

Summary of North Kesteven District Council Written Representation

- 1.1 Consistent with the Council's LIR, this WR considers four specific topic areas where to a greater or lesser degree in each case there are particularly pronounced policy conflicts and tensions with both national and local policy and guidance (the designated and draft National Policy Statements (EN-1 and EN-3) and the CLLP respectively), or an absence of information (or departure from best practice assessment methodologies), or both, which the Council considers should be brought to the ExA's attention. These are:
 - Impacts on Best and Most Versatile (BMV) agricultural land
 - Landscape and Visual Impact
 - Cultural Heritage impacts (above ground and archaeology); and
 - Ecology, Ornithology and BNG impacts
- 1.2 The Council's LIR was debated by the Council's Planning Committee on 12th September and in addition to endorsing the submission of a WR framed around the above topic areas, the Committee also resolved to make additional submissions on the following grounds:
 - Cumulative impact in terms of the use of BMV agricultural land across Lincolnshire in combination with other solar development proposals.
 - Further consideration of the battery technology to be deployed to minimise the risk of fire with reference to the potential use of the Lithium Iron Phosphate variant
- 1.3 Whilst the Council's LIR also identified 'negative' effects in relation to ES Chapters relating to Residential Visual Amenity, Hydrology/Flood Risk, Socio-Economics, Noise and Vibration, Glint and Glare and Cumulative Effects (with the notable exception of BMV land), we do not offer any additional comments here. The Council also addresses cumulative effects with other NSIP projects in its response to the Examining Authority's first questions.
- 1.4 We have assessed all other ES Chapters as resulting in either 'neutral' or 'positive' effects. Without prejudice, and subject to the ExA taking account of statutory and other consultee comments where applicable, the Council is satisfied that, in principle there are mitigation measures associated with all other topic areas (even where the Council accepts that there are 'negative' effects) which are capable of resolution by Requirement/s, and we will continue to engage with the applicant in particular relation to Schedule 2 of the draft DCO (examination document PS-024) in this regard.
- 1.5 It is noted that the delivery of renewable energy of this nature is in accordance with the strategic policies of the Central Lincolnshire Local Plan (2023); most notably CLLP policies S14 'renewable energy' and S16 'wider energy infrastructure'.

Underpinning the Plan is the overarching vision and strategy, and a series of policies, to address the challenges relating to climate change to ensure that the District and Central Lincolnshire is fit for a zero-carbon future, contributes to the transition to a net-zero carbon society, and is responsive to a changing climate.

- 1.6 This 'golden thread' also runs through the NKDC Climate Emergency Strategy (CES), the Climate Emergency Action Plan (CEAP) 22/23, its Environment Policy, the NK Plan 22-25 and its Community Strategy. Together these also comprise the Council's vision and strategy for a sustainable transition to net zero by 2030, supported by mitigation measures to reduce emissions and adaptation measures to improve resilience to the effects of climate change.
- 1.7 The Council therefore supports the principle of the development however notes that (not unexpectedly for a project of this scale and nature) there are negative impacts identified for the majority of the ES topics. This inevitably creates a tension and conflict, of varying degrees, with the adopted and draft NPSs, the NPPF and policies contained in the 2023 CLLP. However, as set out above and in our LIR we are satisfied that in principle those matters are capable of being addressed by Requirement.
- 1.8 As set out above however, the four topic areas and associated impacts of greatest concern are in relation to;
 - Impacts on Best and Most Versatile (BMV) agricultural land
 - Landscape and Visual Impact
 - Cultural Heritage impacts (above ground and archaeology); and
 - Ecology, Ornithology and BNG impacts

We also request that the applicant give consideration to the use of lithium iron phosphate batteries in the operation of the BESS. The cumulative impacts arising in terms of the region-wide use of BMV is also more significant in the Council's submission and it has been rather down-played by the applicant.

- 1.9 Of these there is a particular tension and policy conflict in relation to BMV land impacts given that very nearly half of the energy park site by area comprises land in Grades 1, 2 and 3a. The NPSs direct that previously developed land, brownfield land, contaminated land, industrial land and non-BMV land should be developed as a preference, and where policies S14 and S67 of the CLLP seek to protect the best and most versatile agricultural land so as to preserve opportunities for food production and the continuance of the agricultural economy.
- 1.10 The temporary loss of 257ha of BMV land is significant in its own right. We are not convinced that the applicant has demonstrated that they have avoided the use of BMV agricultural land where possible (including making further adjustments to the Order Limits or site layout through drawing back panelled areas) and this is borne out by cross reference to the APP-077 'Field Plan' and BMV land distribution map.

The applicant has ruled out making further adjustments to BMV proportions and Order Limit changes/reductions owing to this being commercially unattractive. Furthermore we are not satisfied that the 'need' to develop BMV land has been evidenced.

- 1.11 In relation to cumulative BMV impacts and the applicant's documents REP1-021 and APP-175, we agree that in addition to the One Earth Solar Farm, solar NSIP projects 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12 (Cottam, Gate Burton, West Burton, Mallard Pass, Temple Oaks, Tillbridge, Beacon Fen, Springwell and Fosse Green) will have cumulative adverse effects on agricultural land at a regional level. The applicant estimates that applying a worse case scenario these projects alongside Heckington Fen will take 3,697ha of BMV land out of production; just under 1% of the BMV in Lincolnshire.
- 1.12 We do not however agree that those cumulative agricultural land/BMV impacts will not be 'significant', as suggested by the applicant and therefore we also consider there to be an additional policy conflict associated with cumulative BMV impacts.
- 1.13 The proposed mitigations (including contractual arrangements for sheep grazing) are, unfortunately, poorly developed at this stage albeit we will continue to work with the applicant on a without prejudice basis to assess whether these matters can be addressed by Requirement.