also pleased with their environmental assessments in increasing biodiversity on this site and also this scheme is constructed so it is flood resistant.

6.2 The Rt Hon Sir John Hayes

Objects to the proposal. Concerned about the loss of Grade 2 agricultural land which is amongst the most fertile in the UK. It is so important that high quality land, such as this site, remains in production to ensure that local food is available at prices which remain affordable, and that we continue to compete with imports which with the 'food miles' they implicitly mean damage to the environment. Furthermore, this application will have a detrimental impact on the Fenland landscape and local amenity which, as you know, provides sufficient planning grounds to substantiate a refusal. There is already more than enough industrial developments in Sutton Bridge and another should not be imposed on local residents.

6.3 Natural England

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites. The application is comprehensively supported with background information and technical reports. We support the intention to deliver ecological enhancements that will lead to a net gain in biodiversity and the proposals for long term management. We consider that the proposed development is unlikely to lead to significant long-term loss of best and most versatile 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 development is undertaken to high standards. Although some components of the development, such as construction of a sub-station, may permanently affect agricultural land this would be limited to small areas. However, during the life of the proposed development it is likely that there will be a reduction in agricultural productivity over the whole development area. Your authority should therefore consider whether this is an effective use of land in line with planning practice guidance which encourages the siting of large-scale solar farms on previously developed and non-agricultural land. The application is accompanied by a 'Biodiversity Metric Assessment' (November 2020), which follows the DEFRA biodiversity metric method. The Biodiversity Metric Assessment indicates that the development will result in a 195.93% net gain in habitat biodiversity at the site. Natural England agrees that the projected net gain for biodiversity which will be delivered by the development is substantial and exceeds the net gain requirements set out in the NPPF. Natural England acknowledges the submission of a Breeding Bird Survey, Ecological Appraisal and Aquatic Appraisal Report. We have not assessed this application and associated documents for

impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

6.4 Lincolnshire Wildlife Trust

No objection. Would expect to see that the recommendations of the Landscape and Biodiversity Management Plan are conditioned. Suggests that Emorsgate Seed Mix EH1 - Hedgerow Mixture is considered for beneath the lower (0.8m) arrays as the plants species contained in it will cope better with shade. For all other areas including under the higher (1.2m) arrays, EM3 - Special General Purpose Meadow Mixture, as specified in the Landscape and Biodiversity Management Plan, will provide the required results.

6.5 LCC Historic Environment Officer

This office agrees with the conclusions of the developer's cultural heritage assessment that there is unlikely to be any significant impact on the historic environment. Although the solar farm will cover part of the former RAF Sutton Bridge, it is located outside of the area where it is likely that any buildings were located. These would have primarily been located at the technical area which is now the business park, and therefore this area of the airfield is not likely to contain significant archaeological remains associated with the site's military history. Therefore we recommend that no further archaeological input be required.

6.6 LCC Highways/SUDS

Does not wish to restrict the grant of permission. The vehicle movements associated with the operation of a solar farm are very few in number. It is during the construction and decommissioning phases of these facilities when the numbers of vehicles travelling to and from the site are at their highest. Centenary Way has proven adequate to safely accommodate the movement of vehicles required to build the much larger power station so there is no cause to consider the vehicle movements associated with the construction and decommissioning of this proposed solar farm would have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the capacity of the highway network. The surface water falling onto the site would simply fall off the arrays and infiltrate into the ground beneath, as it does now, so there is no reason to consider the proposed development would increase surface water flood risk. In view of the above, Lincolnshire County Council, as the highway authority and lead local flood authority, does not wish to object to this application.

6.7 Historic England

No objection to the application on heritage grounds but refers the LPA to the expertise of its specialist advisors. The proposed development will represent change to the setting of the Grade II* listed Bridge and Hydraulic Engine House and notwithstanding the presence of the power station this development will bring modern industrial features into a more prominent role in these assets' landscape setting. There is a degree of harm inherent in the (partial) loss of the juxtaposition of the Bridge against reclaimed fields (through their transformation to solar) since one loses something of the sense of the bridge as an innovation in a drained landscape, however given the physical form of the solar array this harm does not cut to the heart of the listed buildings' significance and can, as set out in the submission be seen as 'less than substantial'.

6.8 King's Lynn Drainage Board

Pleased to see that due to the nature of the development a drainage strategy reliant on infiltration is likely to be achievable. Also pleased that the applicant proposes to locate all infrastructure at least 9 metres from these watercourses, and that the applicant intends to install a private access gate to the central watercourse (DRN039G0103) for the Board's maintenance activity (Section 2.3, Flood Risk Assessment, Arcus Consultancy Services, November 2020). The development proposes to retain and protect the existing ditches within the site boundary (Section 3.1, Landscape and Biodiversity Management Plan, Arcus Consultancy Services, November 2020). Provides details on consents that may be required.

6.9 Environment Agency

No objection subject to a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment.

6.10 Anglian Water

No comments given the nature of the proposal.

6.11 Lincolnshire Police

No objections.

6.12 SHDC Environmental Protection (Noise and Odour)

No objection but requests standard noise from fixed plant and machinery condition.

6.13 SHDC Environmental Protection (Contaminated Land)

I have reviewed the desk study provided, and it makes no mention of RAF Sutton Bridge. Whilst I appreciate that the main technical site was north of the area in question here, there will have been ancillary operations (such as landfill, burning pits, bomb stores, rifle ranges and sewage treatment) which will have been located elsewhere. I request that the desk study be revisited to include the past use as military land and incorporate this into the conceptual site model. I also note that the risk due to UXO has been discounted without commenting that the airfield was bombed on several occasions. I suggest that this is revisited. I am hopeful that once a revised desk study has been submitted, I would envisage that my objection could be removed and if necessary, any further works potentially be conditioned.

6.14 Fenland District Council

Do not wish to make any observations.

7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

7.2 The key considerations in this case are:

- Principle
- Site selection and loss of agricultural land
- Landscape character and visual impact
- Impact on natural environment
- Impact on historic environment
- Residential amenity
- Highway safety
- Glint and glare
- Flood risk and drainage
- Developer contributions
- Other

7.3 Principle

7.4 Government policy is to support the development of renewable energy sources, including solar power, to help ensure the UK has a secure energy supply and to reduce greenhouse gas emissions to slow down climate change.

7.5 As a result, planning policy at a national level is supportive of renewable energy development, with National Planning Practice Guidance stating that planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

- 7.6 Additionally, Paragraph 154 of the National Planning Policy Framework (2019) states that *"When determining planning applications for renewable and low carbon development, local planning authorities should:*
a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
b) approve the application if its impacts are (or can be made) acceptable."
- At a local level, the South East Lincolnshire Local Plan (2019) (SELLP) seeks to support the use of renewable energy technologies to help minimise carbon emissions and the principle of development on the site will be considered in the context of Local Plan policies, as below.
- 7.7 The site is located outside of any settlement boundary as defined in the SELLP and is therefore within the countryside in planning policy terms. Policy 1 of the SELLP states that development in the countryside will only be permitted where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. It would clearly not be practical to locate a solar farm of this scale within a settlement boundary and thus a countryside location is necessary.
- 7.8 Approximately 12% of the site (14.4ha) falls within an area designated as a Restricted Use Employment Site in the Local Plan. This area is identified as SB014 (Wingland Power Station B) in Policy 7, which states that the land is reserved for employment uses (B1, B2 and B8) directly associated with Wingland Power Station (adjacent). The proposal would not be directly associated with the existing Power Station and it is expected that the level of employment that would be generated by such a solar development would be low. However, it is clear that Policy 7 seeks to encourage investment in power generation-related industries and the supporting text to that policy states that "power-generating uses will be supported at SB014". No objections have been received from the Council's Economic Development Team to the use of this allocated land for solar power purposes. Planning permission was previously granted (by the Secretary of State) for the erection of a 1800mw combined cycle gas turbine power station (known as Sutton Bridge B) (application ref. H18-0001-06) on the northern part of the site adjacent to the existing power station, however it is understood that EDF Energy are no longer looking to pursue the project and the consent has now lapsed. On balance, it is therefore considered that the proposal is in keeping with the overall intentions of Policy 7 of the SELLP.
- 7.9 Policy 31 of the Local Plan directly relates to 'Climate Change and Renewable and Low Carbon Energy'. Part B of that policy sets out the circumstances in which renewable energy facilities, associated infrastructure and the integration of decentralised technologies will be permitted. Such development *"will be permitted provided, individually, or cumulatively, there would be no significant harm to:*
1. visual amenity, landscape character or quality, or skyline considerations;
2. residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic;
3. highway safety (including public rights of way);
4. agricultural land take;
5. aviation and radar safety;
6. heritage assets including their setting; and
7. the natural environment.
Provision should be made for post-construction monitoring and the removal of the facility and reinstatement of the site if the development ceases to be operational."
- 7.10 For the reasons set out in the remainder of this report, the proposal is considered to satisfactorily accord with Policy 31 of the SELLP. The provisions of Policy 31 are in general conformity with the suggested planning considerations set out in National Planning Practice Guidance (NPPG) relating to renewable and low carbon energy.
- 7.11 In conclusion, taking all of the above into account, the proposed development is deemed to be acceptable in principle.
- 7.12 Site selection and loss of agricultural land
- 7.13 National Planning Practice Guidance states that where a proposal involves greenfield land,

consideration should be given to whether:

- (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and
- (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

- 7.14 As part of their submission, the applicant has provided an Agricultural Land Classification document, which sets out that 33.3% of the site is classified as Grade 1 and 66.7% is classified as Grade 2. The site is therefore deemed to fall into the category of 'best and most versatile agricultural land'. However, Natural England - whom are statutory consultees for non-agricultural development of greater than 20 hectares on grades 1, 2 or 3a agricultural land - have no objections to the proposal. It has been advised that the proposed development is unlikely to lead to its significant long-term loss since 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. In fact, as highlighted in the submitted Ecological Appraisal Report, the change in the use of the land would lead to marked reductions in chemical inputs (pesticides/fertiliser/herbicides) to the land and is therefore likely to reduce pollutant loadings on the land during the operational phase of the development. This, in time, will lead to species and habitat recovery and improvements for biodiversity that would not otherwise be available in the absence of the development.
- 7.15 Furthermore, the submitted Biodiversity Metric Assessment indicates that the development will result in a 195.93% net gain in habitat biodiversity at the site as a result of the creation of habitats of high biodiversity value, including native species-rich wildflowers, native species-rich shrubs, native species woodland and native species-rich hedgerow with trees.
- 7.16 At Paragraph 1.7 of the submitted Design and Access Statement, the applicant provides a summary of the key reasons for selecting the application site for the proposed development, as below:
- It is strategically sited near the grid connection at Walpole Substation (approximately 2.5km to the south-east of the site) which will enable the efficient supply of electricity to the National Grid, minimising disturbance and costs;
 - Existing visual screening provided by the Sutton Bridge Power Station as well as trees and hedgerows along field boundaries;
 - Separation from residential properties and from public rights of way;
 - Ease of access to the site for construction; and
 - Lack of environmental constraints (e.g. ecological/landscape/heritage designations, etc.)
- 7.17 The applicant advised that a sequential approach to site selection was employed with regard to flood risk and agricultural land value: *"Sites within 5km of the grid connection point at Walpole Substation with land suitable for a solar farm of 40-50 MW were considered. Of the four areas identified as potentially suitable for the Development, the Application Site was found to be at the lowest risk of flooding (Flood Risk Zones 2 and 3a) and amongst the lowest agricultural land classification value (Grades 1 and 2) within the search area."*
- 7.18 Taking the above into account, it is considered that suitable evidence has been provided by the applicant to demonstrate that the proposal is in general accordance with national guidance with regard to site selection and the grade of agricultural land. As such, there are not considered to be any significant or demonstrable adverse impacts in this respect that would justify refusing the application. The proposal is considered to accord with Policy 31 of the Local Plan in respect of agricultural land take.
- 7.19 Landscape character and visual impact
- 7.20 National Planning Practice Guidance highlights that the deployment of large-scale solar farms can have a negative impact on the rural environment. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.
- 7.21 The existing character of the application site and its surroundings is described above in Section 2. The applicant has considered the impact of the proposed development upon landscape character in the submitted Landscape and Visual Impact Assessment (LVIA).

- 7.22 The LVIA separates impacts into 'landscape effects' (effects on the landscape as a resource in its own right) and 'visual effects' (effects on specific views and on the general visual amenity experienced by people).
- 7.23 In terms of the former, the LVIA concludes that the overall landscape value for the site and 2km study area is low and that the low level nature of the proposed development allows any existing vertical elements within the surrounding landscape to provide effective screening and reduces overall initial visual effects to 'minor adverse'. This existing landscape elements will be reinforced as the proposed mitigation planting matures by Year 10 and the likely effects are considered to be 'minor beneficial' at that stage. It is highlighted in the LVIA that there is precedent in the surrounding landscape for energy production and the author considers that the landscape has the capacity to accommodate the Solar Farm as it forms a complementary use of the land together with The Grange Wind Farm (western side of River Nene) and Sutton Bridge Power.
- 7.24 In order to assess the visual effects (including views from residential properties) of the proposal, a 'Zone of Theoretical Visibility' (ZTV) has been produced to accompany the LVIA. ZTVs are computer generated diagrams which illustrate the theoretical visibility of the development throughout the 2km study area based on the average eye height of an adult person. Two ZTVs have been prepared for the proposed development: 'bare-earth' and 'screened'. The bare-earth ZTV illustrates theoretical visibility of the development without the benefit of screening afforded by buildings and vegetation and, as such, it represents a 'worst-case scenario'. The 'screened' scenario takes into account the proposed mitigation landscaping and existing buildings and vegetation.
- 7.25 In summary, the latter scenario shows that the theoretical visibility of the development is largely limited to the site and its immediate setting due to raised embankments along the River Nene, A17 and Sutton Bridge Power Station. The LVIA concludes that initially, the visual effects during the construction period would be limited to an increase in vehicular movements. However, as construction progresses, visual effects would become greater with the construction associated with solar panels and the associated infrastructure such as the substation.
- 7.26 Predicted visual effects upon viewpoints varied greatly from 'major' - 'moderate', in those viewpoints in close proximity on elevated land west of the site, to 'minor and negligible' - 'minor' to those at a greater distance to the north and south. The low level nature of the development and lack of any elements which would protrude into the skyline mean likely visual effects greatly reduce when viewed from greater distances and the geographical extent within which changes can be seen becomes smaller.
- 7.27 The likely visual effects reduce when considering proposed embedded mitigation for all viewpoints and in some cases effects are considered beneficial where proposed tree cover would screen detracting features within the Site and in some cases Sutton Bridge Power Station.
- 7.28 The residual effect on views to residential properties are considered further in paragraph 7.53.
- 7.29 The greatest visual effects upon any Public Right of Way (PRoW) were identified to be to that along the unnamed road west of the site and to the Nene Way long distance route (western side of River Nene) due to their elevated profile, straight form and orientation which runs parallel to the site boundary. These effects would become beneficial as embedded mitigation matures and screens existing detracting features on site such as pylons.
- 7.30 For the majority of the PRoW and roads within the wider 2km study area, likely visual effects are assessed as 'minor'/'negligible' due to a combination of existing screening and proximity.
- 7.31 In summary, the LVIA concludes that, although there are greater visual effects from receptors adjacent to the site, for the most part visual effects are predicted to have 'minor'/'negligible' effects upon the majority of receptors. The majority of potential adverse visual effects will either reduce or become either neutral or beneficial as embedded mitigation matures. It is therefore considered that landscape has the capacity to absorb visual change and development will eventually become settled in appearance within the wider setting.

7.32 Taking the above into account, the proposal is considered to be in accordance with Policies 2, 3 and 31 of the SELLP. Policy 2 requires development proposals to take into account the character and appearance of the area and impact on amenity, and Policy 3 requires the landscape character of the location to be considered. Policy 31 requires renewable energy proposals to not cause significant harm to visual amenity, landscape character or quality, or skyscape considerations.

7.33 Impact on natural environment

7.34 The applicant has submitted a number of supporting documents relating to ecological impacts: Ecological Appraisal (including Bird Breeding Report and Badger Annex); Landscape and Biodiversity Management Plan; Aquatic Appraisal Report; Orchid Survey Report; Biodiversity Metric Assessment; and Arboricultural Report.

7.35 The site is agricultural land and is not the subject of any international, national or local nature conservation designation. The site is in close proximity to the Nene Bank Road Verges and Cross Keys Pool and Field Local Wildlife Sites as well as the Nene Banks Regional Natural Reserve, however no significant adverse off-site impacts are expected to occur.

7.36 Both the National Planning Policy Framework (2019) and SELLP advocate the provision of net gain for biodiversity. The submitted Biodiversity Metric Assessment indicates that the development will result in a 195.93% net gain in habitat biodiversity at the site as a result of the creation of habitats of high biodiversity value, including native species-rich wildflowers, native species-rich shrubs, native species woodland and native species-rich hedgerow with trees. All existing trees within the site are proposed to be retained. The net gain that will be delivered by the development will therefore be substantial.

7.37 Neither Natural England or Lincolnshire Wildlife Trust (LWT) have raised any objections to the proposal and are supportive of the measures proposed with regard to biodiversity. The proposed seed mix for beneath the lower arrays has been revised in light of LWT's comments and the recommendations of the Landscape and Biodiversity Management Plan will be conditioned.

7.38 Taking the above into account, the proposal is considered to be in accordance with Policies 2, 3, 28 and 31 of the SELLP. Policy 2 requires the impact or enhancement for areas of natural habitats to be taken into account and Policy 3 requires the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity to be considered. Policy 28 seeks an overall net gain in biodiversity and Policy 31 requires renewable energy proposals to not cause significant harm to the natural environment.

7.39 Impact on historic environment

7.40 The closest designated heritage assets to the proposal site are the Grade II* Listed Cross Keys Bridge and Hydraulic Engine House located on/to the west of the River Nene. The latter is the closest at approximately 1km away.

7.41 Historic England have advised that *"The proposed development will represent change to the setting of the Grade II* listed Bridge and Hydraulic Engine House and notwithstanding the presence of the power station this development will bring modern industrial features into a more prominent role in these assets' landscape setting. There is a degree of harm inherent in the (partial) loss of the juxtaposition of the Bridge against reclaimed fields (through their transformation to solar) since one loses something of the sense of the bridge as an innovation in a drained landscape, however given the physical form of the solar array this harm does not cut to the heart of the listed buildings' significance and can, as set out in the submission be seen as 'less than substantial'"*.

7.42 With regard to archaeology, the County's Historic Environment Officer has advised that *"there is unlikely to be any significant impact on the historic environment. Although the solar farm will cover part of the former RAF Sutton Bridge, it is located outside of the area where it is likely that any buildings were located. These would have primarily been located at the technical area which is now the business park, and therefore this area of the airfield is not likely to contain significant archaeological remains associated with the site's military history. Therefore we*

recommend that no further archaeological input be required."

7.43 Taking the above into account, the proposal is considered to be in accordance with Policies 2, 29 and 31 of the SELLP. Policy 2 requires the impact on historical buildings and heritage assets to be taken into account and Policy 29 seeks to protect historic legacy. Policy 31 requires renewable energy proposals to not cause significant harm to heritage assets including their setting.

7.44 Highway safety

7.45 The proposal is for the site to be accessed via Centenary Way from the A17, with internal access tracks (existing and new) being utilised to move within the site.

7.46 A Transport Statement has been submitted in support of the application which provides an examination of the potential traffic impacts of the development. This identifies that the largest number of vehicle movements will be during the construction and decommissioning phases of the development due to the movement of construction materials and equipment and construction personnel. The vehicle movements will consist of heavy goods vehicles (HGVs), vans and other small vehicles.

7.47 Construction of the development is expected to occur over a 6-month period with up to 58 vehicle movements to the site per day. Decommissioning is expected to result in the same number of vehicle movements.

7.48 During the operational phase, vehicle movements will be minimal (10 to 20 times per year) and for activities associated with inspection, monitoring and general site up-keep.

7.49 The Highway Authority have raised no objection to the proposal, commenting that *"Centenary Way has proven adequate to safely accommodate the movement of vehicles required to build the much larger power station so there is no cause to consider the vehicle movements associated with the construction and decommissioning of this proposed solar farm would have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the capacity of the highway network"*.

Taking the above into account, the proposal is considered to be in accordance with Policies 2 and 31 of the SELLP. Policy 2 requires access arrangements and vehicle generation levels to be acceptable and Policy 31 requires renewable energy proposals to not cause significant harm to highway safety.

7.50 Residential amenity

7.51 Policy 31 of the Local Plan requires renewable energy proposals to not cause significant harm to residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic. Potential residential receptors are identified in Figure 8 of the submitted Landscape and Visual Impact Assessment. The closest residential property is Gibbons Farm Bungalow, which is almost adjacent to the site boundary on the western side. The properties on King John Bank to the east are generally around 330m from the site boundary, with the panels being set in a further 30m (approx.) from that. Dwellings to the south are in excess of 600m from the site boundary.

7.52 Solar development does not typically generate a significant amount of noise or vibration outside of the construction period. The only component of the development which has the potential to give rise to noise impacts on receptors during the operational period is the substation, which will be located approximately 670m from the nearest dwelling. Likewise, traffic levels generated by the development will be minimal outside of the construction and decommissioning phases. No adverse fumes, odour impacts or broadcast interference are anticipated to be generated by a proposal of this nature. Shadow flicker is not relevant to solar farm proposals. The potential for impact on visual amenity and sunlight reflection is considered further below.

7.53 The impact on visual amenity is considered in the submitted LVIA and associated Zone of Theoretical Visibility. In summary, this predicts that:

-The effects on people living in residential properties are limited to 1km away and vary greatly depending on proximity. The greatest visual effects were assessed in close proximity to the development, such as Gibbons Farm . Views of the development from here would however be screened by existing tree cover surrounding the property, and effects will decrease by Year 10 as proposed vegetative screening along the western site boundary matures over time (a new woodland shelter belt is proposed south/south-east of the property where the application site boundary is closest).

-Ribbon residential development to the east were considered to have 'moderate' / 'major' predicted visual effects, as a worst case , where either gardens met the site boundary or there was no existing screening surrounding the property. These likely effects would reduce as embedded mitigation matures and provides screening of the development by Year 10. However, the majority of properties are likely to see 'reduced' if not 'negligible' effects as it is characteristic of dwellings to have extensive screening surrounding gardens.

-The properties which are likely to see the least visual effects are those to the south and north of the site which for the most part are predicted to have 'negligible' visual effects due to intervening vegetation, distance from the site and the low level nature of development.

7.54 Sunlight reflection (glint and glare) is considered in more detail in the subsequent section but for the purposes of residential amenity, the submitted Solar Photovoltaic Glint and Glare study indicates that, in practice, solar reflections will not affect any of the properties identified within 1km of the site due to significant screening in the form of proposed hedgerows, proposed woodland mix, and/or existing vegetation.

7.55 It should be noted that no resident objections have been received and the Council's Environmental Protection Team have no objections to the proposed development subject to a condition regarding noise from fixed plant and machinery. A Construction Management Plan condition will also be added, requiring details of how noise, odour, vibration, traffic etc. will be managed during the construction (and decommissioning) phase.

7.56 On balance, therefore, whilst there is likely to be some disruption during the construction and decommissioning phases of the development, once complete, any impact should be minimal. As such, it is not considered that there would be a material impact upon the living conditions of nearby residents, or a material loss of amenity, and the proposal accords with Policies 2, 3 and 31 with regard to residential amenity considerations.

7.57 Glint and glare

7.58 The applicant has submitted a Solar Photovoltaic Glint and Glare study to show the possible effects of glint and glare from the development. This concludes that, overall, there will be no significant impacts upon any of the ground-based receptors that were assessed (roads and dwellings) and that no mitigation measures are required beyond the landscaping proposed as, in practice, this will offer sufficient screening of the solar reflections. Furthermore, the panels are designed to maximise their energy generating potential and thus sunlight absorbency and, in reality, their reflective capability would be similar to that of still water (and much less than steel or glass).

7.59 No significant impacts are anticipated in respect of RAF Holbeach due to its respective distance and location. Wingland Airfield has not been identified within the report, however it is located approximately 8km from the site and at a sufficient distance for aviation relating to that airfield to not be adversely affected.

7.60 Neither the Highway Authority or Council's Environmental Protection Team have objected to the proposal on the grounds of highway safety or impact on residents from glint and glare.

7.61 Taking the above into account, the proposal is considered to be in accordance with Policies 3, 30 and 31 of the SELLP. Policy 3 seeks to protect residential amenity (amongst other matters) and Policy 30 aims to avoid unacceptable light pollution. Policy 31 requires renewable energy proposals to not cause significant harm to residential amenity in the form of sunlight reflection, as well as aviation and radar safety.

7.62 Flood risk and drainage

- 7.63 The site is predominantly located within Environment Agency Flood Zone 3a, with small parts of the site lying within Flood Zone 2. The development type is considered to be a 'less vulnerable' form of development in flood risk terms and, in accordance with National Planning Practice Guidance, is compatible with Flood Zone 3a. The Environment Agency has no objection subject to a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment.
- 7.64 In terms of surface water drainage, the installation of PV solar arrays does not involve the introduction of hardstanding at ground level, thus water would fall off the arrays and infiltrate into the ground beneath as it does at present. The Lead Local Flood Authority have advised that there is no reason to believe that the proposed development would increase surface water flood risk and no concerns have been raised by the Internal Drainage Board. All infrastructure would be located at least 9 metres from existing watercourses and the proposal is to retain and protect the existing ditches within the site boundary.
- 7.65 Taking the above into account, it is considered that the proposal is in accordance with Policies 2, 3 and 4 of the Local Plan which require proposals to have an appropriate means of drainage and be acceptable in flood risk terms. It is also in accordance with National Planning Practice Guidance on Flood Risk.
- 7.66 Developer contributions
- 7.67 Policy 6 of the Local Plan states that *"Developments of 11 or more dwellings, or which have a combined gross floorspace of more than 1,000 sqm, or non-residential development of 1,000sqm gross floorspace or more will be expected to mitigate their impacts upon infrastructure, services and the environment to ensure that such developments are acceptable in planning terms."* Given that the proposal does not relate to the creation of dwellings or floorspace of over 1,000m², developer contributions cannot be sought in accordance with Policy 6. Furthermore, no impacts upon infrastructure, services or the environment have been identified that would justify seeking a contribution.
- 7.68 Although a non-material planning consideration, it is highlighted that a Community Benefit Fund will be negotiated between the Parish Council and developer of the site outside of the planning process. The applicant has provided the following information with regard to this:
- 7.69 "The community benefit fund is an annual payment that we give to the community surrounding our renewable energy projects to invest in local initiatives or people. Our goal is to support the local community during the development and over the full operational life of the Sutton Bridge Solar Farm.
- 7.70 The community benefit fund will be up to £10,000 per annum for the lifetime of the solar farm. The proposed operational life for the Sutton Bridge solar farm is 40 years, which would equate to a community benefit fund over the operational life of up to £400,000.
- 7.71 How the fund would be managed and administered will require further discussion with the local community. A common approach is for a local trust to be set up that represents the composition of the local community, ensuring that local people are able to advise on the fund strategy and spend, enabling the trust to prioritise issues that are important to the local area. In an instance where an existing trust is in place to administer community benefit funds in the local area we would seek to align with the existing trust and not duplicate the same set up.
- 7.72 Our community benefit funds across the UK have supported a huge variety of local projects over the years, such as:
- New lighting, fencing and energy efficiency improvements at village halls
 - Installation of defibrillators
 - Supporting local sports teams through new equipment and improved facilities
 - Repairing and creating memorials to recognize significant local events and people
 - Tree planting
 - Educational archaeology excavations
 - Footpath improvements to aid accessibility
 - Enhancement projects for local wildlife"

7.73 Other

7.74 SHDC's Environmental Protection Officer has requested that the submitted Phase 1 Land Contamination Desk Study be revised to include reference to the site's past military use (RAF Sutton Bridge). A revised version has since been submitted but at the time of writing the report a response had not been received from Environmental Protection. It is therefore suggested that the recommendation provide scope for the standard contaminated land condition to be imposed.

7.75 Planning Balance

7.76 Government policy is to support the development of renewable energy sources, including solar power, to help ensure the UK has a secure energy supply and to reduce greenhouse gas emissions to slow down climate change.

7.77 It is clear from national planning policy and guidance that environmental considerations must not be overridden or disregarded, and that issues of landscape/visual amenity and agricultural land take must be given significant weight. However, it is also clear that renewable energy development is a national imperative and is sustainable by its nature. Therefore, proposals should be supported wherever possible and approved where impacts are, or can be made, acceptable.

7.78 The proposed scheme would inevitably have an impact upon the landscape, in particular until such time as mitigation measures are fully established. It would also lead to the temporary loss of Grades 1 and 2 agricultural land.

7.79 However, there are a number of considerations that weigh in favour of the proposal. The development type is compatible with the flood zone it is sited within, is acceptable in drainage terms, and no adverse highway impacts have been identified. There would not be a material impact upon the living conditions of nearby residents, or a material loss of amenity, and there are no concerns relating to potential glint and glare impacts. Furthermore, the proposed development would cause less than substantial harm to historic assets, no off-site impact on nature conservation designations is anticipated and the development would deliver a 195.93% net gain in habitat biodiversity at the site.

7.80 Conclusion

7.81 Therefore, on balance and taking all material considerations into account as outlined above, it is not considered that there are any adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme in terms of its production of renewable energy. Therefore, the planning balance weighs in favour of the development.

7.82 **Additional Considerations**

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

8.0 RECOMMENDATIONS

- 8.1 **Grant permission subject to the Conditions listed at Section 9.0 of this report, and the standard contaminated land condition if required by SHDC's Environmental Protection Officer.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

3630-DR-LAN-100
3630-DR-LAN-101 Rev C
3630-DR-PLAN-201
3630-DR-PLAN-202 Rev 1
3630-DR-PLAN-203 Rev 1
3630-DR-PLAN-204 Rev 1
3630-DR-PLAN-205 Rev 1
3630-REP
3630-REP-006
3630-REP-007
3630-REP-008
3630-REP-009
3630-REP-010
3630-REP-011
3630-REP-012
3630-REP-042
3630-DR-LAN-101 Rev D
Ecological Appraisal Report (dated November 2020, prepared by Arcus Consultancy Services)
Ecological Appraisal Report Confidential Badger Annex (dated November 2020, prepared by Arcus Consultancy Services)
2020 Breeding Bird Report (dated November 2020, prepared by Arcus Consultancy Services)
2020 Breeding Bird Report Confidential Annex (dated November 2020, prepared by Arcus Consultancy Services)
Aquatic Appraisal Report (dated November 2020, prepared by Arcus Consultancy Services)
Orchid Survey Report (dated November 2020, prepared by Arcus Consultancy Services)
Biodiversity Metric Assessment (dated November 2020, prepared by Arcus Consultancy Services)
Landscape and Biodiversity Management Plan V2 (dated February 2021, prepared by Arcus Consultancy Services)
Arboricultural Report (dated November 2020, prepared by Arcus Consultancy Services)
Planning, Design and Access Statement (dated November 2020, prepared by Arcus Consultancy Services)
Flood Risk Assessment (dated November 2020, prepared by Arcus Consultancy Services)
Heritage Impact Assessment (dated November 2020, prepared by Arcus Consultancy Services)
Solar Photovoltaic Glint and Glare Study (dated November 2020, prepared by Pager Power Limited)
Sequential Test Analysis (dated November 2020, prepared by Arcus Consultancy Services)
Landscape and Visual Appraisal and supporting viewpoint figures (dated November 2020, prepared by Arcus Consultancy Services)
Transport Statement (dated November 2020, prepared by Arcus Consultancy Services)
Agricultural Land Classification (dated 3rd April 2020, prepared by Soil Environment Services Ltd)

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The planning permission is for a period not exceeding 40 years from the date that the development is first connected to electricity grid. The date of first connection to the grid shall be notified in writing to the Local Planning Authority within 28 days of this event occurring.

Reason: To limit the long term effects of the development and in recognition of the temporary lifespan of the structures.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4. On cessation of the use of the land (or any part of the land) as a solar farm for electricity production through use of solar panels as approved by this permission all buildings, structures, fences, gates, posts, solar panels and fixings shall be removed from the site (or the relevant part of the solar farm that has ceased operation) within 9 months of the cessation of use and the land shall revert back to agriculture.

Reason: The site is located in an area of countryside where development other than agriculture is permitted only by exception and when the site ceases to be used as a solar farm then it will be required to revert back to agriculture.

This Condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

5. A detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the construction process shall be carried out in accordance with the scheme so approved. It shall also include a method statement, detailing how construction traffic, site personnel vehicles, materials deliveries and site accommodation will be managed to safeguard highway safety, free passage along Centenary Way and residential amenity.

Reason: In the interests of the amenity of local residents. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

6. Details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before commencement of the construction of the development and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the development.

Reason: In the interests of highway safety during the construction process. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy 3 of the South East Lincolnshire Local Plan, 2019.

7. Noise from fixed plant and machinery shall not exceed a level of 5 dB(A) above the background noise level when measured as a L(A)_{eq15min} at any residential boundary not within the applicant's ownership.

Reason: To ensure that there is no noise nuisance to nearby residents.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

8. Details of the external illumination of all buildings and areas of the site including details of luminance and fields of illumination shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of those buildings and areas and there shall be no external illumination other than that so approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

9. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Arcus Consultancy Services, dated November 2020) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

- Non-flood sensitive infrastructure (i.e. PV arrays, cabling, inverters and transformer sets) shall be located 300mm above the potential flood depths for the 0.5% (1 in 200 year) overtopping event including for climate change. Stilts are to be utilised where applicable to provide flood protection for the transformer and inverter units.

- The electrically sensitive infrastructure (i.e. the substation compound) shall be located above the 0.1% (1 in 1000 year) breach event including climate change.

- A continuous flood protection bund shall encircle the substation compound with a finished crest level no lower than 2.61 metres above Ordnance Datum (AOD).

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.

This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no buildings, structures, fences, gates, posts, solar panels, hardstandings, footings, platforms, pavements, bunding, berms, earthworks or other engineering operations shall be constructed, installed or carried out on site other than in accordance with the approved details of this planning permission.

Reason: To protect the character of the countryside and the visual amenities of the locality and also to retain the value of the land for agriculture and wildlife, as the site is located in an area of open countryside where development other than agriculture is only permitted by exception.

This Condition is imposed in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

11. Within 28 days from the receipt of a written request from the Local Planning Authority following a complaint to it concerning glint/glare, the solar farm operator shall submit details of proposed mitigation measures and timescale for their implementation. Such information shall be provided within 3 months of the date of the written request of the Local Planning Authority. The proposed mitigation measures shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of nearby residents.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

12. The development hereby permitted shall be carried out in accordance with the recommendations set out in the following submitted documents:
Ecological Appraisal Report (dated November 2020, prepared by Arcus Consultancy Services)
Ecological Appraisal Report Confidential Badger Annex (dated November 2020, prepared by Arcus Consultancy Services)
2020 Breeding Bird Report (dated November 2020, prepared by Arcus Consultancy Services)
2020 Breeding Bird Report Confidential Annex (dated November 2020, prepared by Arcus Consultancy Services)
Aquatic Appraisal Report (dated November 2020, prepared by Arcus Consultancy Services)
Orchid Survey Report (dated November 2020, prepared by Arcus Consultancy Services)
Landscape and Biodiversity Management Plan V2 (dated February 2021, prepared by Arcus Consultancy Services)
Arboricultural Report (dated November 2020, prepared by Arcus Consultancy Services)

Reason: In the interest of the natural environment.

This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2019.

13. All cabling shall be installed underground.

Reason: To limit the effects of the development in the interests of the amenities of the locality. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

14. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post: Richard Fidler , Development Manager
Telephone Number: 01775 764428
Email: rfidler@sholland.gov.uk

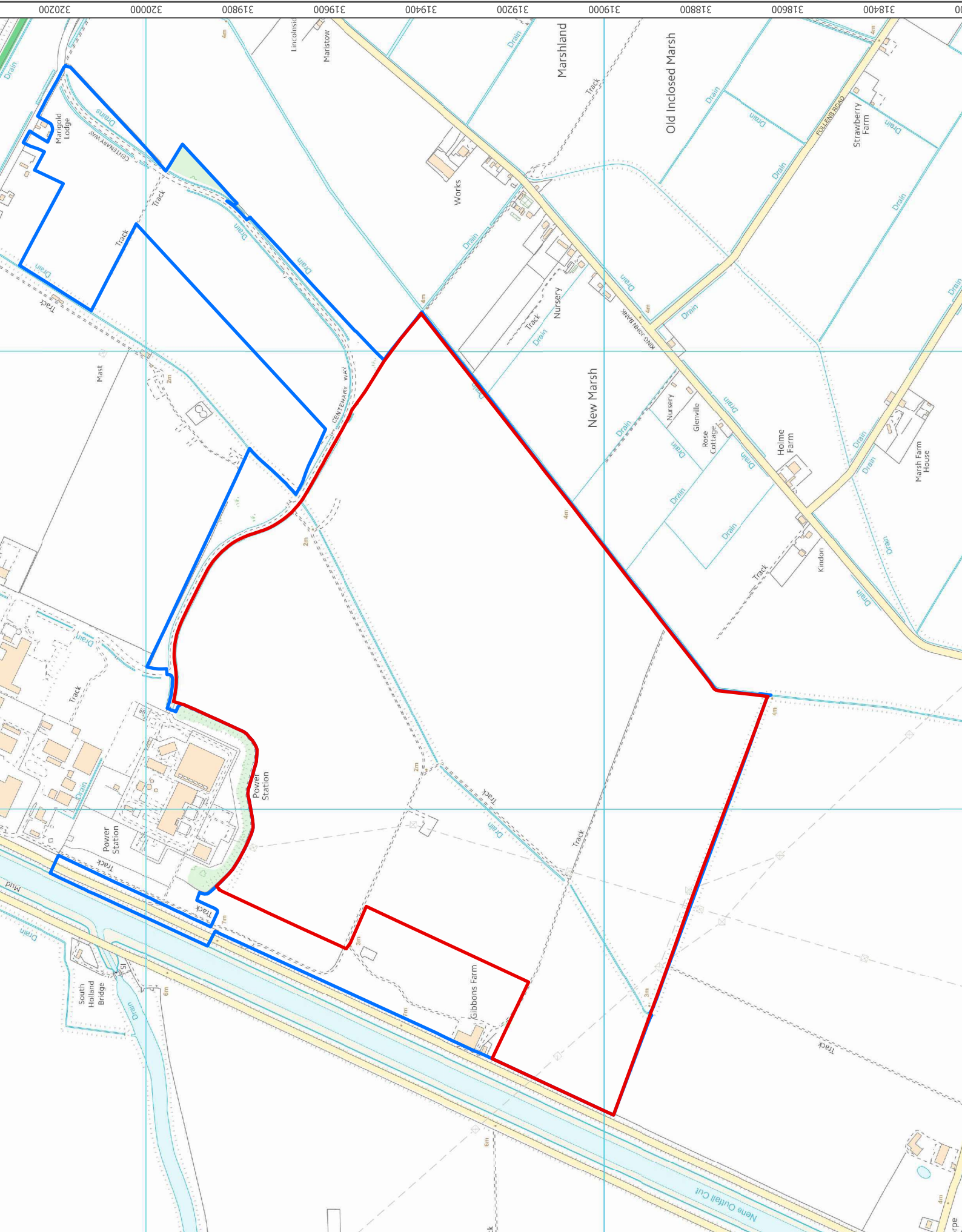
Appendices attached to this report:

Appendix A Plan A

Plan
Lan



1:10,000 Scale ©
0
Produced By: KE
Checked By: SC



320200 320000 319800 319600 319400 319200 319000 318800 318600 318400 0