

LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: South Holland District Council

Application number: H20-1007-24

Application Type: Full-Major

Proposal: Construction and operation of a solar farm and battery energy storage system (BESS), vehicular access, internal access tracks, landscaping, boundary treatment, cabling and associated infrastructure

Location: Land at Fendyke Farm, off Old Fendyke, Sutton St James, Spalding, PE12 0LX

Response Date: 29 April 2025

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

General Information and Advice

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

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Highway and Lead Local Flood Authority Report

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Recommendation:

Acceptable subject to the following conditions

Introduction/Site Location

Construction and operation of a solar farm and battery energy storage system (BESS), vehicular access, internal access tracks, landscaping, boundary treatment, cabling and associated infrastructure. The site comprises of a series of fields, there are multiple existing accesses to the site. The development will be accessed via three access points along Bardling's Drove and one on Inley Drove that will be widened and upgraded.

Existing Conditions

Bardling's Drove and Inley Drove are single width roads. Bardling's Drove is 3.6m wide and is subject to the national speed limit, it connects to Old Fen Dyke Road via a split priority-controlled T-junction to the east and New Fen Dyke via a simple priority-controlled T-junction to the west. There are no footways and it currently provides access to the fields that line the road as well as a small farm, vehicle storage area and three dwellings. Inley Drove is an unlit rural access road which measures approximately 3.6m wide. It is subject to the national speed limit and connects to Old Fen Dyke. It provides access to the fields that line the road as well as a farm and two dwellings. Old Fen Dyke is a single two-way carriageway that measures approximately 6m wide. It is subject to the national speed limit and connects to Joys Bank to the north and to the Broad Gate/Chapel Gate/Bad Gate Road cross roads to the south. It currently provides access to a small number of farm steads and a commercial agricultural business.

Routing North – construction vehicles from the A1(M) to the north of the site will be routed via the A17/A16. The A16 is located to the east of Spalding, and this route avoids the centre of Spalding as well as the market town of Holbeach. From the A16, vehicles will take the first exit onto B1165 Low Road/Rangell Gate at the A16/B1165/Low Road Roundabout. Routing South – construction vehicles arriving from the A1(M) to the south of the site will be routed via the A47/B1167/B1166. Each site access will be clearly signed in both directions. Other road users will be notified of the present of construction traffic through the use of temporary signage on Bardling's Drove and Inley Drove. It was detailed within the **Construction Management Plan and Technical Note dated 21/02/2025** that instead of providing passing

places along Bardling's Drove and Inley Drove there will be a Banksman with a stop/go board at the junctions of Inley Drove and Bardling's Drove with Old Fen Dyke along with a Banksman at the site access point – **these two documents should form some of the approved documents listed on any decision notice.** Both roads are rural and very lightly trafficked and you can see from the junction to the access clearly.

Highway safety

Under Section 59 of the Highways Act 1980 a joint condition survey should be carried out between the Applicant's representative and a member of Lincolnshire County Council prior to construction, when construction is complete and at decommissioning stage. Recorded Personal Injury accidents – there is one but not in the immediate vicinity of the access points. It is an isolated incident and does not represent a highway safety issue.

Highway capacity

The proposed development will produce approximately 360 deliveries by HGV's associated with the site set up, delivery and installation. Construction is anticipated to last over a period of 22 weeks. The roads leading to the site is predominantly served by agricultural vehicles and so consideration will be given to the farming calendar and periods of peak vehicle movements for harvest. A further 40 deliveries are anticipated in association with ad hoc materials and the access tracks that are required to build out the site. This will equate to 8 two-way vehicle movements per day. There is no precise definition of "severe" with regards to NPPF Paragraph 115, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
- The level of provision of alternative transport modes
- Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

Site Layout

All four accesses will be upgraded to Lincolnshire County Council's Specification and they will be of a suitable size to allow HGV access. Access points have been designed to accommodate a 19.2m articulated HGV and visibility has been demonstrated in accordance with Manual for Streets. All of the four parcels of land include turning areas for the HGV's and parking. The applicant has secured a grid connection to South Holland Substation on Jiggles Gate. The cabling route is yet to be determined under permitted development rights. It is intended to

be along existing highway along the carriageway or verge – A Section 50 license will be required from Lincolnshire County Council.

Flood Risk and Drainage

The site is in Flood Zone 3 which is only at risk of flooding should there be a tidal breach. It is mainly very low risk of surface water flooding. The site is almost entirely bordered by drains and subdivided into four separate fields. The four drains are unnamed and South Holland main drain is 250m north of the site. The arrays will be fixed to the ground by piled metal posts; they will pivot around a point at 1.5m from the ground. At maximum tilt they will be 2.9m high, albeit this will be limited to the extremities of sunlight hours, and there will be a minimum of 500mm ground clearance so as not to impede surface water. In the event of the flood, the arrays will revery to horizontal at 1.5 from the ground (stow position), so as not to impede flood waters. There is no increase in flood risk from the development.

A substantial amount of green space will remain within the solar array areas and will comprise green space corridors and landscaped areas in and around the solar arrays. As the ground conditions are to remain largely unaltered and retain its greenfield state, any additional run-off from the solar arrays would be expected to infiltrate directly into the surrounding ground, or flow into a watercourse as would is existing. In order to ensure that all surface water run-off from the additional wholly impermeable areas is managed within the site's boundary, Surface water from the compound area will be attenuated on site and discharged at a restricted rate of 1.0l/s via an outfall to a non-IDB watercourse to the south of Bardling's Drove. A detailed design has been conditioned.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Highway Condition 33

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second/ per hectare;

- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Highway Condition

Under Section 59 of the Highways Act 1980 a joint condition survey should be carried out between the Applicant's representative and a member of Lincolnshire County Council prior to construction, when construction is complete and at decommissioning stage. The survey should involve photographic and video evidence of the condition of the highway and any damage caused by the applicant shall be repaired at the cost borne by the applicant.

Reason: In the interests of safety of the users of the public highway

Highway Condition 13

Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land within the visibility splays illustrated on drawing number AMA-22709-SK-001-P06, 002-P06, 003-P05, 004-P05 dated 11/04/25 and thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6 metres in height.

Reason: So that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

Informatives

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing

apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Highway Informative 02

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

Officer's Name: Samantha Legg

Officer's Title: Principal Development Management Officer

Date: 29 April 2025