

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

**District: North Kesteven District Council**

**Application number: 23/1021/FUL**

**Application Type: Full**

**Proposal: Development of a photovoltaic solar array (49.995MW export capacity) with associated grid corridor works, access improvements and ancillary development**

**Location: Land south of Little Hale Drove, Little Hale Fen, Sleaford**

**Response Date: 3 April 2024**

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:**

**No objection subject to:**

- **Planning Conditions** as detailed below.

**Comments:**

*The site is located in the middle of an agricultural area and currently has no formal means of highway access. Informal access into the site is currently provided via a dirt track off Little Hale Drove. It is proposed that this access will ultimately be utilised to serve as the vehicular access to the solar farm during both the construction phase and operational phase.*

*During the construction period, the site would be accessed from the A17 via Carterplot Road, Great Hale Drove and Old Forty Foot Bank. A haul road would be constructed to provide a connection between Great Hale Drove and Old Forty Foot Bank.*

*During the operational phase the site would be accessed from Little Hale Drove.*

*The proposed route from the A17 via Carterplot Road and Great Hale Drove has previously been approved as a suitable HGV route for use by construction traffic associated with the Viking Link scheme,*

*The Construction Traffic Management Plan prepared in support of the Viking Link scheme identifies that a series of passing places will be constructed along this route to allow HGVs to pass in opposite directions.*

*From Great Hale Drove, an access track will be constructed through the fields to the west and south of White House Farm. This will require the construction of a new 4m wide track approximately 270m in length. The construction of the junction between the haul road and Great Hale Drove will also require the bridging of a field drainage ditch. The access track would then continue southwards along an existing farm track as far as a bridge over the Great Hale Eau drain, before running along Old Forty Foot Bank on the eastern side of the drain into the proposed development site.*

*The swept path assessment indicates that the existing farm track, the bridge across the Great Hale Eau, and Old Forty Foot Bank are wide enough to accommodate HGV movements. Widening of the track will be required on the approaches to the bridge to allow vehicles to cross the bridge perpendicular to the drain. A series of passing places at approximately 300m intervals along Old Forty Foot Bank will also be required, to allow two HGVs to pass in opposite directions.*

*In total, the construction schedule of the development proposals is expected to last for 24 weeks. Construction activities would take place 7 days per week, during the following hours: • Monday to Friday 07:30 – 18:00; and • Saturday - Sunday 08:30 – 18:00.*

*The proposed cable route to the existing National Grid Substation would run along the access track to Little Hale Drove and then east towards South Forty Foot Drain. South Forty Foot Drain is a large north/south orientated drainage ditch which forms the administrative boundary between North Kesteven (part of Central Lincolnshire) to the west and Boston District to the east. The cable would be directionally drilled under the drain and would then continue east along Bicker Drove before heading south along Vicarage Drove and then into the National Grid substation. The planning application boundary allows for two possible connection options within the substation, but only one would be implemented.*

*A public footpath that is recorded on the LCC definitive rights of way map as a Public Right of Way (PROW) runs diagonally through the Site (route code LHal/51) from northwest to southeast. It connects Little Hale Drove in the north to a collection of isolated non-residential farm buildings located at the southern end of Old Forty Foot Bank. The public footpath does not link to any other definitive right of way and terminates at the farm buildings. This would be diverted along the farm access tracks as part of the Proposed Development.*

*The proposed location of the Site is such that footpath LHal/51 would need to be permanently diverted in order to maximise the energy yield from the solar array.*

*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.*

### **Flood Risk and Drainage**

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. The Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

### **Off-Site Improvements**

The Applicant is required to provide the appropriate mitigation, to accommodate the proposed construction traffic. A scheme of passing places are proposed, which will be installed prior to construction.

## **Planning Conditions:**

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

### Highway Condition 21

No part of the development hereby permitted shall be before the works to improve the public highway (by means of new and improved passing places along the proposed construction route) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

### HP00

Prior to the commencement of the development hereby approved, a pre-construction condition survey of of the highway network between the A17 at East Heckington and the Application site shall be undertaken. The survey shall identify and record, by use of a combination of a written report, still and moving photographic images, the condition of all parts of the route prior to the commencement of construction. The Applicant shall, after the completion of the permitted development, reinstate to the satisfaction of the District Planning Authority, any damage that may be identified, by reference to the pre-construction condition survey, as being attributable to the construction of the permitted development and shall undertake, within an agreed timescale, the repair of any damage that may be caused to the highway network by construction traffic or delivery vehicles during the construction period.

Reason: In the interests of the safety and convenience of other road users.

## **Informatives**

### Highway Informative 07

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

For further guidance please visit our website; [www.lincolnshire.gov.uk/highways-planning/works-existing-highway](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)

### 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> .

**Officer's Name: Sarah Heslam**

**Officer's Title: Principal Development Management Officer**

**Date: 3 April 2024**