
Appeal Decision

Site visit made on 3 February 2026

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2026

Appeal Ref: APP/R2520/W/25/3373351

Land to the east and west of Mareham Lane, Sleaford, North Kesteven, Lincolnshire NG34 0AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mareham Lane Solar Limited against the decision of North Kesteven District Council.
 - The application Ref is 23/1419/FUL.
 - The development proposed is described as the *Installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of up to 49.99MW(AC), including mounting framework, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, landscaping and ecological works for a temporary period of 50 years.*
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Decision

1. The appeal is allowed and planning permission is granted for the Installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of up to 49.99MW(AC), including mounting framework, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, landscaping and ecological works for a temporary period of 50 years at Land to the east and west of Mareham Lane, Sleaford, North Kesteven, Lincolnshire NG34 0AW, in accordance with the terms of the application, Ref: 23/1419/FUL, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The decision notice states that the Council based its decision on Revision I of the Site Block Plan. However, the addendum to the committee report discussed Revision J in some detail and confirms it was considered by Officers. Ultimately, the planning committee based its decision on Revision I. Nevertheless, Revision J has been submitted with the appeal and is the document referred to in suggested drawings condition and the submissions of both the Council and appellant. This plan shows a buffer around the ancient monument and panels removed from four archaeological areas.
3. The Procedural Guide: Planning Appeals explains that the appeal system should not be used to evolve a scheme although amendments may be accepted if they are not substantial in nature and it would be procedurally fair. In this case, the alterations are not substantial relative to the scheme taken as a whole. Moreover, the Council and heritage consultees have already considered Revision J, which was in the public domain. As such, I am satisfied that no prejudice would be caused from accepting and considering the amended plan.

4. The appeal site is broadly split by Mareham Road into two parcels of land - the western and eastern fields. The 'eastern field' as defined on the site location plan submitted with the appeal includes the whole of the area between the former rail line and Mareham Road and Station Road and the woodland to the north. The site block plan (revision J) excludes a part of the eastern field from the red line area as plotted on that drawing. After seeking clarification from the Council and appellant, I have taken the appeal site to be as defined in the site location plan i.e. the whole of the eastern field including that part left out of the red line area in the site block plan. The implication being that part of the appeal site would have no panels sited within it. I have considered the proposal on this basis.
5. The Government is currently in the process of consulting on proposed amendments to the National Planning Policy Framework (the 'Framework'). The draft revised Framework could be subject to significant amendments following the conclusion of the consultation and therefore it has little weight in my assessment of the current appeal. Instead, the extant version of the Framework has been considered.

Background

6. The Council refused the application for a single reason alleging a failure to provide sufficient information to assess the effect on heritage, principally archaeology and the setting of the Scheduled Monument and Grade II listed Wayside Cross Base. The appellant has submitted additional evidence with their appeal. After reviewing this, and the responses from expert consultees, including Historic England, the Council confirmed that in its view the appellant had addressed the reason for refusal. A report was taken to the Council's Planning Committee, and a resolution was passed to engage in the appeal on a 'no contest' bases.
7. Thus, it became apparent before the Inquiry was due to open that all the matters in dispute between the Council and appellant had been resolved. Indeed, both the Council and appellant are of the view that the appeal should be allowed, and planning permission granted. These parties therefore invited me to assess the proposal on the written submissions, which is what I have done as a proportionate response in the circumstances. In so doing, I have considered the main concerns of interested parties in my reasons below.

Reasons

The effect of the proposed development on the significance of heritage assets

8. The appeal site encompasses an area that was identified as potentially including sensitive archaeology. A geophysical survey suggests that the appeal site has a long history of cultivation including medieval ridge and furrow. However, intensive post-medieval ploughing has resulted in poor preservation of earlier features. That said, the assessment identified four anomalies which could be features from the Bronze Age through to the Roman era.
9. Trial trenching was undertaken to investigate the archaeology further. All the archaeological finds were in the southeastern field, which is the same broad area as the four anomalies identified in the geophysical assessment. It has been hypothesised that the appeal site may have been occupied through the late Iron Age into the Romano British period. Indeed, as Mareham Road is suggested to be Roman in origin it is possible that a farm was established alongside it to exploit transport and trading opportunities.

10. The geophysical assessment was undertaken without a written scheme of investigation, and the trial trenching is incomplete - in part because crops were still in the ground on part of the appeal site. The cable route corridor was not included either. Nevertheless, The Heritage Trust of Lincolnshire Archaeology (HTL), who advise the Council, have stated that a scheme of archaeological investigation can be undertaken prior to the commencement of development to address any residual matters, including those areas that require further assessment and the deposition and dissemination of results. Overall, they are content with the level of information supplied so far, provided it is treated as an interim assessment.
11. On this basis HTL has not objected to the proposal provided a condition is imposed to secure the archaeological investigation. The investigation would need to include post-excavation analysis and any necessary mitigation measures. Mitigation may require a different method for routing the cables (perhaps above ground) and constructing the access tracks. It could involve preservation in situ of archaeological features and artefacts or investigation and recording prior to their removal. Preservation in situ could reduce the area available for solar panels and therefore the site layout cannot be taken as definitive. Nevertheless, the nature of the scheme allows for some flexibility. Moreover, the risk of a significant reduction in the number of panels beyond that proposed has been reduced by the appellant already excluding panels and associated works from the four areas identified in the geophysical assessment. The imposition of an archaeological condition is therefore a necessary and reasonable approach in the circumstances.
12. The Wayside Cross Base is located towards the northern end of the appeal site within the roadside verge. It is a small scheduled monument designated under the Ancient Monuments and Archaeological Areas Act 1979 and is therefore by definition of national importance. It is also Grade II listed. The feature is a rare example of a standing cross probably erected in the medieval period to mark a boundary. Only the base and shaft remain, with the cross probably removed during the iconoclastic campaign of the protestant reformation. It is possible that its immediate environs include some archaeological deposits. The cross has a high level of evidential and historic value. It also has some limited aesthetic and architectural interest. These values impart significance. The ability to experience the monument in conjunction with the former Roman road, and agricultural hinterland that was cultivated in the medieval period, better reveals its significance.
13. The appeal scheme would have a negative effect on the setting of the monument because the agricultural landscape would be industrialised for a lengthy time. To reduce the impact on the setting of the monument, a 25m landscaped buffer would be provided which, in time, would provide a degree of separation and screening between the diminutive monument and the solar farm. The overgrown foliage directly around it would also be cut back to better reveal its presence and relationship to the historic Roman road.
14. A scheduled monument restoration plan is also proposed to include repointing an open joint and other necessary repairs. Scheduled Monument Consent would be required for these works, but Historic England have indicated they would be supportive of the 'restoration' if it only included repairs, which is what is proposed. Consequently, the proposal overall would have a neutral effect on the significance of the monument/listed building, and this has resulted in neither Historic England nor the Council's Conservation Officer raising an objection.

15. The appeal scheme can broadly be split into three sections with two areas of panels on the eastern side of Mareham Lane and one to the west. The section to the west is positioned around 250m north of a historic farmstead called Thorns Farm. The Farmhouse and Farm Buildings are independently Grade II listed.
16. The Farmhouse is a fine example of mid-19th Century polite domestic architecture. It has well balanced elevations with some ornate details including the chimneys, sash windows, dentillated cornice and entrance porch with pediment and fanlight. The barns were constructed around the same time as the farmhouse and are also finished in a mellow red brick. Although simpler in appearance they exhibit some ornamentation and a rustic charm. The farm complex is very attractive and therefore has a high degree of aesthetic and architectural value which is heightened by the pleasant and remote rural setting. The farmhouse and barns were probably constructed as part of a 'model farm' by the landowners. The complex therefore has evidential and historic value and significance as a repository of building traditions and agricultural practices from the 19th Century. The ability to experience these values is aided by the agricultural character of the setting.
17. The appeal scheme would result in the industrialisation of a large area of farmland to the north and northeast of the listed buildings through the extensive installation of panels, fencing and ancillary infrastructure. This would erode the rural agricultural setting of the farmstead and thus harm the way their significance and value is experienced. The impact would be temporary, but 50 years is nevertheless a very long time, being generational in extent. As such, the 'temporary' nature of the proposal carries limited weight as mitigation.
18. Nevertheless, the intervisibility between the installation and the farmstead would be significantly softened by existing planting and would diminish further as the proposed landscaping matures, especially on account of the flat landscape. The distance between the listed buildings and the solar farm is also notable. Consequently, the latter would not be a prominent background feature when experiencing the significance of the listed buildings from the lane immediately to their south. As such, the harm to the significance of the listed buildings would be modest, being at the low end of 'less than substantial' within the meaning of the National Planning Policy Framework (the 'Framework').
19. Paragraph 215 of the Framework states that any less than substantial harm to a designated heritage asset should be weighed against the public benefits of a proposal. This 'heritage balance' is encapsulated within Policy S57 of the Central Lincolnshire Local Plan 2018-2040 (CLLP). In calibrating the heritage balance, the Framework states that designated heritage assets are an irreplaceable resource that should be conserved for existing and future generations. Accordingly, great weight is given to an asset's conservation. Conservation in this context means sustaining, and thus not harming, an assets significance. This is synonymous with the considerable importance and weight that must be given to the statutory duty to pay special regard to the desirability of preserving a listed building or its setting (s66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990).
20. In this case, the energy generated by the appeal scheme would meet the needs of around 15,000 households. This would offset around 21,500 tonnes of carbon emissions annually. The proposal would therefore make a significant contribution towards a transition to net zero by 2050, which is an aim of the Framework. Indeed, Government publications such as the Clean Power 2030 Action Plan,

outline the importance of renewable energy generation with the Framework stating that significant weight should be given to its benefits. Concerns have been raised that the appellant's analysis has not factored in emissions related to the construction of the panels, transporting them from abroad to the site or the loss of energy during transmission to the substation. However, a substantive analysis is not before me which demonstrates that the net carbon savings would not be significant or would be at such a diminished level that I should not apply the significant weight indicated in national policy.

21. Added to this, the construction phase would result in notable economic benefits and there would be a significant uplift in biodiversity due to measures such as planting hedges, trees and sowing wildflower meadows. The scheme would also deliver modest community benefits in the form of a picnic site and a space for community beekeeping. Overall, the benefits would accrue weight of a high order and would, in this instance, be of sufficient force to collectively outweigh the low level of less than substantial harm that would occur to both designated heritage assets. It follows that the effect on heritage in isolation does not justify dismissing the appeal. The proposal would therefore adhere to Policies S14, S53, and S57 of the CLLP, which are consistent with the relevant national policy in the Framework.

The effect on the character and appearance of the area

22. The appeal site is located within the Central Plateau Landscape Character Type (LCT) as defined in the North Kesteven Landscape Character Assessment. It is typical of the key characteristics of this LCT being generally arable, isolated and rural with neatly trimmed boundary hedges that have been left to grow out a little. There are mature trees around the site boundary and pockets of woodland. To the northeast of the appeal site is a pleasant area comprised of small meadows next to mature woodland. The landscape is generally flat which enables long views in some locations but in others hedges and woodland provide effective screens that limit the vistas across the landscape.
23. The solar farm would have an industrial character and would be of a substantial size. The proposal would therefore harmfully erode the rural, relatively tranquil character of the appeal site and its immediate environs. The effect would be temporary, but 50 years is a very long time. As such, the magnitude of change would still be of a high order. The proposal would have a significant adverse impact on landscape character as it would be a long standing and alien industrial feature in a pleasant rural landscape.
24. The appellant's Landscape and Visual Impact Assessment (LVIA) has considered the effect of the scheme with reference to a zone of theoretical visibility (ZTV). This considered the height of the development relative to the topography. The ZTV is extensive given the flat landform. However, this is a worst-case scenario that assumes bare earth. In reality, there are hedges, woods and buildings that provide screening. The ZTV is nevertheless useful in identifying representative viewpoints (VPs) from which to consider the visual impacts of the scheme. The Council has not disputed the methodology in the LVIA.
25. Of the 12 VPs identified, the authors of the LVIA conclude that the effect on 9 of them would generally be 'minor adverse' in wintertime at Year 1 falling to 'negligible' to 'minor' in the summer. These findings are based on an assessment that combines the sensitivity of the receptor, the magnitude of the change and the

mitigation proposed. The Council has accepted these findings and so do I after visiting the site. Importantly, minor effects were identified from nearby footpaths (including VP 5, 6, 7, 8 and 12). In many views the panels and associated infrastructure would be dark, distant features set below the tree line. This would assist in reducing the visual prominence. As boundary hedging matures and thickens, the panels would be well screened, even in winter months. Setting the panels in from the boundaries of the site and splitting them up into three groups divided by woodland and part of a field would also assist in breaking up the massing of the panels so they would not be seen as one extensive feature.

26. The panels in the eastern field would be more visible in views from the immediately adjoining roads (VP 1 and 9). However, the existing and proposed hedging and buffers would provide some softening, and the receptors would likely be motorists travelling at speed and concentrating on the road in front of them. That said, the effect would be short but not fleeting given the size of the scheme. The LVIA reasonably concludes that there would be a moderate effect from these locations.
27. There would be quite a stark view of the panels from Mareham Lane in a position to the east of VP2 on the approach to the site. Here, the existing hedging in the southwestern corner of the eastern field is kept low to provide visibility at the junction of Mareham Lane and Station Road. The panels would be directly in front of motorists moving north towards Sleaford. However, the plans show the panels set back into the site behind a landscaped buffer. There is nothing to suggest a small copse could not be planted in the southwestern corner of the eastern field to provide a screen. The trees may have a shading effect on some of the nearest panels, but such an impact would be reasonable given the need for mitigation.
28. Drawing this all together, the appeal scheme would have a significant impact on landscape character, but the visual impact would be localised with only a minor effect beyond the site boundaries. Overall, the proposal would have a moderate residual adverse impact on the character and appearance of the area.
29. Policy S1 of the CLLP is supportive in principle of renewable energy schemes in the countryside. Consequently, some impact is to be expected. Indeed, Policy S14 of the CLLP places a presumption in favour of proposals for ground-based photovoltaics and associated infrastructure unless there would be clear and demonstrable significant harm arising. As such, the policy sanctions some harm up to a threshold. The moderate localised effect would not cross this threshold and therefore the proposal would adhere to Policy S14.

Loss of agricultural land and effect on food production

30. The appellant has undertaken a review of previously developed land within a 3km search area of the Sleaford substation into which the scheme would connect. I have seen nothing of substance to suggest this is not a reasonable search area when considering the cost and practicalities of achieving a grid connection point. Three sizable sites were identified but they are allocated for residential development or have planning permission for housing. Disaggregating the appeal scheme onto the roof tops of existing buildings would incorporate significant practical and logistical difficulties to the extent that this is not a realistic proposition. I have not been directed to any other parcels of non-agricultural land that would be suitable for accommodating the appeal scheme. The presented evidence therefore strongly indicates that the use of agricultural land is necessary.

31. The application was accompanied by the results of soil testing that indicates the appeal site overall falls within Grade 3(b) for soil quality. This is outside the category of best and most versatile agricultural land (Grades 1, 2 and 3a). The Council's agricultural land consultants reviewed this information and has not disputed the methodology or findings. Natural England have not raised concerns either. As such, the proposal would not result in the loss of best or most versatile agricultural land and the subsequent effect on food production this would have. It therefore adheres to the Framework, which states that where significant development of agricultural land is demonstrated to be necessary, as is the case here, then areas of poorer quality land should be preferred to those of higher quality. Moreover, the appeal site would be out of intensive cultivation for 50 years which could allow time for the soil to improve. In conclusion, the scheme's effect on agricultural land would adhere to Policies S14 and S67 of the CLLP.

The effect on the living conditions of the occupants of nearby properties

32. The proposal would result in the noise generating infrastructure and plant being located alongside Mareham Lane or within the middle of the western field and thus away from the nearest residential properties. The Council do not dispute the appellant's proposition that the noise emitting infrastructure would operate quietly, typically producing 50-70dB at 1m. As noise decreases over distance, it is anticipated that any noise would be inaudible at the nearest residential properties. To provide further reassurance, the Council and appellant have recommended a condition that noise levels should not exceed a stated level at the boundaries of the residential properties. This would be a sensible precaution.
33. Concerns have been raised about the impacts of construction, but I share the view of the Council and appellant that this can be mitigated through a condition requiring a construction management plan (CMP). This would control hours of operation alongside other measures. It is anticipated that construction would take around six weeks and involve around 245 deliveries of which around half would be from HGVs, therefore amounting to about 8 HGV deliveries a day. This would be noticeable, but not excessive and any movements would be during the day. It is unlikely an enforceable condition could be imposed requiring a specific route to be followed for deliveries as this would require controls being placed on the use of the public highway. However, a Construction Traffic Management Plan has been submitted with the appeal and this includes a route which can be encouraged. The appellant would aim for all construction traffic to enter the site from Mareham Lane and the A52. This would result in HGVs passing as few residential properties as possible. The proposal would not harm residential amenity when accounting for the short duration of the construction period and the mitigation measures.
34. The nearest residential properties to the appeal site adjoin the southeastern corner. The panels would be modest in height at 3.2m, but the scheme overall would have an industrial character and would be of a considerable size. Old Station House is only around 10m from the site boundary. There is what appears to be a commercial yard to the north and amenity space to the east. The solar farm would be to the west separated by a track and hedge. This would provide some mitigation, but the solar farm would still be a dominant feature which would affect the attractiveness of Old Station House as a place to live. When applying the 'Lavender' test I am satisfied the effect can be reduced to an acceptable level with a more generous buffer (planted with trees and hedges) provided between the panels and the property. A parcel of land of a similar shape as, and no smaller

than, the picnic area in the northeastern corner would suffice and can be secured through the imposition of a condition. This buffer would also soften the effect on the occupants of The Gatehouse to the south of Old Station House. In conclusion, the effect on living conditions would not be at odds with Policy S14 of the CLLP.

The effect on protected species and wildlife

35. Initial scoping indicated that the appeal site is in a landscape with several features and sites that can support biodiversity. Indeed, within 5km there are three statutory sites and Local Wildlife Sites adjacent to it. There are also ponds, drains/water courses, mature trees, hedges and field margins in the vicinity. These features can support several protected and priority species such as bats, breeding birds, great crested newts, badgers and common toads.
36. As such, a suite of biodiversity surveys accompanied the application. In general, these surveys concluded that the arable fields in which the panels and development would take place are of low value to biodiversity whereas the periphery of the fields, where there are margins and hedges, is of more value. The scheme has been designed to respond to these findings by retaining the areas of biodiversity value and setting the development in from the site boundaries behind planted buffers. This approach would avoid adverse impacts on protected species. It would also ensure there would be adequate space between the appeal scheme and the adjoining woodland. The buffer would also provide an increase in the size of suitable habitat available to many species. I have already explained that there would be a generous measurable net gain to biodiversity. Impacts on wildlife during construction, especially great crested newts and common toads, would be addressed through a construction environmental management plan.
37. The exception to the above is ground nesting birds such as skylarks, which nest in arable fields. Surveys identified 5 skylark territories which would be lost to the development. The appellant has suggested that a condition could be imposed to require a skylark mitigation and compensation scheme, which would likely result in a financial contribution towards a scheme proposed by Lincolnshire Wildlife Trust. However, the 'scheme' would ultimately need to be secured through a planning obligation. The Planning Practice Guide is clear that a condition requiring a party to enter into a planning obligation should only be imposed in exceptional circumstances and when the heads of terms are agreed. In this case, there are no exceptional circumstances and heads of terms, such as the extent of the financial contribution, the location of the mitigation and details of ongoing management of the skylark plots by the relevant landowner, are undefined.
38. Instead, the condition can be amended to secure skylark mitigation and management in the form of 5 skylark plots on site. There would be ample space to do this as parts of the appeal site would remain undeveloped due to archaeology. There is also an area included in the red line of the appeal site but excluded from the developed area as shown on the Site Block Plan (between Fields 2 and 3 as defined in the geophysical assessment), which could include the plots. In conclusion, the appeal scheme would not harm protected species, would result in a biodiversity net gain and adhere to Policies S14, S60 and S61 of the CLLP.

Other Matters

39. Concerns have been raised that the deer fencing would trap deer in a corridor between the eastern and western land parcels within which would be Mareham

Lane. This is a road where traffic moves quickly and therefore deer could pose a risk to highway safety. Indeed, during my site visit I observed a large herd of deer in the fields and woodland to the northeast of the appeal site. As proposed, deer fencing would run for a long way along the eastern side of Mareham Road and would obstruct the route between the woodland on the western side of the road from that to the northeast of the appeal site. However, there is nothing of substance before me to suggest the middle part of the site (between Fields 2 and 3) needs to be fenced as it would not include any solar panels. Accordingly, this area could be left unfenced (with gates at either end of the access track) so that deer can pass through the site. Suggested Condition 3 requires fencing details to be submitted for approval, which would be a means of addressing this issue.

40. Otherwise, the Local Highway Authority (LHA) has not raised any concerns regarding the effect of the proposed development on highway safety. Indeed, the LHA found that the proposed access would operate safely and there would be no harmful (or severe) effects on the road network when the scheme is considered individually or cumulatively with other operational solar farms nearby. Any works to Mareham lane to facilitate the cable route would need to be approved by the Local Highway Authority. There is no substantive or technical evidence before me that would justify departing from the independent expert view of the LHA.
41. The application was accompanied by a glint and glare assessment which concludes that there would be no adverse impacts in this regard. This has been reviewed by several consultees, and no objections have been raised. Similarly, Lincolnshire Fire and Rescue have been consulted and raised no concerns regarding fire safety and the Council's Environmental Health Team are satisfied there would be no pollution. The Council has not raised any objections with respect to flooding and drainage. I have no substantive reason to come to a different view on any of these matters. Concerns have been raised regarding the potential for a future battery energy storage system, but this is not part of the scheme before me and therefore I have not considered this point further.
42. The appellant and Council have considered cumulative effects given the presence of other solar farms near to the appeal site. Given the lack of intervisibility and the way the proposal would be broken up into three areas with intervening landscaping, the cumulative impact would be modest. There is another large solar farm proposed nearby which is currently under consideration, but it is not for me to comment on its merits. Instead, it would be for the Council to consider the cumulative effects of that scheme in the first instance. Similarly, I understand that a reservoir is being planned for the area. Again, it is not for me to comment on the merits of that project, which is still in the formative stages. No doubt cumulative impacts would form part of the assessment of the reservoir in due course.
43. National Policy Statements (NPS) EN-1 and EN-3 have recently been updated. EN-3 explains that it covers nationally significant solar photovoltaic schemes of greater than 100MW. The size of the appeal scheme is well below this threshold and therefore the NPSs have not been determinative matters in my assessment.

Conditions and Planning Obligation

44. I have considered national policy in the Framework and Planning Practice Guide, the conditions suggested and agreed by the Council and appellant in the Statement of Common Ground and the terms of the development plan. Where necessary I

have made small changes to the conditions in the interests of precision. Some of the conditions require details to be resolved prior to commencement of development since the matters they relate require resolution before development start or are so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

45. In addition to the standard commencement condition, it is necessary in the interests of certainty to impose a condition requiring implementation in accordance with a suite of approved plans and limiting the period of the permission. For similar reasons, and in the interests of the character and appearance of the area, biodiversity and highway safety, it is necessary to secure details of CCTV Columns, fencing and gates and external lighting. I have amended Condition 3 to also refer to solar panels because some alterations to the layout may be required following the completion of the archaeological investigations. To safeguard the environment, it is necessary to secure appropriate decommissioning. In the interests of highway safety, biodiversity and living conditions, it is necessary to manage construction. To safeguard cultural heritage, it is necessary to secure a scheme of archaeological investigation, mitigation and recording.
46. To secure mitigation and benefits, it is necessary to impose a condition requiring a scheduled monument restoration plan and details of the picnic area and community beehive scheme. To protect skylarks, it is necessary to secure the provision and management of 5 plots on site. To secure biodiversity net gain it is necessary to require a habitat management and monitoring plan. In the interests of biodiversity and visual amenity it is necessary to secure tree protection measures, an arboricultural method statement, protection of retained trees, a landscaping scheme and a landscape and ecological management plan. To protect living condition, it is necessary to secure a landscaped buffer with the residential properties adjacent to the southeast corner of the appeal site. For a similar reason, it is necessary to control noise levels when measured at a residential boundary.
47. The Council has sought a financial contribution towards monitoring due to the extent and complexity of the measures required to secure a biodiversity net gain. The appellant has provided a planning obligation in the form of a unilateral undertaking to secure this. Due to the importance of biodiversity net gain to the acceptability of the scheme, a monitoring fee in this instance is necessary, directly related to the development and fair and reasonable. The planning obligation can therefore be taken into account.

Conclusion

48. The appeal scheme would adhere to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal has been allowed.

Graham Chamberlain
INSPECTOR

Schedule of Planning Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans/drawings unless modified by details submitted to and approved in writing by the Local Planning Authority pursuant to the conditions of this planning permission:
 - Site Location Plan Mareham Lane- Fig2b Site Area (Sheet 1 of 3),
 - Site Location Plan-2 Mareham Lane- Fig2b Site Area (Sheet 2 of 3),
 - Site Location Plan-3 Mareham Lane- Fig2b Site Area (Sheet 3 of 3),
 - General Details Plan LH22-052-DW03-Fig4 Details and
 - Site Block Plan - Proposed Figure 1 Rev J 12.1.4
3. Notwithstanding the approved plans in Condition 2, prior to their erection on site, details of the final position of solar panels and the proposed layout, position, materials, colour, finish and where relevant lux levels of the following development components a) CCTV columns b) Boundary Treatments/ Deer Fencing c) External Lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained thereafter.
4. Within 1 month of the date of first export of electricity to the National Grid ('the date of first export') confirmation shall be given in writing to the Local Planning Authority of the same. The development hereby permitted shall cease on or before the expiry of a 50-year period from the date of first export. All development, including buildings and foundations, arrays, equipment, and access roads associated with the development, shall thereafter be removed from site and the land shall be reinstated in accordance with a schedule of works ('Decommissioning Scheme'). The Decommissioning Scheme shall be submitted to the Local Planning Authority for approval at least one year in advance of the development hereby permitted becoming non-operational. The Decommissioning Scheme shall include full details, including timescales, for the proposed reinstatement works. The Decommissioning Scheme shall be carried out in full accordance with the approved details.
5. In the event that the development hereby permitted ceases to export electricity to the grid for a continuous period of 12 months at any point after the date of first export (other than for operational reasons outside of the operator's control), a scheme of early decommissioning works ('the Early Decommissioning Scheme') shall be submitted no later than 6 months after the end of the 12 months non-electricity generating period to the Local Planning Authority for its approval in writing. The approved Early Decommissioning Scheme shall be implemented in full in accordance with a timetable that shall be set out in the Early Decommissioning Scheme.
6. No development shall take place until a construction environmental management plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include details of the following: a) timetable for the construction works. b) The control and management of noise and dust during the

construction phase. c) On-site construction waste management. d) Identification of biodiversity protection zones and measures to protect biodiversity during the construction period. e) Physical measures and sensitive working practices to avoid or reduce impacts during construction (which may be provided as a set of method statements), to include protective fencing to BS:5837 and other exclusion barriers and warning signs. f) The location and timing of sensitive works to avoid harm to biodiversity features. g) Responsible persons and lines of communication, including roles and responsibilities on site of an ecological clerk of works or similar competent person. h) Invasive species management. i) Construction and storage compounds, and post-construction reinstatement of these areas. The development shall be implemented in accordance with the approved CEMP.

7. The development hereby permitted shall be constructed in accordance with the requirements set out in the Construction Traffic Management Plan (CTMP), dated January 2024 (Prepared by Hydrock).

During the construction phase of the development hereby approved no construction activities shall take place outside the following hours: Monday to Friday: 07:00 – 18:00hrs Saturday: 08:00 – 13:00hr. No works are permitted on Sundays or Public Holidays.

8. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following:

- an assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements);
- a methodology and timetable of site investigation and recording; -provision for site analysis; -provision for publication and dissemination of analysis and records;
- provision for archive deposition;
- nomination of a competent person/organisation to undertake the work; -the scheme to be in accordance with the Lincolnshire Archaeological Handbook.

The development and archaeological site works shall only be undertaken in accordance with the approved written scheme.

9. The archaeological site work must be undertaken only in full accordance with the approved written scheme referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority. A copy of the final report required in connection with the above Conditions shall be submitted within six months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.
10. Prior to the commencement of the development hereby approved the Scheduled Monument Restoration Plan (SMRP) in relation to the Wayside Cross (List Entry

Number 1009233), along with evidence that Scheduled Monument Consent for the works has been obtained, shall be submitted to and approved in writing by the Local Planning Authority. The SMRP shall, unless otherwise agreed, include details of the pointing up of open joints or fissures in an appropriate lime mortar and any necessary inset repairs to modern stonework damage, along with details of the ongoing management and clearance of vegetation around the Scheduled Monument to align with the operational period of the development. The approved Scheduled Monument Restoration Plan shall be fully implemented prior to the energisation of the development, and the development shall thereafter proceed in accordance with the approved schedule of vegetation clearance and management. A completion report confirming that the restoration works have been implemented in full shall be submitted to the LPA in writing within six months of the restoration works being completed.

11. No solar panels shall be installed until 5 Skylark Plots have been provided within the appeal site in accordance with details and a management and monitoring plan that shall first have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
12. No development shall take place until a Habitat Management and Monitoring Plan (the HMMP) has been submitted to, and approved in writing by, the Local Planning Authority. The HMMP shall be prepared in broad accordance with the submitted Preliminary Ecological Appraisal dated December 2023 (Prepared by RSK ADAS Ltd) and Biodiversity Net Gain Assessment V1 dated May 2024 (Prepared by RSK ADAS Ltd) and include the delivery of at least 334.19 area habitat units and 7.65 linear units (225.59% Biodiversity Net Gain for area habitat and 13.21% Biodiversity Net Gain for linear habitat). The content of the HMMP shall include:
 - a) Description and evaluation of the new and retained habitat features to be managed and enhanced.
 - b) Aims and objectives of management, and triggers for remedial action where aims and objectives are not being met.
 - c) Prescriptions for habitat creation and longer-term habitat management for a minimum period of 30 years.
 - d) Details of the ecological monitoring that will be undertaken to monitor and inform the successful establishment of new habitats, and to confirm successful delivery of ecological mitigation (where linked to new habitat creation and related habitat management measures) and predicted biodiversity gains.
 - e) Provision of a work schedule for all habitat management and monitoring works, including identification of timelines for the delivery of monitoring reports and other appropriate evidence to the Local Planning Authority to demonstrate compliance with this condition.
 - f) Details of the body or organization responsible for implementation of the plan.
 Once approved by the Local Planning Authority, the HMMP shall be full implemented in accordance with the approved details within 12 months of the date of first export of electricity. The development shall thereafter be operated and managed in accordance with the HMMP.
13. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the operation of the development. The LEMP shall cover all retained and created habitats, as identified in the submitted Preliminary Ecological Appraisal dated December 2023 (Prepared

by RSK ADAS Ltd) and Biodiversity Net Gain Assessment V1 dated May 2024 (Prepared by RSK ADAS Ltd). The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed including the picnic area and community beehives illustrated on Figure 1 Rev J Proposed Block Plan;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a fifty-year period);
- g) Details of the body or organization responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures,

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be implemented in accordance with the approved details.

14. Prior to the commencement of the development hereby approved full details for the Mareham Lane access improvement works shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the completion and operation of the solar farm.
15. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. The landscaping scheme shall be implemented as approved and shall be carried out in the first planting and seeding season following the commencement of development.
16. (a) No trees, shrubs or hedges within the site, which are shown as being retained on the approved plan (AWA Arboricultural Survey referenced AWA5754 (November 2023) – Appendix 5) shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the District Planning Authority. Any works approved shall be carried out in accordance with BS 3998 (Tree Work). (b) If any retained tree is removed, uprooted or destroyed or dies, within a period of 12 months of completion of works, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the district planning authority.

17. Prior to the commencement of the development hereby approved a scheme for the protection of the retained trees and hedgerows, in accordance with BS 5837:2012, including a tree protection plan(s) and an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.
18. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars: (a) No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree on or adjacent to the proposal site. (b) No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site. (c) No temporary access within designated Root Protection Areas without the prior written approval of the district planning authority, (d) No mixing of cement, dispensing of fuels or chemicals within 10 metres of the tree stem of any retained tree on or adjacent to the application site. (e) No soakaways to be routed within the Root Protections Areas or any retained tree on or adjacent to the application site. (f) No stripping of topsoils, excavations or changing of levels to occur within the Root Protection Areas of any retained tree on or adjacent to the application site. (g) No topsoil, building materials or other to be stored within the Root Protections Areas of any retained tree on or adjacent to the application site. (h) No alterations or variations of the approved works or tree protection schemes shall be carried out without the prior written approval of the district planning authority.
19. No noise generating fixed plant and machinery, including the substation and solar inverter / transformer stations, shall exceed the representative background noise level by more than a rating value of 5 dB(A) when measured as a 15 minute L(A)_{eq} at any residential boundary when measured in accordance with BS 4142:2014+A1:2019.
20. Prior to the commencement of any development a Noise Assessment detailing the acoustic performance of all plant and equipment to be installed (including solar panels and inverters) and background noise levels from the closest noise sensitive receptors, along with details of any acoustic mitigation measures required, shall be submitted to and approved in writing by the District Planning Authority. Thereafter the development shall proceed in accordance with the approved details including the installation of the required acoustic mitigation measures which shall thereafter be retained and maintained.
21. Notwithstanding the submitted details, the panels shall be installed until details of a landscaped buffer in the southeastern corner of the eastern field have been submitted to and approved in writing by the local planning authority. The buffer shall be implemented as approved and shall be carried out in the first planting and seeding season following the commencement of development.
22. No development shall commence until details of the picnic site and community beekeeping scheme, including a timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and timetable.

End of Schedule