

# Proposed Submission Response Form

PLEASE USE BLACK INK TO COMPLETE THIS FORM  
Please refer to the 'Guidance notes on completing the Representation Form'

From 16 March to 9 May 2022 you can make representations on the soundness and legal compliance of the Proposed Submission Local Plan. All comments must be received by 11:59pm on 9 May 2022. Responses made at this stage will be treated as formal representations and considered by an independent Planning Inspector; late submissions are unlikely to be considered by the Inspector.

Where possible we prefer people to use the online consultation system.

You can access the Plan online via <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-review/> or via <https://central-lincs.inconsult.uk/CLLP.Proposed.Submission./consultationHome>. However, if you cannot use the online system, then your views can be made by email or through the post, preferably using this form.

## PART A: YOUR DETAILS

<b>Important information about data protection:</b> Any comments you make as part of the consultations into the Central Lincolnshire Local Plan will be made public as it is a statutory requirement to publish comments. We will publish these online. If you have any concerns then please contact us. The Councils will however remove personal email addresses, postal addresses, telephone numbers and signatures. Your information will be retained by the Councils as part of our statutory plan making duty, until no later than six months after the Plan is adopted, at which point your information will be securely deleted / destroyed. We will consult you at subsequent stages of the Plan's preparation to seek further comments from you and to keep you informed. If you do not wish to be contacted at subsequent stages of the Plan, please let us know using the contact details at the top of this page. <b>By submitting this form you are agreeing to these conditions.</b>	
Name: Phil Hughes	Agent (if applicable):
Organisation (if applicable) : Lincolnshire County Council	Name:
Address: Lancaster House, 36 Orchard Street, Lincoln	Address:
Postcode: LN1 1XX	Postcode:
Email: <a href="mailto:phil.hughes@lincolnshire.gov.uk">phil.hughes@lincolnshire.gov.uk</a>	Email:
Tel: 01673 866224	Tel:
<b>Signature: P. Hughes</b>	<b>Date: 5 May 2022</b>

We will send all correspondence by email if you provide us with your email address. If Agent details are provided, we will send all correspondence to them.

Do you wish to be notified of any of the following? (Please tick as appropriate)

The Submission of the Local Plan for independent examination:

x
x
x

The Publication of the Inspector's Report:

The Adoption of the Local Plan:

Please note your representation should cover succinctly all the information, evidence and supporting information

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necessary to support/justify the representation and the suggested change. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

**PART B: QUESTIONS**

**ONE FORM SHOULD BE COMPLETED FOR EACH REPRESENTATION**

Q1. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Paragraph	3.3.3 – 3.3.16  Map 2	Policy	S14 Renewable Energy	Policies Map		SA	
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Q2. Do you consider the following to be legally compliant?

Local Plan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
Sustainability Appraisal (SA)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>

Q3. Do you consider the Local Plan is:

Positively Prepared	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
Justified	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Don't know	<input type="checkbox"/>
Effective	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Don't know	<input type="checkbox"/>
Consistent with national policy	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Don't know	<input type="checkbox"/>
In compliance with the Duty to Co-Operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>

Q4. If you answered 'No' to question 2 or 3 above, please give details below. Please be as precise as possible and follow guidance in our note 'Guidance notes on completing the Representation Form'. If you answered 'yes' or 'don't know', you can also use this box to set out details of your representation on the Local Plan or SA.

In 2013 Lincolnshire County Council (LCC) agreed a Wind Energy Position Statement due to the enormous public concern over large scale industrial wind farms coming into the County area and the harm they would cause to our visual amenity and landscape settings which are a significant attraction for our visitor economy. In 2015 the government's own Written Ministerial Statement (WMS) made it clear that communities must support any local application for wind turbines before it could be approved and this is explicit in Paragraph 158 (b) of the National Planning Policy Framework (NPPF). Subsequently, the turbines which were of concern in 2013 have been replaced by much bigger units having a much greater visual impact.

LCC has made its position clear in its approach to wind turbines in its Council Motion carried on 19 February 2021. As a council we object to all applications for on-shore wind turbines, other than for small scale (1-2 turbines), which are specifically linked to development and business sustainability issues and subject to them complying with all other planning policy considerations. LCC recognises the importance of our landscape and big open skies as a significant economic driver for our Visitor economy and for the role

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of the RAF in the County and this must be protected for future generations to enjoy and use.

The proposed Submission Local Plan includes a policy which supports the provision of large-scale commercial wind farms comprising turbines much larger than previously seen in the County. In terms of height, a typical 2MW turbine is perhaps 90-100m tall to the hub, whereas the tip of the blade to the ground is perhaps 125-150m in height. Broad "areas of suitability" have been identified on a map but still leave relatively large amounts of land vulnerable, especially on the eastern boundary of North Kesteven.

There is an inconsistency in the language used in the Plan between supporting text and policy. Para. 3.3.4 states, "whilst not set as either a cap or a ceiling, the aim of the Joint Committee that prepared this Plan is to facilitate the delivery of [380 MW]". Policy S14 states the Committee, "will seek to *maximise* (LCC emphasis) appropriately located renewable energy". This suggests an open-ended policy which has the potential to deliver far more renewable energy capacity than is needed to meet targets.

Policy S14 includes the statement, "*following appropriate consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing (it being a planning judgement by the local planning authority as to whether or not the proposal has their backing)*". The **emboldened** (LCC emphasis) text is not included in the NPPF (2021) footnote 54 and raises the question of how any community objection would be defined or accepted by the local planning authority. It should be made clear in the Local Plan that sovereignty resides with local people as expressed through written objections, petitions or referendums. In addition, the word "*therefore*" does not appear in the footnote and alters the meaning of the sentence. As accurately written, it is logically possible for a development's planning impacts to be fully addressed **and** still be objected to by a local community. This is not pedantry – language matters.

Since the issue of WMS 2015, the current planning regime is considered hostile by the industry. According to RenewableUK data, only eight onshore wind farm applications for new or extended sites were submitted in England between 2016 and 2020. In comparison, 237 applications were submitted between 2011 and 2015 – a 96% decrease. Only 16 new turbines were granted planning permission between 2016 and 2020, in seven separate locations. Between 2011 and 2015, 435 turbines were permitted to be built on 108 sites – another 96% fall. The drying up of planning applications for wind turbines suggests a de facto local veto. Given the amount of pre application consultation required it would appear to be too costly and too much risk for developers. Clearly, the Local Plan Policy S14 is not deliverable as is indicated in para. 3.3.4 which indicates that **zero wind energy capacity is currently installed**. On the other hand, 149 MW of solar PV capacity has already been installed in Central Lincolnshire.

The government's British Energy Security Strategy (published 7 April 2022) states:

"In the more densely populated England, the government recognises the range of views on onshore wind. Our plans will prioritise putting local communities in control. We will not introduce wholesale changes to current planning regulations for onshore wind but will consult this year on developing local partnerships for a limited number of supportive communities who wish to host new onshore wind infrastructure in return for benefits, including lower energy bills. The consultation will consider how clear support can be demonstrated by local communities, local authorities, and MPs." There are no supportive communities in rural Central Lincolnshire.

In summary, proposed policy S14 is considered **unsound** in terms of being:

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- Unjustified (this is not the most appropriate strategy when considered against reasonable alternatives)
- Ineffective (S14 is not considered to be deliverable because of reasons given above)
- Inconsistent with national policy (NPPF footnote 54)

LCC is proposing solar as an alternative to large scale wind energy because it provides:

- limited visual intrusion similar in appearance to glass houses or poly tunnels;
- the ability to be screened effectively by natural boundary treatments (such as trees and hedges) on flat land;
- a proven technology which is continuously improving in efficiency and reducing in cost;
- deployable at scale and speed, capable of generating zero carbon renewable energy in the short to medium term; and,
- local economic benefits for assembly and maintenance.

The government's British Energy Security Strategy (published 7 April 2022) states:

“With the sun providing enough daily energy to power the world 10,000 times over, solar power is a globally abundant resource. There is currently 14GW of solar capacity in the UK split between large scale projects to smaller scale rooftop solar. The cost of solar has fallen by around 85% over the past decade and can be installed in just one day on a domestic roof. We expect a five-fold increase in deployment by 2035”. LCC's preference for solar energy is consistent with the government's strategy.

A technical report produced by IPV Flexgen is attached to this representation to provide background for LCC's alternative approach.

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(Continue on a separate sheet if necessary)

Q5. If you answered 'No' to question 2 or 3 above, please set out what change(s) you consider necessary, and why, to make the Local Plan or SA legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text. Please be as precise as possible.

Delete paragraphs 3.3.3 – 3.3.16 inclusive and Map 2, and replace with new paragraphs and modified Policy S14 as below:

**New paragraph:** In Central Lincolnshire, the aim of the Joint Committee is to facilitate the delivery of approximately 430 MW of solar PV capacity (compared with 149MW currently installed), which equates to approximately 1,300 acres of land requirement. This land take might be less (but not eliminated), if large scale roof deployment and use of brownfield sites was achieved to help deliver this capacity target. This requirement is arrived at by using an industry standard of 1 MW per 3 acres (using 540w panels) and making an adjustment to compensate for seasonal variations in solar output. For context, Central Lincolnshire occupies 525,000 acres of land, so the above combined land take (1,300 acres) equates to around 1/400th (0.25%) of the Central Lincolnshire area.

**New paragraph:** As a Joint Planning Committee we object to all applications for on-shore wind turbines, other than for small scale (1-2 turbines), which are specifically linked to development and business sustainability issues and subject to them complying with all other planning policy considerations. This Committee recognises the importance of our landscape and big open skies as a significant economic driver for our Visitor economy and for the role of the RAF in the County and this must be protected for future generations to enjoy and use. Moreover, it is clear that large-scale commercial wind farms are undeliverable as evidenced by their non-existence in Central Lincolnshire. Conversely, 149 MW of solar PV has already been installed. A more sustainable and less environmentally intrusive alternative to large scale wind energy would be the promotion of solar energy in suitable locations (see Policy S14 below). However, Central Lincolnshire is characterised by large amounts of best and most versatile (BMV) agricultural land which must be protected on the grounds of maintaining food security and protecting the local economy. This approach is entirely consistent with NPPF. The benefits of solar power are clear:

- limited visual intrusion similar in appearance to glass houses or poly tunnels;
- the ability to be screened effectively by natural boundary treatments (such as trees and hedges) on flat land;
- a proven technology which is continuously improving in efficiency and reducing in cost;
- deployable at scale and speed, capable of generating zero carbon renewable energy in the short to medium term; and,
- local economic benefits for assembly and maintenance.

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New paragraph: The Joint Committee is aware that site specific considerations are important such as access and grid connectivity. Prospective developers are directed to the “Likelihood of Best and Most Versatile (BMV) Agricultural Land - Strategic scale map East Midlands Region (ALC017)” published by Natural England on 3 October 2017. This map is intended for strategic planning purposes only and is not suitable for use below scale 1:250 000 or for the definitive classification of any local area or site. Nevertheless, the maps, if used for strategic planning purposes, have the advantage of narrowing down the search area and providing a strong steer and more certainty for developers. This would require site specific surveys as part of any planning submission, and it is likely when detailed soil study work is carried out that a block of land will have a mix of soil quality and a balanced approach is required to determining site suitability.

New paragraph: Areas where less than 20% of the land is likely to be ‘best and most versatile’ agricultural land (i.e. low likelihood of ‘best and most versatile’ agricultural land) can be found in relatively large concentrations in the following locations:

- Land running to the south of Gainsborough along the A156
- Land to the west and south of Lincoln
- Land to the west and south of Sleaford

New paragraph: This does not preclude the suitability of other similar locations in Central Lincolnshire, which may also be available.

#### **Policy S14: Renewable Energy**

The Central Lincolnshire Joint Strategic Planning Committee is committed to supporting the transition to a net zero carbon future and will seek to deliver appropriately located renewable energy generated in Central Lincolnshire (such energy being largely solar based).

Proposals for renewable energy schemes, including ancillary development, will be supported where the direct, indirect, individual and cumulative impacts on the following considerations are, or will be made, acceptable. To determine whether it is acceptable, the following tests will have to be met:

- i. The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets and their settings; and highway safety; and
- ii. The impacts are acceptable on aviation and defence navigation system/communications; and
- iii. The impacts are acceptable on the amenity of sensitive neighbouring uses (including local residents) by virtue of matters such as noise, dust, odour, shadow flicker, air quality and traffic;

Testing compliance with part (i) above will be via applicable policies elsewhere in a development plan document for the area (i.e. this Local Plan; a Neighbourhood Plan, if one exists; any applicable policies in a Minerals or Waste Local Plan); and any further guidance set out in a Supplementary Planning Document.

In order to test compliance with part (ii) above will require, for relevant proposals, the submission by the applicant of robust evidence of the potential impact on any aviation and defence navigation system/communication, and within such evidence must be documented areas of agreement or

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disagreement reached with appropriate bodies and organisations responsible for such infrastructure.

In order to test compliance with part (iii) above will require, for relevant proposals, the submission by the applicant of a robust assessment of the potential impact on such users, and the mitigation measures proposed to minimise any identified harm.

For all matters in (i)-(iii), the applicable local planning authority may commission its own independent assessment of the proposals, to ensure it is satisfied what the degree of harm may be and whether reasonable mitigation opportunities are being taken.

Where significant adverse effects are concluded by the local planning authority following consideration of the above assessment(s), such effects will be weighed against the wider environmental, economic, social and community benefits provided by the proposal. In this regard, and as part of the planning balance, significant additional weight in favour of the proposal will arise for any proposal which is community-led for the benefit of that community.

In areas that have been designated for their national importance, as identified in the National Planning Policy Framework, renewable energy infrastructure will only be permitted where it can be demonstrated that it would be appropriate in scale, located in areas that do not contribute positively to the objectives of the designation, is sympathetically designed and includes any necessary mitigation measures.

#### **Additional matters for solar based energy proposals**

Proposals for solar thermal or photovoltaics panels and associated infrastructure to be installed on existing property will be under a presumption in favour of permission unless there is clear and demonstrable significant harm arising.

Proposals for large scale photovoltaics and associated infrastructure should be provided in the following locations:

- roof mounted on commercial and industrial buildings; and/or,
- previously developed land (“brownfield”) such as disused runways on former airfields; and/or,
- ground mounted on poor quality agricultural land (Grades 3b, 4 or 5). Further guidance is provided in para .xx

Proposals for ground-based photovoltaics and associated infrastructure, including commercial large scale proposals, will be under a presumption in favour unless:

- there is clear and demonstrable significant harm arising; or
- the proposal is (following a site-specific soil assessment) to take place on Best and Most Versatile (BMV) agricultural land, unless such land is peat based and the proposal is part of a wider scheme to protect or enhance the carbon sink of such land; or
- the land is allocated for another purpose in this Local Plan or other statutory based document (such as a nature recovery strategy or a Local Transport Plan), and the proposal is not compatible with such other allocation.

Proposals for ground-based photovoltaics should be accompanied by evidence demonstrating how

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opportunities for delivering biodiversity net gain will be maximised in the scheme taking account of soil, natural features, existing habitats, and planting proposals accompanying the scheme to create new habitats linking into the nature recovery strategy.

#### **Additional matters for wind-based energy proposals**

Proposals for a **small to medium single wind turbine**, which is defined as a turbine up to a maximum of 40m from ground to tip of blade, are, in principle, supported throughout Central Lincolnshire (i.e. the whole of Central Lincolnshire is identified as a broad area potentially suitable for a such a single turbine), subject to meeting the above criteria (i)-(iii). Under this paragraph, no dwelling or other operation (e.g. a farm or a business) may have more than one turbine at any one time in the curtilage of that dwelling or other operation.

#### **Decommissioning renewable energy infrastructure**

Permitted proposals will be subject to a condition that will require the submission of an End of Life Removal Scheme within one year of the facility becoming non-operational, and the implementation of such a scheme within one year of the scheme being approved. Such a scheme should demonstrate how any biodiversity net gain that has arisen on the site will be protected or enhanced further, and how the materials to be removed would, to a practical degree, be re-used or recycled.

(Continue on a separate sheet if necessary)

Q6. It is important to note that written and oral representations carry exactly the same weight and will be given equal consideration in the examination. As such, do you consider it necessary to participate at the oral part of the examination?

**No** I do not wish to participate at the oral examination

**Yes** I do wish to participate at the oral examination

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