

<b>APPLICATION NO</b>	<b>PA/2022/443</b>
<b>APPLICANT</b>	Lightrock Power Ltd
<b>DEVELOPMENT</b>	Planning permission for the installation of a solar photovoltaic array/solar farm and associated infrastructure
<b>LOCATION</b>	Sweet Briar Farm, Carr Road, Ulceby, DN39 6TX
<b>PARISH</b>	<b>ULCEBY</b>
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Daniel Puttick
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Ulceby Parish Council

## **POLICIES**

### **National Planning Policy Framework:**

- 2 Achieving sustainable development
- 4 Decision making
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed and beautiful places
- 14 Meeting the challenge of climate change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

- IN1 Industrial development location and uses
- RD2 Development in the open countryside
- RD7 Agriculture, forestry and farm diversification
- T1 Location of development

T2 Access to development  
T19 Car parking provision and standards  
LC5 Species protection  
LC6 Habitat creation  
LC7 Landscape protection  
LC12 Protection of trees, woodland and hedgerows  
DS1 General requirements  
DS7 Contaminated land  
DS11 Polluting activities  
DS12 Light pollution  
DS14 Foul sewage and surface water drainage  
DS16 Flood risk  
DS21 Renewable energy  
HE9 Archaeological excavation

M5 Best and most versatile agricultural land

**North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire  
CS2 Delivering more sustainable development  
CS3 Development limits  
CS5 Delivering quality design in North Lincolnshire  
CS6 Historic environment  
CS7 Overall housing provision  
CS8 Spatial distribution of housing sites  
CS11 Provision and distribution of employment land  
CS16 North Lincolnshire's landscape, greenspace and waterscape  
CS17 Biodiversity  
CS18 Sustainable resource use and climate change  
CS19 Flood risk

CS25 Promoting sustainable transport

## **Housing and Employment Land Allocations DPD:**

Settlement boundary for Ulceby

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 Spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

EC1 Employment land supply

EC6 Supporting the rural economy

EC7 A sustainable visitor economy

RD1 Supporting sustainable development in the countryside

DQE1 Protection of landscape, townscape and views

DQE2 Landscape enhancement

DQE3 Biodiversity and geodiversity

DQE5 Managing flood risk

DQE8 Renewable energy proposals

DQE12 Protection of trees, woodland and hedgerows

T1 Promoting sustainable transport

T3 New development and transport

DM1 General requirements

HE1 Conserving and enhancing the historic environment

## CONSULTATIONS

**Highways:** There are no issues with the proposed development in principle. The construction phase will have a greater impact on the existing highway network than the operational phase, although the impact of construction traffic can be minimised with appropriate measures. A number of conditions are recommended to address potential issues during construction, including the undertaking of a condition survey of the existing highway network.

**LLFA Drainage:** The site slopes significantly in an west to east direction. As it stands there is no definitive statement to estimate pre- and post-development greenfield run-off rates. It is also unclear as to the level of cut-off drainage features on the eastern boundary to prevent run-off from the developed site to the downstream network.

Notwithstanding this, the LLFA Drainage team has no objection to the proposed development subject to the imposition of conditions to secure details of a surface water drainage scheme for the site, based upon the flood risk assessment prepared by Arcus Consultancy, and subsequent implementation of the approved scheme.

**Ecology:** NLC ecologists have undertaken a Habitat Regulations Assessment of the proposed development. Overall, it is possible to ascertain that the proposal will not have an adverse effect on the integrity of the Humber Estuary SPA and Ramsar site alone or in combination with other plans or projects.

**Natural England:** Natural England have previously advised that further information is required in the Habitat Regulations Assessment, including further assessment of bird records to ensure likely significant effects are ruled out. Natural England has generally advised that if  $\geq 1\%$  of a Humber estuary bird species population could be affected by a proposal, alone or in combination with other plans or projects, then further consideration is required. They have also stated that mitigation measures may be required where lower numbers of vulnerable species are using a site that is proposed for development. Natural England have subsequently confirmed bird surveys ruled out any adverse effects on the integrity of designated sites.

**Ministry of Defence:** The application site is outside of Ministry of Defence safeguarding areas and there are therefore no objections to this proposal.

**Internal Drainage Board:** The Board scheduled and maintained watercourse Skitter Beck Branch 5 (12F) is on the northern edge of the site. Conditions are recommended to secure details and implementation of a surface water drainage system for the development.

**Anglian Water:** Having reviewed the information, there is no connection to Anglian Water sewers and we therefore have no comments.

**Environmental Protection:** This department has received and reviewed the following report in support of the above application: ARCUS, Noise Impact Assessment, Sweetbriar Solar Farm, Lightrock Power, Dated July 2022.

Noise monitoring was carried out between Friday 10 June 2022 and Tuesday 14 June 2022 at two of the closest sensitive receptors. One sound level meter was positioned to the west of the site adjacent Sweet Briar Farm (Location 1), the second sound level meter was on the south-eastern boundary of the site (Location 2). Due to the commercial nature of the noise, a BS4142 assessment was undertaken to compare the existing background noise levels against predicted noise levels of the proposed solar farm.

There are no objections to the application. Conditions are recommended to minimise noise levels to protect nearby residential receptors, to secure a construction environmental management plan and to limit construction working hours.

**NATS Safeguarding:** The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company (“NERL”) has no safeguarding objection to the proposal.

**Archaeology:** The applicant has submitted a satisfactory report of a trial trench evaluation in accordance with advice provided on 18 August 2022. A small number of archaeological features were identified in these trenches. A programme of archaeological monitoring and recording during groundworks within specified areas of the proposed development would be appropriate mitigation. There are no further objections to determination of the application and it is advised that any planning permission granted should be subject to conditions securing the implementation of the recommended programme of archaeological work.

## **PARISH COUNCIL**

Objects to this planning application on the following grounds:

1. The construction of this solar farm is scheduled to last 6 months - likely to be longer - this will have an adverse and detrimental effect on the local businesses, in particular the camp site which relies on peace and tranquillity to attract visitors to the site. There are no details of a work schedule within the documents, limiting working hours and days worked to safeguard local residents - this will adversely affect the quality of life of residents within the vicinity.
2. Traffic generation: The construction of this solar farm will create a huge amount of traffic generation, in particular HGVs. Carr Road is not a suitable access road - it is narrow – 3 metres wide and of basic construction. Vehicles will not be able to travel in two directions along this road or pass safely leading to highway safety concerns. There is no evidence of a traffic management plan within the documents supplied - ideally providing a one-way system - but as there is a 7.5T weight limit in this vicinity it is unlikely that a 'one-way' traffic system can be implemented. The generation of all this HGV traffic will have an adverse impact on the whole village of Ulceby which already suffers from a huge volume of HGVs passing through the village on a daily basis. Access to Carr Road, turning right off the A1077 (thus avoiding HGV traffic through the main village) is a dangerous, blind turn and likely to cause highway safety issues.
3. The proposed site is completely exposed, there are no trees or hedges to screen the proposed solar farm and this proposed development will be a blot on the landscape and will have an adverse visual impact for the whole village.
4. There is an abundance of wildlife in the area which will be disturbed and adversely affected by this proposed development.
5. This proposed development will adversely affect local residents' health and well-being. There is evidence that solar farms can adversely affect health from the generation of radiation. To live in close proximity to a solar farm will be detrimental to existing residents' health.
6. There will be an impact of 'glint and glare' which will be detrimental to people and animals - particularly horses, of which there are a number within the Carr Road vicinity.

7. The proposed CCTV cameras and security lighting will invade the privacy of neighbouring residents and properties and will have an adverse impact on their lives.
8. Carr Road is part of an established cycle route - promoted by North Lincolnshire Council which leads to Thornton Abbey and the old airfield. This proposed development will cause health and safety concerns to the regular cyclists and walkers who utilise this route regularly. It will spoil the pleasure of this quiet tranquil area enjoyed by many people, which will impact on their mental health.
9. This proposed development clashes with the proposed Humber Low Carbon Pipeline project.
10. The publicity relating to this proposed development has been confusing and misleading. The publicity documents title the location as Sweet Briar Farm, yet the planning documents provide a location of Zulu Farm. The publicity documents have been very vague about the actual location of this proposed solar farm and have been misleading.
11. This proposed development fails to improve the quality of this area and will spoil and be detrimental to this quiet hamlet.

## **PUBLICITY**

A site and press notice have been displayed, and a total of 67 responses have been received from members of the public. Of these, 54 are proforma letters expressing support for the proposal for reasons including:

- the production of solar power is an environmentally friendly answer to global issues with power supply
- solar power is a cheaper and cleaner form of energy than others and will help address climate change.

These letters of support have been generated by Typeform creator, with respondents understood to have input details on the applicant's website which have subsequently been submitted in support of the application. Of those received via this method, three are from residents with addresses listed as being within Ulceby or near to the site, two are from members of the public residing outside of North Lincolnshire, and the remaining 49 are from residents with addresses listed as falling within North Lincolnshire.

The material considerations raised by those members of the public objecting to the application are summarised below:

- The site comprises greenfield agricultural land which should not be used.
- Solar panels will cause glint and glare which will be harmful to amenity and pose safety risks for aviation.
- The proposals will have adverse impacts on the character and appearance of the area. Landscaping will take time to establish and will not provide sufficient screening in the short term.
- CCTV will impact privacy.

- The construction period will result in adverse impacts for road safety, and will cause disturbance for local residents, tourists and other users of the highway nearby.
- The proposals will increase flood risk elsewhere.

Matters relating to the loss of views and impacts on property values raised in a number of objections are not material planning considerations and therefore cannot be taken into account.

## **STATEMENT OF COMMUNITY INVOLVEMENT**

A Statement of Community Involvement (SCI) has been submitted as part of the application. Pre-application consultation was undertaken in the community between 9 October 2021 and 8 November 2021 with an online consultation platform established which provided information on key features of the project, accompanied by an online survey. An information leaflet was posted to 1,129 local residents. Further targeted consultation was undertaken with local members, Rt Hon Martin Vickers MP and parish councils in the area around the application site.

The pre-application consultation attracted 101 views of the website and completion of 11 surveys. The SCI indicates that two people contacted the team via email, with the SCI noting that three close neighbours were identified for more in-depth discussions.

The SCI concludes that some respondents raised concerns about landscape impacts, construction noise, impacts on biodiversity and human health. Concerns about impacts on property values are also raised as concerns by some respondents. The SCI confirms that there was significant support for the project, with comments supporting the creation of sustainable energy and the transition towards a zero carbon country.

## **ASSESSMENT**

This application was deferred at a previous meeting of the planning committee to allow members to visit the site before making a decision.

### **Planning history**

SCR/2021/5: EIA screening request relating to the creation of a new solar farm

SCO/2022/6: EIA scoping request for a Humber low carbon pipeline

### **Site characteristics**

The site comprises an area of agricultural land in arable production approximately 2 kilometres north-east of Ulceby, adjacent to Carr Lane, and approximately 43 metres to the west of the railway line. The site extends to 44.58 hectares in area and spans across a number of agricultural fields, some of which are grade 2 agricultural land, with poultry sheds to the west of the site at Sweetbriar Farm and residential properties adjacent the south-eastern corner of the site.

There are a number of electricity lines/pylons and tracks which traverse the site, and public footpath THOR130 is located in the north-eastern corner of the site. There are no buildings within the site, and no ponds or other areas of standing water. The site is wholly within flood zone 1.

The surrounding landscape comprises open agricultural fields with dispersed housing and developments, including Hillcrest Campsite to the east, between Carr Road and the adjacent railway on the Barton line. Further east is the former airfield near North Killingholme.

## **Proposal**

Planning permission is sought for the installation of a solar photovoltaic array resulting in the creation of a solar farm, with associated infrastructure and ancillary equipment, on land surrounding Sweet Briar Farm. The export capacity of the development will be approximately 39 megawatts, generating approximately 35,000 megawatt hours per year which would offset the annual electricity usage of approximately 10,115 homes in North Lincolnshire. Planning permission sought for an operational period of 40 years, after which the site would be fully decommissioned and restored.

The solar panels would be mounted on metal frames driven into the ground in parallel rows, tilted 10 to 25 degrees and orientated south towards the sun. The solar panels would be arranged in rows, known as strings, with separation between each string between 2-6 metres.

The individual panels would be set at a maximum of 3 metres above ground level with the bottom edge approximately 0.8 metres above ground level, and screws for the metal frames piled into the ground to a depth between 1-2 metres below ground level.

The associated infrastructure would comprise the following components:

- up to 16 inverters/transformers located around the site, each within a glass reinforced plastic (GRP) or container enclosure/kiosk measuring approximately 7 metres by 2.5 metres by 3 metres high
- a substation compound (26 metres by 10 metres) includes housing for DNO [distribution network operator] and client substation
- a 2.5 metre high perimeter post-and-wire fence/deer fence
- CCTV cameras on 3 metre high poles within the security fence at intervals;
- a number of proposed access tracks approximately 4 metres wide within the site, with two junctions to the public road, Carr Lane. The tracks would be constructed from locally sourced crushed stone on top of a geotextile membrane, the junctions being a suitably bound surface
- buried cables linking the solar panels to the inverters/transformers.

Access to the site would utilise the existing farm access point for Sweet Briar Farm. The main access route is proposed to be taken via Carr Lane, which provides access to the A1077, A160, A180 and A15, identified as key transport routes for construction vehicles.

The wider site would be accessed via existing field access tracks which would be upgraded and widened to 4 metres where required.

A comprehensive landscaping scheme for the site has been presented as part of the development, which includes extensive planting proposals and enhancements:

- the retention of all existing hedgerows and tree belts within the site



- gapping up/reinforcing existing hedgerows to the eastern and northern boundaries
- reinstatement of hedgerows and woodland to the western boundaries where missing, and to the southern field boundary
- replacing arable uses on the site with species-rich or wildflower grassland to improve biodiversity value, and improving management of existing and proposed landscape features.

### **Material considerations**

Planning permission is sought for the construction of a 39 megawatt solar farm with associated access, landscaping and infrastructure for a temporary period of 40 years, following which the site would be restored to its original condition.

### **The main issues in the determination of this application are:**

- **principle of development**
- **design and impact on the character and appearance of the area**
- **impacts on residential amenity**
- **impacts on highway safety**
- **flood risk and drainage**
- **ecological impacts**
- **heritage impacts.**

### **Principle of development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016.

Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

Policy CS1 of the Core Strategy sets out the overarching spatial strategy for North Lincolnshire. It states that, in the countryside, ‘...support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. Tourism development will also be supported, in particular the development of green tourism making the most of the area’s important natural and built environments.’

Policy CS2 of the Core Strategy states, 'Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location, or which will contribute to the sustainable development of the tourist industry.'

Policy CS18 of the Core Strategy sets out support, where possible, for renewable sources of energy in appropriate locations.

Policy DS21 of the local plan states, 'Proposals for the generation of energy from renewable resources will be permitted provided that:

- (i) any detrimental effect on features and interests of acknowledged importance, including local character and amenity, is outweighed by environmental benefits; and
- (ii) proposals include details of associated developments including access roads and other ancillary buildings and their likely impact upon the environment. Where appropriate, conditions will be imposed requiring the restoration of the site to its original condition or the implementation of an agreed scheme of after-use and restoration.'

The Climate Change Act 2008 (as amended) seeks to ensure that the net UK carbon account for the year 2050 is at least lower than the baseline for 1990. This sets a target to reduce UK emissions of carbon dioxide and other targeted greenhouse gases, removing carbon from energy supply and delivering net zero by 2050. Other government legislation and policy supports the transition to low carbon energy production.

Paragraph 157 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the re-use of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 163 of the NPPF 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;
- (b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas; and
- (c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.

In view of the above policy context, as the proposed development is for the generation of renewable energy, the proposals are considered to be acceptable as a matter of principle in accordance with policies CS1, CS2 and CS18 of the North Lincolnshire Core Strategy and DS21 of the North Lincolnshire Local Plan, subject to an assessment of the technical aspects of the proposal which are considered within this report.

### **Design and impact on the character and appearance of the area**

Policy CS5 of the Core Strategy states that all new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place, the policy stating that design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

Policy LC7 of the local plan states that where development is permitted within rural settlements or within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. It goes on to say that development which does not respect the character of the local landscape will not be permitted.

Policy RD2 of the local plan imposes an overarching requirement for development within the countryside which is considered appropriate to no be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials.

Policy DS21 states that proposals for the generation of energy from renewable resources will be permitted provided that any detrimental effect on features and interests of acknowledged importance, including local character and amenity, is outweighed by environmental benefits.

Paragraph 180 of the NPPF indicates that planning policies should contribute to and enhance the natural and local environment in a number of ways, one of which indicates that decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

The application site comprises agricultural land which is gently undulating and open in parts. The majority of the site is well screened by mature hedgerows, which would provide a significant visual buffer. Further landscape planting would reduce the impacts of the development, resulting in largely localised views from within the areas immediately around the application site.

The Landscape Visual Appraisal (LVA) submitted in support of the application features Zone of Theoretical Visibility (ZTV) maps which support the above assessment. These indicate that views of the development (with screening) would be achieved from areas around the site, along Carr Road and northward towards Station Farm near Thornton Abbey Station. The analysis indicates that the development would be visible from parts of the former airfield, and from land to the north-east of the site which features a number of public rights of way.

These affected areas have been further assessed to consider the potential visibility of the development from locations where the ZTV modelling indicates a higher percentage of the development site may be visible. From these viewpoints, particularly those to the north-east where distances involved are greater, the proposed development is unlikely to be readily visible.

As a result, the visual impacts of the development are anticipated to be very localised and confined to the areas within and immediately adjacent to the site, and will appear most prominent in views from the north looking back towards the solar farm, as well as from nearby properties.

In these areas, the development would have negative impacts upon the character and appearance of the site and would result in adverse effects on landscape character. These impacts would be temporary, albeit it is acknowledged that this period and the lifetime of the development is expected to be 40 years. However, given the limited height of the development, the undulation of the landscape and the proposed landscaping which would be secured by an appropriately worded condition, the impacts of the development would be contained and the development would be largely obscured from view in the majority of views. In addition, these views would capture existing infrastructure and industrial developments, with existing power lines a prominent feature in the locality.

In conclusion, the development would result in some adverse impacts on the character and appearance of the area. Policy DS21 requires these impacts to be weighed against the environmental benefits of the proposed development, which are significant in this instance. There are wider environmental benefits discussed elsewhere in this report, including the contribution towards securing significant net gains for biodiversity for the lifetime of the development. When viewed in this context, given the scale of harm is limited and impacts would be largely localised, it is considered that the development would be acceptable in accordance with the aims of policies LC7, RD2, DS1 and DS21 of the local plan, and CS2, CS5 and CS18 of the Core Strategy.

### **Impacts on residential amenity**

Policy DS1 of the local plan states, in relation to amenity, that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

Paragraph 135 of the NPPF indicates that planning policies and decisions should ensure that, amongst other requirements, developments create places which are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

A number of objections to the proposed development raise concerns in respect of glint and glare, both of which are factors certain forms of development could give rise to. The application has been supported by a Glint and Glare Study, which assesses the potential for glint and glare from the development upon 14 nearby residential properties. The study identifies that it would not be geometrically possible for solar reflections to affect properties during both am and pm, and identifies three properties where it would not be geometrically possible for the solar panels to give rise to any glint or glare.

Of those which may be affected, the study indicates that with pre-existing boundary treatments the potential for glint and glare would affect only six properties, and that the proposed landscaping strategy to provide woodland blocks and the retention, improvement and creation of hedgerows would result in a low impact in a worst case scenario. The study concludes that the proposed landscaping would prevent adverse impacts for eight of the fourteen properties identified, with no mitigation required to address potential glint and glare concerns. For remaining properties, the study concludes that no further mitigation is

necessary over and above the proposed landscaping mitigation due to the maximum duration of effects being sufficiently low.

A number of objections also raise concerns in relation to noise. Noise monitoring has been carried out at two of the closest noise sensitive receptors. A noise assessment has been submitted in support of the application, which compares the existing background noise levels against predicted noise levels of the proposed solar farm. The assessment predicts that noise levels will be similar to or below existing external background noise levels at all assessed receptors. These noise levels would be further reduced indoors.

The application has been assessed by the council's Environmental Protection team who note that the noise assessment indicates that plant for the site has not yet been finalised. In this context, the Environmental Protection team raise no objections to the application but recommend a condition be imposed to ensure the noise levels emitted by plant installed at the site do not exceed 30dBA at any residential property. Following discussions with the applicant and given the very low background noise levels, it is considered that this limit is not necessary and that a more reasonable response would be to restrict noise levels so that they do not exceed 5dB above the ambient background noise levels measured at nearby noise sensitive receptors.

Subject to accordance with such conditions, the proposed development would not be considered to result in any harmful impacts upon the amenity of nearby residential receptors in terms of noise, or glint and glare. Given the scale of the proposals and set back from nearby properties, the solar panels themselves would not give rise to any adverse impacts in terms of loss of outlook, sunlight or daylight, and given the nature of the development there would be no loss of privacy during the operational lifetime of the development.

A number of objections raise concerns in respect of loss of views and impact on property values as a result of the development. Whilst these concerns are noted, these matters are not material planning considerations and as such have no bearing on the decision-making process.

Having regard to the above, it is considered that the proposed development would not result in adverse impacts upon living conditions for occupants of nearby residential properties during the operational phase of the development. The proposals are therefore considered acceptable in accordance with policy DS1 of the local plan and the aims of the NPPF.

### **Impacts on existing businesses**

Paragraph 193 of the NPPF indicates that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). It states that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established, and that where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Paragraph: 008 Reference ID: 21b-008-20140306 states that the scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that

planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of neighbouring property or loss of private rights to light could not be material considerations.

Potential competition between businesses and the financial impacts of development on existing businesses are not usually material planning considerations, as they concern private interests which are commercial in nature.

Concerns have been raised by Hillcrest Camping, which operates on the eastern side of Carr Road near to the site. The concerns relate to the impacts on the business from noise, traffic generation and disturbance, particularly during construction. There are concerns that the impacts caused during the construction period could result in complaints from customers and negative feedback which could lead to long-term impacts on the business.

The concerns of the business are noted and a number of suggestions have been made to minimise disturbance to users of the campsite during the construction phase of the development. Conditions are recommended to address potential noise and disturbance during this period, including restrictions on working hours. Conditions seek to secure passing bays on the road network to enable vehicles to pass one another, which would ensure the free flow of traffic in the area and would help to prevent, or at least minimise, potential for conflict between road users in the area, including those trying to enter and leave the campsite.

Conditions are also included to secure precise details for the management of the construction and decommissioning phases of the development, with the overall aim of minimising disturbance for local residents and adjacent land users, as well as ensuring road safety. With these conditions in place it is anticipated that the initial phase of construction and later decommissioning stages would be capable of being undertaken without significantly impacting upon the day-to-day operation of the business.

In the longer term, once the site is operational it is considered that the development would be unlikely to have any significant impact upon users of the campsite in terms of noise or disturbance. It is considered that the development can therefore be integrated successfully with regard to operational impacts of the development on nearby businesses.

The concerns raised by Hillcrest Camping also highlight perceived shortcomings in the scheme's sustainability credentials, including the lack of uptake of sustainable transport options such as the use of the railway which runs by the campsite. The comments also state that the chosen location has minimal existing natural cover and therefore will be visible from all directions for many years until new vegetation can be established.

The landscaping scheme submitted in support of the application includes extensive landscape planting, including improvements to existing hedgerows. These matters are discussed in more detail elsewhere in the report; however, in terms of impact on the operation of the adjacent campsite, the existence of mature hedgerows and outlook from the campsite eastward are factors which officers consider would enable continued enjoyment of the campsite by guests. The existence of the solar farm would be unlikely to be apparent for users whilst on the campsite, with the attractive views eastward across the countryside and overall tranquillity of the area unlikely to be compromised once the development is operational.

For these reasons, the proposed development would not be considered to impact upon the business in the longer term. Members are advised that the financial impacts on existing

businesses is not a planning matter; however, officers are satisfied that, with the conditions recommended in this report, the impacts of the construction and decommissioning phases can be minimised, and once operational the development would be unlikely to have any impact on day-to-day operations at the campsite or the enjoyment of users of it. The proposals are considered acceptable in this respect in accordance with the aims of paragraph 193 of the NPPF.

### **Impacts on highway safety**

Paragraph 115 of the NPPF makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy T1 of the local plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 of the local plan states that all proposals should be provided with a satisfactory access, whilst policy T19 of the local plan relates to car parking provision and standards, and in summary requires developments which result in additional parking needs to incorporate proposals to fully meet that demand.

Policy CS25 of the Core Strategy seeks to support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools.

The application has been assessed for its impact on the road network by the Highways team, who note that the construction phase is likely to result in a greater impact on the surrounding road network than the operational phase of the development. Vehicle movements are likely to significantly increase along Carr Lane during the construction phase, and as such Highways recommend localised road widening be undertaken along with the introduction of passing bays to minimise any potential conflicts with passing vehicles. Conditions are recommended to secure a construction phase management plan along with a condition survey of the road prior to and following the construction phase, which would inform potential remedial works.

Following Members' consideration of the application at the planning committee in January, correspondence between the applicant and interested parties has taken place and the matter of the passing bays has been the subject of further interest.

It is apparent from these discussions that there are shortcomings in the layout of the existing road network, with narrow roads presenting potential hazards for road users due to a lack of space for larger vehicles to pass. The Highways team has recommended a condition to secure the implementation of passing bays on the highway network. Following discussion with the applicant and Highways, it is considered appropriate for these passing bays to be constructed to adoptable standards with responsibility for their maintenance following the initial construction phase of the development to pass over to Highways. The applicant has indicated their agreement to such a condition which would see the passing bays becoming a permanent feature within the road network, helping to alleviate existing issues on the road network and ensuring that vehicles associated with the maintenance of the solar farm once operational can be accommodated.

Subject to accordance with these conditions, including an amended condition requiring the provision of passing bays to be made on a permanent basis, the Highways team has no

objections to the development. The proposals are considered acceptable in accordance with policies T1, T2 and T19 of the local plan and CS25 of the Core Strategy, and the aims of the NPPF.

### **Flood risk and drainage**

Policy CS19 of the Core Strategy, which sits alongside policy DS16 of the local plan, is concerned with flood risk and states that the council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere.

Policy DS14 of the local plan states that the council will require satisfactory provision to be made for the disposal of surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission or completing planning agreements to achieve the same outcome.

Paragraph 165 of the NPPF makes clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

Paragraph 173 indicates that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

Paragraph 175 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The council's LLFA/Drainage team have been consulted on the application and raise no objections to the proposed development subject to the imposition of a number of conditions. These conditions seek to secure a detailed surface water drainage scheme for the developed site, which would provide clarity on the pre- and post-development greenfield run-off rates as well as cut-off drainage features to be incorporated on the eastern boundary to prevent run-off from the developed site to the downstream network.

Subject to accordance with such conditions, the proposed development would not be considered to result in an increased risk of flooding elsewhere. As the site is within an area at the lowest risk of flooding, there are no concerns with regard to flood risks to the development during its operational phase from tidal or fluvial sources. The proposals are therefore considered to be acceptable in accordance with policy CS19 of the Core Strategy, policies DS14 and DS16 of the local plan, and the aims of the NPPF.

### **Ecological impacts**

Policy LC2 of the local plan states that proposals likely to affect Sites of Special Scientific Interest (SSSIs) will be subject to special scrutiny, that particular regard should be paid to the site's significance and that damage to the asset should be kept to a minimum.

Policy LC5 of the local plan states that planning permission will not be granted for development or land use changes which would have an adverse impact on protected species. It goes on to state that where development is permitted that may have an effect on those species, conditions or the use of planning agreements will be considered to facilitate the survival of individual members of the species, reduce disturbance to a minimum and provide adequate alternative habitats to sustain at least the current levels of population.



Policy CS17 of the Core Strategy seeks to promote effective stewardship of North Lincolnshire's wildlife and includes the requirement for development to provide net gains for biodiversity.

Collectively, paragraphs 185 to 188 of the NPPF seek to protect and enhance biodiversity and geodiversity, including through pursuing opportunities for securing measurable net gains for biodiversity.

The application site is within the zone of influence for the Humber Estuary SPA and Ramsar site, and is in an area where there are known records of rare or protected species of wildlife. As a result, the development of the site has the potential to impact upon local biodiversity and sites of national and international importance in relation to wildlife.

The application has been supported by detailed ecological assessment and the views of the council's ecologist and Natural England have been sought as part of the consultation process. Additional information has been sought to address concerns and provide clarification on a number of points raised by consultees, resulting in the submission of additional technical surveys focusing on local ornithology.

The application has been subject to assessment under the Habitat Regulations, with North Lincolnshire Council undertaking appropriate assessment of the development impacts which have subsequently been considered by Natural England. The findings of the assessment conclude that the development would not result in 'adverse effects' on the integrity of protected sites and therefore the assessment would not result in significant impacts on the Humber Estuary SPA and Ramsar site.

In the absence of any objection from the council's ecologist or Natural England, the proposed development is considered acceptable in terms of its impact on designated sites of biodiversity or wildlife importance.

The development would impact upon local biodiversity value of the site. A number of issues have previously been raised by the council's ecologist in terms of the appropriateness of the landscaping strategy and proposed delivery of significant levels of biodiversity net gain. It has therefore been recommended that a number of conditions be imposed to secure an updated biodiversity metric for the site, alongside the revision and subsequent implementation of the biodiversity management plan. These conditions are considered necessary to ensure that the claimed net gains for biodiversity can be achieved, as well as ensuring that an appropriate landscaping strategy is adopted across the site which uses locally native species in a sustainable and species-rich way.

Subject to accordance with such conditions, the proposed development is capable of achieving significant net gains for biodiversity for the operational phase of the development. This is a matter which attracts significant weight in the overall planning balance. However, this sits against the loss of small parts of grade 2 agricultural land, land which is considered to be some of the best and most versatile agricultural land.

Policy M5 of the local plan relates primarily to applications for new mineral working, and as such is not entirely relevant to the development proposed. It states that applications for new mineral working on the best and most versatile agricultural land will only be allowed where it can be shown that restoration and after-care will preserve the long-term potential of the land as a national, high quality, agricultural resource. It states that where non-agricultural uses are proposed as after-uses on the best and most versatile agricultural land, the methods used in

restoration and aftercare should enable the land to retain its longer-term capacity to be farmed to its former land-classification potential, thus retaining a high quality resource for the future.

Paragraph 180 of the NPPF indicates that decisions should contribute to and enhance the natural and local environment in a number of ways, including recognising the economic and other benefits of the best and most versatile agricultural land. The written ministerial statement from the former Secretary of State for Communities and Local Government Eric Pickles in 2015 recognises concerns from local communities that when it comes to solar farms insufficient weight has been given to these protections and the benefits of high quality agricultural land.

The development has been designed to minimise the use of the best and most versatile agricultural land on the site. Given the temporary nature of the site and relatively low levels of loss of the higher quality areas of farmland, officers are satisfied that appropriate restoration and aftercare will enable the land to retain its longer-term capacity to be farmed to its higher potential. Therefore, whilst the development would result in some small losses of best and most versatile agricultural land, these losses would be temporary and small in scale. The impacts of the development would be outweighed by the wider economic and environmental benefits of the development, including the delivery of significant net gains for biodiversity during the operational phase of the development. The proposals are considered acceptable in this respect in accordance with policy CS17 of the Core Strategy, policies LC2 and LC5 of the local plan, and the aims of the NPPF.

### **Heritage impacts**

The application site is within the countryside north of Ulceby and to the south of Thornton Abbey. The wider landscape features a number of listed buildings and features of historic or archaeological interest. Given the size of the application site and nature of development proposed, the construction phase of the development has the potential to impact upon previously undisturbed features of archaeological interest. In contrast, given the separation distance from nearby heritage assets, it is not considered that there would be any adverse impacts upon the nearby listed buildings and their settings.

Policies HE5 of the local plan and CS6 of the Core Strategy collectively seek to ensure that the architectural and historic interest of heritage assets and their settings throughout North Lincolnshire are preserved and enhanced.

Paragraph 205 of the NPPF also makes clear that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 211 of the NPPF states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. It confirms that the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

The application has been supported by intrusive site investigations in the form of trial trenching to establish the baseline archaeological conditions at the site, the findings of which have been considered by the council's archaeologist. There are no objections to the proposed

development; however, as the intrusive investigations uncovered a small number of possible features of interest it has been recommended that a watching brief be secured to ensure that the construction phase of the development appropriately monitors and records any impacts on potential features at the site.

Subject to accordance with such a condition, the proposed development is unlikely to result in any adverse impacts upon the setting of any nearby listed buildings and the potential to uncover archaeological remains of interest at the site would not be so substantial as to justify withholding planning permission. The proposals are therefore considered to be acceptable in accordance with policy CS6 of the Core Strategy and policy HE5 of the local plan.

## **Conclusion**

Planning permission is sought for the construction of a 39 megawatt solar farm, which would offset the annual electricity requirements for 10,115 homes across North Lincolnshire during the 40-year operational period of the development.

The principle of the development is considered to be acceptable and the proposals would contribute towards meeting the collective goals of North Lincolnshire Council and the Government to significantly reduce carbon emissions and achieve net zero by 2050.

Whilst there would be adverse impacts upon the character of the landscape and quality of the countryside, these impacts would be localised and outweighed by the environmental and economic benefits associated with the scheme. This is a matter which attracts significant weight in the overall planning balance.

Supporting information indicates that the operational phase of the development would not adversely impact upon the amenity of local residents or the safety of the highway network. Conditions are recommended to ensure this is the case, including a condition to secure the provision of permanent passing bays within the surrounding highway network, and to ensure that the construction phases of the development are adequately controlled. These conditions would also ensure that the development does not impact the operation of nearby Hillcrest Camping.

There are no concerns in respect of flood risk, and conditions can be imposed to ensure net gains for biodiversity at the site are delivered and that the potential for the discovery of remains of archaeological interest are accounted for.

There are no objections from technical consultees, and as a result the proposals are recommended for approval subject to conditions. The conditions recommended are outlined within this report and any pre-commencement conditions have been agreed with the applicant.

## **RECOMMENDATION      Grant permission subject to the following conditions:**

1.  
The development must be begun before the expiration of five years from the date of this permission.

### **Reason**

To comply with section 91 of the Town and Country Planning Act 1990.

2.

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

- 4157-REP-035 Site Location Plan
- 4157\_DR\_P\_0001 Indicative Site Layout
- 4157\_DR\_LAN\_101A Landscape Mitigation Plan
- 4157\_DR\_P\_0008 Security Fencing and CCTV
- 4157\_DR\_P\_0010 Access Track Cross Section
- 4157\_DR\_P\_0011 Container Storage Units
- 4157\_DR\_P\_0012 Indicative Temporary Construction Compound
- 4157\_DR\_P\_0013 Substation Building.

Reason

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

3.

The development hereby approved shall be temporary, for a period of 40 years from the date of the first exportation of electricity from the site. The applicant, or their successor in title, shall notify the local planning authority in writing of the date of the first exportation of electricity from the site.

Reason

To confirm the proposed 40-year temporary period of the permission for the avoidance of doubt and in the interests of proper planning.

4.

Within a period of 39 years and 6 months following the date of first exportation of electricity from the site, a scheme for the decommissioning of the solar farm and its ancillary equipment shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of how the land is to be restored, and shall include a programme for the completion of the decommissioning and restoration works. It shall make provision for the removal from the land of the solar panels and associated above-ground works approved under this permission, as well as details of the management and timing of any works, a traffic management plan to address likely traffic issues during the decommissioning period, and an environmental management plan to include details to be taken during the decommissioning period to protect wildlife and habitats. Thereafter, the decommissioning of the solar farm shall be undertaken in accordance with the approved details and timings.

Reason

To ensure the decommissioning of the solar farm and restoration of the land upon expiry of the temporary permission.

5.

Notwithstanding the detail contained within the application, prior to their installation on site, details of the proposed materials, size, colours and finishes of the solar panels, frames, buildings and equipment shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

## Reason

To ensure the satisfactory appearance of the development upon completion in the absence of precise details accompanying the application, in accordance with policies DS1 and DS21 of the North Lincolnshire Local Plan, policy CS5 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

## Highways

6.

No development shall commence until a construction phase traffic management plan has first been submitted to and approved in writing by the local planning authority. The construction phase traffic management plan shall include details of:

- all associated traffic movements, including delivery vehicles and staff/construction movements;
- any abnormal load movements;
- contractor parking and welfare facilities;
- storage of materials;
- traffic management requirements, including measures at the site access to assist vehicles exiting the site;
- the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway as and when required.

Thereafter, the construction phase of the development hereby approved shall be undertaken in accordance with the approved construction phase traffic management plan.

## Reason

In the interests of highway safety, in accordance with policy CS25 of the North Lincolnshire Core Strategy, policies T2 and T19 of the North Lincolnshire Local Plan and paragraph 115 of the National Planning Policy Framework.

7.

No development shall commence until details of the number, location, size and construction of passing bays have been submitted to and approved in writing by the local planning authority. Once approved, the passing bays shall be implemented in accordance with the approved details prior to the construction phase of the development commencing.

## Reason

In the interests of highway safety, in accordance with policy CS25 of the North Lincolnshire Core Strategy, policies T2 and T19 of the North Lincolnshire Local Plan, and paragraph 115 of the National Planning Policy Framework.

8.

No development shall commence until details of pre-construction and post-construction condition surveys of the existing highway network adjacent to the site have been submitted to and approved in writing by the local planning authority. Thereafter, the pre-construction

and post-construction condition surveys of the highway network adjacent to the site shall be undertaken in accordance with the approved details.

#### Reason

In the interests of highway safety, in accordance with policy CS25 of the North Lincolnshire Core Strategy, policies T2 and T19 of the North Lincolnshire Local Plan, and paragraph 115 of the National Planning Policy Framework.

9.

No development shall commence until the results of the pre-construction condition surveys required by condition 8 of this permission have first been submitted to and approved in writing by the local planning authority.

#### Reason

In the interests of highway safety, in accordance with policy CS25 of the North Lincolnshire Core Strategy, policies T2 and T19 of the North Lincolnshire Local Plan, and paragraph 115 of the National Planning Policy Framework.

10.

Within six months of the date of first exportation of electricity from the development, the post-construction condition surveys shall be undertaken in accordance with the details agreed through condition 8 of this permission and subsequently submitted to and approved in writing by the local planning authority. The post-construction surveys shall include details of any remedial works to be undertaken, including a timeline for their implementation. Thereafter, any remedial works required shall be undertaken in accordance with the approved details.

#### Reason

In the interests of highway safety, in accordance with policy CS25 of the North Lincolnshire Core Strategy, policies T2 and T19 of the North Lincolnshire Local Plan, and paragraph 115 of the National Planning Policy Framework.

### **Archaeology**

11.

No development shall take place until the applicant, or their successor in title, has secured the implementation of an archaeological mitigation strategy. The strategy shall be defined in a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. The strategy shall accord with a brief provided by the North Lincolnshire Historic Environment Record and shall include details of the following:

- (i) measures to ensure the preservation by record of any archaeological features within site areas PDA9 and PDA12 shown on the Indicative Site Layout Planning Drawing 2 ref: 4157\_DR\_P\_0001
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals

- (v) archive preparation and deposition with recognised repositories including the ADS
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy. The implementation of the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

12.

The applicant shall notify the planning authority in writing of the intention to commence the archaeological site works at least 10 days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

13.

The solar farm shall not become operational until any post-investigation assessment has been commissioned in accordance with the programme set out in the approved written scheme of investigation, provision made for analysis, publication and dissemination of results, and archive deposition has been secured.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

14.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within 12 months of commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

## Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

## Ecology

15.

The development shall be undertaken in accordance with the species-specific and general mitigation measures outlined in the submitted Ecological Impact Assessment dated January 2022. Within six months following first exportation of electricity from the site, a report shall be submitted to the local planning authority providing evidence of compliance with the Ecological Impact Assessment.

## Reason

To protect and enhance biodiversity, in accordance with policy CS17 of the North Lincolnshire Core Strategy, policy LC5 of the North Lincolnshire Local Plan, and the aims of the National Planning Policy Framework.

16.

Within three months of the commencement of development, a biodiversity management plan shall be submitted to the local planning authority for approval in writing. The plan shall include:

- (i) prescriptions for the maintenance, planting and aftercare of native hedgerows of high biodiversity value;
- (ii) prescriptions for the creation and management of species-rich grassland, including:
  - (a) soil survey results;
  - (b) details of UK origin wildflower and grass mixes to be used, comprising perennial neutral grassland species naturally occurring in North Lincolnshire plant communities;
  - (c) prescriptions for the ongoing management of grassland to maintain and enhance species diversity;
  - (d) monitoring proposals and remedial measures that may be triggered by monitoring;
- (iii) prescriptions for the management of ditches and drains;
- (iv) details of how the measures proposed will provide at least 10% biodiversity net gain in accordance with the Defra biodiversity metric 4.0;
- (v) proposed timings for the above works in relation to the completion of the solar farm.

## Reason

To protect and enhance biodiversity, in accordance with policy CS17 of the North Lincolnshire Core Strategy, policy LC5 of the North Lincolnshire Local Plan, and the aims of the National Planning Policy Framework.



17.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. In the third year of operation of the solar farm following first exportation of electricity from the site, a report shall be submitted to the local planning authority, providing evidence of compliance with the biodiversity management plan and confirming that the measures approved have been undertaken.

#### Reason

To protect and enhance biodiversity, in accordance with policy CS17 of the North Lincolnshire Core Strategy, policy LC5 of the North Lincolnshire Local Plan, and the aims of the National Planning Policy Framework.

#### **Residential amenity**

18.

No stage of the development hereby permitted shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

Noise and vibration – The CEMP shall set out the particulars of:

- (a) the works, and the method by which they are to be carried out;
- (b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- (c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.

Light – The CEMP shall set out the particulars of:

- (a) specified locations for contractors' compounds and materials storage areas;
- (b) areas where lighting will be required for health and safety purposes;
- (c) the location of potential temporary floodlights;
- (d) the identification of sensitive receptors likely to be impacted upon by light nuisance; and
- (e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust – The CEMP shall set out the particulars of:

- (a) site dust monitoring, recording and complaint investigation procedures;
- (b) the identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;

- (c) the provision of water to the site;
- (d) dust mitigation techniques at all stages of development;
- (e) the prevention of dust trackout;
- (f) communication with residents and other receptors;
- (g) a commitment to cease the relevant operation if dust emissions are identified, either by regular site monitoring or by the local authority; and
- (h) a 'no burning of waste' policy.

Reason

To protect residential amenity, in accordance with policy DS7 of the North Lincolnshire Local Plan.

19.

The total cumulative rating level of noise emitted from the installation shall not exceed 5dB above the background noise level at any residential property. The assessment of rating level shall be as described in BS 4142:2014+A1:2019.

Reason

To protect local residents from adverse noise impacts, in accordance with policy DS7 of the North Lincolnshire Local Plan.

20.

Construction, site clearance and decommissioning operations shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday
- 8am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation and removal of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To protect local residents from adverse noise impacts, in accordance with policy DS7 of the North Lincolnshire Local Plan.

21.

No external lighting (other than low level or emergency lighting required on ancillary buildings during occasional maintenance and inspection visits) or floodlighting is permitted to be installed, used or modified as part of the hereby approved development without the prior

written consent of the local planning authority. To apply for consent the operator must provide a detailed report of the proposed lighting which details:

- (a) the specific location of all external lighting units;
- (b) the design of all lighting units;
- (c) details of beam orientation and lux levels; and
- (d) any proposed measures such as motion sensors and timers that will be used on lighting units.

#### Reason

To protect residential amenity and provide a commensurate level of protection against artificial light, in accordance with policies DS1 and DS21 of the North Lincolnshire Local Plan, and the aims of the National Planning Policy Framework.

#### 22.

The operator shall ensure that a notice board is erected and maintained at the entrance to the site during its construction and operation indicating the name, address and telephone number of a representative of the operator who would be available to deal promptly with any complaints.

#### Reason

In the interests of the proper working of the site and to ensure that members of the public are able to contact the operator to report any issues at the site.

### **Drainage**

#### 23.

The development hereby approved shall not be brought into use until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The scheme shall be based on the Flood Risk Assessment submitted by Arcus Consultancy Services, issue 2.1, dated 26/01/2022.

The drainage scheme shall include a statement for pre- and post-development greenfield run-off rates and detailed provision of drip trays within the site. It shall also include details of cut-off drainage on the eastern boundary and agreed access arrangements for the IDB-maintained watercourse on the northern boundary.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased.

#### Reason

To prevent the increased risk of flooding at the site and elsewhere, to improve and protect water quality, and to ensure the implementation and future adoption and maintenance of the

sustainable drainage features in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

24.

The development hereby approved shall not be brought into use until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

#### Reason

To prevent the increased risk of flooding at the site and elsewhere, in accordance with policies DS14 and DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

#### **Informatives**

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

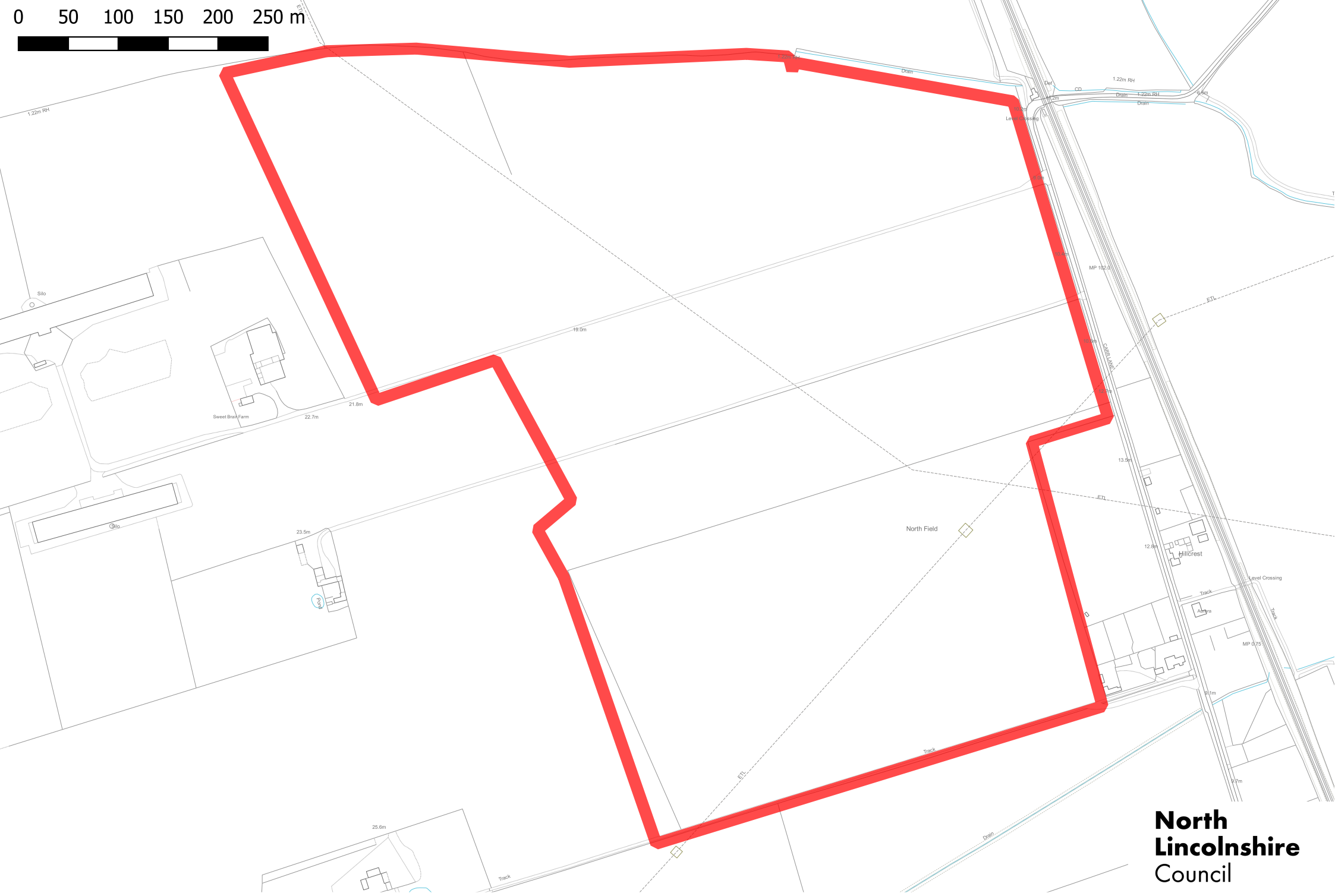
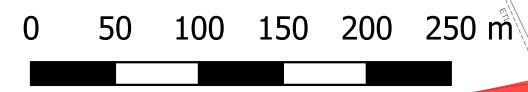
2.

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

3.

Under the terms and conditions of the Internal Drainage Board's byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9 metre distance of the top of the bank of a Board-maintained watercourse. At this location the access must be left clear of all obstructions to facilitate maintenance with large plant. The developer, or their successor in title, is advised to contact the Internal Drainage Board ahead of any development commencing on site to ensure compliance with any relevant byelaws or restrictions.

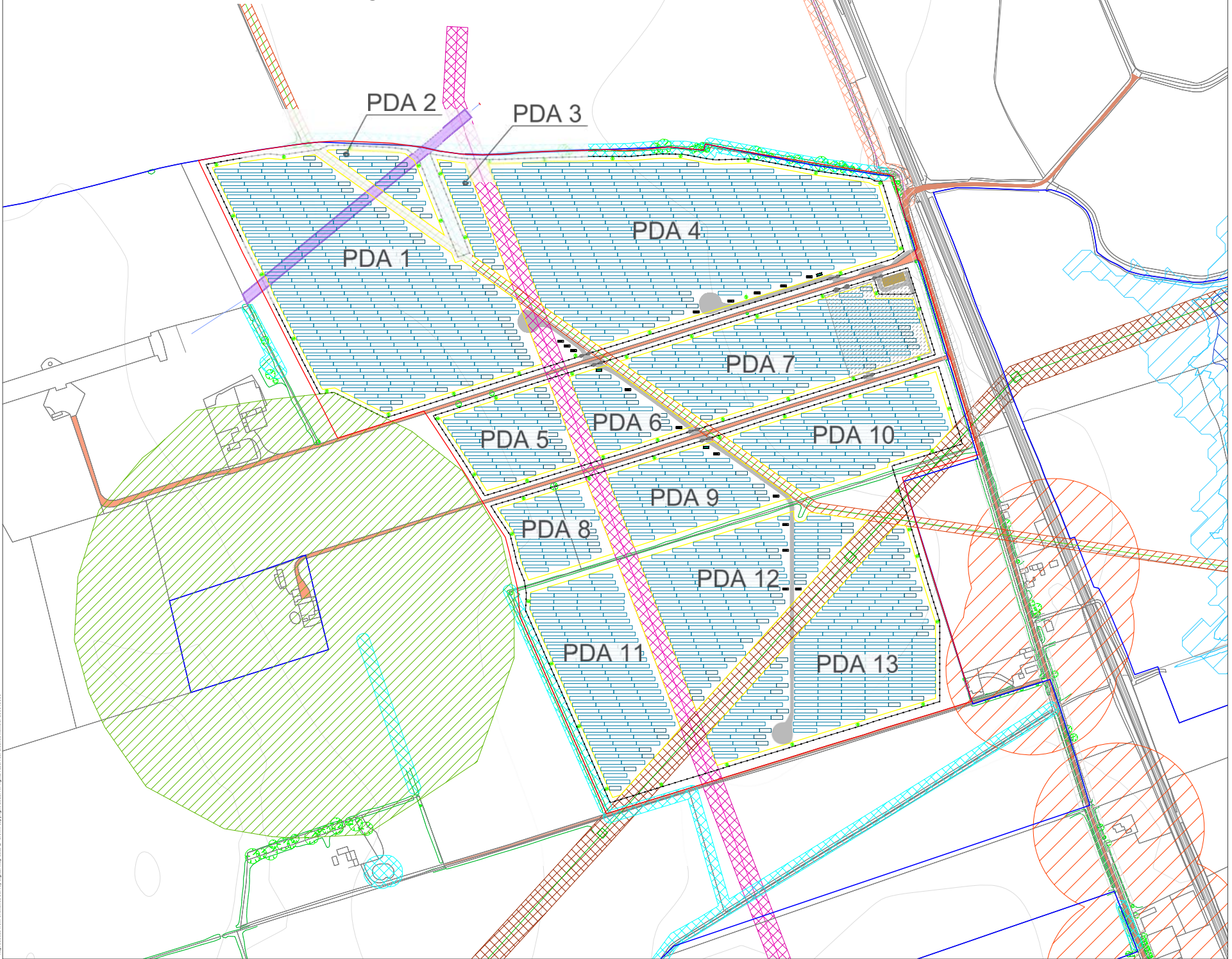


**North  
Lincolnshire  
Council**

**PA/2022/443**

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# PA/2022/443 Indicative layout (not to scale)



- KEY**
- Site Boundary
  - Land Ownership Boundary
  - Potential Developable Area
  - Proposed Full Table
  - Proposed Half Table
  - Proposed Substation Compound
  - Proposed Perimeter Fencing
  - Proposed Perimeter Fence Gate
  - Proposed Inverters / Transformers
  - Proposed Container Storage
  - Proposed CCTV Location
  - Proposed Temporary Construction Compound
  - Proposed Access Tracks
  - Existing Onsite Roads
  - Existing Public Roads
  - Overhead Wooden Line (11kV)
  - Overhead Wooden Line (33kV)
  - Overhead Power Lines (400kV)
  - Public Right of Way (PRoW)
  - National Grid Gas Pipeline
  - Existing Vegetation Edge
  - Existing Tree Spread
  - 5m Contours
  - 6m Buffer of Ditches
  - 10m Buffer of Public Rights of Way
  - 10m Buffer of Roads
  - 12.2m Buffer of National Grid Gas Pipeline
  - 100m Buffer of Residential Dwellings
  - 250m Buffer of GCN Pond
  - Flood Zone 2
  - Flood Zone 3
  - 6m Buffer of 33kV Overhead Line
  - 14m Buffer of 400kV Overhead Line
  - Proposed Underground 11kV Power Line

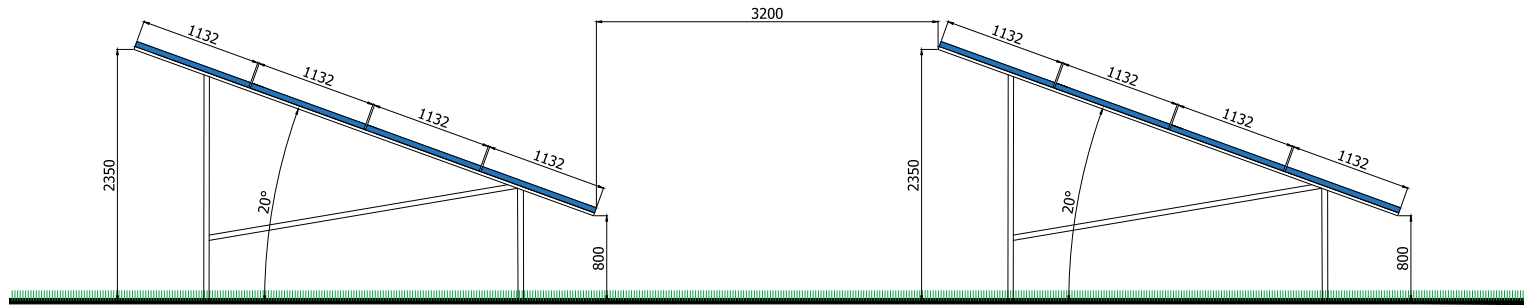
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 Produced By: AT Ref: 4157\_DR\_P\_0001  
 Checked By: JM Date: 20.01.2022

**Indicative Site Layout**  
 Planning Drawing 2

**Sweetbriar Solar Farm**  
 Planning Application

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 N:\CAD\4157 SWEET BRIAR FARM\01-WORKING\01\_01-DRAWINGS\4157\_DR\_P\_0001



# PA/2022/443 Typical solar panel section (not to scale)



FOR ILLUSTRATION PURPOSES ONLY

ALL DIMENSIONS SHOWN ARE IN MILLIMETERS AND ARE APPROXIMATE

Plot Date : 06/12/2021 15:39:31  
File Name : N:\CAD\4157 SWEET BRIAR FARM\01-WORKING\01\_01-DRAWINGS\4157\_DR\_P\_0006-14.DWG

Project Title <b>SWEETBRIAR SOLAR FARM</b>	Drawing Title <b>PLANNING DRAWING 4 TYPICAL PV PANEL SECTION</b>	Purpose of issue <b>FOR PLANNING APPLICATION</b>				THIS DOCUMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE SCOPE OF ARCUS' APPOINTMENT WITH ITS CLIENT AND IS SUBJECT TO THE TERMS OF THAT APPOINTMENT. ARCUS ACCEPTS NO LIABILITY FOR ANY USE OF THIS DOCUMENT OTHER THAN BY ITS CLIENT AND ONLY FOR THE PURPOSES FOR WHICH IT WAS PREPARED AND PROVIDED	Arcus Consultancy Services 1C Swinegate Court East, 3 Swinegate York, YO1 8AJ	
		Designed LIGHTROCK	Drawn AT	Checked JM	Approved JM			
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