



Ms Jane Baker
East Lindsey District Council

By email: jane.baker@e-lindsey.gov.uk

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S/079/1078/22 –Hatton Solar Farm – Response to additional matters raised.

Dear Jane,

Further to the expiry of the consultation period regarding the above planning application for a proposed development of a ground mount solar array on Land at Hatton, Great Sturton, Horncastle, we write to respond to the additional matters raised on behalf of our client, Push Energy. Each of the response topic themes and the applicant's response are addressed in turn below.

Issue / Theme	Comment	Applicant Response
Case Officer: Total MW Capacity	<i>"the layout shows 69.56MW"</i>	<p>The reference on the plan to 69.56MW was an error. The proposal is for 49.9MW in accordance with the description of development and as evidenced by the grid offer from Western Power, dated 20.08.21 at Appendix 1. The Proposed incorrect reference has now been omitted from the amended Proposed Site Layout Plan (ref: P044.301.03).</p> <p>This constitutes a clarification rather than a change to the application.</p>
Case Officer: LVIA Details	<i>"The LVIA assessed a panel height of 2.5m, but the drawings show 2.9m".</i>	<p>2 separate LVIA's have been uploaded by the ELDC to public access; the first as part of the original submission pack was issued by and referenced as Final version Dec 21 and uploaded on 1st Jun 2022. In para 3.2.1 it states that <i>the panels will be no higher than 2.5m above ground level.</i></p> <p>The second LVIA was uploaded on the 27th Sep 2022 was issued by again as Final version Dec 21. However, para 3.2.1 has been amended to state that <i>the top edge of the panels will be no higher than 3m above ground level.</i></p>



		<p>The submitted Elevation Plan (Ref: P044.306.00) confirms that the highest side of the panels would be up to 2.9m.</p> <p>There is therefore no change from the submitted updated LVIA. This constitutes a clarification rather than a change to the application.</p>
	<p><i>"The same situation is seen in relation to the security fence. The LVIA was done on a fence height of 2m whereas you have confirmed that the fence would be 2.2m"</i></p>	<p>The fence height is proposed to be 2m. The Fence Detail Elevation (Ref: P044.303.01) shows the fence height as 2m but posts will be 2.2m.</p> <p>This reflects the details assessed in the submitted LVIA and this constitutes a clarification rather than a change to the application.</p>
	<p><i>"Another inconsistency relating to the LVIA and other documentation is that the application is for a temporary period of 40 years but the LVIA refers to the period being 25 years"</i></p>	<p>Paragraph 3.2.7 of the originally submitted LVIA from June 2022 proposed that the solar arrays and associated equipment and fencing would be removed, and the land returned to agricultural use after 25 years.</p> <p>The updated LVIA from 27th September 2022 was updated at Paragraph 3.2.7 to propose that the solar arrays and associated equipment and fencing would be removed, and the land returned to agricultural use after 40 years.</p> <p>Therefore, 40 years reflects the details assessed in the submitted LVIA. This constitutes a clarification rather than a change to the application.</p>
Case Officer: Substation Clarification	<p><i>"Why is the substation permanent when the solar farm itself is temporary?"</i></p>	<p>As is normal for solar farm applications, the 132kV substation will be adopted by the Distribution Network Operator (DNO) and will become part of their distribution network. They will take a 99 year lease on the land adjacent to the existing substation and it will remain once the solar farm and all ancillary infrastructure is removed to provide long -term benefits to the local area They have a 99 year lease and so a planning condition could be imposed to require its removal after this period or should it become redundant.</p>



Case Officer: Solar Panel Lifespan	<i>"What is the actual lifespan of the solar panels and how often will they be replaced within the lifespan of the development?"</i>	The proposed solar panels are expected to last for the full 40 years without the need for replacements. Any faulty equipment would be replaced or repaired as needs arise.
Case Officer: Compound Details	<i>"No information has been submitted about soil disturbance, ground construction for the temporary construction compound and spillage mitigation"</i>	The temporary construction compound does not form part of the planning application as it comes under permitted development rights. However, the applicant would be happy to include a planning condition to provide details once a contractor has been selected, if considered necessary.
Case Officer: Fire Risk	<i>"strong fear of the local community regarding fire risk at the site and proximity to gas pipeline".</i>	<p>Please see guidance on stand off distances from Southern Gas Network (Ref: SGN064N) at Appendix 2, this demonstrates how we have considered how to operate safely around the pipeline.</p> <p>Solar farm fires are rare and reported incidents generally conclude that PV fires were limited to poor installation practices, faulty products or system design errors.</p> <p>The proposals adhere to fire safety guidance, best design practice and incorporate appropriate fire suppression equipment systems in appropriate buildings (sub-stations etc). All safety inspection checks would be carried out during construction and during operation.</p>
<p>The Old Barn, Sturton Road, Hatton, Market Rasen, LN8 5QQ</p> <p>Concerns regarding impact on equestrian business</p>	<p><i>"Equestrian business requires the riding and working of horses around the roads and bridleways of Hatton and villages daily.</i></p> <ul style="list-style-type: none"> <i>- The traffic involved in the construction of the solar farm will make job impossible and dangerous.</i> <i>- Construction traffic will prevent me getting from the bridlepaths safely"</i> 	<p>The applicant's intention is to secure considerable environmental benefits from a solar farm while minimising disruption to other countryside users. We recognise the proximity of the development to bridleway and have therefore considered the British Horse Society guidance advice in respect of design and construction and aims to protect horses and riders. This notes <i>"For riders or carriage drivers out hacking, glare is unlikely to present a direct problem because they are moving unless their route is directly towards the arrays at an elevation and time of day where glare is possible."</i></p>



		<p>The applicant considers that the effect on the equestrian business from the construction period will be temporary and can be managed through an effective Construction Management Plan.</p> <p>A Construction Management Plan (Ref: P044.354) prepared by Local Transport Projects, has been submitted in support of the proposals. It is estimated that the construction phase for the proposals will result in approximately 530 HGV deliveries (1060 movements) over a 20-week period. This equates to less than 4 deliveries per day which is a relatively minor change and an alleged harm to highway safety is unfounded.</p> <p>It is important to note that once the site is operational, almost no traffic will be generated and the largest vehicles that will be used for maintenance purposes is expected to be no larger than a 7.5 tonne van or 4x4 vehicle. Security and maintenance staff will only have to visit the site every few months, thus reducing the strain on the local road network from the construction phase.</p> <p>The CMP sets out the proposed access arrangements, construction programme and associated activities relating to relating to the erection of ground mounted solar PV panels and associated infrastructure. The document concludes that the proposals can be delivered whilst not having a detrimental impact on the safety or operation of the local or strategic highway for all road users.</p> <p>It will be the obligation of the appointed contractor to comply with all statutory regulations and guidelines as appropriate, in relation to construction and movement activities. They will be provided with a copy of an approved CMP document and form part of the information provided as part of the construction personnel's on-site induction process.</p> <p>A banksman will be employed to monitor both pedestrian movements and traffic control during the construction period.</p>
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	<p><i>Concerns regarding continued use of the bridlepaths</i></p>	<p>As advised in the accompanying planning statement, there are two Public Rights of Way (PRoW) in close proximity to the site, which are illustrated on supporting plan P044.300. Paragraph 100 of the NPPF states that “<i>planning policies and decisions should protect and enhance public rights of way and access</i>”.</p> <p>All PRoW will remain open during the construction and operational periods. The Proposed Development has been designed to protect the PRoW adjacent site by providing a buffer zones and new hedges around them to reduce any adverse impact.</p> <p>Comments have been raised by members of the public in relation to permissive footpaths on the site. Following the feedback from the public consultation event, the proposal was re-designed to also accommodate for the permissive footpath located off of the southern boundary of Sotby Woods. This will now be retained for public access.</p> <p>Consideration of the separation of horses in the layout has been made. The proposed solar farm has used British Horse Society guidance to protect horses and riders:</p> <ul style="list-style-type: none"> ▪ No construction vehicles will be allowed on the bridleway and it will remain open to riders and walkers throughout the construction and operation periods. ▪ Inverters have been positioned well away from the bridleway to reduce risk of noise affecting horse or riders. ▪ A wider corridor has been left for the bridleway. ▪ A new hedge will be planted between the bridleway and solar farm to minimise visibility and risk of glare.



	<ul style="list-style-type: none"> Open mesh deer fencing will be used for security, which are typical in the rural environment. <p>The proposed development would also provide additional maintenance to the PRoWs by maintaining the grassland surrounding the bridleway, allowing for better access by the public. The additional screening proposed at the site will also reduce visual impact of the solar farm. It is therefore considered that the development is in accordance with paragraph 100 of the NPPF and "SP25 Green Infrastructure" of the Core Strategy.</p>
<p><i>"The noise, glare and sight of a solar farm will spook the horses"</i></p>	<p>Overall, it was concluded in the Glint & Glare Assessment prepared by Neo Environmental that the effects of glint and glare of the proposal and their impact on local receptors has been <i>"analysed in detail and the impact on all receptors is predicted to be None, and therefore No Effects"</i>. The proposed development is considered to be in accordance with Strategic Policy 23 of the East Lindsey Local Plan.</p> <p>Noise from inverters and other equipment reduces very rapidly as you move away from them. They have been positioned well inside the site away from the bridleways to ensure the risk of noise disturbance is minimal.</p> <p>Once constructed, the extremely faint electrical noise arising from the Proposed Development was quantified in the supporting Noise Impact Assessment as not being audible from outside the site, and hence have no impact on the surrounding area.</p> <p>The Applicant would be willing to accept a suitably worded condition to confirm noise levels on the bridleway and other sensitive receptors and to provide suitable sound mitigation if necessary.</p> <p>The applicant restates that the Proposed Development does not make use of outdoor artificial lighting at the site and reiterates that no light pollution would be produced.</p>



		<p>The latest British Horse Society solar farm guidance notes that solar arrays are designed to absorb rather than reflect light for efficiency as reflected light or heat is wasted energy. The incidence of glare is usually much less than from glass windows or windscreens.</p> <p>The guidance also recognises that the panels do not make any noise or movement and require very little maintenance- occasional cleaning, inspection and vegetation control.</p> <p>Use of open mesh fencing is preferable to close boarding or metal palisade-type fencing, which has been incorporated into the proposals.</p>
	<i>Concerns regarding health of sheep.</i>	<p>Sheep can play an important part in the maintenance of land around the proposed ground-mounted solar panels.</p> <p>Sheep offer a low cost yet highly effective method for stopping grass and weeds from overgrowing.</p> <p>The use of sheep also minimises the risks of damaging the solar panel infrastructure that a traditional mower can pose. The proposals are not harmful to sheep as they can continue to graze under and between the proposed panels. This is common practice on many solar farms in the UK.</p>
<p>The Old Barn, Sturton Road, Hatton, Market Rasen, LN8 5QQ</p> <p>Concerns regarding impact on holiday use</p>	<p><i>"I run a successful holiday cottage from home, the solar farm will be seen clearly from the patio windows, courtyard and hot tub. This holiday cottage that i have worked so hard for, will no longer be a viable business".</i></p>	<p>The Site Layout Plan (Ref: P044.301.02) shows a setback of approximately 200m between the proposed development and the rear of the Old Barn property boundary.</p> <p>The 24 viewpoints in the supporting LVIA appraise the site and surroundings and the potential effects of the proposed solar PV park.</p> <p>Viewpoint 8 assesses the view approximately from the Sturton Road on the southern side of the Old Barn dwelling, looking east across the arable fields towards the site.</p> <p>The magnitude of change during the construction phase in the short term is recognised to cause some disturbance arising</p>



		<p>from installation of solar PV Panels and associated infrastructure services. The Site is well set back from this viewpoint, views of construction activities will be diminished by distance. The magnitude of the change is considered negligible.</p> <p>At the completion of Year 1, the proposal is set well back, forming a barely discernible part of the view. The key landscape characteristics remain such as hedgerow field boundaries, tree belts and woodlands, contributing to the well wooded horizon. New hedgerow planting to the south western side of the proposed site boundary is proposed, and existing hedges will be allowed to grow taller. The magnitude of the change is considered negligible.</p> <p>At the completion of year 15, the proposed solar PV park will be barely discernible, set back and diminished by distance. It would not block out key landscape elements of the surroundings such as the vegetated field boundaries.</p> <p>Over time, strategic landscape mitigation will screen development proposals from this view. The magnitude of the change will remain negligible at this stage.</p> <p>Viewpoint 9 is located to the west of the proposed site and slightly the north west of the rear of the Old Barn property on PROW (Hat 103/1). The proposals are considered to be Moderate Adverse at Construction and Year 1 and then Minor Adverse at Year 15 stage.</p> <p>The LVIA concludes that the proposals at Completion Year 15 stage would not block out key landscape elements of the surroundings such as Sotby Wood and vegetated field boundaries. Over time, strategic landscape mitigation will screen development proposals from this view.</p> <p>Nonetheless, the amended Landscape/Ecology Plan (P044.302.02) at Appendix 3 now includes additional mitigation measures to immediately reduce the effects: <i>"new extra thick hedge planted to provide year-round screening from properties, interspersed with semi-mature trees</i></p>
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		<p><i>(2-3m high at planting) to provide immediate landscape benefit."</i></p> <p>The proposals are therefore considered to be in accordance with Clause 5 of SP10 of the Council's Local Plan states that development will be supported provided it does not unacceptably harm any nearby residential amenity. This advice is reiterated in the National Planning Policy Framework in paragraph 130.</p> <p>Paragraph 84 of the NPPF seeks to enable the sustainable growth and extension of all types of business in rural areas alongside the development and diversification of agricultural and other land based rural businesses. Both renewable energy and rural tourism uses can successfully co-exist.</p> <p>The ELDC Local Plan has vision of having a growing and diversified economy that not only builds on, and extends, the important agriculture and tourism base, but supports the creation of all types of employment, which includes encouragement and enablement of rural farm diversification schemes. The proposed development is an important diversification for the farm.</p> <p>The proposals are therefore considered to accord with policy at national and local level and the impacts of the development can be satisfactorily mitigated.</p>
	<p><i>"Farmland will be lost to and land will never revert to farmland"</i></p>	<p>No farmland will be lost as grazing can continue throughout the operational period. The soils will be protected and therefore the current agricultural value will be retained or enhanced through the reduction in intensive agriculture, along with the addition of renewable energy generation and biodiversity enhancements.</p> <p>The development will be temporary and, other than the small DNO substation (adjacent to the existing substation), the land fully decommissioned after maximum of 40 years. This will be secured via a planning condition and means the site will be returned to agriculture without becoming a brownfield site.</p>



Conclusions

I trust that this gives you comfort that we are taking the matters raised seriously. For the reasons set out in this response letter, and demonstrated in the submitted drawings and supporting documentation, the proposals are considered to accord with the NPPF, the adopted development plan, and other material considerations. Mitigations have been proposed where necessary and planning conditions can be used to address any residual adverse effects.

We trust this response is of assistance in addressing the issues raised and the previously submitted plans and supporting documents provide you with all of the information you require to give the application positive consideration. If there is any further information that you require, please do not hesitate to contact us.

Yours sincerely,



Robert Shaw, MRTPI
Managing Director



Third Revolution Projects

Appendix 1: Grid Offer Document



Third Revolution Projects

Appendix 2: SGN 'Dig Safely' Document (Ref: SGN046N)