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R6 PARTY
PROOF OF EVIDENCE (PLANNING)

Appeal Under Section 78 Town And Country Planning Act 1990

Appeal By: The Hatton Solar Farm Ltd
Land Adjacent Sotby Wood, Sturton Road, Hatton.

Appeal Ref: APP/D2510/W/25/3363157

Ref LPA: S/079/01078/22

CORE DOCUMENT REF CD8.20

11th August 2025

Cover Visualisation: Western View from the Lincolnshire Wolds AONB towards the proposed development site and the Lincoln Gap and Lincoln Cathedral

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Executive Summary

I, Melvin Grosvenor, am representing the Hatton Action Group, who are acting as a Rule 6 Party to represent the local communities and Parish Councils opposing the proposed Hatton Solar Farm and associated 132kV substation. My Proof of Evidence therefore addresses the core planning balance for the appeal.

This Proof of Evidence highlights the significant points of dispute that the R6 Party has raised in respect of the Statement of Common Ground (bi-laterally agreed between the Appellant and the LPA). It also provides evidence to show that the harms have been understated by the Appellant, whilst the public benefits associated with development have been overstated. This has been reflected in an assessment of the Planning Balance and the respective weightings that should be applied.

Heritage – Impact on Sturton Harden Corner Farmhouse (Corner Farm)

With regard to Heritage impacts, the evidence demonstrates how Grade II listed Corner Farm is an established historic rural landmark.

The Appellant's position is that the Harm is "less than substantial" (and indeed is at the low end of that scale) and any impact would be mitigated over time by 3m hedgerows. They further claim that the 40-year lifespan of the solar farm is "temporary" in heritage terms.

The Rule 6 Party Heritage Proof of Evidence (developed by Elizabeth Mayle BA (Hons) MA (Dist) IHBC) demonstrates that the resultant harm to this protected asset would be at the high end of "less than substantial" due to the impact on its setting given the direct proximity of the development to the listed buildings, the scale and impact, and the fundamental change to the long-standing, historical relationship of the farmstead with the surrounding landscape. The landscaping proposed as being appropriate mitigation to this harm is not accepted; it takes ~15 years to establish, would only provide seasonal screening and would adversely alter (and thus impact on) the setting.

This Rule 6 Party Planning Proof of Evidence will demonstrate how this Development fails to preserve setting of a Grade II listed asset, and is therefore contrary to s.66 of the Planning (Listed Buildings & Conservation Areas) Act 1990, NPPF Section 16, and SP11/SP27

Landscape and Visual

With regard to Landscape and Visual Impacts, the Appellant's position is that the Landscape value is "*moderate*" and is not a Valued Landscape, and that hedgerow planting of 3m minimum height will eliminate any residual harm. They claim that planning would only be granted for 40 years, and that the effects are therefore "*temporary*".

The Rule 6 Party view on this has been informed by the Rule 6 Party Landscape and Visual Proof of Evidence (developed by Peter Radmall, MA B Phil). This assessment highlights that the site lies within a Landscape Character transition zone alongside an Area of Great Landscape Value (AGLV) — a sensitivity not acknowledged in the Appellant's own Landscape Visual Impact Assessment. Deficiencies in the Appellants Landscape and Visual Assessment have been highlighted, including the omission of key viewpoints which would have better demonstrated the resultant harm. The Rule 6 Party Landscape Proof of Evidence shows the output from a TGN02/21 assessment which indicates that the landscape value is "Medium to High", thus qualifying as a Valued Landscape under NPPF 187(a). With regard to the subject of mitigation, the Appellant's proposed mitigation of high hedgerows is not accepted; such planting would take time to establish and ultimately, would permanently adversely change the open and naturally historical agricultural landscape character of the area.

The continued argument from the Appellant that the effects are "*temporary*" is challenged both in perceptual and policy terms, especially in light of the fact that this fails to recognise that an aspect of the application (i.e. the 132KV sub-station and 15m high visually intrusive communications mast) is for a permanent development.

This Rule 6 Party Planning Proof of Evidence provides evidence to show that the proposal is visually intrusive, multi-generational and, in part, permanent, and conflicts with NPPF Section 15 ("Conserving and Enhancing the Natural Environment") and East Lindsey Local Plan SP23

Residential & Recreational Amenity

The villages impacted by this development (Sotby, Hatton and Great Sturton) are small hamlets connected by public footpaths, a bridleway and a permissive footpath, which provide an important social and physical link between the villages. Sotby Wood provides a natural backdrop, with open and occasionally filtered views across a tranquil seasonal landscape. Corner Farm, being slightly elevated, is an established and recognisable landmark.

The Rule 6 Party therefore strongly challenges the Appellants claim that public benefit would be enhanced by maintaining permissive path and adding landscaping.

These footpaths are the only residential and recreational amenity enjoyed by these rural communities; there are no other public amenities available. The proposed development would irretrievably damage that experience, replacing open views (and views across from one hamlet to the other) with enclosed “corridors” between security fences (or eventually, in many years’ time, between 3-4m high hedges).

The risk of glint and glare (and thus the risk to the safety of bridleway users) will remain for many years due to reliance on high hedges for screening (which is not achievable in all locations and will take years to establish). Furthermore, the impact of large numbers of HGV movements on the narrow rural lanes during the (now) 1 year period has not been considered.

The Rule 6 Party Planning Proof of Evidence (this document) demonstrates significant long-term adverse effects on the local communities’ recreational and residential amenity and conclude that the proposal conflicts with NPPF paras 89, 105, and East Lindsey Strategic Plans SP10, SP22, SP27.

Loss of Best and Most Versatile (BMV) Agricultural Land

As confirmed by the Appellant and LPA, 78.95% of the solar site is classified as Best Most Versatile agricultural land, with the substation site classified as 100% BMV land.

This Proof of Evidence highlights that national and local policy (e.g. NPPF 188 and fn65, EN-3, LPA Core Strategy Policy SP10) continues to encourage the avoidance of BMV land, with preference given to lower-quality land. Whilst the Appellant claims that this development will allow continued agricultural use, this Rule 6 Party Proof of Evidence will highlight contend that the use of BMV land for livestock is a prolonged (potentially 40-year) under-utilisation of land.

The Secretary of State (Feb 2025) [CD11.16] confirmed that there has been no change to policy weight on protecting BMV land. This supports the Rule 6 Party view that it requires more than just “neutral” weighting (as suggested by the Appellant).

The Rule 6 Party Planning Proof of Evidence (this document) will demonstrate that the loss of BMV land is significant, long-term and continues to conflict with the guidance in NPPF 188 and fn65, EN-3, and local policy. It therefore remains a material consideration in the planning balance

Fire Hazard

A “low” residual fire risk is acknowledged by Appellant, however, the significant potential consequences (given the close proximity (<200m) of residential properties to the development) have not been fully considered and hence the suggested mitigation (“*residual risks will be managed by the Appellant*”) is unsubstantiated given that the site would be un-manned (and likely not operated by the Appellant). In light of some serious incidents, (notably the fire at Burton Pedwardine in February 2024 and the reported effects on residents at distances of more than 2 miles away), the Rule 6 Party are concerned at the close proximity of this development to properties. Whilst it is the Rule 6 Party hope that the Planning Balance assessment will result in this Appeal not being granted, in the event that it is granted then the preparation of a more robust Fire Risk Assessment and Mitigation Plan has been suggested as a Planning Condition.

The Rule 6 Party Proof of Evidence will highlight that residual fire risks, whilst considered low, are not zero, and that the potentially catastrophic consequences of fire need to be properly assessed and appropriate mitigation actions developed to protect the people in the surrounding properties

Planning Balance

The Rule 6 Party acknowledges the material benefit of renewable energy generation and the contribution to climate change mitigation.

However, this Proof of Evidence raises questions over the prolonged and uncertain nature of any cost savings being passed to local residents and business given that in the short-medium term electricity prices are likely to remain elevated (maybe even increasing in the short-medium term) due to the need for renewable subsidies, back-up costs and the considerable investment needed in infrastructure and grid upgrades. Given the prolonged timescales and uncertainty due to reliance on other investment activities, it is contended that the weighting given should be reduced accordingly.

Other benefits claimed by the Appellant will also be contested by the Rule 6 Party as being either not relevant (e.g. farm diversification), over-stated (e.g. economic benefits, local employment) or achievable through other means without this development (e.g. ecological and landscape enhancements).

In terms of the proposal's significant adverse impacts (particularly in regard to heritage, landscape, residential and recreational amenity), these are considered Significant, given that they are in direct conflict with national and local policy, policy, and should therefore attract considerable weight.

The Rule 6 Party Proof of Evidence (this document) will show that there the single measurable benefit (Renewable Energy Generation) will be outweighed by the multi-faceted, long-term, cumulative harm resulting from this development

Therefore, and for reasons set out in this proof of evidence prepared for the Rule 6 Party, I conclude that this development is in conflict with national and local policy and, that there are no other material considerations since the application was refused by the LPA on 03 October 2024 that would outweigh the resultant harms that would be caused by this development

I therefore, on behalf of the Rule 6 Party, formally request that the appeal be dismissed.

1. Introduction

- 1.1 The Hatton Action Group (THAG) is a Rule 6 (R6) Party representing the local communities and other Interested Parties as listed in Section 1.4 Hatton Action Group Statement of Case (SoC) [CD8.7].
- 1.2 I, (Melvin Grosvenor (of Grosvenor Consultancy Specialist Planning & Noise Consultancy Services) have been commissioned by THAG to review the documents submitted by the Appellant in this application and to assist in the preparation of the R6 SoC [CD8.7] and the R6 Planning Proof of Evidence (PoE) required for the Public Inquiry (this document), with specific reference to the overall case in the planning balance for consent or refusal of the proposed development.
- 1.3 Included in the R6 Party are the Parish Councils (PCs) of Baumber, Wragby, West Torrington and East & West Barkwith. Under Schedule 1, paragraph 8, of the Town and Country Planning Act 1990 and Article 25 and 25A of the Development Management Procedure Order, PCs have the legal right to be notified of planning applications affecting land within their parish and Local Planning Authorities (LPA"s) are obliged to consider the comments made by PCs when deciding on planning applications. I have therefore referenced within this document the relevant PC consultation responses.
- 1.4 Representing the R6 Party at the forthcoming Public Inquiry are:

Advocate	Daniel Stedman-Jones (39 Essex Chambers) Barrister
Expert Witness (Heritage & Conservation Impacts)	Elizabeth Mayle (of Liz Mayle Heritage) BA (HONS) MA (DIST) IHBC
Expert Witness (Landscape & Visual Impacts)	Peter Radmall (Peter Radmall Associates) MA B Phil Chartered Member of Landscape Institute
Expert Witness (Planning Policy Review, Planning Balance and Residential Amenity Impacts)	Melvin Grosvenor Grosvenor Consultancy

- 1.5 I have 15 years expertise and experience of representing vulnerable residents & communities in respect of Industrial Scale Planning Applications in addition to acting as an experienced and competent Lay Advocate and Expert Witness at Public Inquiries. I am a founding member of the Independent Noise Working Group, formed in August 2014 and also hold the posts of Clerk & Responsible Financial Officer to Baumber & Horsington Parish Councils.
- 1.6 The Planning Inspector's "*Guidance on Document Preparation*" requirements (ELDC Planning Portal) has been noted, and my objective been to adhere to the Inspector's requirements to be "*concise, precise and proportionate to the complexity of the issues*". However, since the R6 PoE are, by necessity, considering both the LPA's, Appellant's and other additional submissions. I have in some cases (and for ease of reference), included relevant short extracts from other parties' key documents (in italics). Where it has been felt necessary to emphasise certain points within these extracts, these have been underlined.

2. Case Management Conference

- 2.1 A Case Management Conference (CMC) was held on Monday 23 June 2025 and General Agreement reached that the Main Matters to be considered [CD8.4] were likely to be:
- *Effect on the landscape*
 - *Effect on Sturton Harden Corner Farmhouse*
 - *Effect on Agricultural Land (R6)*
 - *Residential and Recreational impact (R6)*
 - *Fire hazard (R6)*
 - *Planning Balance – including the weight to be accorded to Renewable Energy*
- 2.2 It was noted at the CMC that a Statement of Common Ground (SoCG) [CD 8.3] had been developed between the Appellant and the LPA only, and that there were material matters of dispute between the contents of the SoCG and R6 Party views. As requested at the CMC, these differences have been clearly highlighted throughout this document [CD8.20].
- 2.3 With respect to the proposed Planning Conditions, the CMC noted the bilateral conditions within the SoCG [CD8.3] and requested R6 Party comments on the conditions and any additions (Appendix A).

3. Heritage Impact

3.1 The key legislation and planning guidelines relating to “Conserving and Enhancing the Historic Environment” are listed below. Refer also to Liz Mayle Associates Heritage R6 PoE [CD8.18] Section.2 “Relevant Legislation, Policy, National Guidance and Best Practice”.

- Planning (Listed Buildings & Conservation Areas) Act 1990 [CD7.6]. This is an act of primary legislation and stands above policy, national and local policy. This hierarchy is well-defined in Case Law. The Act states *“in considering whether to grant planning permission for development which affects a listed building or its setting, “the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*. The same Act, Para 1(5)(b), states that *“In this Act “listed building” means a building which is for the time being included in a list compiled by the Secretary of State under this section, and for the purposes of this Act- (b) any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948 – shall be treated as part of the building”*
- National Planning Policy (NPPF) Dec 2024 Framework Section 16 [CD7.5] Paragraph 2.12 states *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance” (para 2.12 as of December 2024)*
- The test for less than substantial harm is that the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (Para 215, NPPF)
- National Planning Practice Guidance 18a [CD7.3]
- East Lindsey Local Plan [CD5.7]
- ELDC Strategic Policy SP11 [CD5.2] which states:
“Proposals will be supported where they:
 - *Preserve or enhance heritage assets and their setting.*
 - *Have particular regard to the special architectural or historic interest and setting of the District’s Listed Buildings. Proposals will be expected to demonstrate that they*

are compatible with the significance of a listed building, including fabric, form, setting and use” (Note: Only the most relevant criteria to this application are reproduced above)

- ELDC Strategic Policy SP27 – “Renewable and Low Carbon Energy” [CD5.6] which states:
“Proposals need to be acceptable in relation to several criteria, including “the significance (including the setting) of a historic garden, park, battlefield, building, conservation area, archaeological site, or other heritage asset” (criteria SP27 (C).”
- In regard to Archaeological Heritage, policy NPPF (Para 203) makes it clear that heritage assets are *“an irreplaceable resource and should be conserved in a manner appropriate to their significance”*. Where a site has potential for archaeological interest, NPPF (Para 207) requires that *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”*

3.2 The Appellant’s position as stated in their SoC [CD8.1] Section 11.2.1 states.

“Policy SP11 is a positively worded policy, with Part 2 stating that proposals will be supported where they protect or enhance heritage assets”.

and that at Section 11.2.2;

“The impact of the proposal on the designated heritage asset was assessed by the LPA as less than substantial harm. This is common ground between the LPA and the appellant. However, the degree of harm within this scale is a matter which is now in dispute”.

and at Section 11.2.12 (paraphrased for brevity);

“the proposals will slightly alter the site but cause minimal, temporary harm to Corner Farm, a long-standing feature of the landscape. The 40-year solar farm won’t affect its historic fabric, and impacts will be temporary whilst hedgerows grow to 3m”.

- 3.3 The Appellant’s Heritage Assessments [CD2.10 and CD2.11], the Heritage Lincolnshire statement [CD3.2] and the LPA Planning Officer’s report [CD4.4] all agree that the level of harm to the Grade II Listed farmhouse, Sturton Harden Corner Farmhouse, Great Sturton, (more commonly referred to as “Corner Farm”) is assessed as “less than substantial harm”.
- 3.4 The Appellant contests that the, *“level of harm is at the lower end of the scale”* and that these are effectively limited to the curtilage of Corner farm and although they consider there that will be less than substantial harm to the setting of the listed building this, *“will be temporary while the proposed hedgerows grow to the 3m”* and that on this basis the proposal should be consented.
- 3.5 However, Heritage Lincolnshire’s consultation response on 18th July 2022 [CD3.31] states *“the proposed solar farm would not preserve this landscape, would be disruptive to the relationship between built and landscape heritage and substantially alter the character of the area and thus be impactful upon the setting of the built heritage. We consider the impact on this landscape would be substantial, causing cumulative harm...”*
- 3.6 The Planning Officer’s report in respect of the consented Planning Application S/065/01825/23 ref: [CD 11.10] Officers Report- Corner Farm for the listed Barn conversion for Holiday letting (Sept. 2023), notably advises that: *“the surrounding landscape characterised by open agricultural fields reflective of the rural character that prevails in all directions”.*
- 3.7 The Independent assessments carried out for the R6 Party by Liz Mayle Heritage [CD11.9] (May 2024) and [CD3.34] (August 2024) indicate that it is in fact a high level of “less than substantial harm” which poses considerable harm to the setting of Corner Farm and its farm buildings and therefore its continued use and viability, given the proposed conversion to holiday-lets for which Planning Permission has been granted [CD11.10]. The proposed mitigation given in the Landscaping Plan [CD1.14] is considered insufficient due to:-
- the fact that the mitigation measures in themselves will impact the setting of Corner Farm by disconnecting the building from its “setting”
 - the length of time for the proposed hedging to be established (15 years)
 - the fact that, even when established, it will only provide seasonal shielding

- 3.8 This opinion is corroborated by Historic Environment Project Officer, Heritage Lincolnshire [CD 3.4] is *"the impact on this landscape would be substantial, causing cumulative harm and not balanced by the public benefit.... I think the Heritage Statement by Liz Mayle Heritage corroborates this"* Then at [CD3.2] the continued acknowledgment from Heritage Lincolnshire (7th Aug 2024) that the *"applicant has quite severely understated the harm that would be imposed on the setting of the listed building as a result of this proposal"*.
- 3.9 There is therefore clear convergence between the evidence of the LPA and R6 Party , with the R6 Party SoC [CD8.7] Section 5.2.2 providing substantive material evidence in respect of the settled historic/heritage nature of the existing intact rural agricultural landscape character [CD6.1], [CD6.2], [CD6.3], [CD6.5] and [CD6.7] and in this context, (Section 5.1.2 of R6 Soc [CD8.7]), the historical setting of Corner Farm. This convergence is confirmed in the LPA's SoC [CD8.2] at Section 6.1.7 and also within the PoE of the R6 Party Landscape and Visual PoE [CD8.19] at Para 7.12 which states *"This impact would also directly affect the setting of listed Corner Farm, and would result in a material loss of openness. This loss of openness would be reinforced as mitigation planting matures, giving rise to harmful impacts on views and visual amenity"*.
- 3.10 The conclusion of the Independent Heritage Assessment [CD11.9] is that:
- a. *There will be harm to the setting of Sturton Harden Corner Farm and how it is appreciated.*
 - b. *That the proposed development does not preserve the setting of this listed building and fails to meet the requirements of section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 due to the nature of the location, siting, height, scale, mass, volume, density, materials and design of the proposed development.*
 - c. *The proposed development cannot meet the requirements of ELDC Core Strategy SP11."*
[CD5.2]
- 3.11 In view of this, I highlight the R6 comments / rebuttals regarding the Statement of Common Ground **Section 19 – Heritage** in Sections 3.12 to 3.15 below.
- 3.12 *"The parties agree that the appellant has appropriately described the significance of any affected heritage asset in a way proportionate to the assets" importance. The submitted Heritage Impact Assessment, Heritage Assessment, and Rebuttal are therefore robust"*.

- a) Whilst it is agreed that the harm is defined as “Less than Substantial”, the level within that scale is a clear point of dispute since the Appellant’s Heritage Impact Assessment has not robustly considered the setting of Corner Farm, for example, following Historic England’s GPA3, Setting of Heritage Assets (Page 2), but is predicated on views to and from the south elevation of the farmhouse, and the immediate curtilage of Corner Farm.
- b) The statement *“the submitted Heritage Impact Assessment, Heritage Assessment and Rebuttal Notice are therefore robust”* appears to contradict the view of the Historic Environment Project Officer, (Heritage Lincolnshire), who, as highlighted in Section 3.8 above, advised that the Appellant’s document *“underestimated the harm”* and agreed with the findings of the Independent (R6) Heritage Impact Assessment carried out by Elizabeth Mayle Heritage [CD11.9], [CD3.34]. It is suggested that neither of the experts in this matter (Heritage Lincolnshire and Liz Mayle Heritage) would therefore concur with this statement.

3.13 *“In the context of the listed building, the 40-year operational period for the solar farm is short”*

The proposed solar farm development at such close proximity to Corner Farm seriously jeopardises its use as a successful holiday-let business with associated income. Claiming that 40 years is a “short time” in historic building terms unfortunately misses the key point, which is that the resultant potential for a lack of maintenance and care of the building for the next 40 years is, in fact, a material concern which could potentially give rise to significant degradation in the building fabric and thus the continued viability of this historic buildings future.

3.14 *“It is agreed that the following public benefits exist: ▪ Mitigation of climate change and generation of renewable energy. ▪ Recreational amenity Ecological enhancements. ▪ Landscape enhancements. ▪ Economic benefits”.*

The reason for inclusion of Public Benefits in Heritage – Section 19 is unclear. There are no heritage benefits proposed as part of this application.

3.15 *“It is agreed that there will be no harm to any other designated heritage or non-designated heritage assets, including Glebe Farm and Moor Farm”.*

The development is within 120m of Moor Farm and less than 100m from Glebe Farm. The development is also clearly visible from Sycamore House, Sotby (Grade II Listed) as shown in refer

to Supplementary Viewpoint C in R6 Party Landscape and Visual PoE [CD8.19]. The R6 Party therefore do not agree that there is “no harm” given the proximity of this development and thus obvious impact on their respective settings. However, the key focus in the R6 Heritage PoE [CD8.18] will be on the much more significant harm to Corner Farm

3.16 The Statement of Common Ground **Section 20 – Archaeology** states;

“Both parties agree that the appellant has suitably assessed the site for archaeological potential and described the significance of any assets in a proportionate way and accordance with local policy and paragraph 207 of the NPPF. It is considered by Archaeology Officers that the site offers a potential for archaeological remains to be present based on the extent and type of remains recorded in the vicinity. Proposed condition 4 which requires a Written Scheme of Archaeological Investigation is therefore agreed to be an acceptable means of understanding any potential impacts of the proposal on their significance, in accordance with paragraph 207 of the NPPF”.

3.17 The R6 Party would highlight that the Heritage Lincolnshire response [CD3.32] 21st July 2022 clearly states “The proposal lies in an area where evidence of prehistoric and Roman finds have been recorded”....*“Insufficient information is available at present with which to make any reliable observation regarding the impact of this development upon any archaeological remains”....“It is recommended that a programme of archaeological evaluation be implemented to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development. The evaluation should initially include geophysical survey, to be followed by a programme of archaeological trial trenching. The results of the evaluation will inform any archaeological mitigation which may be required”*

This was reinforced in the further Heritage Lincolnshire response on 8th March 2024 [CD3.13]), which states “Our archaeological comment remains as previously submitted (recommendation for archaeological evaluation dated 21st July 2022)”.

3.18 The R6 Party would therefore refute that the Appellant has “*suitably assessed the site*” (refer to extract from NPPG 207 in Section 3.1 above). Proposing a set of conditions to address this planning oversight is considered an inadequate response given that the Appellant has had since July 2022 to carry out the requested programme of site investigation.

4. Landscape and Visual Impacts

4.1 The key legislation and planning guidelines relating to “Landscape and Visual Impacts” are listed below.

- NPPF Section 15 “Conserving and Enhancing the Natural Environment” [CD7.5] which sets out that *“the planning system should contribute to and enhance the environment by protecting and enhancing valued landscape”* *landscapes” “in a manner commensurate with their statutory status or identified quality in the development plan.”*
- East Lindsey Local Plan [CD5.7]
- East Lindsey Strategic Policy SP23 “Landscape” [CD5.4] which states:
 - *“The Districts landscapes will be protected, enhanced, used and managed to provide an attractive and healthy working and living environment. Development will be guided by the Districts Landscape Character Assessment and landscapes defined as highly sensitive will be afforded the greatest protection.*
 - *Development will be supported where it allows for greater public access to the countryside and naturalistic coast, supports visitors to the District and helps provide additional employment opportunities, provided this does not compromise landscape quality or the biodiversity objectives of the plan.*
 - *The Council will ensure that the distinctive character of the Districts landscapes whether they are of cultural, natural or historic significance, will not be compromised. In particular, the highest level of protection will be given to the Lincolnshire Wolds Area of Outstanding Natural Beauty.*
 - *The Council will support development that conserves and enhances designated and historic landscapes (.....Lincolnshire Wolds,setting of listed buildings within the landscape) as focal points for widening and improving the visitor experience.*
- East Lindsey Landscape Character Assessment 2011 [CD6.1 – CD6.7]
- Landscape Institute 3rd Edition Guidelines for Landscape and Visual Impact Assessment (GLVIA3) [CD11.13]

4.2 We note the Appellant’s SoC [CD8.1] states at Section 11.3 – Landscape value *“The site and its immediate surrounds exhibit a moderate landscape value. It is a predominately rural area with a mix of farmland, woodland, and open fields, contributing to a tranquil landscape character”* and at

Section 12.0 - Planning Balance *“On balance, the temporary nature of the development, landscape and visual mitigation measures, and public benefits are considered to outweigh potential harms.”*

4.3 The LPA’s Statement of Case [CD 8.2] Section 6.1.3 states the following:

“Major and moderate adverse effects on near distance views, particularly from the PROW”s; “where the development would cause a total permanent loss or major alteration to key elements or features of the landscape and/or introduce elements that are totally uncharacteristic of the surrounding area)”, and that the proposed development is, “visually intrusive and would result in a substantial deterioration to visual amenity”.

4.4 The R6 Party SoC [CD8.7] Sections 5.2.3 and 5.2.4 highlighted significant concerns relating to the inadequacy of the Appellant’s LVIA [CD2.13] Dec 2021 and fundamentally disagreed with the Appellant’s subsequent conclusions regarding level of harm and impact (even when considering the proposed mitigation).

4.5 An independent review of the Appellant’s LVIA [CD2.13] was therefore commissioned by the R6 Party in July 2025 and an independent Landscape Consultant, (Peter Radmall, MA B Phil) requested to carry out a detailed critique of the LVIA and its conclusions.

4.6 The findings of this critique (R6 Party Landscape & Visual Impact Assessment [CD8.19]) are;

- Landscape Context; the development is in a zone of transition where the characteristics of vale/wold and woodland/farmland intermingle to create a diverse landscape, parts of which (less than a few hundred metres of the site boundary) have thus been designated as an Area of Great Landscape Value (AGLV) with the ELDC Landscape Character Assessment [CD6.1-7]. The significance and sensitivity of this AGLV has not been acknowledged in the Appellant LVIA [CD2.13]
- Visual Context; The development would be visible from a range of short- to medium-range views in the local area, with some other long-range views from sensitive locations. The LVIA only identified 24 assessment views, which, whilst in themselves reasonable and broadly representative, excluded 9 supplementary views with visual harm which had not been considered by the Appellant. These have therefore been included in the R6 Party Landscape PoE [CD8.19].

- Landscape Effects; Whilst the LVIA's categorisation of landscape sensitivity in relation to LCA G3 is agreed, the independent review concludes that it has understated the sensitivity of all other receptors, (particularly land-use), and has not considered perceptual attributes, notably in relation to openness, which is especially susceptible to harm from the type of development proposed. This has resulted in the predicted effects at Y1 being significantly understated. The degree to which mitigation can be achieved by the proposed landscaping is also a point of difference, since this would have no effect on the physical or spatial impact of the panels, and would reinforce the harmful visual impact on openness.
- Visual effects; there is a further divergence of views on the assessment of visual effects across the 24 viewpoints, with the R6 party critique [CD8.19] suggesting that the predicted effects are understated by between half to a whole order of magnitude and that a number of visual effects have been omitted. In terms of the residual visual effects (Y15), it is concluded that the LVIA materially over-estimated the degree of mitigation achieved by the proposed planting, and hence under-estimated the severity of the residual effects.

4.7 The Appellant LVIA [CD8.19] does not explicitly consider whether the site may be located within a Valued Landscape, as per NPPF 187(a). A TGN02/21 Assessment has been carried out (R6 Party Independent Landscape & Visual Impact Assessment [CD8.19]) against the defined range of factors that are considered when identifying landscape value (each factor scored on a low/medium/high scale). The outcome of this TGN02/21 analysis was that the landscape assessment fell most consistently into the Medium to High category of value, sufficient for it to be regarded as a Valued Landscape (VL) at a local level.

4.8 The introduction to NPPF187(a) refers to the need for planning decisions to “...*contribute to and enhance the natural and local environment*” [R6 emphasis]. This local perspective is arguably precisely that in which landscape value should therefore be considered for NPPF purposes.

4.9 In light of this evidence, the R6 Party robustly contests the LPA's SoC statement [CD8.2] (Section 6.1.12) which states “*the Appellant's LVIA is considered to have been soundly prepared, and the Council generally accepts its findings in relation to factual assessment*”.

4.10 The R6 Party Landscape & Visual Impact Assessment [CD8.19] (Para 7.12) states “*the proposed development would displace the existing arable use and historic landscape character of the site, as described in the East Lindsey LCA. This use/character would be replaced with solar energy*”

infrastructure that is highly uncharacteristic of the area, and amounts to a significant increase in its developed character”

4.11 I therefore provide the following R6 comments / rebuttals regarding the Statement of Common Ground comments sections which relate to Landscape and Visual, starting with Section 10 – “Design and Layout”.

<p>Section 10 – ‘Design and Layout’ states;</p> <p><i>“The appellant has sought to bring forward a development proposal that is appropriately sited, responding positively to the surrounding area, the site’s topography, and the existing hedgerow boundaries”</i></p>	<p>As described in the R6 Landscape and Visual PoE [CD8.19], the development is <u>not</u> appropriately sited given the adverse impact on a Grade II listed historic building, a Valued Landscape (and AGLV), a network of ProW and thus the loss of residential and recreational amenity that will be experienced by the affected communities.</p> <p>These concerns were echoed by the LPA Planning Committee on 3rd October 2024 (Minutes of Meeting [CD4.7]).</p> <p>As highlighted in the R6 SoC [CD8.7] the site search document [CD2.27] was seriously deficient in that a number of critical factors in this location <u>that were used to eliminate other potential parcels of land</u> (e.g. presence of gas pipeline, impact on heritage asset, proximity to neighbouring properties) were not highlighted during the assessment of the chosen parcel of land. This was highlighted in the Hatton Action Group Submission (rebuttal to Site Search doc) [CD3.18]</p> <p>Finally, it is unclear what <i>“responds positively to the surrounding area”</i> can be referring to, given the significant impact that this development would have on the rural landscape for at least two generations to come.</p>
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4.12 With regard to **SoCG Section 21 – ‘Visual Impact and Landscape’** the R6 Party Landscape and Visual PoE [CD8.19] (as summarised in Sections 4.5 to 4.10 above) also demonstrates a fundamental and material variance to the SoCG ‘Matters Not in Dispute’ as described below;

<p>Section 21</p> <p>‘Visual Impact and Landscape’</p> <p><i>“The parties agree that <u>the submitted LVIA used an appropriate methodology and provides a robust assessment of landscape and visual matters relation to the proposed development</u>”</i></p> <p><i>“It is agreed that the site is <u>not within a valued landscape</u>, nor is there a significant effect on a valued landscape, including the Lincolnshire Wolds National Landscape”</i></p> <p><i>“It is acknowledged that there will be some change to the landscape of the area, albeit on a <u>temporary basis of 40 years and this change has to be assessed as part of the overall planning balance of the benefits of the scheme</u>”</i></p>	<p>The R6 Party Landscape and Visual review conducted on behalf of the R6 Party [CD8.19] demonstrates that the Appellant LVIA is <u>not</u> a robust assessment. Refer to Section 4.6 of this document.</p> <p>As outlined in Sections 4.7 to 4.8 above the outcome of the R6 TGN02/21 analysis (Ref. R6 Party Independent Landscape & Visual Impact Assessment [CD8.19]) was that the landscape assessment fell most consistently into the Medium to High category of value, sufficient for it to be regarded as a Valued Landscape (VL) at a local level.</p> <p>The ELDC Landscape Character Assessment [CD6.2], characterizes the E1 landscape as “<i>open, fluted and gently rolling broad vales</i>”, “<i>long views and “a distinctive intact and peaceful rural landscape with very few detractors</i>”. Planting of hedgerows (even after removal of the solar arrays) will therefore permanently alter the Landscape Character of this Valued Landscape.</p> <p>Since, as pointed out in the Lullington Appeal Decision note [CD9.1], 40 years cannot be considered “<i>temporary</i>”, this indeed should be properly assessed in the planning balance.</p>
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<p>Section 21</p> <p>‘Visual Impact and Landscape’ also states;</p> <p><i>“The majority of the residual landscape effects are considered to be Negligible and None”</i></p>	<p>The R6 Party Landscape PoE [CD8.19] considers that only 4 of the views (ie. only 17% of those considered in the LVIA) are negligible or minor at Year 15.</p> <p>Irrespective of this divergence of views, assessing the residual landscape effects at <u>Year 15</u> to be “negligible or none” is unsound, since this would be an unacceptable length of time for the residential/recreational amenity of the local community (residents, visitors and small local businesses) to be adversely affected by the development whilst the landscaping takes effect.</p> <p>This concern was highlighted in the R6 Party Heritage PoE [CD8.18] particularly in regard to the impact on Corner Farm.</p>
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5. Impact on Residential and Recreational Amenity

5.1 The Planning guidelines relating to residential and recreational amenity are:

- NPPF Dec 2024 Para 135 [CD7.5] states (just the relevant parts included here);

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- f) create places that are safe, inclusive and accessible and which promote health and well-being*

- NPPF Para 105 [CD7.5] states:
“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails”.
- NPPF Dec 2024 Para 89 [CD7.5] states: *“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”*
- East Lindsey Local Plan July 2018 [CD5.7]
- ELDC Strategic Policy SP10 – Design [CD5.1]
- ELDC Strategic Policy SP22 [CD5.3] – Transport and Accessibility [CD5.3] which states at 3. *“supporting development that gives pedestrians and cycle movements priority”*
- ELDC Strategic Policy SP27 [CD5.6] – Renewable and Low Carbon Energy states;
 1. **Large-scale** renewable and low carbon energy development, development for the transmission and interconnection of electricity, and infrastructure required to support such development, will be supported where their individual or cumulative impact is, when weighed against the benefits, considered to be acceptable in relation to:
a) residential amenity; b) surrounding landscape, townscape and historic landscape character, and visual qualities;
 4. **Small scale** and micro renewable energy development will be supported where their individual or cumulative impact, when weighed against the benefits, is not considered to have an unacceptable impact on residential amenity; the context and setting of any areas of cultural or historic importance or heritage assets; and local landscape character and visual qualities”.

5.2 The existing Permissive Path, and other PRow, have been of historical “public benefit” for many generations, with natural, open and occasionally filtered views across the settled agricultural landscape which changes with the seasons. The local communities are connected by the

Permissive Path and two other public footpaths and a bridleway which all provide an important link between the villages for ramblers, dog-walkers and horse-riders.

- 5.3 The importance of both the physical and the social link that these PRoW provide (to the local community and visitors to the area) is clearly demonstrated by the responses received in a recent survey carried out with local residents and the local Ramblers Clubs (see Appendix B).
- 5.4 These natural landscape views not only provide residential amenity and enjoyment, but also serve to reaffirm the historical significance of the setting of Corner Farm within this settled agricultural landscape, which is acknowledged as an established focal point and landmark and is an integral part of the valued experience in terms of residential and recreational amenity (Ref: SP23*“setting of listed buildings within the landscape.... as focal points for widening and improving the visitor experience”*)
- 5.5 Furthermore, Sotby Wood provides a natural, intact, seasonal visual backdrop across the open views especially from the PRoW and permissive footpaths.
- 5.6 The Appellant’s Statement of Case [CD 8.1] Section 11.2.20 states that there is a *“moderate public benefit”, as the “scheme “secures and maintains”, “the future use of the permissive path for the duration of the solar farm”, and at Section 11.2.21 states that “introducing new landscaping along the length of the permissive path is a further significant public benefit”.*
- 5.7 The R6 Party evidence (including SoC [CD8.7]) demonstrates that these claims are fundamentally not substantiated and that in fact the development would constitute a **significantly Adverse** change to this valued established amenity for the reasons outlined in Sections 5.8 – 5.18 below.
- 5.8 The footpaths and bridleways that span both proposed sites (including those around the Solar Farm and around the Substation) are the villagers and residents ONLY recreational amenity. Open views of the landscape will be replaced with many acres of solar infrastructure, and even where footpaths are retained, the existing uninterrupted views across open countryside will become narrow “corridor-like” walkways between either high security fences or high hedging.

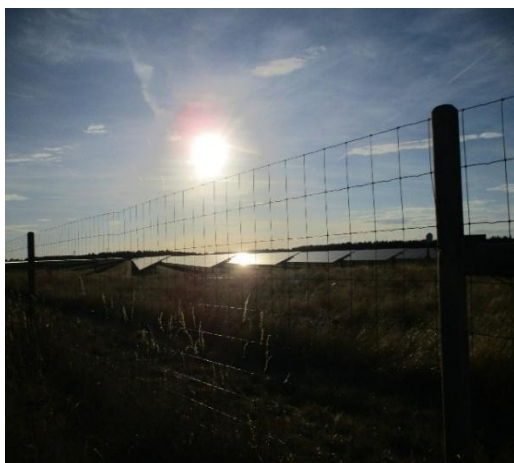
- 5.9 With regard to the permissive path, no new landscaping has been proposed in the Appellants' Landscape Mitigation Plan [CD1.14] hence the statement in Section 5.6 above (in regard to 11.2.21) is incorrect.
- 5.10 Even in the event that further landscaping had been included, this would change what is currently a tranquil walk between open rolling countryside and established woods into a walk around the boundary of 180 acres of 3m high solar arrays with security fencing and CCTV cameras. This is most certainly not the *"moderate (or indeed significant) benefit"* as claimed in 5.6 above. Furthermore, the character landscaping by the appellant will take a period of 15 years to be established. Once established then the unfortunate effect will be to permanently limit the (currently open) views from North to South (Sotby to Great Sturton) and from East to West (Great Sturton to Hatton).
- 5.11 The significant adverse impact on residential and recreational amenity has been raised in many of the Objection Letters submitted by community members and the Local Parish Councils. One of these was East and West Barkwith Parish Council [CD 3.5] which states *"This would have a deleterious effect on the welfare of the residents near the site and on their income from visitors"*.
- 5.12 The R6 Party therefore robustly refutes **Section 11 – 'Glint and Glare'** in the SoCG [CD 8.3]

<p>Section 11 – 'Glint and Glare'</p> <p><i>"A Glint and Glare assessment was submitted with the application. It is agreed between both parties that this confirms that there would <u>be no adverse impact</u> on road, residential, or aviation receptors <u>once the proposed mitigation measures were secured"</u></i></p>	<p>The Appellant Glint and Glare Assessment (2 Dec 2022 [CD2.9]) Section 8 states that <i>"solar reflections are possible at 15 of the 16 residential receptors assessed within the 1km study area"</i>. It also goes on to highlight many other such potential impacts, all requiring significant landscape mitigation, i.e. <i>"native hedgerows and woodland planted/infilled and maintained to a height of at least 3 – 4m along the western, southern and eastern boundaries of the Proposed Development"</i>.</p> <p>Hedgerows of this considerable height (many not existing, which will therefore need to be planted as new) will take many years to establish (and will not be possible at all points along the western, southern and eastern boundaries as recommended, due to the visibility risk to motorists at bends, site access roads etc).</p>
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	<p>The Appellant’s own Assessment therefore confirms that there <u>will</u> be considerable risk of glint and glare to the surrounding road users and residences for many years, pending the proposed mitigation measures.</p>
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5.13 The Appellant Glint and Glare Assessment [CD2.9] states, “*There is little guidance or policy available in the UK at present in relation to the assessment of glint and glare from Proposed Development developments*”.

The photographs below (taken by The Hatton Action Group at the Branston Solar Farm, Lincolnshire at approximately 7pm on 22nd August 2022) very effectively the significant glint and glare effects that can arise. The R6 Party concern is that the Branston Farm development will also have conducted a Glint and Glare Assessment that was (presumably) deemed acceptable by North Kesteven District Council given that the application was passed and the facility subsequently built.



5.14 With regard to the SoCG [CD8.3] the R6 Party also refutes **Section 13 – ‘Bridleways’**

<p>Section 13 – ‘Bridleways’ states</p> <p><i>“Both parties agree that the Bridleway running along the eastern boundary of the site will remain open throughout the course of the construction works . Both parties agree that all noise generating equipment have been located away from bridleways and are appropriately positioned within the site.</i></p> <p><i>Both parties agree with the findings of the Glint & Glare Addendum.</i></p> <p><i>It is agreed that available British Horse Society guidance has been followed, and all <u>reasonable steps have been taken to minimise risk to horses and riders.</u> Measures proposed in the Landscape Mitigation drawings (CD7.4-7.6) can be secured via a planning condition.</i></p>	<p>Whilst the bridleway may indeed “remain open”, access to the bridleway at the south will necessarily be via the narrow road through Hatton (Buttergate Hill) which is part of the main construction route to Great Sturton. The huge disruption that will impact this area during this period will include;</p> <ul style="list-style-type: none"> ▪ High levels of noise (including sudden “bangs” due to movement of vehicles, off-loading of materials etc.) ▪ Dust due to groundwork activity (access roads etc) ▪ Significant HGV / construction vehicle movements <p>The threat to horse and rider safety both on the PRoW and on the surrounding roads arising from these hazards will almost certainly lead to the local horse-riders feeling no longer safe and therefore no longer willing to use this route.</p> <p>The Appellant Glint and Glare Addendum (Feb 2023 [CD2.29] focused particularly on the concerns regarding Bridleway receptors. This showed that the impact in 10 out of the 14 Bridleway receptors was ‘High’, thus requiring mitigation in the form of <i>“Native hedgerows to be planted/infilled and maintained to a height of at least 3m along the eastern boundary of the Proposed Development”</i>.</p> <p>This is <u>not</u> “all reasonable steps”. Since hedgerows are not currently in place along the majority of the length of the bridleway that directly abuts the solar farm, mitigation of glint and glare can only be achieved in many years’ time, putting the health and safety of the many equestrian users of the bridleway at risk in the meantime. A Planning Condition makes no difference to this timescale.</p>
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- 5.15 The R6 Party also refutes SoCG **Section 14 – ‘Public Rights of Way’** which states *“It is agreed that long term adverse effects are considered negligible to none”*.

Enjoyment of the natural existing open views within a countryside/agricultural landscape in the absence of any contrived new landscaping is currently a significant public benefit and hence the effect of this development, with the necessary screening would in fact result in a major adverse impact.

It is noted that the Appellant Construction Management Plan [CD2.22] states that the PRoW by the substation *“may need to be closed”* during construction (anticipated duration now at least 1 year versus the 20 weeks, as highlighted in Section 5.17 below)

- 5.16 With regard to the SoCG [CD8.3] the R6 Party also refutes **Section 23 – ‘Amenity Impacts on Dwellings’**

<p>Section - 23 ‘Amenity Impacts on Dwellings’ states;</p> <p><i>“Both parties agree that the appropriate assessments have been undertaken to enable a robust assessment of potential impacts on visual amenity, noise, air quality and glint and glare, over time, landscaping will screen the development from views, and that the development would not result in any unacceptable amenity impacts on surrounding residential dwellings, publicly accessible spaces or other receptors, in accordance with Local Plan Policy SP10 and *CP3”</i></p>	<p>The evidence contained within the R6 Party PoE documentation clearly and unequivocally demonstrates <u>an unacceptable level of harm</u> on the surrounding residential dwellings, publicly accessible spaces and other receptors (for example PRoW).</p> <p>With regards to noise impacts, there remains a risk of low frequency hum from panels and inverters (as raised in several Written Objections). A Planning Condition has been therefore been proposed to ensure that any complaints are promptly and adequately addressed (Appendix A) and a ‘Noise Information and Guidance Note’ is included in Appendix D to inform the inquiry of the required approach.</p> <p>No comment has been made with respect to CP3 since this is not a recognized reference.</p>
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5.17 As highlighted in the R6 Party Soc [CD8.7], (Section 3.5.1) the local road network consists of narrow single-track lanes, only 3.5m to 4.5m wide, with dykes alongside. Since there are no pavements, these narrow rural lanes, (criss-crossed by PRow and bridleways), are regularly used by horse riders, cyclists, local residents (including children), ramblers, dog-walkers etc. The R6 Party SoC [CD8.7] (Sections 5.3.4 and 5.3.5) therefore highlights the significant safety risk to these road-users as a result of high levels of HGV traffic during construction and decommissioning. The fact that this is now being highlighted by the Appellant SoC [CD8.1] Section 4 – ‘Land Use’ (4.3.7) as a combined time period of circa 2 years versus the *“20 weeks construction period”* as originally stated in the Construction Management Plan (Transport Plan) [CD2.22] means considerable loss of amenity over a much more significant time period. Also, and whilst the Appellant LVIA [CD2.13] claims a panel lifespan of 40 years, this seems extremely unlikely. A lifespan of circa 20 years for solar panels is more normally expected due to ageing and performance degradation. This would imply the need for an interim large-scale Capital Renewal project to replace the panels, with the associated HGV traffic.

5.18 An extract from the Written Objection from Baumber Parish Council [CD 3.7] raised significant material issues in *“regards to the proposed one-way construction traffic management plan”*. Likewise, Wragby Parish Council Written Objection [CD 3.3] also raised significant concerns. The use of a one-way system for construction traffic does not mitigate the safety risk to road users, and will still result in issues with oncoming local traffic. Forcing local traffic and residents to adopt the same one-way system via Great Sturton would create huge disruption to local residents for a prolonged period.

5.19 The R6 Party therefore fundamentally disagrees with the SoCG [CD 8.3] **Section - 15 ‘Transport Site Access’** which states: *“Both parties agree that the site’s proximity to the strategic roads network means that it is suitably located from an access perspective, and that all the proposed site access points meet the guidance set out in Policy SP22 of the Local Plan”*.

The Appellant has complied with SP22 only in regard to the fact that they have submitted a, *“traffic management plan”* as required in Annex 3, however there appears to be a lack of regard to 3. *“Supporting development that gives pedestrian and cycle movements priority”*.

5.20 As outlined in Section 5.1, the importance of maintaining or enhancing all aspects of Recreational and Residential Amenity forms an important part of planning policy and guideline.

- The proposed development *does not protect or enhance or provide better facilities* and the Recreational Amenity experience of users of these PRow, in the vicinity of the proposed Solar installation and at further distances. It is therefore contrary to NPPF para 105 Dec 2024 [CD7.5].
- The proposed development is incongruous in its surroundings, and will have a prolonged and unacceptable impact on the many users of the narrow village roads in Hatton and Great Sturton during construction and decommissioning (~2 years) due to significant safety risks associated with large numbers of HGV's in close proximity to horse riders, cyclists, local residents (including children), ramblers, dog-walkers etc. It is therefore contrary to NPPF para 89 Dec 2024 [CD7.5].
- The proposal also does not fully accord with SP10 [CD5.1] on the following grounds ;
 - It does not maintain and enhance the character of the district's towns, villages and countryside (SP 10 Intro) – it adversely impacts on the landscape character for at least two generations to come
 - It does not support the use of brownfield land for development (SP 10 Point 1.) – the Appellant's Site Search document (CD2.27) only considers a single landowners land and the chosen parcels are 80% prime agricultural (BMV) land. This was raised in THAG submission "Rebuttal to Site Search" [CD3.18].
 - It does not "respect the local historical environment" (SP 10 Point 5.) – it has a significant impact on the historical setting of a Grade II listed asset (Corner Farm).
 - The traffic movement for the 2-year construction / decommissioning periods does pose an unacceptable risk to harm to the safety of the highways (SP 10 Point 5.)
 - The development does result in an unacceptable level of harm to cycleways and footways (SP 10 Point 5.).
 - The development is incongruous in its setting and will never become a high-quality integrated part of the built environment (SP 10 Point 7).
 - There are no measures to recycle, re-use or reduce the demand from finite resources (SP 10 Point 8.), indeed;
 - Solar power is an inefficient form of energy production (in the UK a realistic "capacity factor" is typically circa 11-12%, which inevitably reduces a 49.9MW solar farm to an actual average output of ~ 6MW)

- the panels and inverters will be shipped from China and will almost certainly have to be shipped abroad to go to land-fill at the end of their life.

5.21 In support of this conclusion, I draw attention to a recent Appeal Decision Letter [CD 9.15] Ref: APP/E2205/W/24/3352427 Land south of the M20, Church Lane, Aldington, Kent – East Stour-Solar-Farm Inspector Mr P Griffiths. Section 50.

“Notwithstanding the screen planting included as a part of the scheme, the imposition of a solar array on the various land parcels is bound to have a significant adverse effect on the receiving landscape. Moreover..., the experience of walking along the PRow that pass through and near to the proposal would undergo a change that would be a negative one”.

and at Section 53.

“Notwithstanding the screen planting, that would in any case take some time to become established...”

“These elements of the scheme would appear incongruous and have a significantly harmful impact in landscape and visual terms”.

6. Other Notable Planning Matters

Loss of Best Most Versatile (BMV) Agricultural land

- 6.1 The R6 Party’s SoC [CD8.7] Section 4.6. provides background and grounds for the successful Judicial Review [CD4.8] in respect of BMV Land
- 6.2 The Application (Ref LPA: S/079/01078/22) was contrary to the WMS, the written statement of the Secretary of State for Energy Security and Net Zero dated 15 May 2024, the NPPG, the NPPF paragraph 180, the National Policy Statement for Renewable Energy Infrastructure (EN-3), the East Lindsey District Council Local Plan, Core Strategy, and the East Lindsey Settlement Proposals Development Plan Document.
- 6.3 It is noted that in the intervening period since the LPA Planning Decision, some changes have been made to policy, as highlighted below. These changes have therefore been considered in the R6 Proofs of Evidence;

- NPPF paragraph 180 is superseded by NPPF Dec 2024 Section 15 [CD7.5] "Conserving and enhancing the natural environment" which states;
187. Planning policies and decisions should contribute to and enhance the natural and local environment by:
a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- NPPF [CD7.5] footnote 65 "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality"
- NPPF (updated December 2024) and associated guidance, the explicit requirement for "most compelling evidence" has been removed, with an emphasis now on whether use of agricultural land is necessary. In such cases, poorer-quality land should be preferred to BMV, consistent with NPPF paragraph 180.

6.4 Whilst it is recognised that this change shifts the requirement from a strict, high-evidence test to a broader, more proportional assessment, it remains the case that all policy and guidance continues to highlight the need for BMV use to be justified by necessity and guided by the principle of favouring lower-quality land. We refer to a recent letter from the Secretary of State, Ed Miliband to Richard Fuller MP (dated 17th February 2025) [CD11.16] which states "There has been no change to the policy on the weight attached to the use of BMV land". NPS EN-3 remains in force (as set out below).

6.5 The East Lindsey Local Plan [CD5.7] clearly sets out at paragraph 4.9 that protecting the best and most versatile agricultural land is an important part of supporting the agricultural industry, and in selecting sites for development, the preference should be to seek to utilise lower grade land to that of a higher grade.

6.6 The National Policy Statement for Renewable Energy Infrastructure (EN-3) [CD7.4] sets out at paragraph 3.10.14 that where the proposed use of any agricultural land has been shown to be

necessary, poorer quality land should be preferred to higher quality land (avoiding the use of best and most versatile agricultural land where possible).

6.7 Although a Site Search Document was subsequently produced by the Appellant [CD2.27] the R6 Party's SoC [CD8.7] (Sections 5.2.8 – 5.2.17) highlights significant concerns relating to the inadequacy of the site selection process and the flawed arguments that resulted in the proposed selection of a site with ~80% BMV agricultural land. The Hatton Action Group, Baumber Parish Council and Lincolnshire County Council all provided a rebuttal to this Site Search Justification Report [CD 3.18, CD 3.7, CD 3.6]

6.8 A number of Written Objections were submitted in relation to the use of BMV land including:

- East & West Barkwith Parish Council (E&WBPC) [CD 3.5]
- LCC Consultation responses (10 May 2024 [CD 3.6], LCC Executive 05 December 2023 Energy Infrastructure Position Decision Reference: I030807 [CD11.14] and LCC Consultation response 14 March 2024 [CD3.12])
- Baumber Parish Council (BPC) Consultation response from 26 March 2024 [CD3.7]
- BPC [CD3.21] submission 7th November 2022
- Hatton Parish Council Consultation Responses ([CD3.10] 20 March 2024, [CD3.28] 19 July 2022 and [CD3.29] 11 August 2022)

6.9 There is also substantive material harm regarding the permanent loss of 100% - Grade 3a BMV land [CD2.23] at the site of the proposed new 132KVA substation, as stated in Rule 6 Party SoC [CD8.7] Section 3.13 and raised by Natural England [CD3.14].

6.10 The R6 Party agrees with one small element of the SoCG [CD 8.3] **Section 6 - 'Agricultural Land Classification and Uses'** which is that part in relation to the percentage of BMV Land (78.95%).

6.11 The R6 Party refutes the following statements in **Section 6 – 'Agricultural Land Classification and Uses'** and **Section 9 - 'Continued Agricultural Use'**;

<p>Section 6 – ‘Agricultural Land Classification and uses’ states:</p> <p><i>“there will be no loss of agricultural land during the lifetime of this project”</i></p> <p>Section 9 - ‘Continued Agricultural Use’ states;</p> <p><i>“Both parties agree that the development has been designed to allow the site to remain in agricultural use during operation for the grazing of sheep or similar underneath and around the panels”.</i></p>	<p>The statement <i>“there will be no Loss of agricultural land”</i> would <u>only</u> be true if keeping livestock under panels (e.g. sheep) is;</p> <p>a) viable in practice <u>and</u> b) implemented.</p> <p>In terms of any potential viability, sheep are rarely seen grazing under solar panels (perhaps due to inadequate grass quality, plus the potential damage of the panels due either to the animals themselves or the agricultural equipment needed to farm livestock).</p> <p>It therefore remains questionable whether it is acceptable to propose a planning condition that the land must be available for grazing of sheep or other appropriate livestock.</p> <p>Therefore, the likelihood of the landowner maintaining livestock on this land for 40 years cannot be taken as a given and would presumably be difficult to enforce through planning, although a Planning Condition has been proposed (Appendix A)).</p> <p>In any event, land use for livestock is not equivalent to arable crop in terms of food production; an acre of wheat produces approximately 50-60 times more energy than an acre of land used for sheep grazing (even where that grazing land is not compromised in quality by solar arrays).</p> <p>This therefore equates to a significant long-term under-utilisation of BMV land which remains at odds with current government guidelines which are intended to protect BMV land for its intended arable use.</p> <p>Whilst it may be true that the site has been designed to allow grazing of sheep or similar, the impact of this (i.e. raising the Panel Arrays 1m above ground as per the Mounting Structure Details Drawing [CD1.3]) is to make the overall height of the panels 1m higher and therefore more visually intrusive.</p>
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<p>Section 6 - ‘Agricultural Land Classification and uses’ states:</p> <p><i>“<u>there is no conflict</u> with national or local policy, Written Ministerial Statement or guidance relating the use of agricultural land or BMV”</i></p>	<p>The loss of BMV agricultural land remains in conflict with current industry and governmental guidance (and indeed local planning and LCC policy [CD11.14] which, despite some acknowledged changes of emphasis in the NPPF Dec 2024 [CD7.5], continues to recommend the preferential use of non-BMV land, with preference to be given to brownfield, industrial sites and rooftops.</p> <p>A letter from the Secretary of State, Ed Miliband to Richard Fuller MP (dated 17th February 2025) [CD11.16] states;</p> <p><i>“There has been no change to the policy on the weight attached to the use of BMV land. Planning policy and guidance makes clear that, wherever possible, developers should utilise brownfield, industrial, contaminated, or previously developed land. Where the development of agricultural land is shown to be necessary, lower-quality land should be preferred to higher-quality land (including “Best and Most Versatile” land). This was the policy of the last government, There are no plans to change this policy”.</i></p> <p>The fact that this development is on land which is ~80% BMV land (as defined by the DEFRA guidelines and confirmed by the Appellant and LPA in SoCG Section 6 - “Agricultural Land Classification [CD8.3]) should therefore be considered more than a ‘Neutral’ consideration in the Planning Balance argument.</p>
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6.12 The R6 Party refutes the statements in **Section 7 – ‘Site Justification Report’**;

<p>Section 7 – ‘Site Justification Report’ states</p> <p><i>“It is agreed that there is no policy requirement to undertake a sequential analysis, or in this instance to consider alternative sites. The methodology used for the site justification is appropriate, <u>including the study area</u> and review of potential locations. Therefore, the report is robust”</i></p>	<p>Whilst the NPPG requirement for “most compelling evidence” was changed in December 2024, at the time of the site search document [CD2.27] being submitted, that policy remained extant.</p> <p>Therefore, and in light of national and local policy requirements, it is not unreasonable to expect that an Optioneering Study for suitable site locations to justify the removal of 180 acres of BMV land should require, as a minimum, that other land NOT classified as BMV land and outside of this landowner’s ownership be properly considered.</p> <p>However, the new Site Search document (submitted following the R6 Party Judicial Review Feb 2024 [CD 4.8]) self-limits its study area to a single landowner’s land.</p> <p>I therefore reference the following documents which highlight significant concerns regarding a number of inaccuracies and omissions in the Site Search document [CD2.27]</p> <ul style="list-style-type: none"> • LCC response 10 May 2024 [CD3.6] • Hatton Action Group Rebuttal [CD3.18] <p>In light of the many issues raised the R6 Party would strongly contest the SoCG statement that this “<i>report is robust</i>”.</p>
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6.13 The R6 Party refutes the statements in **Section 8 – ‘Temporary Nature’** as follows;

<p>Section 8 – ‘Temporary Nature’ states</p> <p><i>“both parties agree that the appeal proposals are temporary in nature”</i></p>	<p>It should be pointed out that it is <u>not</u> the case that the entirety of this appeal proposal is temporary, since the 132kW substation (and the visually-intrusive 15m communications mast) would be permanent, with the related impact on residential amenity and visual impact and loss of BMV land.</p> <p>Even for the solar farm, 40 years is in fact a multi-generational change. GLVIA3 5.51 [CD11.13] says that 10-25 year effects are “long-term”. For many receptors, including those around the sub-station (which would in fact be permanent) the landscape/visual effects will effectively amount to whole-life changes.</p> <p>There is also the significant potential that, if this appeal is allowed, then the development may be renewed/life-extended as an “established site” as per NPPF163(c) meaning that the effects, even of the solar farm itself, will effectively be permanent.</p> <p>It is notable that the substation is over-sized for this single application, and there is an inconsistency between the temporary nature of the solar farm versus the permanent nature of the substation, further pointing to the potential permanence of both developments.</p> <p>The LCC consultation response 10 May 2024, [CD3.6] endorses the above position and states <i>“As is noted in this submission, any number of appeal decisions have confirmed that when time periods of 40 years are concerned, very little weight can be given to the notion of a “temporary” or reversible development. All of which are material considerations that the Planning Authority must have consideration to when determining this application”</i>.</p>
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6.14 Appeal decision [CD 9.1] Ref: APP/F1040/W/22/3313316 Land North of Lullington - Inspector GW Thomas. 21 July 2023. Inspector Thomas identifies that at Section 2;

“The main issues in this appeal are: the effect of the proposed development on the use of best and most versatile agricultural land, including consideration of site selection processes.”

“While collectively the benefits arising from the appeal scheme are significant, the harm that would be caused by allowing the development of just below 50 per cent of the site’s hectareage (on BMV land) over a period of 40 years would be of greater significance.”

Whereas, in this proposal; *Inspector Thomas considers that just under half of the total available acreage is of a material consideration*, in the case of Hatton Solar Farm the land take is in fact approximately 80% BMV land.

Likewise, with respect to the identified harm caused over 40 years, *“Mr Thomas also makes clear, by way of a warning to future developers, that 40-year permission for a proposed scheme is not viewed as “temporary”, instead representing a “generational change”.*

Whilst it is acknowledged that this decision was taken against a different policy background in 2023, the use of BMV land remains an important factor in the Planning Balance (as confirmed by SoS on 17th Feb 2025 [CD11.16]).

Fire Hazard

6.15 Significant concerns have been raised by a number of local residents in respect of the apparent increasing risk and incidents of electrical runaway fires due to the electrical infrastructure, the inverters etc. These concerns have been echoed by E&WBPC [CD3.5] and BPC [CD3.7]

6.16 It is not my intention to debate the probability of a fire and produce empirical evidence of the magnitude of probability of that risk, but to highlight that, whilst good design can help, it does not entirely eliminate the risk. Indeed, SoCG [CD 8.3] 27 *“Gas Pipe and Fire Risk”* states: *“fire risk from solar farms is very low, and that residual risks can be managed by the Appellant...”*

6.17 Therefore, even in the view of the Appellant, there is indeed some residual risk of fire; and that residual risk is NOT ZERO nor is it even Negligible.

6.18 I would therefore highlight that low probability risks do happen, often with catastrophic consequences. These are often referred to as "Black Swan" events, which refers to an unpredictable and rare occurrence with severe consequences. They are characterized by their unexpectedness, their significant impact, and the tendency for people to explain it away after the fact as if it were predictable

6.19 The important thing in this case therefore, is to accept that there is a residual risk, and to fully and properly consider the possible consequences should that risk manifest, clearly identifying the necessary mitigation actions to protect the public in the event that the risk should materialise.

6.20 With these consequences in mind E&WBPC [CD 3.5] noted safety concerns regarding the extreme close proximity of the proposed site to residents within Hatton and Sotby; *"all within little more than a mile, if that", and the known risk of fire, due to the complexity of the electrical systems within the installation*". They highlight the, *"difficulties in extinguishing the blaze which then must be allowed to "burn itself out", releasing noxious, heavy smoke in the process"*. Both [CD3.5] & [CD3.7] reference the fire at Burton Pedwardine (Feb 2024) and the reported effects on residents at, *"distances of nearly two miles or more, regarding "toxic clouds of black smoke and fumes - much further than those of the people of Hatton, Sotby and Great Sturton from the current proposal". "There is also the question of what fumes might be emitted within the smoke and the strong possibility of the release of toxic chemicals into the soil below the structures and into the watercourses beneath during efforts to extinguish a fire"*.

6.21 BPC's consultation response 26 March 2024 [CD 3.7] reiterated the concerns raised in BPC's first submission, dated 11 August 2022 [CD3.19]. The submission also referenced comparative details of the original planning application within North Kesteven District LPA and this proposal:

"Yet the site location map above, confirms that with the exception of Grange farm, there are no other residences in the proximity to this SPP whereas, this is simply not the case at Hatton and Sotby".

6.22 BPC [CD 3.7] also highlights the increased separation distances between residents and consented and operational large scale solar power plant installations elsewhere in East Lindsey, at Kirkby on Bain and at Wainfleet St Mary.

"Furthermore, BPC's submission dated 07/11/2022 in response to Push's STATEMENT OF RESPONSE-5391980, examined the siting of a similar size Solar Power Plant on Land at Low Farm Wainfleet St Mary which, likewise, was sited at a reasonable distance from local residents as is the operational SPP at Kirkby on Bain".

6.23 Hatton Parish Meeting [CD 3.8] likewise, raised material concerns regarding solar panel disposal and difficulties with recycling. In addition to credible and verifiable scientific research sources highlighting soil contamination.

"from pollutants such as lead or carcinogenic cadmium can be almost completely washed out of the fragments of solar modules over a period of several months, for example by rainwater."

and concluding:

I would like to submit the above with concern over the sheep that has been suggested to graze under the solar panels with this toxic water running down. I know the developer said it was distilled water, but I'm afraid solar panels do indeed produce cadmium and cobalt which often contaminate the land."

6.24 Given the verifiable material concerns raised in respect of this matter, the SoCG [CD8.3] position stated in **Section 27 – 'Gas pipe and fire risk'** (*"fire risk from solar farms is very low, and that residual risks can be managed by the Appellant..."*) is challenged by the R6 Party for the following reasons;

- Whilst the residual risk might be low, it is not zero. The *"residual risks"*, identified in evidence above, have not been adequately addressed (and, by definition, cannot be, due to the requirement for significant electrical infrastructure in close proximity to a high-pressure gas pipeline). Given the proximity of the site to fields with crops and Sotby Wood, there is also a risk of crop fires spreading towards the solar farm with an increased risk of conflagration.
- It is unclear how these residual risks (which are, by definition, post-design) could possibly be *"managed by the Appellant"* given that the site will be unmanned during operation.
- The consequences of a fire have not been fully considered and could be potentially catastrophic given the unacceptably close proximity of the proposed site to a number of

neighbouring properties in Sotby, Great Sturton and Hatton, all of which are only a few hundred meters from the proposed development.

- A more robust fire risk assessment and mitigation plan has therefore been suggested as a Planning Condition (see Appendix A).

7. Planning Balance

Benefits

7.1 It is acknowledged and accepted, as set out by the Appellant SoC [CD8.1] and supported by Planning Policy, that Renewable Energy Generation schemes command support, and that ELDC has important targets to meet. However, despite the presumption for approval, any proposed Renewable Energy Generation scheme, especially given recent serious concerns regarding sustainable food production, which is the foundation of Lincolnshire's economy, must be carefully weighed in the planning balance.

7.2 The LPAs Position SoC [CD8.2] is in support of this balanced approach and at Section 6.1.11 states;

"The broad range of public benefits identified by the appellant are noted and by reference to the Statement of Common ground generally agreed. It is essentially the level of harm and weight that should be afforded to those matters that differ and inform the LPAs decision".

and at Section 6.1.16:

"The LPA's evidence will demonstrate that together these problems would cause sufficient harm to outweigh the need for renewable energy, that this harm would not be eliminated by the proposed 40-year lifespan of the development and, as such, a refusal of this application and dismissal of this appeal is justified".

7.3 The R6 Party fully endorses the position taken by the LPA regarding Planning Balance (described in 7.2 above), and would strongly challenge the magnitude and weighting of the scheme Benefits being claimed by the Appellant (see Sections 7.4 to 7.10 below).

7.4 The Appellant's Statement of Case [CD8.1] Section 12.0 states that *"the Appellant will demonstrate that the harms will be outweighed by the benefits in the planning balance"* and their statement at

Section 1.2.16 “.....*this output will contribute to social sustainability by providing low-cost, clean power to the local grid which will benefit homes and business in the local area....*”

The most effective way to actually reduce householder costs is to incentivise household-specific initiatives (e.g. improved insulation, installation of solar panels on roofs, etc) all of which directly, and immediately, contribute to lower household bills.

In the case of the proposed Hatton Solar Farm, any benefits will unfortunately only transpire in the long-term since all power fed into the grid is sold at nationally set wholesale rates, with consumers paying standard tariffs as set by suppliers.

Several industry and expert studies (referenced in Appendix E) have highlighted that electricity prices will remain elevated (maybe even increasing in the short-medium term), and that there will be no meaningful reductions until the late 2030's / early 2040's due to the need for renewable subsidies, back-up costs and the considerable investment needed in the infrastructure and grid upgrades.

Any reduction in cost of electricity for householders as a result of Renewables initiatives such as this proposed development, therefore remains an aspirational goal since, in this case, the cost benefits of this scheme would only be realised in the long-term, and would be dependent upon other factors such as regulatory changes, contractual arrangements and significant national investment in the necessary upgrades to storage and transmission infrastructure, none of which can be guaranteed over such an extended period.

The reality is that whilst solar farm developers and landowners will be the short-term financial beneficiaries of schemes such as this, the “*benefit to homes and business in the area*” that is being claimed is, (according to industry predictions), likely to be decades away.

Given the extended timescales of ~ 15-20 years before any benefits are realised for the local homes and business arising from this proposed development, together with the inherent uncertainty given its dependency on other factors, it is therefore submitted that there is good reason to afford this benefit only limited weight in the overall planning balance.

7.5 The Appellant's Statement of Case [CD8.1] makes further claims in terms of Economic Benefits in Sections 11.2.15, 11.2.26 and 11.2.27 which I would comment on as follows;

7.6 Section 11.2.15 *"The benefits of the scheme are extensive and wide ranging, and the key benefit is the contribution the transition to a zero-carbon energy system by generation renewable energy. This grid connection is deliverable"*

Whilst the Appellant has consistently claimed that a grid connection has been agreed, it is interesting to note that this has now changed to *"this grid connection is deliverable"*. In any event, the immediate availability of a grid connection (should that be true) would not accelerate the economic benefits of this scheme for the reasons already described in Section 7.4 above

7.7 Section 11.2.26 *"The scheme will provide a range of economic benefits. The proposal will help the farm diversify its operations, enhance financial stability, and support future investments. This provides a significant public benefit".*

NPPF Section 6 "Supporting a prosperous rural economy" highlights that planning policies and decisions should enable: *"the sustainable growth and expansion of all types of business in rural areas" and "the development and diversification of agricultural and other land-based rural businesses".*

Therefore, and whilst this proposal certainly helps one local (arguably already very successful) large business, referred to here as *"the farm"*, this is not a *"public benefit"* as claimed, but rather a private benefit given that the reduction in land area being farmed could possibly reduce the number of farm-workers needed.

The scheme is therefore in conflict with NPPF Section 6 since it is to the huge detriment of other small, local businesses such as holiday-let owners and equestrian properties who do not have the wider resources and thus diversity that is available to *"the farm"*, but whose small businesses are wholly reliant upon the beauty of the local landscape to attract visitors.

I would also point out that is stated in the SoCG [CD8.3] **Section 26 – 'Impact on existing farm business'**, that *"it is not within the remit of planning to address any purported impact on the*

business which at present farms the site”. This therefore applies equally to any harm or indeed, and as the Appellant is trying to argue in Section 11.2.26, any benefits.

7.8 Section 11.2.27 *“The appellant will also set out how the solar farm will assist a strong economy through feeding low cost energy supplies into the local distribution network and how the proposal will provide significant and ongoing business rates contributions along with employment during the construction period. The appellant will seek to employ local people during construction, and the scheme will contribute to local business rates, supporting the local economy and contributing to energy security. This provides a moderate public benefit”.*

Taking each of these statements in turn;

- It is contended that Business Rates (mentioned twice above) should not be considered a benefit as this could lead to LPA bias in planning decisions.
- Whilst seeking to employ local people during construction is laudable, this is a very short period of time in relation to its overall 40-year operation, therefore giving very limited, (if any), benefit in the overall lifecycle of the development. It can also not be assured unless made a Planning Condition (proposed in Appendix A)

7.9 In SoCG **Section 28 – ‘Planning Benefits’** [CD8.3] it states *“Both parties agree that the appeal scheme would result in the following benefits”:*

- *“Mitigation of climate change and generation of renewable energy – given the size of the appeal scheme, this has a very substantial weight in the planning balance”.*
- *“The appeal scheme has a secure grid connection and can begin exporting renewable energy to the grid as soon as construction is complete. This minimises infrastructure costs and ensures an efficient energy supply, directly benefiting national energy security. This carries significant weight”.*
- *“Ecological enhancements and very high BNG carries substantial weight”*
- *“Recreational amenity carries moderate weight”*
- *“Landscape enhancements from new and managed hedges carries moderate weight”*
- *“Economic benefits from farm diversification and contribution to jobs and the economic carry moderate weight”*
- *“Temporary change in use of best and most versatile land carry neutral weight”*
- *“Transport and access carry neutral weight”.*

- *“Amenity, including noise and glint and glare on nearby properties carry neutral weight.*

As described in previous sections of this Proof of Evidence, the Rule 6 Party fundamentally disagrees with the magnitude of benefits that is being claimed in all of these areas. The relative weightings are also questioned. This will be left as a matter for discussion at the Planning Inquiry.

7.10 Throughout this PoE the R6 Party has also provided further significant evidence on a range of planning issues that demonstrates that the harms have in fact been significantly understated by the Appellant and will NOT be outweighed by the Benefits which, as described above, have been significantly over-stated.

7.11 A summary of The Rule Party position on the Planning Balance (Degree of Harm) is given in the Table in Section 7.8 below:-

7.12 Table 1 - Planning Balance

Planning Consideration	Weight (Low / Moderate / Significant)	Degree of Harm (None / Low / Moderate / High)	R6 Party Assessment / Commentary
Compliance with Primary Legislation	Significant	High	<p>The Planning (Listed Buildings & Conservation Areas) Act 1990 Section 66(1) is relevant to the consideration of this application and its impact on Grade II Listed Corner Farm. Relevant extracts from this Act are given in Section 3.1 of this PoE.</p> <p>Since the proposed development does not preserve the setting of Corner Farm as a listed building it therefore fails to meet the requirements of section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990.</p>
Compliance with Local Development Plan	Moderate – Significant	High	<p>Section 14.8 of The ELDC Core Strategy states:</p> <p><i>"There has been increasing interest in the development of solar farms across the District. Careful consideration needs to be given to the siting of these proposals. Solar farms can, depending on their scale, require a large land take. National policies exist seeking to prioritise the use of previously developed land and minimising the use of the best and most versatile agricultural land and these matters should be given due consideration in assessing any application. Impact of the proposals on biodiversity, and ability of the scheme to accommodate this, may also be a factor on both brownfield and greenfield sites. Although</i></p>

Planning Consideration	Weight (Low / Moderate / Significant)	Degree of Harm (None / Low / Moderate / High)	R6 Party Assessment / Commentary
			<p><i>often sitting low in the landscape, solar farms can still have an impact locally, in long distance views or where overlooked from higher ground."</i> (East Lindsey Strategic Policy SP10).</p> <p>Core Strategy - SP10: PoE (this document) Section 5.14 refers - does not fully accord with SP10.</p> <p>Core Strategy - SP11: PoE (this document) Section 3. refers, specifically Section 3.8 - Substantial harm to Heritage Asset and Landscape Heritage and Character; "causing cumulative harm."</p> <p>Note convergence of Historic and Landscape Character Evidence with ELDC & Rule 6 party. ELDC Policy SP27:</p> <p>The proposal is not in accordance with Policy SP27, despite the Appellants assertion which states; <i>"it can be deemed that the proposed development is in accordance with Policy SP27 as the proposed scheme would make provision for renewable energy generation, of scale and design appropriate to its location."</i></p> <p>This is clearly not the case; The R6 Party consider that the Visual Residential Amenity of local residents, along with the visual recreational amenity of visitors to the holiday cottages and recreational amenity of walkers, horse riders, and cyclists are deemed to be unacceptably adversely impacted. The proposal is therefore contrary to Section.1 b) of Strategic Policy 27 (SP27) as it cannot be considered materially acceptable in relation to surrounding landscape and historic landscape character, along with residential and recreational visual amenity and</p>

Planning Consideration	Weight (Low / Moderate / Significant)	Degree of Harm (None / Low / Moderate / High)	R6 Party Assessment / Commentary
			adverse visual impacts on Grade 2 listed Corner Farm House and Barn, (and its Planning Approval to be converted in to holiday accommodation to assure its long-term viability).
Heritage Impact (Corner Farm)	Moderate - Significant	High	<p>Section 16 of the National Planning Policy Framework (NPPF) requires the Local Planning Authority, <i>“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”</i> (Section 2.12 as of February 2025).</p> <p>The reasons for the “high level of less than substantial harm” of this development on Corner Farm is evidenced in R6 Heritage PoE [CD8.18] Section 4 as follows:-</p> <ul style="list-style-type: none"> a. The combination barn and other farm buildings to Sturton Harden Corner Farm House are an integral part of the planned courtyard farmstead, a well-established agricultural plan form type, and should be considered to form part of the principal listed building, and are of high significance b. The setting to the north of Sturton Harden Corner Farm House, as a result of the above known building type, extends beyond and is significant to this small early 19th century farmstead and should be considered as part of the setting of the listed building. c. This setting remains almost unchanged in the last 200 years and forms part of how Sturton Harden Corner Farm is appreciated and experienced.

Planning Consideration	Weight (Low / Moderate / Significant)	Degree of Harm (None / Low / Moderate / High)	R6 Party Assessment / Commentary
			<p>d. The proposal for a solar farm has the potential to result in a total loss of use of the barn leading potentially to a lack of maintenance. This may have more than a “temporary” impact on this grade II listed historic farmstead.</p> <p>e. The mitigation proposed is insufficient to reduce the harmful impact</p>
Impact on Landscape / Character	Moderate	High	<p>Section 4 of this document (PoE [CD8.20]) outlines the reasons why</p> <ol style="list-style-type: none"> 1) The development does not accord with NPPF Section 15 : “Conserving and Enhancing the Natural Environment” [CD7.5] which sets out that <i>“the planning system should contribute to and enhance the environment by protecting and enhancing valued landscape.”</i> 2) Why it is in conflict with Core Strategy - SP 23 <i>“The District’s landscapes will be protected, enhanced, used and managed to provide an attractive and healthy working and living environment. Development will be guided by the District’s Landscape Character Assessment and landscapes defined as highly sensitive will be afforded the greatest protection”</i>
Loss of Agricultural Land	Low - Moderate	Moderate	Sections 6.1 to 6.14 of this document (PoE [CD8.20]) refer

Planning Consideration	Weight (Low / Moderate / Significant)	Degree of Harm (None / Low / Moderate / High)	R6 Party Assessment / Commentary
Economic Benefits	Moderate	Low	Sections 7.4 and 7.10 of this document (PoE [CD8.20]) refer
Public Consultation	Low – Moderate	Moderate	<p>Public consultation for the Hatton Solar Farm has been wholly inadequate (as outlined in the R6 Party SoC [CD8.7] (Section 1.6).</p> <p>The Appellant’s Statement of Community Involvement [CD2.17] is a 24-page document (of, largely, marketing material) that discusses the one (and only) public consultation meeting that took place on 2nd March 2022. The document states that <i>“leaflets were distributed 3 weeks before the event”</i>, however, many residents local to the development site have reported receiving their leaflet only 3 days before the event. Those that managed to make it at such short notice talked about the lack of understanding and preparation by the organisers, with the Appellants representatives seemingly being unaware of the high-pressure gas pipeline stating when it was raised by a local resident <i>“oh, that’s ok – we will just get that moved”</i>.</p> <p>Since this initial meeting the Appellant has since failed to engage in any way with the communities most impacted by this development. The website referred to in the Statement of Community Involvement has also never been fully operational (as highlighted in BPC Consultation response11th August 2022 CD3.19)).</p>

Planning Consideration	Weight (Low / Moderate / Significant)	Degree of Harm (None / Low / Moderate / High)	R6 Party Assessment / Commentary
			<p>Unfortunately, and despite ~380 letters of objection raising a whole variety of issues and concerns, no further contact, (let alone a site visit or further meeting), has ever ensued during this prolonged and deeply upsetting process. This will no doubt be covered in depth in the Public Speakers as I have been contacted by many disgruntled community members who feel disenfranchised with the lack of discussion, consideration and engagement by the Appellant throughout this process.</p> <p>It is also noted that, whilst there are also 170 letters of support, it is obvious from reviewing these that they were standard “pro-forma” responses from cold-calling people in Wragby, Louth, Horncastle with no knowledge of the scheme.</p> <p>The Rule 6 Party was contacted by some Wragby residents who were upset by people canvassing for support (and asking for their photo). It also transpired that they were told “<i>the site already has planning permission for a gas power station: this proposal will instead produce clean green energy</i>”. This claim is a falsehood since planning approval for the gas peaking station has long lapsed and there is no known existing development consent on any parts of the proposed site.</p> <p>Concerns were raised about this issue by Baumber Parish Council's Consultation response 24th January 2023 [CD3.22] which states “<i>due to the above information and misleading</i></p>

Planning Consideration	Weight (Low / Moderate / Significant)	Degree of Harm (None / Low / Moderate / High)	R6 Party Assessment / Commentary
			<i>claims circulated by the applicant's representative in their support template, letters should be disregarded when considering the determination of the proposed Hatton Solar Plant application on land south of Sotby Wood."</i>
Biodiversity / Ecology	Moderate	Low	<p>LPA Decision Notice 2 [CD4.2] highlights a "<i>potential increase in biodiversity at the site as a result of this scheme</i>", which is in line with SP 24 [CD5.5] Biodiversity and Geodiversity. The reason for this is that the ecology methodology and calculation tool used allocates zero weighting to cereal crops and food-growing potential, since food production, by its very nature, tends to be monocultures and as such lacking in distinctiveness. The vast majority of this site will still remain grass, since only a very small area is to be made into a wild flower meadow, (3.94 hectares on a site of 68.19 hectares, equivalent to only 5.7% of the site being distinctly different from the crops already grown there). A biodiversity increase is therefore not "<i>a result of this scheme</i>" at all.</p> <p>If the pursuit of biodiversity was embraced by the landowner, then a more significant increase could still be achieved without this scheme going ahead. For example, a small percentage of wild flower seed could be added to cereal mixes, existing boundary habitats could be enhanced with species-rich hedgerows, bat and owl boxes could be installed on existing trees, etc, etc.</p>

Planning Consideration	Weight (Low / Moderate / Significant)	Degree of Harm (None / Low / Moderate / High)	R6 Party Assessment / Commentary
			<p>The Appellant asserts that the environmental and ecology impacts can be mitigated against, however, there is already Government support available to the landowner that provides the means to improve the site and surrounds, meaning that this support is not solely dependent on the consent and development of this scheme as highlighted in BPC Consultation responses [CD3.19] and [CD3.23].</p>

8. Conclusions and Recommendations

- 8.1 My evidence addresses the LPA's reason for refusal (LPA Decision Notice 2 [CD4.2]) and considers whether the benefits of the proposed development would outweigh the cumulative harms to; the setting and significance of Sturton Harden Corner Farm, the harm to the countryside character of the area including the harms to the landscape character, visual amenity, and the public rights of way amenity.
- 8.2 In this proof of evidence I have set out how the proposed development is contrary to the policies referenced in the East Lindsey District Council Core Development Plan (include ELDC Core Plan Policies) and the provisions of the National Planning Policy Framework (NPPF) and the National Policy Statements EN-1 and EN-3. Most importantly however, it fails to meet the requirements of section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
- 8.3 I have taken account of the evidence provided by Mrs Elizabeth Mayle (R6 Heritage PoE [CD8.18]) in respect of the significant adverse effects to the named heritage asset (Corner Farm) and its setting. Additionally, the evidence provided by Mr Peter Radwell, [R6 Landscape and Visual PoE [CD8.19]] which confirms the development's significant adverse effects on landscape character and visual amenity, as well as on users of the PRoW, including the bridle-path and the Lindsey Trail. In all, I attach Significant weight to the harms to Heritage and Setting and Significant weight to the harms to landscape character, visual amenity and Public Rights of Way.
- 8.4 With regard to benefits, I have provided a considered review of the magnitude and veracity of the benefits of the proposed development as claimed by the Appellant and the weight that they should be afforded, given their long-term nature and uncertainty (refer to Sections 7.2 – 7.10).
- 8.5 Notwithstanding the clear benefit of Renewable Energy Generation, on which all three Interested Parties will agree, it is clear that we are significantly at odds with respect to the level of other public benefits that are being claimed. The absence of evidence to support their claims and the lack of ability to mandate or enforce this through Planning would suggest that many of the benefits being claimed as part of the planning balance argument (e.g. biodiversity, employment, continued land use through grazing, etc) may ultimately not be achieved.

- 8.6 In contrast to this however, the significant cumulative harms that would be caused by this development have been demonstrated within the R6 Proofs of Evidence ([CD3.20], CD3.19] and [CD3.18]).
- 8.7 Therefore, when weighing up the planning balance, (refer to Section 7 of this document) I consider that the single benefit identified (ie Renewable Energy Generation) would be outweighed by the cumulative harm resulting from this development.
- 8.8 For reasons set out in this proof of evidence prepared for the Rule 6 Party, I therefore conclude that the proposed development is not in accordance with the East Lindsey District Council Core Development plan and furthermore, there are no other material considerations that have been seen since the application was refused by the LPA on 03 October 2024 that would outweigh the resultant harms that would be caused by this development
- 8.9 Having considered the evidence put forward I would therefore formally request, on behalf of the Rule 6 Party, that the appeal be dismissed, and planning permission refused.

Melvin Grosvenor
Planning Consultant
August 2025

APPENDIX A – PROPOSED R6 PLANNING CONDITIONS

- 1.1. The development hereby permitted shall begin no later than three years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.

- 1.2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

[Insert list of plan numbers, titles, and dates, as approved by the Local Planning Authority and/or as set out in the Planning Inspectorate’s appeal decision].

Reason:

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

- 1.3. The construction of the development hereby permitted shall be completed, including all panels, mounting structures, fencing, and associated infrastructure, within 18 months of the date on which development first begins on site. Written notification of the commencement date shall be submitted to the Local Planning Authority within 7 days of commencement.

Reason:

To limit the period of construction-related disturbance and minimise harm to the landscape and local amenity.

- 1.4. The development hereby permitted shall cease operation and the site shall be decommissioned and restored in accordance with the approved Decommissioning and Restoration Scheme no later than 40 years from the First Export Date—defined as the date on which electricity is first exported from any part of the development to the national grid. Written notification of the First Export Date shall be submitted to the Local Planning Authority within 14 days of its occurrence and uploaded to the planning portal under the application reference number.

Reason:

To ensure that the development remains a temporary land use, and to secure the timely restoration of the site in accordance with landscape and policy objectives.

- 1.5. If at any time the Solar farm becomes non-operational for a continuous period of three months the developer must notify the LPA in writing within 14 days.

Reason:

To ensure timely monitoring and oversight of the operational status of the development, enabling the Local Planning Authority to assess whether the permitted use remains active and whether any subsequent action—such as decommissioning—may be required. This helps protect the rural landscape character of the area, safeguard the temporary nature of the permission, and ensure compliance with planning objectives in accordance with Policies.

- 1.6. If at any time following the First Export Date the development hereby permitted ceases to export electricity to the national grid for a continuous period of six months, all solar panels, mounting structures, associated buildings, fencing, CCTV, cabling, and ancillary infrastructure shall be removed from the site, and the land shall be restored in accordance with the Decommissioning and Restoration Scheme approved under Condition 8.1.

Reason:

To ensure that the development remains in beneficial use as a renewable energy facility and to prevent the site becoming derelict, visually intrusive, or environmentally harmful if it ceases to function as permitted. The requirement for removal of infrastructure and land restoration upholds the temporary and reversible nature of the development, safeguards landscape character, biodiversity, and rural amenity, and ensures alignment with sustainable development principles. This condition is in accordance with Paragraphs 174 and 185 of the National Planning Policy Framework (NPPF).

To enable effective monitoring and enforcement of this condition, the operator shall submit to the Local Planning Authority an **Annual Energy Export Statement**, no later than 12 months after the First Export Date and annually thereafter, detailing monthly electricity export figures. The Local Planning Authority may, at its discretion, require supplementary verification from the Distribution Network Operator or other relevant third party.

Construction

- 2.1. No development, including any groundworks or site preparation, shall commence until a Pipeline Protection Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with National Gas Transmission (NGT). The Plan shall include details of stand-off distances, construction methodologies, protective measures, and ongoing access arrangements set out by the statutory body during and after construction. The development shall thereafter be carried out in full accordance with the approved Plan.

Reason:

To ensure the protection of the high-pressure gas pipeline and associated infrastructure during all stages of the development, in the interest of public safety.

- 2.2. No development shall commence until full details of the position, layout, scale, and external appearance of the solar panel arrays, substation, transformers, marshalling cabinets, and CCTV poles, including a schedule of external materials and finishes, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details.

Notwithstanding any typical details submitted with the application, the maximum height of the solar panel arrays shall not exceed 2.98 metres above ground level.

Reason:

To ensure a high standard of design and to minimise the visual and landscape impact of the development.

- 2.3. No development shall commence until a Cabling Installation Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include details of the cable routing, depth, method of installation (e.g. trenching, directional drilling), whether cables are to be laid underground and any mitigation for landscape, ecological, or archaeological impacts.

All cabling shall be installed strictly in accordance with the approved details.

Reason:

To protect the visual amenity, ecological integrity, and potential archaeological value of the site and surrounding area.

2.4. No development shall commence until detailed drawings of the site access and a Construction Management Plan (CMP) detailing parking, vehicle loading/unloading arrangements, and traffic management have been submitted to and approved in writing by the Local Planning Authority, in consultation with Lincolnshire County Council Highways. The approved site access works shall be completed and the CMP implemented prior to the commencement of construction. All construction-related parking, loading, and unloading shall be contained within the site throughout the construction period.

Reason:

To ensure that construction traffic and associated activities do not cause unacceptable impacts on highway safety or the free flow of traffic on the local road network. To minimise disruption and inconvenience to local residents and road users during the construction phase. To ensure that parking, loading, and unloading associated with the development are managed safely and effectively within the site boundary, in accordance with national and local highway policies. The condition is required to protect the amenity of the surrounding area and to maintain safe and efficient operation of the highway in accordance with the National Planning Policy Framework and guidance from Lincolnshire County Council Highways.

2.5. Despite the existing national speed limit on the access roads, all construction vehicles shall adhere to a maximum speed limit of 20 mph along the designated construction route for the duration of the construction period. Appropriate signage and traffic management measures shall be installed and maintained by the developer to ensure compliance. The approved measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of construction.

Reason:

To ensure the safety of all road users, including pedestrians, cyclists, and horse-riders, along the construction route. The imposed 20 mph speed limit and required traffic management measures will reduce the risk of accidents and minimize damage to adjacent properties and verges caused by construction vehicles. This condition helps to safeguard local amenity and highway safety during the construction period, in accordance with relevant planning policies.

2.6. No development, including construction, groundworks, or delivery of materials, shall take place during sensitive breeding seasons for protected or priority species (1 March to 30 June inclusive), unless otherwise agreed in writing by the Local Planning Authority following the submission of

supporting evidence and a method statement demonstrating how impacts on ecological interests will be avoided or mitigated.

Reason:

To protect and safeguard breeding habitats for protected or priority species. This condition ensures construction activities do not cause undue disruption to ecological cycles, in accordance with national and local planning policies relating to biodiversity and rural amenity.

- 2.7. No construction works, including deliveries to or from the site by Heavy Goods Vehicles (HGVs), shall take place outside the hours of 09:00 to 17:00 Monday to Friday, and there shall be no construction activity or HGV movements on weekends, bank holidays, or during the Christmas period (defined as 24 December to 2 January inclusive).

Reason:

To minimise disruption and protect the safety and amenity of residents during construction, particularly given the narrow, curved nature of local roads. Restricting construction and HGV movements to off-peak hours and excluding weekends, holidays, and the Christmas period ensures traffic safety, prevents local congestion, and maintains residential quality of life and amenity, in accordance with local planning policies and the National Planning Policy Framework.

- 2.8. The construction compound and temporary access track shall be fully removed, and the ground restored to its original condition within three months of the completion of construction.

Reason:

This condition ensures that temporary infrastructure does not persist beyond the construction period, thus avoiding unnecessary visual, ecological, or land-use impacts. It reinforces the temporary and reversible nature of the development, which is a key consideration for solar farms in rural areas.

Landscaping

3.1. Notwithstanding the submitted landscape mitigation strategy, no development shall commence until a detailed scheme for hedge planting and boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- The provision of native hedgerows on all sides of the site, specifying species mix, planting density, size at planting, and layout.
- Details of all fencing, access gates, and suitable openings designed to allow passage of wildlife (e.g. hedgehog gaps or badger-friendly specifications).
- A timetable for planting and installation.
- A management and maintenance plan for a minimum period of 15 years from completion, including details for the replacement of failed specimens and boundary infrastructure and clarity over who will be held responsible for the care and upkeep for up to 15 years whilst the planting becomes established.

The scheme shall be implemented in full accordance with the approved details and timetable and maintained thereafter in accordance with the approved management plan.

Reason:

To ensure the development delivers effective landscape mitigation, enhances biodiversity through wildlife-permeable boundary treatments, and protects the visual amenity and rural character of the area in accordance with local planning policy and the National Planning Policy Framework.

3.2. The new hedge planting hereby approved shall be permitted to grow to a maximum height of three metres and shall be maintained at or below that height for the operational lifetime of the development. The landowner shall undertake regular pruning and management to maintain the approved height and prevent encroachment.

In the event, any hedge plants die, are removed, become seriously damaged, diseased, or are significantly thinned out, they shall be replaced on a like-for-like basis (species, size, and density) during the next available planting season, in accordance with the approved Hedge Maintenance and Replacement Schedule.

A detailed Hedge Maintenance and Replacement Schedule shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of planting. The approved

maintenance regime shall be implemented in full and maintained for a minimum of 15 years following initial planting.

Reason:

To ensure the visual screening function of the hedge is preserved and effective over the lifetime of the development, to protect the rural character of the area and safeguard local amenity. The condition also ensures that biodiversity and landscape mitigation objectives are achieved in accordance with national and local planning policies.

3.3. Prior to commencement of development, a Public Access and Landscape Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority in conjunction with LCC Highways. The plan shall:

- Confirm all existing public rights of way including the permissive footpath which must be changed to a public right of way which currently runs adjacent to the site boundary.
- Set out proposals for the retention, enhancement, and year-round unobstructed access of all identified paths during the lifetime of the Solar farm.
- Include proposals for additional landscape planting or screening along the permissive path that skirts Sotby Wood, consistent with the Landscape and Visual Impact Assessment.
- Clearly defined signage, maintenance responsibilities, and monitoring arrangements must be approved by plans submitted to the LPA.

The approved plan shall be implemented in full and retained for the lifetime of the development.

Reason:

To safeguard and enhance public access in accordance with the Lincolnshire Public Rights of Way Improvement Plan and associated Path Prioritisation Policies, and to ensure that landscape mitigation extends to areas used by the public to protect rural amenity and promote countryside access.

3.4. The field to the north of the site between the boundary of the site and Wass Lane shall be planted to form a mixed native woodland and meadow habitat, incorporating a pond designed for community use and ecological enhancement.

Prior to the commencement of planting, a detailed Woodland and Meadow Planting Scheme and Irrigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Planting species, densities, layout, and location of the pond.
- Irrigation design sufficient to support establishment of the planting until the hedges have reached desired height, accounting for seasonal variation and drought conditions.
- A timetable for implementation.
- Details of maintenance and monitoring during the establishment period.

The approved scheme shall be implemented in full and maintained for a minimum of fifteen years or until the planting is deemed to be established by the Local Planning Authority.

Reason:

To ensure successful establishment and long-term viability of landscape planting and biodiversity features intended to screen the development and provide ecological and community benefits, in accordance with national and local planning policy objectives on landscape character, visual amenity, and community engagement.

3.5. The landscaping scheme, specifically those aspects of the landscape scheme which will require time in order to mature and mitigate views (e.g. the planting and treatment at the perimeter of the site, and those aspects of the agreed scheme which protect views from residential properties (such as at the North, South and West of the site) the planting and treatment of the perimeter of the site (excluding approved site access points), shall be implemented and completed prior to the commencement of construction.

All remaining areas of landscaping, as shown in the approved Landscape Mitigation Plan, shall be implemented in full by the end of the first planting season following commencement of development.

Reason:

To ensure that key elements of the landscape mitigation are delivered early to provide timely visual screening, enhance site integration into the rural landscape, and promote early biodiversity benefits. Phased implementation helps manage landscape impact during construction and ensures full compliance with the approved landscape strategy.

Highways

- 4.1. The development hereby approved shall not be commenced until the agreed road modifications (passing points etc) along the proposed route have been completed in accordance with the Highway Management plans approved by Lincolnshire County Council, Highways.

Reason:

To ensure that essential highway safety improvements are in place before development activity generates significant traffic, minimising conflict with other road users and preserving local amenity and road function.

- 4.2. The development hereby permitted shall be carried out in accordance with the submitted Traffic and Construction Management Plan. For the avoidance of doubt no machinery shall be operated, no processes carried out and no deliveries taken or dispatched from the site outside 09:00–17:00 (Mon–Fri) and not at all on the weekends or Bank Holidays. Furthermore, there shall be no HGV movements to or from the site outside the 09:00–17:00 (Mon–Fri) excluding weekends and Bank Holiday weekends. These restrictions will apply during all stages of the development's life, including Construction, Operation Maintenance and Decommissioning.

Reason:

To minimise noise, disruption and safety impacts on surrounding residents and road users, particularly from HGV movements on single track roads.

- 4.3. Prior to the commencement of any development, including site clearance and deliveries, a scheme for the protection of highway verges, footways, and carriageways during construction shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of temporary protective measures, designated access points, wheel washing, and implementation programme.

Reason:

To ensure that construction traffic does not damage public highways and to protect highway safety and condition throughout the development period.

- 4.4. Prior to commencement of development, a pre-construction and post-construction highway condition survey (covering all affected local roads, verges, and access points) shall be carried out in agreement with the Local Highway Authority. A Highway Repair Strategy, including proposed mitigation and responsibility for repairs to any damage caused by construction traffic, shall be

submitted to and approved in writing by the Local Planning Authority and LCC Highways. All works shall be carried out in accordance with the approved strategy.

Reason:

To ensure that any damage to local highways, verges, and access points caused by construction traffic is properly identified, monitored, and repaired in a timely manner. This protects public infrastructure, maintains highway safety, and ensures the development does not result in long-term harm to the local transport network or neighbouring properties.

Protection of the High-Pressure Gas Pipeline Network

5.1. No development shall commence until a Pipeline Protection Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with the relevant pipeline operator (e.g. Cadent Gas, National Grid, or other as applicable).

Reason:

To ensure the safe construction and operation of the development in close proximity to high-pressure gas infrastructure, and to protect public health and national utility assets.

5.2. The Pipeline Protection Plan shall include:

- A detailed plan showing the precise location of all high-pressure gas pipelines within or adjacent to the site.
- Protective measures to be implemented during construction, operation, and decommissioning phases, including minimum stand-off distances, vehicle movement restrictions, and exclusion zones.
- Method statements for all works within 15 metres of any high-pressure pipeline, including trenching, piling, fencing, or cable laying.
- Details of consultation and ongoing liaison with the pipeline operator and all other statutory bodies.

Reason:

To ensure effective mitigation of risks posed by proximity to high-pressure pipelines throughout all phases of the development, and to ensure informed collaboration with the utility operator.

5.3. No works shall take place within the defined pipeline protection zone unless carried out in full accordance with the approved Pipeline Protection Plan and in accordance with the LPA and the National Gas.

Reason:

To prevent accidental damage to gas infrastructure and ensure works in proximity to pipelines are strictly controlled and risk-assessed in accordance with the approved protection measures.

Biodiversity Management Plan

6.1. Development shall not commence until a biodiversity management plan including long term design objectives, management responsibilities, maintenance schedules for the ground cover and details of habitat enhancement and protection, including a monitoring programme, has been submitted to and approved in writing by the local planning authority. The plan shall be implemented as approved.

Reason:

To ensure long-term biodiversity conservation, habitat protection, and ecological enhancement throughout the lifecycle of the development, minimizing adverse ecological impacts.

6.2. The development shall not commence until a further Badger Survey has been completed.

Reason:

To identify the presence of badgers and ensure any potential impacts are mitigated to comply with wildlife protection legislation and policy.

6.3. The development shall not commence until a further Water Vole & Otter Survey has been completed.

Reason:

To protect water vole and otter populations by assessing presence and informing necessary mitigation measures.

6.4. The development shall not commence until a further Bat Survey has been completed.

Reason:

To establish the presence of bats and ensure that the development avoids or mitigates impacts on their habitats and commuting routes.

6.5. The development shall not commence until a further Vole Survey has been completed.

Reason:

To assess and protect local vole populations from potential impacts of construction activities.

6.6. The development shall not commence until a further Skylark survey has been completed.

Reason:

To identify skylark breeding presence and inform mitigation measures to protect this priority species during development.

6.7. The applicant must confirm in writing to the LPA prior to the commencement of construction the sheep rotational grazing system to be adhered to throughout the life of the solar farm. It is understood that the rationale for the solar panels to be raised 1m above the ground is to enable this sheep grazing.

Reason:

To safeguard the intended integrated land use of solar energy and sustainable grazing, supporting rural economy and biodiversity objectives.

Operational Constraints

7.1. Noise from fixed plant and machinery shall not exceed the background noise level by more than 5dB(A) when measured as a 15-minute LAeq at any residential boundary.

For planning purposes (especially for infrastructure or developments like solar farms or roads), these are the considered thresholds used to assess acceptable levels of operational environmental noise ;

- Daytime (outdoors): ≤ 35 dB LAeq, 16hr
- Maximum Night -time (outdoors) : ≤ 40 dB L_{Amax,F}

Note: Specific national and international concerns are increasing regarding Low Frequency humming and buzzing from Solar Farm Infrastructure - Inverters Transformers Cooling Fans and Substations. In the event of complaints the proposed complaints procedure should be enacted in compliance with Defra NANR45 Low Frequency Noise Assessment guidance. An Information and Guidance note on noise is included as Appendix D.

Reason:

To safeguard the amenity of nearby residents by ensuring that operational noise from the development does not cause undue disturbance or exceed acceptable acoustic thresholds.

- 7.2. There shall be no external lighting on the site at any time-pre or post developmental phase of the operation. No lighting shall be installed or operated on the site between dusk and dawn unless it is demonstrated that such lighting does not exceed 1 lux at the site boundary and does not impact bat activity, as verified through an approved lighting assessment submitted to and approved by the Local Planning Authority.

Reason:

To preserve rural dark skies, prevent unnecessary light pollution, and protect nocturnal wildlife such as bats and owls, ensuring the development remains sensitive to its rural setting. This will help support biodiversity and local environmental quality.

Fire Safety and Emergency Planning

- 8.1. As a result of the residual risk of fire and the close proximity to neighbouring properties, crop fields and public woods, a more robust fire risk assessment and mitigation plan must be developed and agreed with the LPA in conjunction with the Fire Department. This should consider mitigation such as agreed “buffer zones” around the site.

Reason:

Given the residual risk of fire and the site’s proximity to homes, farmland, and woodland, a strengthened fire risk assessment is necessary to ensure proportionate, targeted, and effective mitigation. Incorporating measures such as buffer zones will provide a consistent, transparent, and accountable approach that aligns with established safety standards and reduces the potential for harm.

- 8.2. Prior to the commencement of development, the applicant shall submit a Fire Safety and Emergency Response Plan to the Local Planning Authority, prepared in consultation with the local Fire and Rescue Service. The plan shall include -emergency access routes, firefighting water sources, and ongoing fire risk management procedures. A copy of the approved plan shall also be formally provided to the Hatton Compressor and Transmission Station and the Hatton Parish Meeting prior to the commencement of development.

Reason:

To ensure public and operational safety by providing clear, locally agreed procedures for emergency access, fire response, and risk management in the event of an incident on site. To make sure residents are aware of what these procedures are in the event of such an incident and who to turn to.

- 8.3. No external lighting, fencing, or surveillance infrastructure other than that shown in the approved plans shall be installed unless otherwise approved in writing by the Local Planning Authority.

Reason:

To protect local amenity, character, and environmental sensitivity (e.g., dark skies, residential outlook) by controlling the visual and environmental impact of security infrastructure.

Economic and Community Benefit

- 9.1. The developer shall use locally sourced labour, materials, and services from suppliers within Lincolnshire during the construction and operational phases. An annual report detailing local suppliers used and the estimated local spend shall be submitted to the Local Planning Authority for the operational life of the development.

Reason:

To support the local economy by encouraging use of local labour, materials, and services, in line with national and local policy objectives for economic sustainability and rural development.

- 9.2. Prior to the commencement of development, a scheme for the provision and installation of two publicly accessible Automated External Defibrillators (AEDs)—one in the village of Sotby and one in Hatton—shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure adequate emergency medical provision in isolated rural communities during the operational life of the development, where construction or operational incidents could impact public health or require immediate response.

Exclusion of Battery Storage

- 10.1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent order revoking or re-enacting that Order with or without modification, no battery storage systems or battery energy

storage infrastructure shall be installed or operated on the site at any time, whether as part of the development hereby approved or as a separate installation.

Reason:

The exclusion of battery energy storage systems is necessary to prevent future intensification of infrastructure in proximity to high-pressure gas pipelines, which would introduce unassessed risks to public safety and environmental protection. The condition ensures the development remains within its approved scope and risk profile, consistent with national safety guidance and local infrastructure constraints for all residents and visitors to the site.

Complaints Procedure

11.1. Within 28 days of the receipt of a request from the Local Planning Authority following any complaint received the solar farm operator shall submit details of proposed mitigation measures and a timescale for their implementation. These measures shall be approved in writing by the LPA and shall be carried out in accordance with the approved details.

Prior to the commencement of development, a Complaints Procedure shall be submitted to and approved in writing by the LPA. The procedure shall include:

- A dedicated 24-hour contact number and email address for public use.
- Details of a site manager or other responsible person to respond to complaints.
- A protocol for logging, investigating, and resolving complaints within a defined timeframe (e.g., within 48 hours).
- A mechanism for recording complaints and any actions taken, to be made available for inspection by the LPA upon request.
- The approved procedure shall be implemented in full for the lifecycle of the scheme

Reason:

This condition is required to ensure that any concerns raised by residents or other parties during the lifetime of the solar farm are addressed promptly, transparently, and effectively. It provides a clear mechanism for complaint resolution, protects public amenity, and strengthens accountability throughout the build phase—especially in rural or sensitive settings.

Decommissioning and Restoration

12.1. Prior to the commencement of development, a Decommissioning and Restoration Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- A detailed timescale for decommissioning.
- A management strategy for decommissioning works.
- Full removal of all infrastructure including panels, mounting structures, inverters, substations, fencing, CCTV, cabling and associated materials.
- A soil recovery and remediation plan.
- Final regrading, re-seeding and restoration of the site to greenfield condition equivalent to pre-development land use and quality.

The works shall be implemented in full in accordance with the approved scheme at the end of the projects operational lifespan, or within 12 months of cessation of energy generation.

Reason:

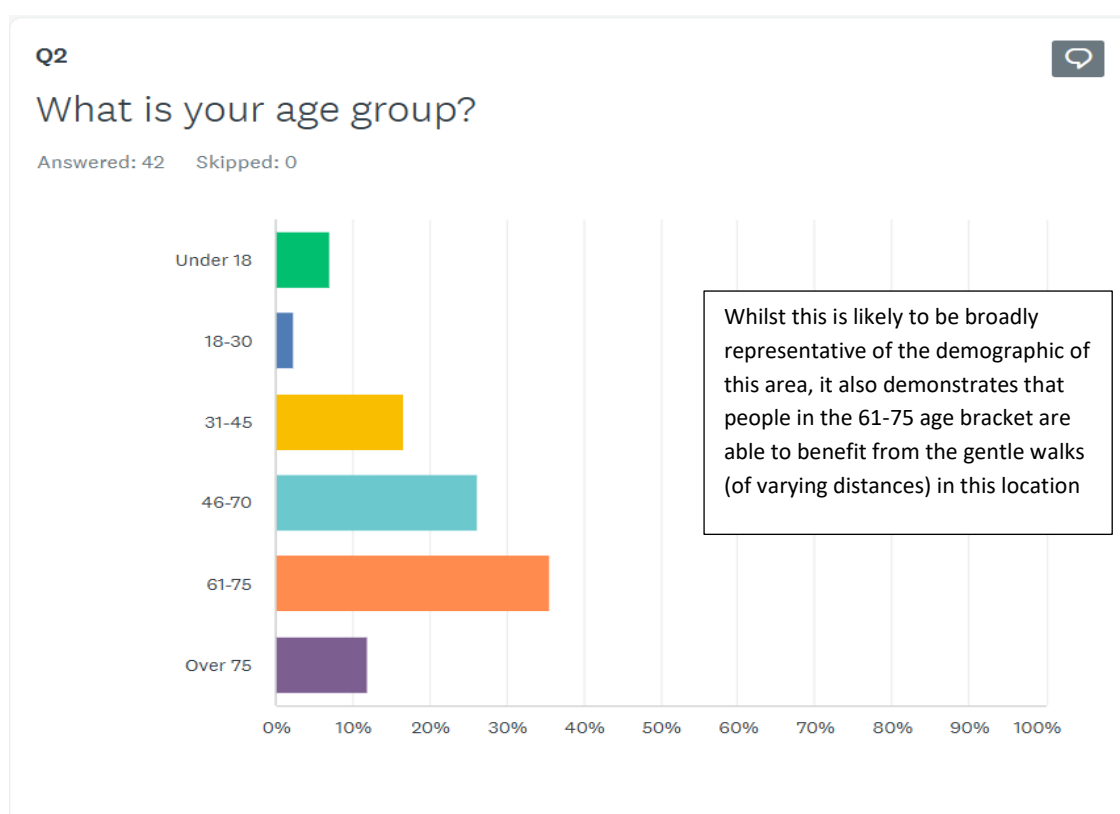
This condition is necessary to ensure the solar development remains a temporary and reversible land use and that the land is fully restored to arable condition upon cessation. It safeguards long-term land quality, food security, landscape character, and avoids legacy infrastructure being left behind.

APPENDIX B – OUTPUT FROM COMMUNITY SURVEY REGARDING PROW

A survey was carried out of the local residents (Hatton, Sotby and Great Sturton) and local rambling groups to gauge the level of use of the local footpaths and bridleways etc. The following shows the output and analysis from that exercise.

Residential and Recreational Amenity

The Hatton Action Group is conducting a survey to understand how the various bridleways, green lanes, permissive footpaths, and other recreational routes that link Ranby, Hatton, Great Sturton and Sotby are used, including those around Sotby Wood. This will help support efforts to preserve and improve these valued amenities. All responses are anonymous unless you choose to share your contact details



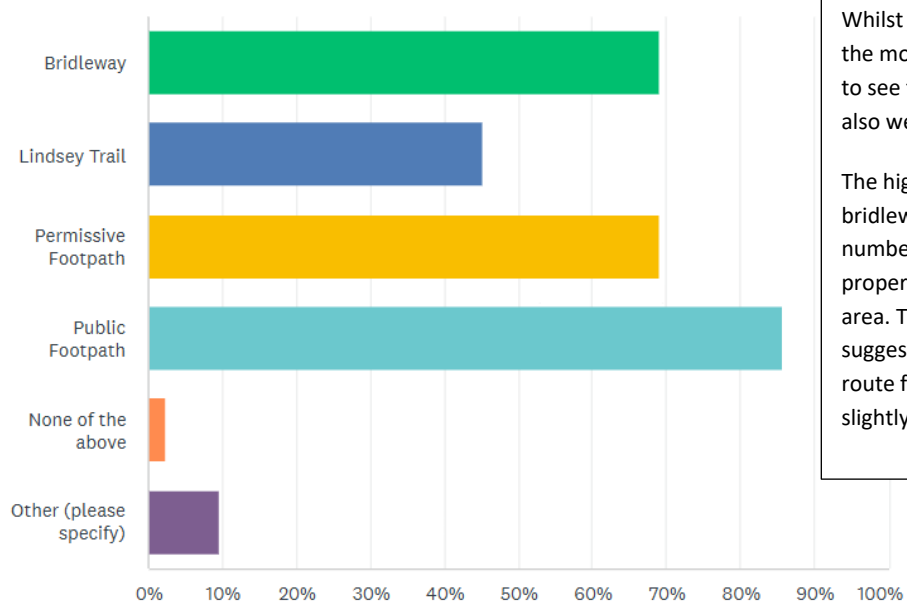
ANSWER CHOICES	RESPONSES	
Under 18	7.14%	3
18-30	2.38%	1
31-45	16.67%	7
46-70	26.19%	11
61-75	35.71%	15
Over 75	11.90%	5
TOTAL		42

Q3



Which of the following do you use in your local area?
(Select all that apply)

Answered: 42 Skipped: 0



Whilst the public footpaths are the most used, it is interesting to see that the other routes are also well utilized.

The high utilization of the bridleway results from the number of equestrian properties in the surrounding area. The comments would suggest that it is also popular route for horse-riders from slightly further afield

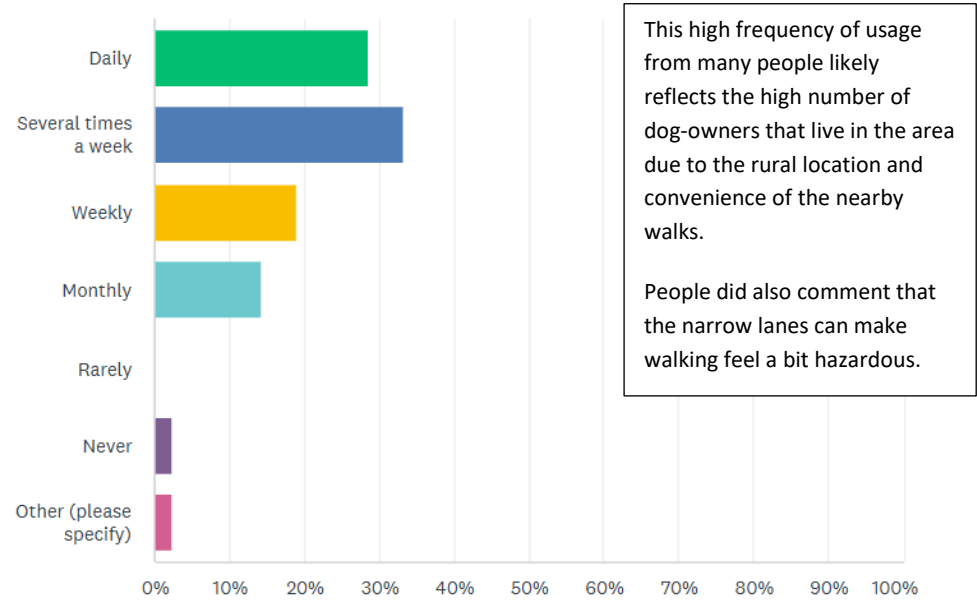
ANSWER CHOICES	RESPONSES	
Bridleway	69.05%	29
Lindsey Trail	45.24%	19
Permissive Footpath	69.05%	29
Public Footpath	85.71%	36
None of the above	2.38%	1
Other (please specify)	9.52%	4
Total Respondents: 42		

Q4



How often do you use these paths?

Answered: 42 Skipped: 0

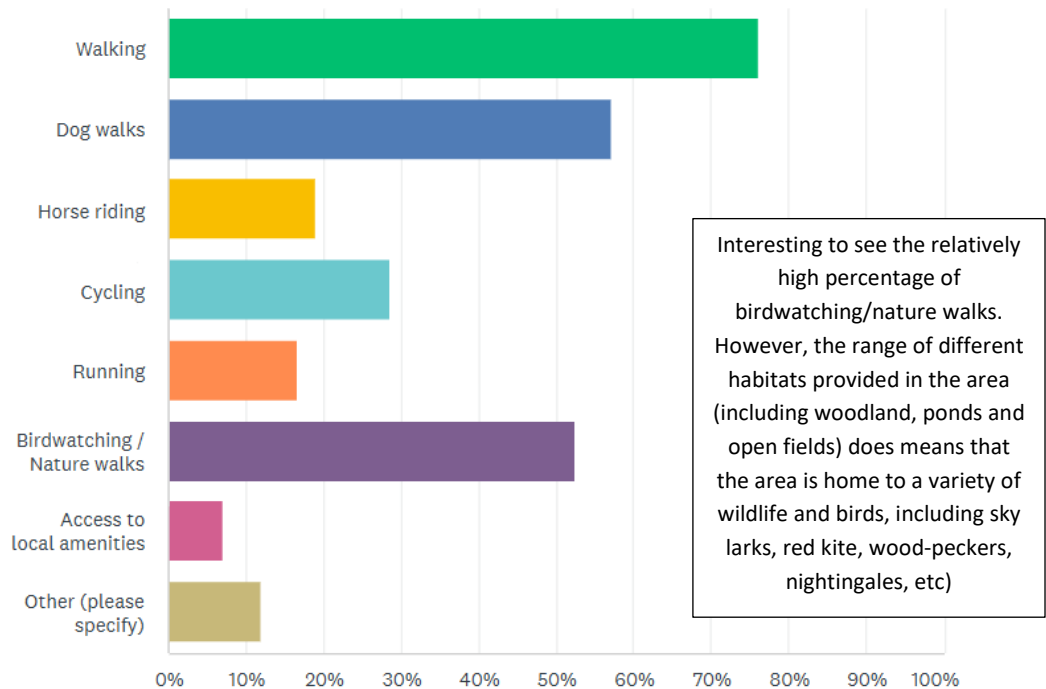


ANSWER CHOICES	RESPONSES	
Daily	28.57%	12
Several times a week	33.33%	14
Weekly	19.05%	8
Monthly	14.29%	6
Rarely	0.00%	0
Never	2.38%	1
Other (please specify)	2.38%	1
TOTAL		42

Q5

What activities do you use these paths for? (Select all that apply)

Answered: 42 Skipped: 0



ANSWER CHOICES	RESPONSES	
Walking	76.19%	32
Dog walks	57.14%	24
Horse riding	19.05%	8
Cycling	28.57%	12
Running	16.67%	7
Birdwatching / Nature walks	52.38%	22
Access to local amenities	7.14%	3
Other (please specify)	11.90%	5
Total Respondents: 42		

Q7



Why are these paths important to you personally?

Answered: 41 Skipped: 1

(Answers extracted and pasted here without any changes to spelling etc)

Health condition must walk daily especially on the road and paths.

we walk our dogs there all the time

As then were all we had in covid times as with the main sorce if entering we had

They are my only means of exercising and keeping fit

They allow me to be a part of nature and emerge myself in the natural beauty of the English

They are in beautiful countryside

Mental health

For all my outdoor activities

Mental & physical wellbeing

Memories, ability to be outside

Used to visit friends and neighbours but to also appreciate the open landscape from viewpoints not seen from my home.

Local. Good views.

They aren't.

Sotby Woods, Green Lanes

This is the only road into Sotby that doesn't get snowed in, even if it's not tarmac it's very useful

I have horses that I enjoy hacking out with. The bridleways allow me to hack safely and enjoyably without coming into contact with many vehicles

Because it's a beautiful view and I have walked along them ever since I was four old it was my childhood

Exercise is important for me on health grounds and the footpaths are safest for walks

The peacefulness of the open spaces, the beauty of the flora and fauna, well-being enhancing experiences, safer access to visiting friends

Access to the deeper hidden countryside

Getting exercise whilst in nature

Access to natural landscape and wildlife

Mental heath for me, my horse and the dogs

They are important because they are peaceful for me to ride my young horses on off the roads out the way of traffic and my dogs love a quiet walk

Mental health for me, my horse and the dogs

They enable me to exercise horses and walk dogs and enjoy our beautiful surroundings

Relaxing

I can see lots of wild lives

For getting exercise and fresh air

health & well being

They are local walks we have used since living

They have been an important part of family life for 36 years

Safe, quiet and beautiful. Good exercise a walk from home. Dog loves it

Exercise and mental health

The peace tranquility and sheer beauty of the landscape is magnificent. The beautiful landscape makes you feel at one with nature. The sounds of birds and the joy of being little creatures is just wonderful. To be able to see green fields and nature as far as the eye can see is so special and at all costs must be preserved for mankind to enjoy. as far

Peaceful and picturesque

It's a way to appreciate the beautiful views of the area whilst exercising my dogs

It is what we use for recreation - walking, dog walking and just looking at the wildlife

Enables one to experience quiet surroundings the changing seasons the dark skies

The peace and beauty of this area

Quiet time to observe nature

Q8



Please add any further information

Answered: 22 Skipped: 20

These paths provide valuable access to important natural habitats this helping preserve the nature and wildlife.

Love the nature

It is lovely to meet other walkers visiting the area and using the footpaths commenting on the open farmland views. It makes you appreciate all the more the landscape and to feel especially proud to live in a village that is appreciated by both the community and visitors alike.

At the moment I only use it occasionally but it needs to be kept open for horses as it's miles round without

We moved to this location 13 years ago specifically because we have access to bridleways and footpaths to enjoy hacking with the horses, walks with the dogs and family straight from our property without the need to use the car

The unspoiled, natural beauty of this locality is a joy to witness. Friends visiting from away always ask to 'take a walk' here as, like me, they truly appreciate what we have here.

I really enjoy walking I the lovely local scenic area around Hatton and would hate for any development to spoil it as it currently stands

It is so peaceful and you can hear birds singing

It would be a great shame to lose any of the local footpaths and bridleways. We have four dogs and walking is a daily pleasure. As a Sotby resident, these local walks are part of our lives"

Beautiful rural part of Lincolnshire. Representative of the agricultural heritage.

The views from the bridlepath across to Corner Farm are stunning

Owing to sight and hearing issues traffic is a worry and could cease our activity. Which would not help our health.

They are a big need to the village as they are really all it has

It get our family out and into nature

At the moment I only use it occasionally

It would affect my mental health not to use this pathways

Love the nature

It is lovely to meet other walkers visiting the area and using the footpaths commenting on the open farmland views. It makes you appreciate all the more the landscape and to feel especially proud to live in a village that is appreciated by both the community and visitors alike.

APPENDIX C – GROUNDS FOR REFUSAL OF DEVELOPMENT CONSENT / DISMISSAL OF APPEALS.

Whilst it is acknowledged that each of the decisions highlighted below to refuse development consent by LPA's and where relevant, subsequent decisions to Dismiss Appeals are case- specific, in each of the above the grounds for refusal of development consent are broadly comparable with ELDC's grounds for refusal in this case.

Likewise, the Rule 6 party position on the Appeal Decisions submitted by the Appellant at CD9.2 - CD9.13 should be considered on the same material basis.

1. Push Energy Ltd Mill Farm Great Munden Ware Hertfordshire. East Herts Council Decision [CD9.24]

D E C I S I O N N O T I C E	
Jamie Kelly, Push Energy Ltd 1-2 Tollgate Business Park Tollgate West Stanway Colchester Essex CO3 8AB	App No: 3/14/1058/FP GREAT MUNDEN
Change of use of land from (1) agriculture to (2) mixed use for agriculture and use of the generation of renewable energy (solar) Mill Farm, Mentley Lane, Great Munden, Ware, Hertfordshire, SG11 1JR	
In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby	
REFUSE PERMISSION	
for the development proposed in your application dated 12 June 2014 and received with sufficient particulars on 16 June 2014 and shown on the plans "as submitted/"as amended accompanying such application.	
The reason(s) for the Council's decision to refuse permission for the development is/are:	
1. The proposed development would have a harmful impact on the visual character of the landscape in which it is proposed to be sited which could not be satisfactorily mitigated by additional landscaping. The benefits of the proposal would not outweigh this resulting harm and the proposal is thereby contrary to policies SD3 and GBC14 of the East Herts Local Plan Second Review April 2007 and national policy in the National Planning Policy Framework	

2. Little Clacton Essex Tendring District Council Decision [CD9.25]



TENDRING DISTRICT COUNCIL

Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

AGENT: Push Energy Ltd - Mr Jamie Kelly
Westwood Park
London Road
Little Horkesley
Colchester
Essex
CO6 4BS

APPLICANT: Push Energy Ltd - Mr Stuart Bradshaw
Westwood Park
London Road
Little Horkesley
Colchester
Essex
CO6 4BS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 13/01292/FUL

DATE REGISTERED: 13th November 2013

Proposed Development and Location of Land:

**Change of use of land from (1) agriculture to (2) mixed use for agriculture and use of the generation of renewable energy (solar).
Land adjacent to Electricity Substation Holland Road Little Clacton Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted for the following reason(s)

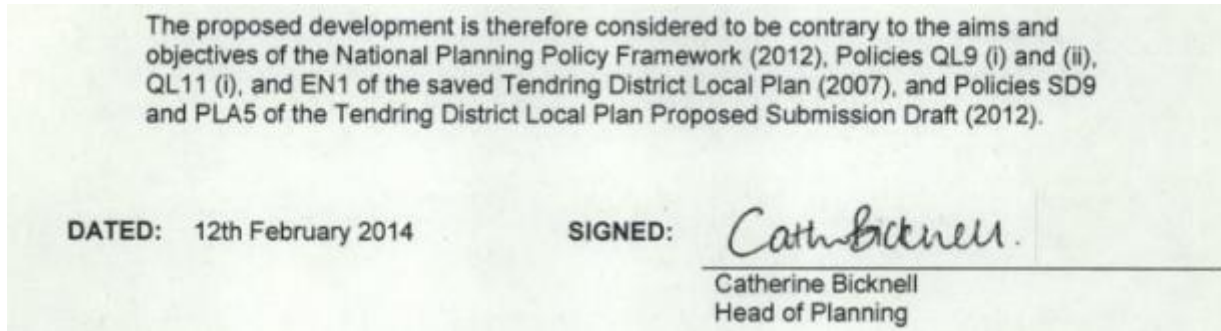
- 1 It is the Policy of the Local Planning Authority, as contained within Policy QL9 (i) and (ii) of the saved Tendring District Local Plan (2007), that all new development proposals should make a positive contribution to the quality of the local environment and protect or enhance local character, and that planning permission will only be granted if new structures are well designed and should maintain or enhance local character and distinctiveness, and the development relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials. Furthermore, Policy QL11 (i) states that all new development should be compatible with surrounding land uses and minimise any adverse environmental impacts, and that development will only be permitted if the scale and nature of the development is appropriate to the locality. A similar approach is taken in the Tendring District Local Plan Proposed Submission Draft (2012) Policy SD9. Policy EN1 of the saved Tendring District Local Plan (2007) states the quality of the district's landscape and its distinctive local character will be protected and, where possible, enhanced. Any development which would significantly harm landscape character or quality will not be permitted. The Council will seek in particular to conserve natural and man-made features which contribute to local distinctiveness, including, amongst other things, skylines and prominent views, including those of ridge tops and plateau edges; ancient woodlands and other important woodland, hedgerows and trees; and the traditional character of protected lanes, other rural lanes, bridleways, and footpaths. A similar approach is taken in the Tendring District Local Plan Proposed Submission Draft (2012) Policy PLA5.

In this instance, the development will be visible from several locations and it would have a significant detrimental impact on the character and appearance of the countryside. Soft landscaping will help to mitigate the harm caused to the local landscape however taking

Page 1 of 4

13/01292/FUL

into account the topography and contours of the application site and surrounding land, the development will still be visible, and have a significant adverse impact on the landscape, from several viewpoints, especially from public footpath 28 (to the south of the site), and from the edge of the Great Holland Pits Nature Reserve. As a result, it is considered that, on balance, the development proposal will be an incongruous and unsightly feature in the landscape, and have a significant detrimental impact on the character and appearance of the countryside in this locality.



3. [CD9.26]

Appeal No: 3132170

Decision Date: 05/01/2016

Address: Butlers Farm, Butlers Lane, Saffron Walden, Essex CB10 2ND

Developer: **Push Energy Ltd**

LPA: Uttlesford District Council

Inspector: Cullum J A Parker BA(Hons) MA MRTPI AIEMA.

The proposed solar farm would by reason of its location have an unacceptable detrimental impact on the visual qualities and character of the landscape at this rural location, which has a strong rural sense of place and a relatively high sensitivity to change. Furthermore, the proposal would diminish the public enjoyment of the adjacent public footpath network where the very essence of enjoyment of exploring this rural landscape is its isolated position. As such, the proposal would be contrary to paragraph 17 of the NPPF (Core Principles) which states that the intrinsic character and beauty of the countryside should be recognised and ULP Policy S7 which states that the countryside should be protected for its own sake and that development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

The proposal would also be contrary to related government advice on solar energy schemes, namely UK Solar PV Strategy Part 1: Roadmap to a Brighter Future (October 2013) and UK Solar PV Strategy Part 2: Delivering a Brighter Future (April 2014.)

4. [CD9.27]

Appeal No: 3146032
Decision Date: 05/01/2017
Address: Land at Boslandew Hill, Sheffield, Penzance TR19 9UH
Developer: Far West Solar Ltd
LPA: Cornwall Council

Inspector: John Woolcock BNatRes(Hons) MURP DipLaw MRTPI

The proposed solar farm (Planning Ref PA15/05386) would have an unacceptable adverse effect upon the appearance and character of the landscape including the setting of the nearby Area of Outstanding Natural Beauty by reason of its siting, with the development appearing inappropriate when viewed by a significant number of receptors of varying sensitivity, including occupiers of nearby properties and recreational walkers using the local Public Right of Way network.

This identified harm is not, in this case, outweighed by the benefits of the proposal in respect to the generation of renewable energy.

The proposal is therefore contrary to Penwith District Local Plan (PDLP) 2004 saved Policies GD-1, GD-2, CC-1, CC-5 and CS-9 and paras 7, 14, 17, 98 and 115 of the National Planning Policy Framework (NPPF) and Policies CCE1 and PD8 of the Cornwall AONB Management Plan 2011-2016.

5. [CD9.28]

Appeal No: 3356640
Decision Date: 05/06/2025
Address: Field west of Haughmond Quarry, Land south of B5062, Uffington, SY4 4WR
Developer: OPDENERGY UK
LPA: Shropshire Council.
Inspector: Jonathan Bore MRTPI

The impact on local landscape quality would be as discussed above in connection with heritage assets. Contrary to the conclusions of the Landscape and Visual Impact Assessment, the solar farm would appear as an intrusive feature on rising ground below Haughmond Hill, particularly noticeable in the landscape from the viewpoints referred to above. It is appreciated that the boundary hedges around the solar farm would be supplemented, but the additional planting would not be sufficient to mitigate the harm.

7. CD9.29

Appeal No: 3146389
Decision Date: 05/12/2016
Address: LAND AT REDEHAM HALL, SMALLFIELD, SURREY RH6 9SA

Developer: INRG SOLAR LTD
LPA: Tandridge District Council
Inspector: Jonathan Hockley BA(Hons) DipTP MRTPI - SOS Recovered Decision - Dismiss

The Proposal would have an adverse impact on the rural character of the area as a result of the extent and scale of the proposal. The proposal would therefore fail to conserve or enhance the character of the area and would neither protect nor safeguard views from outside of the site. The proposal is therefore contrary to Policies CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2- Detailed Policies 2014.

7. [CD9.30]

Appeal No: 3148497
Decision Date: 09/02/2017
Address: Land at Higher Humber Farm, Humber Lane, Bishopsteignton TQ14 9TD
Developer: TGC Renewables Ltd
LPA: Teignbridge District Council
Inspector: Paul Griffiths BSc(Hons) BArch IHBC

The proposed development runs adjacent to Kings Wood, part of Lindridge, a grade II listed park and garden. The proposed development would introduce a discordant feature into the rural landscape which forms the setting of this heritage asset. The proposal would affect views both from within the heritage asset and views towards the heritage asset from the wider countryside.

As such the proposals are considered contrary to Policies S1A (Presumption in Favour of Sustainable Development), S1 (Sustainable Development Criteria), S2 (Quality Development), EN2A (Landscape Protection and Enhancement) and EN5 (Heritage Assets) of the Teignbridge Local Plan 2013-2033 and to the National Planning Policy Framework; 2.

The application site lies within a designated Area of Great Landscape Value and within the Under Great Haldon Landscape Character. The area is characterised by agricultural land use resulting in a patchwork of irregular pasture fields set against a backdrop of Kings Wood, an ancient broadleaved woodland that forms part of the parkland landscape of Lindridge Registered Park. The proposal would introduce an incongruous form of development into this sensitive and protected landscape to the detriment of wider landscape views and the erosion of the vernacular character and appearance of this part of the designated Area of Great Landscape Value. As such the proposals are considered contrary to Policies S1A (Presumption in Favour of Sustainable Development), S1 (Sustainable Development Criteria), S2 (Quality Development), EN2A (Landscape Protection and Enhancement) and EN5 (Heritage Assets) of the Teignbridge Local Plan 2013-2033 and to the National Planning Policy Framework;

8. [CD9.31]

Appeal No: 3147854

Decision Date: 22/12/2016

Address: LAND AT LITTLE SNODWORTH FARM, SNODWORTH ROAD, LANGHO, LANCASHIRE

Developer: MULBRICK CLEAN ENERGY

LPA: Ribble Valley Borough Council

Inspector: Richard McCoy BSc MSc DipTP MRTPI IHBC Report to SOS.

The proposed development would be harmful to the visual amenities and character of the locality by reason of the size, scale, incongruous appearance, and inappropriate nature of the proposals; particularly with regards to the proximity of the development to adopted highways and the lack of any proposed natural screen planting/landscaping to mitigate the detrimental effects upon visual amenity. As such, the proposal is contrary to the requirements of Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version). The proposed development would have a detrimental impact on the appearance and character of the locality as experienced by users of the local footpath network contrary to Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

END

APPENDIX D – INFORMATION AND GUIDANCE NOTE (NOISE IMPACT ASSESSMENT)

This Note is submitted to the Inquiry for Information and Guidance purposes only.

<https://www.newcivilengineer.com/latest/the-sound-of-solar-noise-in-a-sustainable-world-02-04-2025/#:~:text=On%20a%20solar%20farm%2C%20it,and%20quieter%20operation%20when%20installed.>

The sound of solar: Noise in a sustainable world

02 APR, 2025 BY DANIEL CLARE

National policies such as the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) both provide specific overarching requirements to protect residents and communities from noise associated with developments and promote its effective management for good health and quality of life. At a local level, individual councils and authorities will have their own policies, resulting in some national variation and making it crucial to understand what applies to a specific site. An understanding of acoustics is vital to delivering new projects in line with these regulations and for positive community outcomes. Dispelling myths around sound and solar means appropriately anticipating the impact of an installation and designing mitigation early on. The noise associated with solar farms, particularly large developments, can be significant and compounded by their rural locations. In these settings, any additional noise can be noticeable and can have an impact on people using and living in the area, as well as local wildlife.

It is often assumed that solar farms don't make any noise, that they are silent generators of clean energy. While the panels themselves make no noise, the infrastructure surrounding solar farms that enables energy to reach our homes does create residual noise. It is important to design for this noise at the start of the process to avoid surprise mitigation further down the project's development that could increase costs and delay planning approvals.

When considered at the scale of solar farm installations that we see in the UK, the electrical infrastructure that enables these large-scale connections to the grid can have an impact on existing noise environments if noise is ignored. Typically developed in rural locations where there is sufficient land to house solar photovoltaic (PV) panels, these naturally quieter environments can often mean

that low-level noise emissions that would often go unnoticed in an urban environment have the potential to be disruptive. Managing this is regulated closely by planning policies to ensure any noise brought by the infrastructure is not harmful to wildlife or residents new projects in line with these regulations and for positive community outcomes. Dispelling myths around sound and solar means appropriately anticipating the impact of an installation and designing mitigation early on.

On a solar farm, it is the supporting infrastructure, such as battery storage, transformers and substations, that produces noise. The significance of that audible noise is relative to the existing environment and the plant chosen. Identifying the right products for the development and working closely with the manufacturers allow for greater control over potential noise. Engaging with the manufacturers at this stage also enables collaborative work on designing the plant for greater noise control and quieter operation when installed.

Ambient sound levels typically fluctuate through the course of the day – it is usually quieter overnight than during the day – and vary by location. The bustle of a city will create much more noise than rural countryside. This means that a low-level sound generated by a battery energy storage system or transformer may not be noticeable during the day in the middle of a city, but in the countryside it would be. It is also important to bear in mind the cumulative effect of multiple plant and machines running together; it is unlikely that a solar farm will have a single source of noise.

When there is an understanding of these specific environmental factors, and their relationship with the infrastructure to be installed, it becomes possible to manage noise. To most effectively mitigate potential significant noise, incorporating actions into the design is vital. It means not only cost savings against implementing measures later on but also issues can be removed in their entirety.

Layout is particularly important on large sites where significant infrastructure is needed. It is possible to design in a way that is sympathetic to acoustics, moving sources away from receptors such as residents or wildlife or creating noise barriers with needed site structures. These intelligent designs make use of the natural noise-managing properties of terrain, structures and buildings. If this is considered at the design stage, buildings such as offices and substations that are an integral part of the site can be positioned in a way that they serve as these needed noise barriers.

Making these design elements as effective as possible comes down to accurate early estimations of source noise levels. Preparing models that simulate the acoustics of the site means that mitigation can be designed from the beginning. Like in many construction and engineering disciplines, it's always the case that action to eliminate will be taken before action to insulate. The accuracy of models and plans

makes this possible. Engaging acoustic specialists early on enables mitigation to be optimised. Working on the early planning and design stages of the project also means that it is possible for cross-discipline collaboration, opening opportunities for solutions to be found together.

Ultimately, by incorporating acoustic considerations from the outset and integrating noise reduction strategies into the design, we not only align with regulations but also foster harmonious relationships with local communities and protect wildlife. Effective noise management is not an afterthought but a crucial element of sustainable solar farm development that ensures long-term success and minimal environmental impact.

- *Daniel Clare is managing director of RSK Acoustics, a specialist provider of acoustics consultancy services throughout the world. He has more than 20 years’ experience delivering acoustics solutions to the energy generation and transmission sector around the globe and is a Chartered Environmentalist and Member of the Institute of Acoustics.*

BS4142: Operational Solar Farm Noise Information and Assessment Guidance.

- **ProPG and BS 4142:**

The IOA’s ProPG guidance for noise in planning and BS 4142:2014 for assessing industrial and commercial sound can be relevant for evaluating the potential noise impact of solar farms, particularly in relation to residential areas.

BS 4142:2014 is a British Standard that provides a method for assessing and rating industrial and commercial sound, specifically to determine the likelihood of complaints from residential properties. It outlines procedures for measuring and evaluating noise levels from various sources, such as factories, construction sites, and entertainment venues. The standard helps determine if the noise is likely to cause disturbance or complaints, particularly in residential areas.

A more detailed breakdown:

Purpose: BS 4142 helps assess the impact of industrial and commercial noise on nearby residential areas. It provides a framework for determining if a noise source is likely to cause complaints.

Key Aspects:

- **Measurement and Rating:**

The standard details how to measure background noise levels and the specific noise from the source being assessed. It then provides a method for rating the specific sound relative to the background, taking into account factors like whether the sound is continuous, intermittent, or has specific characteristics (e.g., tonal or impulsive).

- **Complaint Likelihood:**

BS 4142 is used to assess the likelihood of complaints by comparing the specific sound level to the background sound level. A higher difference between the two levels generally indicates a greater likelihood of complaints.

- **Application:**

The standard is widely used in planning applications, environmental impact assessments, and for resolving noise-related disputes.

How it Works (in simple terms):

In summary, the IOA plays a significant role in shaping the approach to noise assessments for solar farms by providing guidance on identifying noise sources, setting appropriate noise limits, and conducting thorough assessments to minimize potential impacts on nearby residents.

<https://www.google.com/search?q=Institute+of+Acoustics+Planning+conditions+noise+solar+farms&oeq=Institute+of+Acoustics+Planning+conditions+noise+solar+farms&aqs=chrome..69i57j33i160.32247j0j15&sourceid=chrome&ie=UTF-8>

END.

APPENDIX E – INDUSTRY STUDIES / PREDICTIONS (ELECTRICITY PRICING AND NET-ZERO IMPACT)

Professor Gordon Hughes	March 2025	The True Cost of Net Zero. Electricity costs could rise 70–80% by 2030 under net-zero plans due to renewable costs, grid expansion, and backup gas infrastructure.	https://unherd.com/2025/03/the-true-cost-of-net-zero/
Watt-Logic via UnHerd	May 2025	The True Affordability of Net Zero. Net-zero related levies and policy costs added £17bn to UK electricity bills in 2023–24.	https://watt-logic.com/2025/05/19/new-report-the-true-affordability-of-net-zero/
The Telegraph	July 2025	Impact of Net Zero on household energy bills. A £24bn upgrade for net-zero could add £104 per household per year.	https://www.telegraph.co.uk/business/2025/07/01/net-zero-to-add-100-to-household-energy-bills
GB News	2025	Energy bill warning: costs surge with net-zero push. Potential £900/year increase in household bills by 2030 due to net-zero policies.	https://www.gbnews.com/money/energy-bill-warning-costs-surge-net-zero-push
Sir Dieter Helm via The Times	2025	Better energy policies are needed to save British Industries. Net-zero pursuit contributes to high industrial electricity costs and uncompetitive energy-intensive sectors.	Better energy policy could save British industries
Reuters	August 2025	High electricity costs from net-zero projects are threatening AI sector growth.	https://www.reuters.com/business/energy/britains-ai-hopes-face-harsh-reality-high-electricity-costs-2025-08-07/?