
5.0 PLANNING POLICY AND GUIDANCE

5.1 Introduction

5.1.1 This section seeks to undertake an analysis of the Sleaford REP development in the context of all current, relevant planning policies and guidance.

5.1.2 The section is divided into 6 parts, following on from this introduction, Section 5.2 provides a brief overview of the relevant policy context and identifies the principal documents to which further reference will be made. Section 5.3 summarises the key conclusions of the need argument (contained within Section 3.0). Section 5.4 sets out the detailed policy framework against which applications should be considered and Section 5.5 provides a detailed assessment of how the proposals accord, or otherwise, with that framework. Finally, Section 5.6 draws a number of concise conclusions.

5.2 Policy Context - Overview

The Development Plan

5.2.1 Section 38(6) of the Planning and Compulsory Purchase Act (September 2004) requires that applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2.2 In the case of the Sleaford REP, the relevant statutory Development Plan comprises:

- Regional Spatial Strategy (RSS) 8: East Midlands (17 March 2005);
- The Lincolnshire Structure Plan (September 2006);
- The North Kesteven Local Plan (September 2007).

Material Considerations

5.2.3 In addition to the documents which comprise the 'statutory development plan', there are also a number of other policy documents and guidance that are

material to the determination of the planning application for the Sleaford REP. These are numerous and are judged to include the following:

- The Energy White Paper (May 2007);
- The UK Biomass Strategy (May 2007);
- Planning Policy Statement: Planning and Climate Change – Supplement to PPS1 (December 2007);
- Planning Policy Statement (PPS) 22: Renewable Energy (2004);
- East Midlands Energy Strategy (July 2006);
- Draft East Midlands Regional Plan: Secretary of State's Proposed Changes (July 2008);
- The Nottingham Declaration on Climate Change.

5.2.4 A further material consideration will be the 'need' for the development. This is in itself fundamentally interrelated to the above documents, strategy and legislation. An analysis of the need of the facility has been undertaken in Section 3.0 of the Environmental Statement. The main conclusions of the need assessment have been repeated in Section 5.3 below.

5.3 The Need for the Development

5.3.1 The need for the Sleaford REP development has been considered in the context of a number of strategic policy documents. The assessment has established that there is a demonstrable and indeed overriding need for the development as set out below.

- The Energy White Paper includes targets which aim to see renewables grow as a proportion of electricity supply to 10% in 2010 (a target that looks increasingly remote), rising to 20% in 2020. The provision of electricity supply by renewables in 2006 was 4%. A significant number of new facilities will need to come forward if the targets are to be achieved.
- The UK Biomass Strategy promotes the use of biomass as an energy source and notes that biomass will have a central role to play in meeting the Government's aspiration of 20% renewable energy by 2020. It also acknowledges the importance of energy generated from biomass in tackling climate change.

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- From a national, regional, sub-regional and local perspective, all extant and emerging policy and strategy documentation support renewable energy developments.
 - There is a significant capacity shortfall on a regional basis (the emerging RSS states that only 2% of the region's energy is supplied by renewables). Consequently, there is a need for a range of new renewable energy facilities such as the Sleaford REP.
 - The 2020 target for renewable energy generated from biomass related technologies in the East Midlands is 168MWe. The Sleaford REP facility would produce 40MWe at maximum capacity and as such, would make a significant contribution to the regional target for renewable energy generated from biomass.

5.4 Detailed Policy Context

Introduction

- 5.4.1 This sub-section sets out in detail the key policies, and other material considerations, which form part of the framework within which the Sleaford REP will be determined. The actual assessment as to how the proposal complies with identified policies and considerations is set out in sub-section 5.5.

The Development Plan

- 5.4.2 The relevant statutory development plan for the area has already been identified in sub-section 5.2 above. The policies contained within each of the development plans that are of relevance to the Sleaford REP development are summarised below.

Regional Spatial Strategy 8 for the East Midlands (2005)

- 5.4.3 The primary purpose of Regional Spatial Strategy (RSS) 8 is to provide a broad development strategy for the East Midlands up to 2021 within which local authorities' planning documents and local transport plans can be prepared. It is divided into three main sections: a core strategy, spatial strategy and topic based priorities. There are five main topic areas in the topic

based priorities. Of these, 'Natural and Cultural Resources' contains policies and associated supporting information relating to renewable energy.

5.4.4 The policy within the 'Natural and Cultural Resources' section of the RSS which specifically relates to renewable energy is Policy 41 (extract) this states:

“Regional Priorities for Renewable Energy

Development Plans and future Local Development Frameworks should include policies to promote and encourage the delivery of the indicative targets for renewable energy set out in Appendix 6. In making provision for new development, policies should be supportive of renewable energy proposals in locations where environmental, economic and social impacts can be addressed satisfactorily.....

....In establishing criteria for new facilities required for other forms of renewable energy, Development Plans and future Local Development Frameworks should give particular consideration to:

- *the proximity to the renewable energy resource;*
- *the relationship with the existing natural and built environment;*
- *the availability of existing surplus industrial land in close proximity to the transport network; and*
- *the benefits of smaller scale grid and non-grid connected generation.”*

5.4.5 Appendix 6 of the RSS contains a series of sub-regional level targets for renewable energy. This indicates that by 2020 168MWe should be provided by 'biomass'. As discussed in Section 3.0 of this ES (which outlines the need for the development) the Sleaford REP would exceed this sub-regional target and make a very significant contribution to renewable energy provision within the East Midlands Region as a whole.

Lincolnshire Structure Plan

5.4.6 Lincolnshire County Council adopted the Structure Plan on 27th September 2006. The Structure Plan aims to secure the efficient and effective use of land. It sets out strategic policies and proposals for the development, use and conservation of land in Lincolnshire and for major transport priorities. It establishes the amount and general location of development required for meeting the future needs of the County's population whilst protecting and enhancing Lincolnshire's greatest assets.

5.4.7 The Lincolnshire Structure Plan contains a single policy which specifically relates to Renewable Energy (Policy NE9). This states:

“Policy NE9: Renewable Energy

Local Plans / LDDs should promote and encourage a range of renewable energy sources having regard to:

- *The sustainable benefits of using various renewable energy sources*
- *Environmental impact including site design and landscaping considerations*
- *The affect on amenity, agriculture and the natural and built environment*
- *Traffic generation and vehicular access*
- *Proximity to the renewable energy source*
- *The reuse of appropriate existing surplus industrial land*
- *Benefits to the local community of small scale schemes*

In assessing individual proposals the local planning authorities should have regard to the Lincolnshire (and east midlands) targets contained in the regional spatial strategy.”

5.4.8 The reasoned justification to this policy indicates (paragraph 8.58) that *“there is a wide variety of potential sources for renewable energy, for example....biomass.., and Lincolnshire recognises that it has a part to play in*

the achievement of national and regional objectives". It continues at paragraph 8.59 to state:

"For technological and economic reasons, on shore wind (which is covered in more detail in Policy NE11) is currently the most viable and hence exploited renewable technology in the county, however other, perhaps more appropriate, if longer term opportunities are also considered to exist, notably biomass from energy crops, agricultural waste and biofuel production. Given Lincolnshire's traditional agricultural heritage and expertise and the associated dominant land use and agricultural landscape, the county has a potentially significant contribution to make in this area, and such development would also have the advantage of additionally contributing to the revitalisation of the rural economy which other Policies in the Structure Plan seek to achieve."

5.4.9 In addition to the above, the Structure Plan also contains a number of other policies that are of relevance to the proposed development, the majority of which are contained within the chapters of the plan entitled "Spatial Strategy", "Natural Environment, Landscape and the Countryside" and "Built Environment and Conservation".

5.4.10 The main policies within the "Spatial Strategy" chapter that are of relevance to the proposed development are Policies S1 (Promoting Sustainable Development), S2 (Location of Development) and S8 (Quality of Design), all of which relate to Sustainable Development. Policy S1 sets out a series of sustainable development objectives. One of the objectives specifically relates to renewable development, in which it states that Local Plans / LDDs should "plan for the effects of climate change, particularly in terms of flood risk, coastal management and renewable energy".

5.4.11 Policy S2 indicates that a sequential approach should be adopted when identifying sites for development, in accordance with the following order of priority:

a) *"Suitable previously developed land and buildings within the major settlements which are, or will be, well served by public transport and are accessible to local facilities;*

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- b) *Other suitable locations within the major settlements not identified as land to be protected for amenity purposes;*
- c) *Suitable land and buildings adjoining major settlements which are, or will be well served by public transport and are accessible to local facilities, particularly where this involves the use of previously developed land; and*
- d) *Suitable land and buildings not adjoining major settlements but well related to established rural settlements which are, or will be, well served by public transport, particularly where this involves the use of previously developed land.”*

5.4.12 Policy S8 promotes high quality design in new development. The Policy specifically promotes developments that are designed to respect and build upon existing character and protect and improve the quality of the environment.

5.4.13 In terms of the “*Natural Environment, Landscape and the Countryside*” chapter of the plan, there are a number of policies which are relevant to the proposals (including Policy NE9 which is outlined above). These are summarised below:

- Policy NE1 indicates that “*planning permission will not be granted for development in the open countryside unless it is considered by the Local Planning Authority to be essential in that location and therefore cannot be located at a settlement or, it is in accordance with other structure plan policies*”;
- Policies NE2, NE3 and NE4 seek to protect sites, species and landscapes of nature conservation importance;
- Policy NE5 seeks to protect trees, woodland and hedgerow from development noting that where a loss of any of these features is unavoidable, replacement planting would be required;
- Policy NE7 seeks to protect Lincolnshire’s landscape character and natural areas, indicating that development should be appropriate to the landscape within which it is to be situated. The policy sets a series of criteria against which proposals should be assessed;
- Policy NE8 seeks to prevent development on agricultural land. If development upon agricultural land is unavoidable, lower grade agricultural land should be considered in preference to higher quality land;

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- Policy NE13 seeks to prevent development in areas that are at risk from flooding;

5.4.14 In respect of the Chapter of the plan entitled “*Built Environment and Conservation*” there are two policies of relevance, these are Policy BE3, which relates to conservation of the historic built environment and specifically listed buildings and conservation areas, and Policy BE4 which seeks to protect sites and features of archaeological importance.

North Kesteven Local Plan

5.4.15 The North Kesteven Local Plan contains a number of development control policies of relevance to the proposed development. Of most direct relevance is Policy C16 which specifically relates to renewable energy development, it states:

“Planning permission will be granted for development providing for, or associated with, the generation and distribution of energy from renewable sources provided that:

- *the environmental, economic and social impacts can be addressed satisfactorily;*
- *the proposal minimises the landscape and visual effects of the development through appropriate siting, design and landscaping schemes;*
- *where the proposals would have an adverse effect on a site of international importance for nature and heritage conservation, there is no alternative solution and there are imperative reasons of overriding public interest;*
- *where the proposal is in a nationally designated area, the objectives of the designation of the area will not be compromised, and any adverse effects on the qualities of the area are outweighed by the environmental, social and economic benefits.”*

5.4.16 In addition to the above, there are a number of other relevant policies within the plan, many of which are similar to those contained within the Lincolnshire Structure Plan, these relate to:

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- development in the countryside;
 - agricultural land quality;
 - effect upon local amenities;
 - flood risk and surface water disposal;
 - design and landscaping;
 - traffic and transportation (specifically developments that attract a significant number of journeys);
 - nature conservation and natural heritage;
 - the historic environment.

5.4.17 The policies which deal with these issues are described in more detail in Table 5.1 which contains an appraisal of the Sleaford REP against relevant planning policy and guidance.

Material Considerations

The Energy White Paper (May 2007)

5.4.18 The Energy White Paper – ‘Meeting the Energy Challenge’ was published on 23 May 2007 and represents the most up to date national strategy in respect of renewable energy.

5.4.19 The White Paper recognises that “*planning is one of the most significant barriers to the deployment of renewables*” and outlines a series of planning reforms. The reforms proposed are based around three underlying principals (which were first set out in an earlier energy review report), these are:

- *“improving the strategic (i.e. national policy) context against which individual planning decisions should be made;*
- *introducing more efficient inquiry procedures in the current consent regimes; and*
- *exploring options for more timely decision-making.”*

5.4.20 In addition to the above, the White Paper also sets out a number of other reforms, it states that “*the government is also:*

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- *underlining that applicants will no longer have to demonstrate either the overall need for renewable energy or for their particular proposal to be sited in a particular location;*
 - *creating the expectation amongst applicants that any substantial new proposed developments would need to source a significant proportion of their energy supply from low carbon sources (including on and off-site renewables);*
 - *encouraging planners to help create an attractive environment for innovation and in which the private sector can bring forward investment in renewable and low carbon technologies; and*
 - *giving a clear steer to planning professionals and local authority decision makers, that in considering applications they should look favourably on renewable energy developments.”*

5.4.21 The White Paper also makes reference to the consultation draft Planning Policy Statement on Climate Change. This is discussed in more detail later in this section.

The UK Biomass Strategy (May 2007)

5.4.22 The UK Biomass Strategy was published at the same time as the Government's Energy White Paper (i.e. May 2007). The Strategy seeks to meet the commitments made in the Energy Review (2006) and the Government's response to the 2005 Biomass Task Force Report. In doing so, it brings together current UK Government policies on biomass for energy, transport and industry. The strategy acknowledges the importance of fuels sourced from biomass in tackling climate change and that biomass will have a central role to play in meeting the EU target and UK Government aspiration of 20% renewable energy by 2020.

5.4.23 The aims of the biomass strategy are set out within paragraph 3.1 which states that it is intended to:

- *“realise a major expansion in the supply and use of biomass in the UK*
- *facilitate the development of a competitive and sustainable market and supply chain*

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- *promote innovation and low-carbon technology development so biomass can deliver relatively higher energy yields*
 - *contribute to overall environmental benefits and the health of ecosystems through the achievement of multiple benefits from land use*
 - *facilitate a shift towards a bio-economy through sustainable growth and development of biomass use*
 - *maximise the potential of biomass to contribute to the delivery of our climate change and energy policy goals: to reduce CO2 and other greenhouse emissions, and achieve a secure, competitive and affordable supply of fuel”*

5.4.24 The Strategy indicates (paragraph 3.3) that the delivery of the aforementioned objectives will require a major expansion of biomass use for fuel, energy and industrial products, it also indicates that the UK Government consider that there is significant potential to expand the UK supply of biomass, including “*agricultural crops*”.

5.4.25 Chapter 5 of the strategy specifically considers the use of biomass resources for a range of energy applications including heat, electricity generation, combined heat and power and the production of gases and fuels for transport. It indicates (paragraphs 5.7 and 5.8) that “*biomass has significant potential to contribute to renewable electricity and carbon abatement*”.

Planning Policy Statement: Planning and Climate Change – Supplement to PPS1

5.4.26 The salient elements of the PPS1 Supplement, specifically paragraphs 13, 19, 20 and 40 have been set out in full within Section 3.0 of the ES in relation to need. In summary, the PPS Supplement highlights the imperative to develop renewable and low carbon energy supplies and states that opportunities for such development should:

- be maximised;
- be promoted and encouraged by planning authorities;
- dealt with expeditiously and sympathetically.

5.4.27 Most importantly, the PPS Supplement requires planning authorities not to adopt a local approach to protecting landscapes that would preclude the supply of any type of renewable energy, other than in the most exceptional circumstances.

Planning Policy Statement (PPS) 22: Renewable Energy

5.4.28 Planning Policy Statement (PPS) 22 was published in 2004 and provides a statement of national planning policy in respect of renewable energy development.

5.4.29 The introduction to PPS22 indicates that the policies contained within the statement cover a range of renewable technologies, including biomass. The policies / guidance contained within the PPS are set out under five main headings, as follows:

- key principals;
- regional targets;
- regional spatial strategies and local development documents;
- locational considerations;
- other considerations.

5.4.30 PPS22 raises a number of issues that are of relevance to the proposed development, these are summarised below:

- Regional Spatial Strategies (RSS) and development documents should contain policies which promote and encourage, rather than restrict, the development of renewable energy sources (paragraph 1(ii));
- local planning authorities should set out criteria for the assessment of applications for renewable energy projects. They should not restrict the development of renewable energy technologies without sufficient justification (paragraph 1 (iii));
- the wider environmental and economic benefits of renewable energy projects are material considerations that should be given significant weight in determining whether planning permission should be granted (paragraph 1(iv));

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- regional planning bodies and local planning authorities should not make assumptions in respect of the technical and commercial feasibility of renewable energy projects (paragraph 1(v));
 - developers of renewable energy projects should engage in active consultation and discussion with local communities (paragraph 1(vii));
 - development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures (paragraph 1(viii));
 - RSS's should include targets for the minimum amount of renewable energy to be generated within the region as a percentage of total generation. In addition, where appropriate, sub-regional targets may be set, together with an indication of how a specific technology may contribute to the achievement of targets (paragraphs 2 - 5);
 - planning authorities should not use local landscape or local nature conservation designations in their own right to refuse planning permission (paragraph 15);
 - no sequential approach is required in the consideration of renewable energy projects, e.g. there is no preference for previously developed land) (paragraph 16). However, it is recognised that many renewable energy developments are capable of being accommodated in urban as well as rural areas (paragraph 17);
 - with regard to visual impact, the focus of policy should be on mitigating visual effects, rather than providing criteria against which harm is assessed. Some effects may be minimised through appropriate siting, design and landscape schemes, depending upon the size and type of development proposed (paragraph 19);
 - renewable developments may generate small increases in noise levels and local authorities should ensure that renewable energy developments have been located and designed to minimise increases in ambient noise levels (paragraph 22);
 - *“for biomass projects the need to transport crops to the energy production plant does have the potential to lead to increases in traffic. Local planning authorities should make sure that the effects of such increases are minimised by ensuring that generation plant are located in close proximity as possible to the sources of fuel that have been*

identified. But in determining planning applications, planning authorities should recognise that there are other considerations (such as connections to the grid and the potential to use heat generated from the project) which may influence the most suitable locations for such projects.” (paragraph 24).

East Midlands Energy Strategy (July 2006)

- 5.4.31 The East Midlands Energy Strategy: The East Midlands Energy Challenge was published in July 2006.
- 5.4.32 The Strategy sets the framework for decisions on the generation, supply and use of energy across the region and makes connections between energy and other key policy areas, in particular spatial planning, waste and transport, but also food and farming and housing. The policies and actions for energy detailed within the Strategy are structured around the energy hierarchy, adopted by the LGA in 1998, which set the following order of priorities:
- Reducing the need for energy;
 - Using energy more efficiently;
 - Using energy from renewable sources;
 - Making clean and efficient use of fossil fuels.
- 5.4.33 The section of most relevance to this planning appraisal is that in relation to the ‘*use of energy from renewable sources*’. This contains a number of policies that are of relevance to the Sleaford REP development, these are outlined below.
- 5.4.34 Policy ENG10 seeks “*to ensure that an increasing amount of electricity is generated from renewable sources*”.
- 5.4.35 The supporting text to this policy makes reference to the UK the Government’s renewable energy targets (i.e. 10% renewable energy supply by 2010 and 20% renewable energy by 2020). It also recognises that renewable energy only contributes 1.4% to the region’s energy generation capacity and that the East Midlands would need to see a significant increase in renewable energy if the relevant targets are to be achieved.

5.4.36 In addition, the supporting text to Policy ENG10 also explicitly supports renewable energy from biomass, it states:

“Biomass from wood, forestry residues and crops is a major resource within the Region and, as the market conditions improve, it is likely to be increasingly developed....”

5.4.37 Policy ENG11 seeks *“to promote and support a growing market in renewable energy electricity generation”*.

5.4.38 The supporting text to this policy indicates that the *“procurement of renewably generated electricity offers a means of reducing the carbon impact of a home or business particularly for buildings that are hard to heat and difficult to retrofit with insulation and energy saving features”*. It continues to state that, *“the growth of markets for green electricity supports the continuing development of new and renewable forms of energy”*.

5.4.39 The supporting text to Policy ENG11 also states that renewable energy offers significant opportunities for rural diversification and that *“the Region, with significant agricultural areas, is aware of the opportunities for rural business in energy generation”*.

5.4.40 Policy ENG12 refers to the design of renewable energy installations, it seeks:

“To ensure that renewable energy installations or developments are designed sensitively to take full account of their impact on the historic or natural environment.”

5.4.41 The supporting text to the policy indicates that, *“all development impacts on the local built and natural environment and it is important that installations are sensitively designed to reduce their impact”*. It states that the impacts of tall installations can be minimised through siting and design. With regard to biomass generation plants the supporting text indicates that they *“should be sited to reduce traffic movements”* (i.e. in close proximity to the source of fuel).

- 5.4.42 The Government Office for the East Midlands is in the process of finalising their replacement Regional Spatial Strategy (RSS). This commenced with the production of the draft RSS which was placed on deposit for consultation purposes from 28 September to 20 December 2006. An Examination in Public (EIP) was held over a period of 8 weeks between 22 May - 8 June 2007 and 19 June - 19 July 2007. The report of the Panel overseeing the EIP of the draft RSS was published in November 2007. Following the publication of the Panel's report the Secretary of State has published (July 2008) a further Proposed Changes version of the Draft Regional Plan for Consultation. The Secretary of State proposes a number of changes to the policies and supporting text contained within the section relating to "*Regional priorities for Energy*".
- 5.4.43 The emerging RSS considers the 'Regional Priorities for Energy' from paragraphs 3.3.64 to 3.3.80. The salient extracts are:
- 5.4.44 Paragraph 3.3.69 states: "*The planning system can contribute to reducing energy demand through measures to improve the location of development, site layout and building design and as recognised in Section 1.4, the Planning and Climate Change PPS (PPS1 supplement) expects development plan documents (DPDs) to include policies which promote and encourage a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon sources. The East Midlands will have significant growth in development over the Regional Plan period and new development will need to secure the highest viable resource and energy efficiency in order to ensure that the Region can also make its contribution to the national carbon emissions reduction targets and longer term goals. To achieve this, substantial areas of new development need to be located where there is good accessibility by means other than the private car and where energy can be gained from decentralised energy supply systems, or where there is clear potential for this to be realised. These systems will include renewable or low carbon sources. In drawing up their Local Development Frameworks, local planning authorities should take account of the provisions of the Planning and Climate Change PPS and where policies need to be developed to respond to more local issues these should be included in DPDs.*"

In doing this local planning authorities should also take account of any best practice deriving from innovative design including examples developed in eco-towns.”

5.4.45 Paragraph 3.3.75 (Extract) states: *“Although the regional targets are ambitious, they are considered to be achievable and should be treated as a minimum. To achieve the targets, however, there will need to be a complete change in attitude in current planning practice. Local planning authorities need to accept that far more energy generation schemes using innovative renewable technologies need to be accepted if renewable energy targets are to be achieved. Furthermore it should not be inferred that once the targets have been met, efforts should not continue to deliver additional renewable schemes. However the Government’s targets on energy efficiency and renewable generation will both need to be met if carbon reduction objectives are to be achieved.....”*

5.4.46 An extract containing the relevant parts of Policy 39 is set out below.

Policy 39 (extract)

Regional Priorities for Low Carbon Energy Generation

“Local Authorities, energy generators and other relevant public bodies should promote:

- *..... the development of a distributed energy network using local low carbon and renewable resourcesIn order to help meet national targets low carbon energy proposals in locations where environmental, economic and social impacts can be addressed satisfactorily should be supported. As a result, Local Planning Authorities should*
- *..... develop policies and proposals to achieve the indicative regional targets for renewable energy set out in Appendix 5:In establishing criteria for new facilities required for other forms of renewable energy, Local Planning Authorities should give particular consideration to:*
 - *the proximity to the renewable energy source;*
 - *the relationship with the existing natural and built environment;*
 - *the availability of existing surplus industrial land in close proximity to the transport network;*
 - *the benefits of grid and non-grid connected micro-generation.*

5.4.47 In addition to the above, the draft RSS also indicates (Paragraph 3.3.71 extract)

“.....The Government has also signalled a need to move towards a more distributed energy generation network which will require facilitation through the planning process. Renewable energy technologies and Combined Heat and Power (CHP) will be crucial in delivery of a distributed network.....”

5.4.48 Sub-area guidance is set out within paragraph 3.3.78 of the draft RSS. Of particular interest in respect of the proposed biomass facility is the guidance provided for the Eastern Sub-area (which includes Lincolnshire and Rutland), this states (paragraph 3.3.78 extract):

“There are significant opportunities for biomass of all types, including large scale biomass power plants, using crops or animal waste.....”

5.4.49 The draft RSS specifically discusses the future requirements for renewable energy generation within the East Midlands Region and at Appendix 5, sets out a series of revised renewable energy targets for the Region. As outlined in Section 3.0 (which considers the need for the development) the Sleaford REP would make a significant contribution towards the achievement of the targets, and particularly those for ‘biomass’.

The Nottingham Declaration on Climate Change

5.4.50 In January 2007, North Kesteven, along with the other local authorities in Lincolnshire, signed up to the Nottingham Declaration on Climate Change. This commits the authority to a number of actions, of which the following are directly relevant to supporting low carbon/renewable energy supply schemes such as the REP:

“Work with central government to contribute, at a local level, to the deliver of the UK Climate Change Programme, the Kyoto Protocol and the targets for carbon dioxide reduction by 2010;

“Within the next two years develop plans with our partners and local communities to progressively address the causes and the impacts of climate

change, according to our local priorities, securing maximum benefit for our communities;”

“Assess the risk associated with climate change and the implications for our services and our communities of climate change impacts and adapt accordingly;”

“Encourage all sectors of the community to adapt to the impacts of climate change to reduce their own greenhouse gas emissions and make public their commitment to action.”

5.5 Planning Policy Analysis

5.5.1 The policies and guidance described previously within this Section have been assessed in terms of the application in Table 5.1 below. The table sets out the thrust of each of the relevant policies and assesses whether the development would help, hinder or be neutral to the policy purpose. For the purposes of this assessment where the development either helps or is neutral to the policy objective, no policy breach is deemed to occur. Comments are also made where appropriate. The table is then followed by a more detailed analysis of the key planning policy issues associated with the Sleaford REP development.

Table 5.1: Appraisal of Relevant Planning Policy and Guidance

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
Regional Spatial Strategy 8 (RSS8): East Midlands					
Policy 41 and Appendix 6	Set out the regional priorities for energy and energy reduction	✓			<p>The Sleaford REP would make a very significant contribution towards the achievement of the renewable energy targets set out in Appendix 6 of the Plan.</p> <p>The proposals are considered in the light of the location criteria set out within policy 41 below.</p> <ul style="list-style-type: none"> ▪ the Sleaford REP would be located within close proximity to the renewable energy source (i.e. straw) and the majority of biomass materials received at the facility would be sourced from the local area (i.e. within 50 miles of the site). The site is also in close proximity to a grid connection; ▪ as evidenced in this ES, the proposals would not result in any significant environmental impacts. In addition, the facility has also been sited, designed and landscaped to mitigate any significant visual impacts upon the surrounding locality; ▪ Planning Policy Statement 22: renewable Energy indicates at paragraph 16 that <i>“local planning authorities should not use a sequential approach in the consideration of renewable energy projects (for example, by giving a priority to the re-use of previously developed land for renewable technology developments).”</i> Furthermore, the Energy White Paper (2007) and PPS 1 Supplement supersede the RSS in terms of needing justify the location of the site. Notwithstanding, the site is suitably sized and is readily accessible form the primary road network; ▪ N/A. <p>In light of the above, it is considered that proposals are consistent with the relevant requirements of Policy 41 and the associated supporting text.</p>
The Lincolnshire Structure Plan					
Policy S1	Sets out the sustainable development	✓			The Sleaford REP development would contribute towards a number of the relevant sustainable

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
	objectives for the County of Lincolnshire.				<p>development objectives contained within Policy S1 of the Lincolnshire Structure Plan, in particular it:</p> <ul style="list-style-type: none"> ▪ would generate a number of new employment opportunities (both during it's construction and operation), ▪ would generate a significant number of economic benefits to the local agricultural industry; ▪ would be located in close proximity to the principal source of biomass (straw) thereby promoting the sustainable transportation of materials; ▪ would promote the prudent use of resources; ▪ is not the subject of any national, regional or local environmental designations; ▪ would provide a significant contribution to the generation of renewable energy within the County of Lincolnshire; ▪ would not give rise to, or be at risk from, flooding.
Policy S2	Sets out a sequential approach for identifying sites for development.	✓			<p>Planning Policy Statement 22: renewable Energy indicates at paragraph 16 that "<i>local planning authorities should not use a sequential approach in the consideration of renewable energy projects (for example, by giving a priority to the re-use of previously developed land for renewable technology developments).</i>" The Energy White Paper and PPS1 Supplement also state that applicants no longer have to demonstrate the need for their renewable energy proposal to be sited in a particular location.</p>
Policy S8	Promotes high quality design in new development	✓			<p>Eco2 has appointed award winning local architects, RPS Burks Green (who specialise in large scale industrial architecture) to design the Sleaford REP.</p> <p>The landmark architectural solution that is proposed, seeks to integrate the built form of the Sleaford REP with a holistic landscape solution.</p> <p>The design of the facility is based around a compact building arrangement aimed at minimising the</p>

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
					<p>overall scale of the facility. The proposed buildings, whilst appropriate for the operation of a biomass facility, would benefit from the use of bold, simplistic forms and materials, which would ensure that the Sleaford REP is well assimilated into its surroundings and therefore, less likely to result in any significant visual impacts.</p> <p>In addition to the above, the proposals would also include an extensive, complementary scheme of new landscaping. The landscape solution would involve the creation of bunds (from material excavated in the construction of the facility) which would accommodate extensive planting of diverse, indigenous species. The proposed landscaping scheme would assist in integrating the Sleaford REP into the surrounding area. It would also assist in screening much of the operational parts of the development from the surrounding area.</p> <p>Furthermore, the proposed design solution also benefits from a number of sustainability features, including the re-use of all on-site materials, harvesting of rainwater (for re-use in the plant) and a sustainable urban drainage solution (SUDs).</p> <p>It is considered that the proposed architectural solution is of the highest quality and represents an innovative and sustainable solution to what is a flagship renewable energy development. As a consequence, it is considered to be wholly in accordance with the provisions of Policy S8.</p>
Policy NE1	Seeks to prevent development in the open countryside		✓		See subsequent text
Policy NE2	Seeks to prevent development that would affect landscape features of importance for flora, fauna or habitats and species listed within the UK and Lincolnshire	✓			The ecological assessment, contained within Section 8.0 concludes that the development would result in the loss of some hedgerow of importance and potentially displace a pair of skylarks and one pair of grey partridge, species listed under Section 74 of the 2000 Countryside and Rights of Way Act. However, it will not affect any species with special legal protection. It is noted however, that the implementation of the proposed compensation and mitigation

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
	biodiversity action plans.				<p>measures, would provide a positive impact of local significance through the creation of new habitats.</p> <p>It is considered therefore that any potential impacts would be appropriately mitigated and that the mitigation measures proposed would result in an overall benefit.</p>
Policy NE3	Seeks to protect nature conservation sites of European, National and Regional / Local importance.	✓			<p>The development would not either directly or indirectly affect any nature conservation sites of European, National and Regional / Local importance. This is evidenced in Section 8.0 of the ES which assesses ecological impacts.</p> <p>In light of the above, it can be concluded that the proposals are in accordance with the provisions of Policy NE3.</p>
Policy NE4	Seeks to prevent developments that have the potential to impact upon species that are protected by law.	✓			<p>As identified in Section 8.0 of this ES, it is not considered that the proposed development would result in any direct or indirect impacts upon species that are protected by law.</p>
Policy NE5	Seeks to prevent the loss of trees woodland and hedgerow from development.	✓			<p>Whilst the development would result in the loss of a small amount of hedgerow and a single tree (which is not understood to be the subject of a tree preservation order). This loss would be more than compensated by the landscaping proposals which will include extensive planting of diverse, indigenous species.</p> <p>It is considered that the approach to woodland and hedgerows on the development site is entirely in accordance with the requirements of the policy wording, which seeks the replacement of any woodland or hedgerow that is lost as a result of a development.</p>
Policy NE7	Seeks to protect Lincolnshire's landscape character and natural areas		✓		<p>Whilst the proposals would introduce a built form that is inconsistent with that which would currently occur in the surrounding area, there are factors which would, in combination, mitigate the overall impact of the development upon the character of the landscape. These include:</p> <ul style="list-style-type: none"> ▪ the current quality of the landscape is low. This is reflected in the fact that the site and surrounding area is not the subject of any statutory or non-statutory landscape designations. As a consequence, it can be

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
					<p>concluded that the site and its surroundings would not be particularly sensitive to harm from new development;</p> <ul style="list-style-type: none"> ▪ The design of the facility is based around a compact building arrangement aimed at minimising the overall scale of the facility. The proposed buildings, whilst appropriate for the operation of a biomass facility, would benefit from the use of bold, simplistic forms and materials, which would ensure that the Sleaford REP is well assimilated into its surroundings and therefore, less likely to result in any significant landscape or visual impacts; ▪ the proposals would also include an extensive, complementary scheme of new landscaping. The landscape solution would involve the creation of bunds which would accommodate extensive planting of diverse, indigenous species. Whilst this combination of bunding and planting would never entirely screen the taller parts of the development, it would over time substantially limit the visibility of the lower level buildings and thus reduce the perceived scale of the facility. Importantly, the planting would, at an early stage, screen the majority of the ground level ancillary components of the REP and vehicle movements within the site, such that the residual impact would be attributable to a relatively simple and static form (a detailed landscape assessment is contained in Section 7.0).
Policy NE8	Sets out the requirements for development on best and most versatile agricultural land.		✓		See subsequent text
Policy NE9	Sets out the criteria that should be considered in respect of renewable energy developments.	✓			See subsequent text.
Policy NE13	Promotes development	✓			The potential impacts of the scheme in respect of water quality and flood

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
	that would not result in an unacceptable risk in terms of flooding.				risk are assessed in Section 9.0 of the ES, this confirms that the site would not either be at risk of, or give rise to, flooding. As a consequence, it can be concluded that the proposals would be wholly in accordance with the provisions of this policy.
Policy BE3	Seeks to ensure the conservation of the historic built environment and in particular listed buildings and conservation areas	✓			The development has been the subject of a desk based archaeological and heritage assessment, the results of which are contained within Appendix 12.0 and Section 12.0 of the ES. This indicates that the proposals would not have any direct or indirect effects upon features of heritage interest, including listed buildings SAM's and Conservation Areas.
Policy BE4	Seeks the protection of sites and features of archaeological importance	✓			As stated above in respect of Policy BE3, the site has been the subject of a desk based archaeological assessment. This concludes that the proposals have the potential to affect some potentially surviving archaeological remains. As a consequence, it is recommended that a series of further field investigations are undertaken prior to the development commencing on site. It is considered that such investigations could be conditional of any planning permission. Should archaeological remains be established on the site, excavation and recording of remains would be an option, prior to development commencing. It is considered that the proposed approach to archaeological remains would be in accordance with the provisions of Policy BE4.
North Kesteven Local Plan					
Policy C2	Sets out the criteria / circumstances where development within the open countryside can be allowed.		✓		See subsequent text.
Policy C3	Seeks to prevent development on best and most versatile agricultural land.		✓		See subsequent text.
Policy C5	Allows				It is demonstrated by this ES, that

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
	development which would not result in an adverse effect upon amenity.	✓			the Sleaford REP development would not result in any significant environmental impacts and in particular, that it would not result in any significant adverse effects in terms of noise, air quality, visual impact, traffic related effects or effects upon ecology, nature conservation or heritage. As a consequence, it can be concluded that the development would not result in an unacceptable impact upon amenity impact and as such, would be in accordance with the provisions of Policy C5.
Policy C10	Seeks to prevent developments that would either be at risk from flooding or result in an increased flood risk.	✓			The potential impacts of the scheme in respect of water quality and flood risk are assessed in Section 9.0 of the ES, this confirms that the site would not either be at risk of, or give rise to, flooding. As a consequence, it can be concluded that the proposals would be wholly in accordance with the provisions of this policy.
Policy C11	Sets out the circumstances where development that could result in air pollution would be granted planning permission.	✓			The potential impacts of the Sleaford REP development upon air quality have been assessed in detail. The results of this assessment are presented in Section 11.0 of this ES. This concludes that: <i>“the impact on both the local community and the general population from the atmospheric emissions from the Sleaford REP is small”</i> In light of the above, it can be concluded that the Sleaford REP development would not result in a material adverse impact in respect of air quality and as such would accord with the provisions of Policy C11.
Policy C13	Promotes development that includes appropriate measures for the management of surface water.	✓			The proposed development would incorporate a series of measures for the management of surface water, the details of which are described in Section 9.0 of this ES. It is considered that appropriate provision for surface water management has been made and that the proposals are entirely in accordance with the provisions of this Policy.
Policy C16 (paras 3.54 – 3.59)	Sets out the criteria against which proposals for renewable energy developments will be	✓			See subsequent text

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
	considered.				
Policy C17	Sets out the design requirements against which new development will be considered.	✓			See Policy S8 of the Lincolnshire County Structure Plan.
Policy C18	Allows development where appropriate provision is made for high quality landscaping.	✓			<p>The Sleaford REP development would include a comprehensive scheme of new landscaping which is designed to both improve the overall appearance of the facility and screen it from surrounding areas (See Figure 4.10).</p> <p>It is considered that the proposed landscaping scheme would be appropriate to a development of this nature. As a consequence, it is considered that it accords with the provisions of Policy C18.</p>
Policy C21	Sets out the criteria against which external lighting schemes should be considered.	✓			<p>Full details of the proposed lighting arrangement at the Sleaford REP are provided in the scheme description (Section 4.0). It is considered that the proposed lighting scheme would be entirely in accordance with the provisions of Policy C21 as:</p> <ul style="list-style-type: none"> ▪ it would not compromise highway safety; ▪ it would not adversely affect the amenity of neighbouring land-users; ▪ it would not be to the detriment of the area.
Policy T1	Sets the provisions for developments that are likely to generate a large numbers of journeys.	✓			<p>A Transport Statement has been prepared in support of the Sleaford REP development (see Appendix 6.1. This concludes that:</p> <p><i>Given the above review of anticipated future operational highway conditions and reference to appropriate guideline standards, it can be concluded that the development of the Sleaford REP facility will not result in a material change in operational or environmental capacity conditions over the local highway network. Development traffic flow increases will generally be low and it is considered that there is no requirement for significant development related off-site highway improvement works to support the scheme.</i></p>

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
					<p><i>Notwithstanding the conclusions of paragraph 6.9.3 above, at the request of the LHA, the Developer has investigated improvement options to the westbound merge layout at the junction of Boston Road and the A17 which would meet appropriate highway design standard as set out in DMRB guidance TD42/95. This preferred layout option is described in Appendix 6.1. The Developer of the Sleaford REP scheme would be prepared to fund and implement these proposals if requested to do so by the planning authority as a condition of planning consent.</i></p> <p>As a consequence, the proposal is considered to be fully in accordance with the requirements of this policy.</p>
Policy LW1	Seeks to conserve landscape character.		✓		See Policy NE7 of the Lincolnshire Structure Plan.
Policy LW7	Seeks to prevent development that would adversely affect any features of wildlife importance and sets out the circumstances where development could be approved within such areas.	✓			See Policy NE2 of the Lincolnshire Structure Plan.
Policy LW8	Promotes development that would not adversely affect protected species or their habitat.	✓			See Policy NE4 of the Lincolnshire Structure Plan.
Policies HE1 and HE2	Allows development that would not affect nationally important archaeological remains. Where sites have the potential for archaeological remains they should be assessed.	✓			See Policies BE3 and BE4 of the Lincolnshire Structure Plan.
Policy HE3	Sets out the conditions	✓			See Policies BE3 and BE4 of the Lincolnshire Structure Plan.

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
	where development on sites containing locally / regionally important archaeological remains would be allowed.				
Policy HE5	Seeks to prevent development that would affect the setting of a listed building.	✓			See Policy BE3 of the Lincolnshire Structure Plan.
Policy E4	Sets conditions and criteria for the acceptability of B1, B2 & B8 employment development in the countryside.		✓		Whilst the policy is pertinent to employment development in the countryside, it solely relates to B1, B2 & B8 use classes. The REP is
The Energy White Paper (2007)					
	National strategy in respect of future energy development	✓			<p>The Energy White Paper was published in May 2007 and as identified previously in this subsection is a material planning consideration. Key objectives, targets and other factors relevant to the Sleaford REP development are summarised below.</p> <ul style="list-style-type: none"> ▪ the strategy sets out the national targets for renewable energy generation. The Sleaford REP would assist in meeting these. ▪ it provides a clear indication that it should not be necessary for developers to consider the need or justify the location of new development. It should be noted however that Eco2 has elected to undertake such exercises, which have established that there is an overriding need for the development and (following a site selection exercise) the current location is the most appropriate. ▪ it indicates that local planning authorities should look favourably upon renewable energy developments. <p>It is clear from the above that the proposals would be in accordance with the requirements of the White</p>

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
					Paper in respect of renewable energy development.
The UK Biomass Strategy					
	Sets out the National Strategy in terms of Biomass	✓			<p>The Sleaford REP development is considered to accord with the UK Biomass Strategy for the following reasons:</p> <ul style="list-style-type: none"> ▪ the strategy recognises the important role that biomass has to play as a fuel source in respect of climate change. The Sleaford REP development would assist in achieving this objective as it is expected to save some 250,000 tonnes of Co2 emissions each year, compared with the same level of electricity generation from coal. ▪ the strategy recognises the role that energy generated from biomass can make to National targets for renewable energy generation. The proposed facility would contribute towards the achievement of these targets. ▪ the Government expects there to be a significant increase in the use of biomass in the UK to generate fuels and renewable energy, if the objectives of the UK Biomass Strategy are to be achieved. The Sleaford REP would contribute to the increased use of Biomass as a source of renewable energy in the UK and in doing so, would contribute towards the achievement of the objectives of the UK Biomass Strategy. <p>It is clear from the above that the proposal is entirely in accordance with the relevant parts of the UK Biomass Strategy.</p>
Planning Policy Statement: Planning and Climate Change – Supplement to PPS1					
	Sets out the National Strategy regarding Planning and Climate Change	✓			The development accords with all aspects of the PPS1 Supplement
Planning Policy Statement 22: Renewable Energy					
Para 1	Sets out the key principles	✓			It is considered that the Sleaford REP development would accord with

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
	to planning for renewable energy. □				<p>the relevant principals. The reasons for this are outlined below.</p> <ul style="list-style-type: none"> ▪ it is considered that the facility is in a location which is appropriate to the proposed technology (i.e. biomass) and that the proposals would not result in any significant adverse environmental, economic or social impacts; ▪ the proposals have been found to be entirely in accordance with the renewable energy policies contained within the Lincolnshire Structure Plan and Revised Draft North Kesteven Local Plan (see appraisal of renewable energy policies in subsequent text); ▪ the Sleaford REP development would result in a number of environmental and economic benefits, factors which (as set out in the wording of PPS22) are “material considerations that should be given significant weight in determining whether proposals should be granted planning permission”; ▪ the applicant has engaged in active consultation with both technical consultees and non-technical consultees (i.e. members of the public) during the preparation of this planning application. Such consultation has been undertaken in accordance with the relevant Statement of Community Involvement and is discussed in more detail in the Planning Application Document. Consultation will continue following the submission of this planning application. <p>this ES demonstrates both the benefits of the Sleaford REP development together with the means by which any environmental impacts have been mitigated.</p>
Paras 2 - 5	Discusses the establishment of regional targets for renewable energy generation.	✓			The RSS states that Regional Spatial Strategies should include targets for renewable energy generation. It indicates that the targets should be expressed as the minimum amount of installed capacity for renewable energy in the region and that targets can be set out on a sub-regional basis.

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
					The relevant renewable energy targets contained within both the extant and emerging East Midlands RSS have already been discussed in detail within Section 3.0 of the ES (which considers the need for the development). It is demonstrated within Section 3.0 that the Sleaford REP development would contribute 40 megawatts of energy to the national grid and in doing so, would make a significant contribution towards the achievement of the renewable energy targets for the East Midlands Region. Moreover, the facility would also exceed the biomass targets for the Lincolnshire Sub-region.
Paras 9 -17	Sets out the key locational considerations for renewable energy developments.	✓			<p>PPS 22 sets out a number of factors which should be taken into account when considering suitable locations for renewable energy developments. The site of the Sleaford REP development is considered against the factors in the subsequent text.</p> <p>International, National and Local Land Use Designations The Sleaford REP site is not the subject of any international, national or local land use designations.</p> <p>Green Belt The site is not located within the Green Belt. As a consequence, it is not a consideration of this planning application.</p> <p>Other Locational Considerations Paragraph 16 of PPS 22 indicates that <i>“local planning authorities should not use a sequential approach in the consideration of renewable energy projects (for example, by giving priority to the re-use of previously developed land for renewable technology developments)”</i>.</p>
Paras 19 - 21	Discusses the potential landscape and visual effects of renewable energy developments.	✓			See Policy NE7 of the Lincolnshire Structure Plan.
Para 22	Considers the potential noise impacts of renewable energy development.	✓			A detailed assessment has been undertaken to establish whether the proposed development would result in any significant noise impacts. The results of the Noise assessment are contained within Section 10.0 of the ES. This confirms that the Sleaford

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
					REP development would have a negligible effect or at worst a slight effect on noise levels at the nearest residential dwellings.
Para 24	Specifically considers the implications of biomass projects.	✓			<p>Paragraph 24 states: <i>“For biomass projects the need to transport crops to the energy production plant does have the potential to lead to increases in traffic. Local planning authorities should make sure that the effects of such increases are minimised by ensuring that generation plant are located in close proximity as possible to the sources of fuel that have been identified. But in determining planning applications, planning authorities should recognise that there are other considerations (such as connections to the grid and the potential to use heat generated from the project) which may influence the most suitable locations for such projects.”</i></p> <p>It is acknowledged that the Sleaford REP development would generate a number of new vehicular movements from both staff and delivery vehicles. In recognition of this, a transportation assessment has been undertaken which considers the potential impact this would have upon the local highway network.</p> <p>It is also important to note that the straw material (which is the principal source of fuel for the Sleaford REP development) would be sourced from suppliers located within 50 miles of the site (the majority would actually be within 30 miles of the site). Moreover, all of the suppliers of straw have signed 12 year contracts ensuring a local supply of fuel to the facility for the foreseeable future. It is considered that this approach is entirely in accordance with the provisions of Paragraph 24.</p>
The East Midlands Energy Strategy					
Policy ENG 10	Seeks to ensure that an increasing amount of electricity is generated from renewable sources.	✓			The Sleaford REP development would make a significant contribution to increased renewable energy generation within the East Midlands. And as such would accord with the requirements of Policy ENG10.
Policy ENG11	Seeks to promote and support the	✓			The Sleaford REP development would contribute towards the growing market in renewable energy

Policy	Objective	Effects of Scheme on Policy/Guidance			Comments
		Helps	Neutral	Hinders	
	growing market in renewable energy generation;				generation and as such, would accord with the principles of this policy.
Policy ENG12 (and supporting text)	Sets out the design requirements for renewable energy developments	✓			<p>The design issues associated with the Sleaford REP development have already been considered in the context of Policy S8 of the Lincolnshire Structure Plan.</p> <p>It is noted that, the supporting text to Policy ENG12 also indicates that Biomass generation plant should be sited to reduce traffic movements. The Sleaford REP would be entirely in accordance with this requirement, as the straw material used in the combustion process would be sourced from within a 50-mile radius of the site. This would significantly reduce the distance vehicles would have to travel to the site.</p> <p>In light of the above, it is considered that the proposals would be wholly consistent with the provisions of this policy.</p>
Draft East Midlands Regional Plan					
Policy 39	Set out the regional priorities for low carbon energy generation.	✓			See policy 41 of the adopted East Midlands RSS.
Paras 3.3.71 – 3.3.76 and Appendix 5	Sets out the supporting text to Policy 39 including regional targets for renewable energy generation.	✓			As identified in the need assessment (contained within Section 3.0) the Sleaford REP development would make a very significant contribution towards the renewable energy targets for the East Midlands Region.
Para 3.3.78	Sets out sub-area guidance in respect of renewable energy development	✓			The sub-area guidance, which relates to Lincolnshire, highlights the potential of this area for biomass of all types, including large-scale biomass power plants, using crops. The Sleaford REP development would assist in realising this potential.
The Nottingham Declaration on Climate Change					
Various	Makes a number of commitments towards carbon dioxide reduction and Climate Change objectives.				The REP proposal would demonstrably provide low carbon / renewable energy with direct displacement of fossil fuels. It therefore provides the Local Authority and the local community with an opportunity to make a major contribution to the achievement of climate change objectives.

5.5.2 It can be determined from the above appraisal that the Sleaford REP development is consistent with a wide range of planning policy and guidance. However, it is also recognised that there are some matters, which require more detailed consideration prior to concluding as to whether the development meets the test in section 38(6) of the Planning and Compulsory Purchase Act. These specifically relate to the following:

- consideration of the proposals against the policies relating to development within the 'Countryside' (i.e. Policy C2 of the North Kesteven Local Plan and Policy NE1 of the Lincolnshire Structure Plan);
- the extent to which the proposals accord with the policies of the statutory development plan relating to Best and Most Versatile Agricultural Land.

5.5.3 In addition to the above, it is also necessary to consider the extent to which the proposals accord with the provisions of Policy NE9 of the Lincolnshire Structure Plan and Policy C16 of the North Kesteven Local Plan, which are the most important policies, given that they specifically relate to renewable energy development.

Development in the Countryside

5.5.4 The reasoned justification to Policy C1 of the North Kesteven Local Plan indicates that land located outside of a settlement curtilage should be treated as countryside. The Sleaford REP development lies outside the settlement limits defined by the North Kesteven Local Plan Proposals Map. Consequently, it is considered to constitute development in the countryside.

5.5.5 The relevant policies within the statutory development plan in respect of development within the countryside are Policy C2 of the North Kesteven Local Plan and Policy NE1 of the Lincolnshire Structure Plan. Policies C2 and NE1 therefore set the criteria which must be satisfied, if new development is to be permitted in the countryside.

5.5.6 The key criteria set out within the two policies effectively cover the following:

- site location;

-
- environmental, economic and social impacts;
 - impact upon the character of the countryside;
 - traffic and transportation;
 - other material considerations.

5.5.7 The aforementioned criteria have been used to determine the extent to which the Sleaford REP development would accord or otherwise with the provisions of Policies C2 and NE1.

Site Location

5.5.8 Policy NE1 of the Structure plan indicates that *“planning permission will not be granted for development in the open countryside unless it is considered by the local planning authority to be essential in that location and therefore cannot be located at a settlement...”* the third criterion to Policy C2 of the Local Plan states that: *planning permission will be granted for development provided that it cannot be located within or adjacent to a settlement.* Both of these policy extracts effectively set a locational justification or sequential justification test, i.e. that development should be in a settlement first (or adjacent to a settlement in the case of Policy C2) unless it is essential that it is not. Whilst such an approach is entirely appropriate for, say, normal employment or housing uses, as identified previously, the imperative for renewable energy development is such that national policy demands that a different approach be adopted. PPS 22 states (paragraph 16) with regard to locational justification:

“local planning authorities should not use a sequential approach in the consideration of renewable energy projects (for example, by giving priority to the re-use of previously developed land for renewable technology developments)”.

The PPS1 Supplement supports this approach in paragraph 20 where it states authorities should not question the energy justification for why a proposal is located in a particular location, reaffirming (and footnote referencing) Meeting the Energy Challenge A White Paper on Energy (May 2007) at paragraph 5.3.67 (extract) which reads:

...the Government is also:

underlining that applicants will no longer have to demonstrate either the overall need for renewable energy or for their particular proposal to be sited in a particular location; ...

5.5.9 Moreover, the PPS1 supplement states in paragraph 11 that *“in considering planning applications before Regional Spatial Strategies (RSSs) and Development Plan Documents (DPDs) can be updated to reflect this PPS, planning authorities should have regard to this PPS as a material consideration which may supersede the policies in the development plan. Any refusal of planning permission on grounds of prematurity because a DPD is being prepared or is under review but has not yet been adopted should be consistent with Government policy”*. This text, in combination with the foregoing extracts from PPS1 that specifically preclude a sequential approach in the case of renewables projects, effectively deletes the sequential elements of C2 and NE1 with immediate effect.

5.5.10 Based upon the above national policy, it is self-evident that the locational elements of Policies NE1 and C2 do not apply to the REP development. Notwithstanding this position, in order to satisfy itself as the full sustainability credentials of the proposal, Eco2 undertook a comprehensive site selection exercise before settling on the current site, in accordance with its own corporate strategy. A full copy of the site selection process report is contained within Appendix 5.1. The conclusions of the report were that there was no opportunity for the Sleaford REP to be located within a settlement or on an allocated employment site. Thus, whilst the policy tests do not apply to the REP application, it has been determined that the proposal is in accordance with the provisions of Policy NE1 and the third criterion of Policy C2.

Environmental, Economic and Social Impacts

5.5.11 The first criterion to Policy C2 indicates that, *“planning permission will be granted for development within the countryside, provided that it will maintain or enhance the environmental, economic and social value of the countryside”*. This sub-section considers whether the Sleaford REP development would accord with this criterion.

Environmental Effects

5.5.12 This ES has assessed the potential impact of the Sleaford REP development in terms of the following:

- Ecology;
- Traffic and Transportation;
- Landscape and Visual Impact;
- Air Quality;
- Noise;
- Archaeology and Heritage;
- Flood Risk and Water Quality;
- Geology and Hydrogeology.

5.5.13 These assessments have concluded that with careful management of the facility and the implementation of a series of mitigation measures the Sleaford REP development would not result in any significant environmental effects.

Economic and Social Value

5.5.14 As set out in Section 3.0 of the ES, The Energy White Paper (May 2007) contains a national statement of need for renewables. Part of this statement specifically identifies the economic and social benefits of renewables development, stating:

“...New renewable projects may not always appear to convey any particular local benefit, but they provide crucial national benefits. Individual renewable projects are part of a growing proportion of low carbon generation that provides benefits shared by all communities both through reduced emissions and more diverse supplies of energy, which helps the reliability of our supplies. This factor is a material consideration to which all participants in the planning system should give significant weight when considering renewable proposals. These wider benefits are not always immediately visible to the specific locality in which the project is sited. However, the benefits to society and the wider economy as a whole are significant and this must be reflected in

the weight given to these considerations by decision makers in reaching their decisions....”

- 5.5.15 It should be noted that whilst the national guidance refers to the fact that renewables projects may not always appear to convey any particular local benefits this is not the case with the Sleaford REP, which would result in a number of socio-economic benefits which are summarised below and presented more fully in Appendix 4.1.
- 5.5.16 Firstly, the proposed scheme would result in a number of local employment opportunities. The Sleaford REP development would create 30 permanent new jobs in the operation of the plant which would comprise a mixture of manual, technical, administration and managerial staff. There would also be a number of job opportunities created during the construction of the facility. In addition to those jobs created directly in relation to the construction and operation of the facility, it is also anticipated that approximately 50 further employment opportunities would be created indirectly in the baling, management and haulage of straw.
- 5.5.17 Secondly, the proposals would result in a significant number of benefits to the local agricultural economy. Eco2 has completed contracts with a number of local straw producers for the baled straw fuel which would provide the principal feedstock for the REP. All of the straw producers with whom Eco2 has entered into contracts with are located within 50 miles of the facility and indeed the majority are within 30 miles of the site. Contracts for fuel supply would be based upon a 12 year initial commitment and would result in over £6 million per annum investment into the local agricultural economy. The need / importance of such investment (and the potential for biomass development within the County of Lincolnshire) is explicitly recognised in the supporting text to policy NE9 (renewable Energy) of the Lincolnshire Structure Plan, this states

“.....however other, perhaps more appropriate, if longer term opportunities are also considered to exist, notably biomass from energy crops, agricultural waste and biofuel production. Given Lincolnshire’s traditional agricultural heritage and expertise and the associated dominant land use and agricultural landscape, the county has a potentially significant contribution to make in this

area, and such development would also have the advantage of additionally contributing to the revitalisation of the rural economy which other Policies in the Structure Plan seek to achieve.”

5.5.18 It is considered that the proposals would result in a number of socio-economic benefits which, as noted in the supporting text to Policy NE9, would contribute to the revitalisation of the rural economy within Lincolnshire.

5.5.19 In light of the above, it can be concluded that the proposals would at the very least maintain the environmental, economic and social value of the countryside. Indeed, given the numerous benefits of the development, it could be argued that the proposals would enhance the countryside in this regard.

Impact upon the Character of the Countryside

5.5.20 The potential impacts of the Sleaford REP development upon the character of the landscape are considered in detail in Section 7.0 of this ES, which assesses the landscape and visual impacts of the proposal.

5.5.21 It is not considered that the landscape (countryside) within which the Sleaford REP site lies is particularly distinctive / attractive or offers any specific merits. The area has been the subject of significant alteration which in turn has resulted in the degradation of its character. The principal reasons for this are as follows:

- the site is located on the fringe of the town of Sleaford and is therefore situated within 600 – 800 metres of commercial and residential developments. It is also approximately 400m from the floodlit football pitches at Eslaforde Park;
- the site would also be seen within the context of transport infrastructure associated with the A17 and a railway embankment which curves around the eastern edge of the Sleaford settlement;
- there are also numerous large pylons in close proximity to the site and within the wider area.

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- 5.5.22 In light of the above, it is considered (within the landscape and visual assessment) that the overall quality of the landscape (countryside) in the area surrounding the site is low. This is also reflected in the fact that the site and surrounding area is not the subject of any statutory or non-statutory landscape designations. As a consequence, it can be concluded that the site and its surroundings would not be particularly sensitive to harm from new development.
- 5.5.23 Whilst the local landscape quality is not particularly high, and therefore not particularly sensitive to change, the Sleaford REP development would nevertheless introduce built forms and components that would not currently occur within the area. In recognition of this Eco2 has appointed award winning local architects, RPS Burks Green (who specialise in large scale industrial architecture) to design the facility.
- 5.5.24 The landmark architectural solution that is proposed, seeks to integrate the built form of the Sleaford REP with a holistic landscape solution. The design of the facility is based around a compact building arrangement aimed at minimising the overall scale of the facility. The proposed buildings, whilst appropriate for the operation of a biomass facility, would benefit from the use of bold, simplistic forms and materials, which would ensure that the Sleaford REP is well assimilated into its surroundings and therefore, less likely to result in any significant landscape or visual impacts;
- 5.5.25 In addition to the above, the proposals would also include an extensive, complementary scheme of new landscaping. The landscape solution would involve the creation of bunds (from material excavated in the construction of the facility) which would accommodate extensive planting of diverse, indigenous species. Whilst this combination of bunding and planting would never entirely screen the taller parts of the development, it would over time substantially limit the visibility of the lower level buildings and thus reduce the perceived scale of the facility. Importantly, the planting would, at an early stage, screen the majority of the ground level ancillary components of the REP and vehicle movements within the site, such that the residual impact would be attributable to a relatively simple and static form.

5.5.26 Whilst the proposals would introduce a built form that is inconsistent with that which would currently occur, there are other factors (including the current quality of the landscape and the proposed design and landscaping solutions) which would in combination off-set the potential impacts of the development upon the character of the countryside.

Traffic and Transportation

5.5.27 The fourth criterion of Policy C2 seeks to ensure that development within the countryside “will not attract or generate a large number of journeys, and is located to provide opportunities for access by public transport, walking or cycling”.

5.5.28 First and foremost, any biomass development proposed in accordance with the UK Biomass Strategy will inevitably result in increased levels of traffic in the countryside, whether or not the REP itself was located in the countryside. There is therefore an inevitable contradiction between this criterion of policy C2 and policy C16 which seeks to promote renewable energy. Nevertheless, the REP is located close to the urban fringe of Sleaford and well served by the strategic highway network and thus would not result in material increases in traffic on rural roads in an area of remote, undeveloped countryside.

5.5.29 A Transport Statement (TS) has been prepared to appraise the Local Planning Authority and Local Highway Authority of the anticipated highways and transport issues associated with the Sleaford REP development. A full copy of the Transport Statement is contained within Appendix 6.1, whilst a summary is contained in Section 6.0 of this ES. The TS considers the impact of the traffic generated by the development and the accessibility of the site. The findings of the TS are therefore significant in determining the extent to which the proposals accord, or otherwise, with the fourth criterion of Policy C2 (notwithstanding the contradiction in terms discussed in the preceding paragraph)..

Traffic Generation and Impact upon Local Highway Network

5.5.30 The Sleaford REP development is anticipated to generate approximately 136 vehicle movements (in and out) per day, of which 100 would be HGVs and 36 would be staff (private car) movements.

5.5.31 An assessment of the development traffic impact has been carried out within the TS to determine the impact of the development traffic on the A17. This confirms that at the opening year (2012) the overall impact of the development traffic would be less than 1.5% of background traffic levels and that the typical increase in HGV movements would be only 5% of background levels. It is considered that such increases are well within the levels set out in appropriate guideline standards and as such, the traffic generated by the development would not result in a material change in operational or environmental capacity conditions over the local highway network.

Accessibility

5.5.32 The site is located off Boston Road which provides opportunities for some walking and cycling links to – from the neighbouring town of Sleaford and other local villages. Footway provision already exists on the proposals site side of Boston Road and the site is within suitable maximum walking distance to many of the built up areas of Sleaford. Boston Road also forms part of an existing local cycle path connection.

5.5.33 The nearest public transport service is a bus stop which is located approximately 800 metres from the site. Such a distance is considered to be outside of the preferred walking catchment for regular access to local public transport. However, given the limited number of staff that would be employed at the facility and the nature of proposed shift patterns, it is not anticipated that the site would generate a significant level of public transport demand, or that direct access by public transport services would be necessary.

5.5.34 In light of the above, it can be concluded that the proposals would not result in a significant increase in journeys and those vehicle movements that are generated by the proposed development can be accommodated by the existing highway network within out any resultant operational or environmental impacts. Notwithstanding these conclusions, at the request of the LHA, the developer has investigated improvement options to the westbound merge

layout at the junction of Boston Road and the A17 which would meet appropriate highway design standard as set out in DMRB guidance TD42/95. This preferred layout option is described in Appendix 6.1. The developer of the Sleaford REP scheme would be prepared to fund and implement these proposals if requested to do so by the planning authority as a condition of planning consent.

- 5.5.35 In addition, the site would be accessible by other modes of transport including walking and cycling. Whilst there is no public transport provision at the site and the nearest bus stop is some 800 metres from the site, it is questionable (given the number of staff employed at the facility and the proposed shift patterns) whether there would either be a demand for such facilities or that direct access to public transport would be necessary.
- 5.5.36 It is considered therefore that the proposals would be in accordance with the provisions of criterion 4 of Policy C2

Material Considerations

- 5.5.37 It is established from the above that the proposed REP development would accord with the requirements of policies NE1 and C2 which set the criteria that must be satisfied if new development is to be allowed in the countryside. However, should the Authority not agree with the evaluation presented, and thereby deem that the proposal is not in accordance with all aspects of the relevant policies, it is required to consider whether material considerations exist which justify that the planning application can be determined other than in accordance with Policies NE1 and C2. These material considerations include:

- that PPS 1 Supplement states authorities must: *ensure any local approach to protecting landscape and townscape is consistent with PPS22 and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances*. Thus, the normal development plan test relating to protecting landscape does not automatically apply, and the local authority can only justify refusing permission on the basis of local landscape protection in **the most exceptional** circumstances;

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- there is (as demonstrated in Section 3.0) an overriding need for the facility in terms of its environmental and economic benefits. PPS 22 states the wider environmental and economic benefits of renewable energy projects are material considerations that should be given **significant** weight in determining whether planning permission should be granted (paragraph 1(iv)). Such weight should override matters of localised effects on a none protected (i.e. subject to a landscape designation) area of countryside;
 - the REP site has been chosen following a detailed site selection exercise, which established that there are no suitable, available sites on allocated employment land or brownfield land;
 - the proposals would provide a number of economic benefits to the local agricultural industry and in doing so, would contribute to the revitalisation of the rural economy. These benefits are recognised in the reasoned justification to Policy NE9 of the Lincolnshire Structure Plan when discussing the potential for renewable energy from biomass within the County of Lincolnshire.

Summary

5.5.38 It is considered that in light of the points raised above that the proposals would meet the requirements of Policy C2 of the North Kesteven Local Plan and Policy NE1 of the Lincolnshire Structure Plan in respect of development in the countryside. However, should the Authority not agree with this interpretation and deem that the proposals do not accord with the requirements of the relevant policies, it is considered that there are other significant material considerations which justify that the planning application can be determined other than in accordance with Policies NE1 and C2.

Best and Most Versatile Agricultural Land

5.5.39 The second area where there is a potential policy issue is in relation to the potential effects of the Sleaford REP development upon Best and Most Versatile Agricultural Land (Structure Plan Policy NE8 and North Kesteven Local Plan Policy C3). This issue is discussed more fully below.

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- 5.5.40 The Ministry of Agriculture Fisheries and Food classify agricultural land by grades according to the extent to which its physical and chemical characteristics impose long term limitations on agricultural use for food production. There are 5 grades of land, with grade 3 divided into two sub-grades (grades 3a and 3b). The best and most versatile land falls into grades 1, 2 and sub grade 3a and is the most flexible, productive and efficient in response to inputs.
- 5.5.41 In terms of establishing the quality of the agricultural land upon which the proposed extension is to be developed, it has been possible to review the indicative 1:250,000 scale maps prepared by Defra. This shows that the existing site and the area of the proposed extension are within a Grade 3 classification. However, the maps do not separate the Grade 3 agricultural land into Grades 3a and 3b. This is significant as Grade 3a is afforded greater protection than Grade 3b, with only the former classed as Best and Most Versatile Agricultural Land (BMVAL). In light of the above, adopting a worst case approach, it has been assumed that the Sleaford REP site constitutes Grade 3a land.
- 5.5.42 National planning policy guidance in respect of BMVAL is contained within Planning Policy Statement 7 (PPS7). Here it states that the presence of Best and Most Versatile Agricultural Land should only be taken into account alongside other sustainability considerations “(e.g. *biodiversity, the quality and character of the landscape; its amenity value or heritage interest, accessibility to infrastructure, workforce and markets; maintaining viable communities and the protection of natural resources, including soil quality*)” when determining planning applications.
- 5.5.43 It has been established, through a detailed assessment of energy strategy, planning policy and planning guidance that the need for the scheme (and its overriding sustainability benefits) is a very significant factor that should be afforded great weight. Thus, the harm arising from the loss of a modest area of BMVAL can be considered to be outweighed by the greater sustainability benefits arising from the REP. Furthermore, and independent of the above justification, it has been established, through an extensive site selection exercise, that there are no previously-developed or suitably allocated sites available to accommodate the Sleaford REP development. The lack of

previously developed land is acknowledged in the reasoned justification to Policy NE8 which states that *“in a rural county like Lincolnshire with limited previously developed land, the use of current agricultural land for new development will be unavoidable”*.

5.5.44 Having failed to identify any existing industrial / employment sites, suitably allocated sites or previously developed land, capable of accommodating the Sleaford REP development, it was necessary to identify a suitable alternative (greenfield) location.

5.5.45 In addition, when reviewing the specific sustainability considerations noted in PPS 7, the Sleaford site was considered to be an optimum solution for a number of reasons, these are:

- it is not the subject of any known environmental constraints (including statutory ecological and archaeological designations);
- it was a suitable size (over 5 hectare);
- it was commercially available;
- it was accessible from the primary road network and the main biomass feedstock (straw areas);
- it was proximate to a potential grid connection;
- it is remote from residential properties;
- the development of an REP on the site would not result in any significant amenity impacts.

5.5.46 Thus, whilst it has been assumed that the site contains BMVAL (within Grade 3a), the loss of such land should be weighed against the fact that the development would not (as evidenced in this ES) result in any significant environmental impacts; there is an overwhelming national, regional and local need for renewable energy developments; the site is proximate to essential infrastructure; it is commercially available and it would provide significant support to agricultural production within the locality. It is considered that these factors represent ‘other sustainability considerations’ which as recognised in the relevant policies can allow the loss of higher quality agricultural land.

5.5.47 In light of the above, it can be concluded that the proposals accord with the requirement of the relevant national and development plan policies in respect of BMVAL.

Renewable Energy

5.5.48 This sub-section seeks to provide an appraisal of the Sleaford REP development against Policy NE9 of the Structure Plan and Policy C16 of the North Kesteven Local Plan, which contain a number of criteria against which proposals for renewable energy developments will be considered. These are summarised below.

- the sustainable benefits of using various renewable energy sources;
- environmental, economic and social / amenity impacts;
- minimising landscape and visual effects through appropriate siting, design and landscaping schemes;
- the affect on the natural and built environment;
- traffic generation and vehicular access;
- proximity to the renewable energy source;
- the re-use of appropriate, existing surplus industrial land;
- the extent to which the proposals meet the renewable energy targets for Lincolnshire an the East Midlands contained within the East Midlands RSS;

5.5.49 The aforementioned criteria have been used to determine the extent to which the proposed development would accord or otherwise with the provisions of Policies NE9 and C16.

The Sustainable Benefits of Using Various Renewable Energy Sources

5.5.50 The UK Sustainable Development Strategy (March 2005) sets out the UK Government's 'purpose' for sustainable development, this states:

“The goal of sustainable development is to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life, without compromising the quality of life of future generations.”

For the UK Government and the Devolved Administrations, that goal will be pursued in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment; and a just society that promotes social inclusion, sustainable communities and personal wellbeing. This will be done in ways that protect and enhance the physical and natural environment, and use resources and energy as efficiently as possible.

Government must promote a clear understanding of, and commitment to, sustainable development so that all people can contribute to the overall goal through their individual decisions.

Similar objectives will inform all our international endeavours, with the UK actively promoting multilateral and sustainable solutions to today's most pressing environmental, economic and social problems. There is a clear obligation on more prosperous nations both to put their own house in order, and to support other countries in the transition towards a more equitable and sustainable world."

5.5.51 It is considered that the Sleaford REP development would accord with the UK Government's sustainable development purpose, the reasons for this are outlined below:

- It would assist in social progress by contributing towards the nation's energy needs, ensuring that all homes are adequately and affordably heated;
- it would support the protection of the environment through reduced emissions of greenhouse gasses. The Sleaford REP would save some 250,000 tonnes of CO₂ emissions per year, compared with the same level of electricity generation from coal;
- it would assist in reducing the nation's reliance on diminishing supplies of fossil fuels;
- In terms of economic growth and employment the Sleaford REP would generate a number of new employment opportunities, on site and additional opportunities in the transportation of baled straw to the plant. In addition, the facility would also result in over £6 million per annum investment into the local agricultural economy, in doing so it would contribute to the revitalisation of the agricultural economy.

5.5.52 It should also be noted that the proposals have also been found to accord with the relevant sustainable development objectives contained within Policy S1 of the Lincolnshire Structure Plan (See Table 5.1 above).

Environmental, Economic and Social Impacts

5.5.53 A comprehensive assessment of the environmental, social and economic impacts of the development has already been undertaken in the appraisal of the open countryside policies. In order to avoid unnecessary repetition, the key points have been summarised below.

- it has been established in this report that the Sleaford REP development would not give rise to any significant adverse environmental effects.
- the Energy White Paper contains a statement of need for renewables, this recognises the wider social and economic benefits of renewables development and states that “this must be reflected in the weight given to these considerations by decision makers in reaching their decisions”;
- the scheme would generate a number of employment opportunities both in the construction and operation of the facility. It would also generate a number of other jobs in the transportation of baled straw to the facility;
- Eco2 has set up 12 year contracts with straw producers, all of which are located within 50 miles of the site (the majority are within 30 miles of the site). These contracts will result in over £6 million per annum investment into the local agricultural economy and in doing so would contribute towards to the revitalisation of the rural economy within Lincolnshire

5.5.54 It is considered, for the reasons set out above, that the proposals would not result in any adverse environmental, social or economic impacts

Minimising Landscape and Visual Effects through Appropriate Siting, Design and Landscaping Schemes

5.5.55 Every effort has been made to mitigate the potential impact of the Sleaford REP development through its siting, architectural treatment and landscaping. Each of these points is discussed in more detail below.

Siting

5.5.56 In selecting the application site, consideration has been given to the prospect of successfully minimising landscape and visual effects. It has been concluded that the characteristics of the site and its surroundings lend themselves well to achieving these objectives for the following reasons:

- the site is located away from residential properties (circa 550 metres from the nearest) and benefits from a degree of existing screening associated with tall hedgerows and a mature copse of trees. It also benefits from the screening afforded by an existing railway embankment which results in there being practically no intervisibility between properties in Sleaford (i.e. within the defined settlement boundary) and the site. The findings of the detailed visual impact assessment (Section 7.0) conclude that there would be visual effects on a limited number of residential properties. However, these effects must be viewed in the context of the thousands of residential properties lying within 3km of the development site. This demonstrates that, particularly by virtue of existing screening features, the plant would be well located in respect of existing built development, and result in very modest degrees of visual impact;
- the site is not the subject of any landscape designations and is capable of development without material adverse impact upon any designations (confirmed in Section 8.0 of this report);
- it is considered that the overall quality of the landscape in the area surrounding the site is low and as a consequence would be less sensitive to the introduction of new development ;
- the site is capable, by virtue of its size, location and characteristics, of supporting a range of potential environmental mitigation measures.

Design

5.5.57 Eco2 has appointed award winning local architects, RPS Burks Green (who specialise in large scale industrial architecture) to design the facility.

5.5.58 The design philosophy and evolution have been outlined in the context of other policies previously within this section.

5.5.59 Furthermore, the proposed design solution also benefits from a number of sustainability features, including the re-use of all on-site materials, harvesting of rainwater (for re-use in the plant) and a sustainable urban drainage solution (SUDs) for surface water.

Landscaping

5.5.60 The proposals would include an extensive, complementary scheme of new landscaping. The landscape solution would involve the creation of bunds (from material excavated in the construction of the facility) which would accommodate extensive planting of diverse, indigenous species. Whilst this combination of bunding and planting would never entirely screen the taller parts of the development, it would over time substantially limit the visibility of the lower level buildings and thus reduce the perceived scale of the facility. Importantly, the planting would, at an early stage, screen the majority of the ground level ancillary components of the REP and vehicle movements within the site, such that the residual impact would be attributable to a relatively simple and static form.

5.5.61 It is considered that the siting, design and landscaping of the Sleaford REP would be successful in mitigating the overall landscape and visual impacts of the development.

The Effect on the Natural Environment

5.5.62 A detailed investigation has been undertaken to assess the impacts on ecology and nature conservation that may result from the proposed development (see Section 8.0). The assessment draws the following conclusions.

The proposed site contains few features of significant nature conservation interest, although it lies adjacent to a woodland which has been designated as a non-statutory site of conservation importance. The hedgerow along the southern boundary has a high woody plant diversity, and would qualify as Important under the 1997 Hedgerow Regulations.

The predicted impacts of the development will involve the loss of most of the hedgerow along the site frontage, in order to provide road access to the site with appropriate visibility splays. This will also affect the current usage of the roadside by foraging bats.

The development will result in the displacement of one pair of skylarks and one pair of grey partridge, species listed under Section 74 of the 2000 Countryside and Rights of Way Act. However, it will not significantly or legally affect any species with special legal protection. The adjacent woodland will not be affected.

Mitigation, compensation and enhancement measures are proposed which involve:

- *planting locally-native scrub species to compensate for hedgerow loss; and*
- *creating new wetland, grassland and woodland areas around the development.*

Based on currently available data, the development would result in a negative ecological impact of local significance. With compensation and mitigation measures, this impact can be ameliorated to provide a positive impact of local significance through the creation of new habitats. Species which could benefit include reed bunting and linnet, while suitable habitat will be created for foraging bats as scrub and tree planting matures.

- 5.5.63 It is clear therefore that the development as a whole would result in a positive ecological / nature conservation impact.

Traffic Generation and Vehicular Access

- 5.5.64 A Transport Statement (TS) has been prepared to appraise the Local Planning Authority and Local Highway Authority of the anticipated highways and transport issues associated with the Sleaford REP development. A full copy of the Transport Statement is contained within Appendix 6.1, whilst a summary is contained in Section 6.0 of this report. The TS concludes, as set out previously, that the scheme would not have any unacceptable traffic or highway impact.

5.5.65 It should also be noted that a routeing agreement for HGV's is also proposed which would ensure that no delivery vehicles would be required to enter the town of Sleaford and that the developer has offered, should the authority believe it to be necessary, to contribute towards funding an identified local highway improvement scheme.

5.5.66 In light of the above, it is considered that the proposals would be in accordance with the provisions of this criterion.

Proximity to the Renewable Energy Source

5.5.67 All of the straw producers with whom Eco2 has entered into contracts are located within 50 miles of the facility (the majority are within 30 miles) and contracts for fuel supply are based upon a 12 year initial commitment. It can be concluded therefore, that the Sleaford REP would be located in close proximity to its renewable energy source (i.e. straw) and that this will remain the case for the foreseeable future.

The Re-use of Appropriate, Existing Surplus Industrial Land

5.5.68 As described previously national policy/strategy (PPS 22, PPS 1 Supplement and the Energy White Paper) does not require the applicant to adopt a sequential approach to site selection or justify their choice of site. Thus, this test is not applicable to the REP. Notwithstanding, as part of reviewing the sustainability credentials of the scheme, Eco2 undertook a comprehensive site search exercise prior to development in order to ascertain for its own purposes whether the proposed REP development is located in accordance with accepted planning criteria (A full copy of the site search report is contained within Appendix 5.1).

5.5.69 As stated previously, this exercise failed to identify any suitable, available sites on allocated employment / industrial land or brownfield land.

5.5.70 Given the failure to identify any suitable primary sites for the renewable energy plant, it was necessary to extend the site search exercise and consider alternative locations (Secondary Sites) that best meet the site selection criteria.

5.5.71 Following further evaluation, it was concluded that the site of the current application met the relevant criterion.

The Extent to which the Proposals meet the Renewable Energy Targets for Lincolnshire and the East Midlands Contained within the East Midlands RSS

5.5.72 Appendix 5 of the emerging RSS contains a table showing renewable energy targets for the East Midlands Region for 2010 and 2020; it also includes indicative targets for 2025. One of the main revisions to the targets from those presented in the extant RSS is that they no longer include figures for offshore wind, which results in lower overall targets and targets are no longer split sub-regionally. It is anticipated that the renewable energy target will be some 337MWe in 2010, 3,610MWe in 2020 and 3,683MWe by 2025. The corresponding targets for biomass technologies are 66.1MWe in 2010, 168MWe in 2020 and 187MWe in 2025.

5.5.73 The Sleaford REP would be capable of producing (at full capacity) 40MWe continuous output, exporting some 300,000MWh per annum of green energy to the electrical supply network. Unfortunately, due to the time required to construct and commission Sleaford REP, it would not be able to contribute to the 2010 targets (which the region is unlikely to meet), but it would make a very significant contribution to the achievement of the 2020 and 2025 targets set out within the emerging RSS and in particular those relating to biomass.

5.6 Conclusion

5.6.1 An assessment of the proposals against the relevant planning policy and guidance has demonstrated that the scheme meets the test of Section 38(6) of the Planning and Compulsory Purchase Act as it fully complies with the provisions of the statutory development plan and specifically Policy NE9 of the Lincolnshire Structure Plan and Policy C16 of the North Kesteven Local Plan, which relate to renewable energy development. In addition, a comprehensive assessment of material considerations has not revealed any justification for determining this application other than in accordance with the development plan. In fact, the proposals have also been found to strongly accord with, and be supported by a range of other material factors, specifically planning policy and guidance (including the PPS1 Supplement, PPS22, Energy White Paper,

the UK Biomass Strategy, the East Midlands Regional Energy Strategy and the emerging RSS), which is material to the determination of the planning application.