

WRITTEN RESPONSE TO THE EXAMINER, PLANNING INSPECTORATE

RE: APPLICATION BY FOSSE GREEN ENERGY LIMITED – EN010154

WRITTEN SUBMISSION FROM COLEBY PARISH COUNCIL

CONTENTS

1 - Scale of the proposed development and its generating capacity	Page 2
2 - Alternatives to the proposed development and Site Location	Page 2
3 - Effects for agriculture and land use	Page 4
4 - Effects for cultural heritage and archaeology	Page 4
5 - Effects for traffic and transport	Page 5
6 – Environmental Matters	Page 5
7 – SUMMARY	Page 5

1 - Scale of the proposed development and its generating capacity

1.1 Battery Energy Storage

The Council is concerned about the quantity of battery storage on the site.

Is it more than necessary for the function of a solar energy project of this size, and therefore relative to the application? The summary detail of the project is stated as being the 'installation of solar photovoltaic panels, associated ... on site energy storage facilities' etc. We interpret this as being that the BESS is to be used for on-site production, as there is no mention of BESS for storing off-site energy. That is a completely different scenario.

In respect of the battery storage, the Council would ask for it to be confirmed that the current National Fire Chiefs Council (NFCC) guidance would apply to this project?

Due to the amount of proposed BESS, can UKHSA – UK Health Security Agency – be asked to report on this development?

2 - Alternatives to the proposed development and Site Location

2.1 Government, County and Local Guidance

The Government's NPS EN-3 Para 2.10.21 states that sites for solar energy projects should be on brownfield land, previously developed land, contaminated or industrial land, or lastly on lower quality agricultural land.

The National Planning Policy Guidance (NPPG) has guidance on large scale ground-mounted solar developments, one of which recommends consideration whether land is being used effectively, recommending the developments are focused on previously developed and non-agricultural land.

The Central Lincolnshire Local Plan Policy S5 Development in the Countryside, states the rural location of an enterprise should be justified by means of proximity to existing established businesses or natural features. Also, the development is of a size and scale commensurate with the proposed use and with the rural character of the location.

The village of Thorpe on the Hill is particularly impacted by this proposed development, because of the amount of land that falls within their parish boundaries, but also, the aspects which contravene their Neighbourhood Plan. The latter also affects other villages, as well as the impact on Conservation villages.

These are some examples of the choice of site not aligning with Government, county or local policies.

Leading on from the proposed site being positioned on quality productive farmland, is that the National Grid was duty bound to respond to this request, so is now in the process of applying for a Sub Station on similar quality agricultural land.

This continues a chain reaction, there is the proposed Leoda Solar, and two BESS applications, plus others not in the public domain, that are sited on similar land - the reason being this is a rural farming area.

There is no justification for the solar developments in this area, the cumulative effect which will snowball once any of these are approved will be devastating, there will be large areas of industrialisation in a rural farming area.

Another prong to this situation is food security. This is an equally important national issue, but it is also a part of achieving net zero, and should therefore be taken into account when considering this application.

In conclusion of the above, the Council urges the Inspector to prioritise the Guidance in NPS EN-3 Para 2.10.21 when considering the Fosse Green development, to protect the quality productive farmland for the locals as well as the nation.

2.2 Grid Connection Corridor

The Grid Connection underground cable corridor passes through part of the Coleby Neighbourhood Plan area. Policy 1 of the CNP 'Appropriate Location for Development' sets out that amongst other things, development will need to demonstrate that it can be carried out without resulting in an unacceptable impact on the setting of the village within the wider landscape and the landscape character within the Parish.

Can the Inspector arrange for more detail to be provided on the size of, and what permanent physical features, will be above ground level for the 10km length of the corridor, once the site is complete? This should also include whether or not any features above ground will be removed at the Decommissioning stage.

This information is necessary to assess whether the impact of the development is acceptable or not.

The grid connection corridor crosses the PRoW in the parish of Coleby that goes to Somerton Castle, a Grade 1 listed building.

The Viking Way (which stretches the length of the county) is a very popular walking route for locals as well as visitors, it passes through Coleby, then along the Cliff Edge to Boothby Graffoe, where the proposed Grid Connection Corridor will cross its path on the hillside.

And there is another footpath connecting the two villages that is to the east of the Viking Way.

They are also part of the appeal of the PH in Coleby (The Tempest Arms), that those in adjoining villages can have a stop over there during their walk. This applies in the reverse direction, for residents of villages to the north of Navenby walking to the various shops, cafes and PHs in Navenby itself.

Any disruption or adverse effects of the development will impact on visitors to the villages as well as the economy of the local businesses.

Can these routes be guaranteed that they will be kept open at all times during construction, the lifetime of the project and decommissioning, as they are essential routes for locals as well as visitors?

2.3 Landscape

The proposed site affects some communities more than others, but particularly those that are surrounded by the development. Thorpe on the Hill is particularly impacted because of the quantity of acres within their parish, but also that the village sits on a hill with views over the area.

The loss of this landscape will permanently cause visual harm, the visual amenity will be lost, and therefore permanently undermine the well-being of the community.

The Council believes that the weight afforded to the public benefits of renewable energy and supporting infrastructure is not considered sufficient in this case, to outweigh the harm to a range of heritage assets as well as the Public Right of Ways, Witham Valley Country Park, nearby Whisby Nature Park, and the general rural landscape dotted with village communities.

The setting of all these types of assets and, therefore, their significance would be eroded and undermined by the proposed project, as it would introduce an industrial type of development which would be incongruous in character to the current traditional rural and agricultural character as well as the historic landscape.

2.3 Public Rights of Way

The industrialisation of the landscape with solar photovoltaic panels, electrical infrastructure, security fencing and lighting, as well as large containers for BESS, changes the setting of the landscape completely.

A walk in the countryside is known to improve mental and physical health, relieves stress, boosts mood and creativity, and therefore overall well-being.

Walks within the whole site are promoted by the District Council, they are part of its tourism strategy as well as being used by people from the local area. The walks close to Thorpe on the Hill are particularly adversely affected by this proposed project, they would change from being walks by the open fields into tunnelled pathways with security fencing looking onto black glass panels. The walks would lose any potential for enhancing well-being, and eliminate the potential for visitors/tourism.

NPS EN-3 encourages Applicants to minimize visual impacts on public rights of way and to maximise opportunities for enhancement, the Council does not believe this has been facilitated, and that the loss of the open countryside walks in this area is not justifiable or necessary.

Also, this area is part of the Witham Valley Country Park which not only promotes its diverse green spaces but also its historical sites. The proposed project will cause visual harm and harm to amenity, not only in the immediate area of the development, but in the wider area of the Country Park which covers around 40 square miles.

Various Government policies expect local authorities to protect and enhance valued landscapes and sites of biodiversity, and the Council maintains that these policies should be given priority in this instance.

NPS EN-3 encourages Applicants to minimize visual impacts on public rights of way and to maximise opportunities for enhancement.

3 - Effects for agriculture and land use

3.1 BMV Categorised Land

The Council is very concerned about the loss of any productive agricultural land, but this project has a large portion of BMV categorised land. Such a development should not be taking place on this type of land at all if the guidelines in NPS EN-3 were being followed as detailed in 2.1, additionally, there are no reasons in this instance why there are mitigating circumstances that it should be.

The loss of BMV land impacts directly on food security for the nation, the Council maintains that a solar project is not required on this land and cannot be justified.

Is it beyond reasonable doubt, the Proposed Development cannot be located elsewhere, so not on BMV land?

The large loss of agricultural land will be adverse and significant, and should be afforded significant weight in the planning balance.

3.2 Cumulative Effect

CPRE – Campaign to Protect Rural England – is well respected for its work to challenge and influence government policy, and is celebrating its 100th anniversary this year. Part of its Letter to England states:

Now more than ever, decisions about how we use our land are leading to the needless loss of landscapes and everything they support. Without drastic action, much of what makes our countryside unique and beautiful will be lost.

Wherever we live, we rely on the countryside for clean air, thriving wildlife and resilience in the face of climate change. Yet these foundations are being chipped away. Too often decisions are shaped by profit, not what's needed most – and the countryside pays the price.

This again relates to the cumulative effect of this development with the other proposed solar, BESS and the Sub Station at Navenby, all being on high proportions of BMV land. The fundamentals of the EN-3 guidelines being 'chipped away'.

4 - Effects for cultural heritage and archaeology

4.1 Ploughing

The Council was very concerned to hear the Applicants representative at the Hearing (on Wednesday 14th January), state that ploughing the fields would cause more damage to archaeological remains than any of the works relating to the development.

Extensive compaction of the soil caused by construction vehicles, erosion caused by heavy machinery, removal of topsoil, works to level the ground, will surely extensively and adversely affect the top surface of the land. As well as this, underground infrastructure being installed, the solar panels, tree planting, fencing and lighting – all these elements to create the development can potentially cause damage to archaeological remains, therefore the Applicant is not massively reducing potential damage to the site by changing the land use from agriculture to a solar energy development.

5 - Effects for traffic and transport

5.1 North Hykeham and Lincoln Bypass

The Council has concerns over the effects of traffic and transport relating to the proposed development. Looking at the traffic aspect from a local perspective is that road users are well aware of the bottle necks on the end of the A46 where it joins the start of the bypass, and down the bypass going west. If the roads in Thorpe on the Hill are full of construction traffic and workers, then the alternative routes that can currently be used, and currently are used by commuters, will be out of action, causing an even higher density of traffic on the congested road network.

What plans are there to mitigate this situation?

We are also concerned about assumptions of timescales by the Applicant of their own development in relation to other major projects, thereby coming to the conclusion that their impact on traffic will be minimal.

These assumptions may be hoped for, or estimations, but they are not binding.

The question is, what is a worst-case scenario of overlap with the other developments in this area, that is, Springwell, Leoda, Navenby BESS, Coleby BESS and Navenby Sub Station?

What would happen if the Applicant wanted to bring forward their start date for construction and the opening of the Hykeham Relief Road had been delayed in opening?

6 – Environmental Matters

National Planning and Policy Framework, para 187 asks: can it be guaranteed the development will not present unacceptable risks to surface and groundwater resources? The Council asks the same question, particularly in view of the flood risk areas around the river Witham and the Brant that flow through the site.

The disposal of the huge volume of solar panels as well as the hazardous and toxic lithium-ion battery waste at the Decommissioning stage is of great concern to the Council.

Has sufficient detail been provided for the decommissioning framework?

What guarantee is there that the decommissioning will properly be dealt with and paid for in full by the Applicant, or any subsequent owner?

The Council is concerned that the underground grid connection cable corridor will be left in situ at the decommissioning stage, and that this will lead to toxins and PFAS leaching into the soil and watercourses as the casings and wires deteriorate over time.

Can the development be classed as temporary, if infrastructure is left in place?

7 – Summary

National Policy Statement for Energy EN -1 and EN-3 are general national statements, not written specifically to any region or location, so planning approval should be considered on a site-specific basis.

Visual harm to the landscape, heritage assets and Public Right of Ways, plus the loss of BMV and productive farmland, do conflict with a number of policies made at all levels. Weight should be given to the detrimental effect this will have, above other considerations, for example any benefits of renewable energy and supporting infrastructure.

Cumulative impact is of serious concern, the proposed Navenby Sub Station and those potential projects wishing to connect to it, all on BMV and productive farmland, and all in rural locations. The impact on visual amenity will have detrimental effects for the well-being of residents, and the visual harm would deter visitors to the area, and have an economic impact on local businesses.

To assess the impact of the grid connection corridor requires having details on what would be above ground level after installation, and confirmation of what would be removed at the decommissioning stage. This is also in relation to the various PRoWs crossing the corridor, which are an essential and well used amenity for locals, but also part of the visitor economy.