

From: [REDACTED]
To: [Lime Down Solar](#)
Subject: Objection - Lime Down Solar Energy Park
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Objection - Lime Down Solar Energy Park

1. Introduction and Scope

This submission sets out my professional planning objections to the proposed Development Consent Order (DCO) for the Lime Down Solar Energy Park. The proposal constitutes a Nationally Significant Infrastructure Project (NSIP) and is therefore subject to Environmental Impact Assessment (EIA).

For the reasons set out below, the Environmental Statement (ES) fails to provide a robust or lawful basis upon which the Secretary of State can undertake the planning balance required by the National Policy Statement for Energy (EN-1) and the National Planning Policy Framework (NPPF). In several key respects, the ES understates the scale and significance of harm, omits necessary cumulative assessment, and fails to demonstrate policy compliance.

Individually and cumulatively, these deficiencies lead to the clear conclusion that the DCO should be refused.

2. Cultural Heritage and Historic Environment

The ES concludes that the scheme would result in "*less than substantial harm*" to heritage assets. That conclusion is reached through a fragmented methodology which assesses individual assets largely in isolation. This approach is fundamentally flawed and inconsistent with national policy and statutory duties.

The Lime Down proposals affect a large number of designated and non-designated heritage assets and, critically, their settings. These include assets of the highest significance, such as Bradfield Manor, where the setting would be materially affected by the proposed Battery Energy Storage System (BESS) and associated security fencing, lighting and infrastructure.

The ES fails to grapple with the cumulative impact arising from the number, density and geographic spread of affected heritage assets. The historic character of this part of Wiltshire derives not from isolated assets, but from the collective relationship between buildings, landscape, and long-established patterns of land use. When assessed properly, the cumulative magnitude of change across this historic environment is substantial.

This deficiency is particularly acute given the requirement under Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010 to have regard to the desirability of preserving listed buildings and their settings. There is no convincing evidence that harm has been avoided or minimised, as required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

National Policy Statement EN-1 is explicit. Paragraph 5.9.28 states that substantial harm to the setting of listed buildings, including Grade I buildings, should be wholly exceptional. Paragraph 5.9.29 further directs decision-makers to refuse consent unless all four specified criteria are satisfied. The ES does not meaningfully address those criteria, let alone demonstrate compliance. On heritage grounds alone, refusal of the DCO is therefore required.

3. Flood Risk and the Sequential Test

Flood risk is addressed inadequately within the ES and associated Planning Statement. Paragraph 174 of the NPPF is clear that development should not be permitted where there are reasonably available alternative sites at lower risk of flooding, taking account

of flooding from all sources, including fluvial and surface water flooding.

This approach is reinforced by Section 5.8 of EN-1, which requires application of the Sequential Test where relevant. Parts of the Lime Down site lie within areas subject to both fluvial and surface water flood risk. The applicant acknowledges that flood-prone areas within the site cannot be avoided.

Although a Sequential Test has been presented (Annex C to the Planning Statement), it is materially deficient. The test considers only a limited range of alternative sites and fails to assess whether flood risk within those alternatives could be avoided or materially reduced, in contrast to Lime Down where flood risk is intrinsic and unavoidable.

As presented, the Sequential Test does not demonstrate that the development has been directed to the lowest reasonably available flood risk locations. The policy test is therefore not met.

4. Ecology and Biodiversity

Section 9 of the ES identifies a wide range of likely significant adverse ecological effects at site, local and district levels prior to mitigation. The applicant relies heavily on post-hoc measures, principally through a Landscape and Ecological Management Plan (LEMP), to suggest that most impacts can be reduced.

Even on the applicant's own assessment, residual significant adverse effects remain, including:

- Adverse significant effects on hedgerows at a local level in the short term; and
- Adverse significant effects on breeding birds, including skylark at local level and yellow wagtail, corn bunting, grey partridge and quail at site level.

These impacts are not avoided, adequately mitigated, or compensated for. Reliance on future management measures does not amount to embedded mitigation and is inconsistent with paragraph 5.4.42 of EN-1.

Paragraph 5.4.43 of EN-1 is unambiguous: significant weight must be given to residual harm to biodiversity, and consent may be refused on this basis alone. That policy direction applies squarely in this case.

5. Planning Balance and Policy Conclusion

National Policy Statement EN-1 recognises the urgent need for energy infrastructure and establishes a presumption in favour of granting consent for energy NSIPs.

However, paragraph 4.1.3 of EN-1 makes clear that this presumption does not apply where specific and relevant policies indicate that consent should be refused.

In this case, EN-1 policies relating to:

- cultural heritage and the historic environment,
- flood risk, and
- ecology and biodiversity

each independently point towards refusal. When taken cumulatively, the weight of harm is decisive.


The Environmental Statement fails to provide a sound evidential basis for concluding otherwise. As such, the application does not satisfy the policy tests required for the grant of a Development Consent Order.


Conclusion

For the reasons set out above, the proposed Lime Down Solar Energy Park conflicts with national policy at both an individual topic level and in the overall planning balance. The Development Consent Order should therefore be refused.

Kind regards

Andrew





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