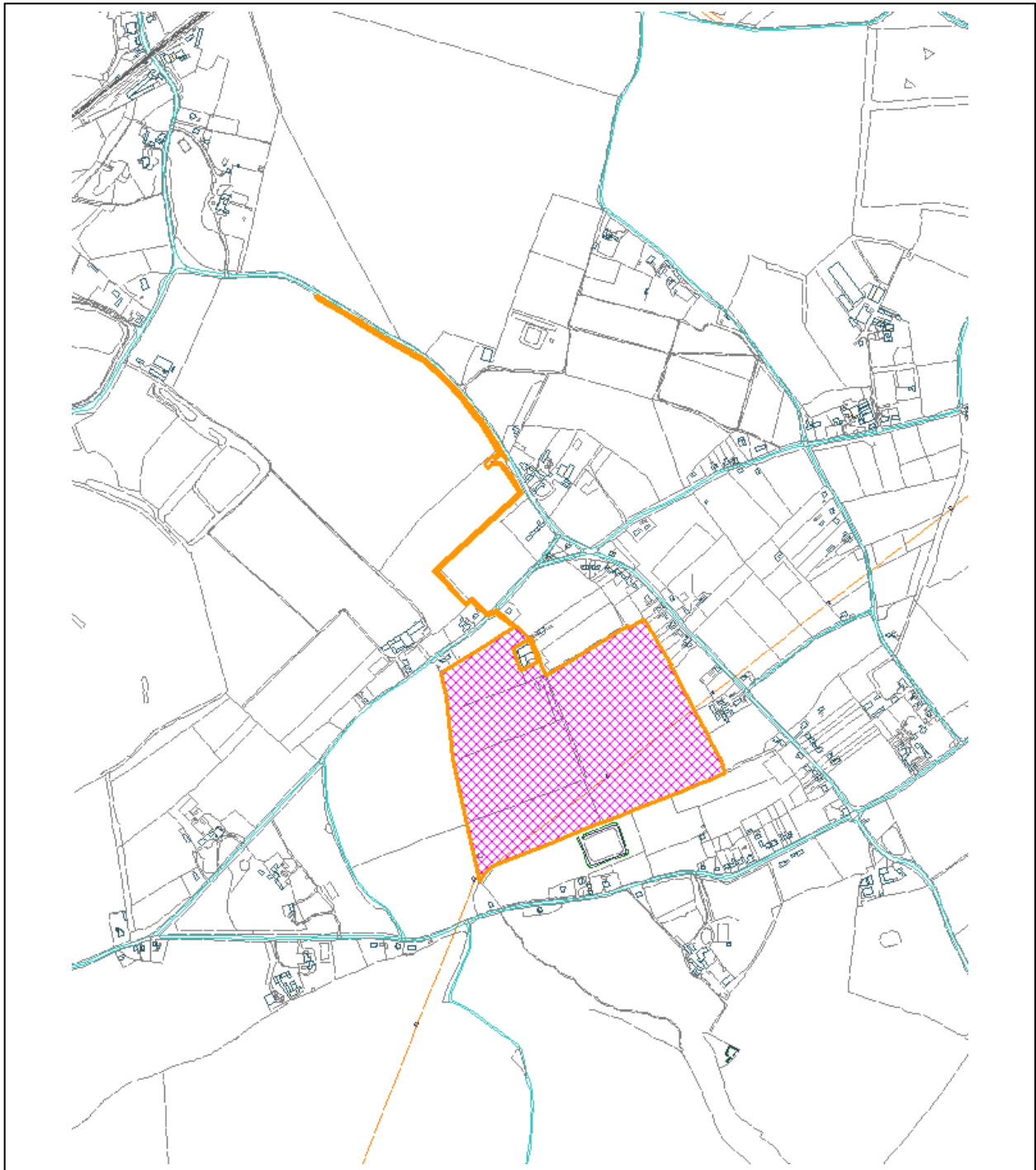


PLANNING COMMITTEE

25 August 2015

REPORT OF THE HEAD OF PLANNING

A.3 PLANNING APPLICATION - 14/00408/FUL - CHANCERY FARM PARK ROAD, ARDLEIGH, CO7 7SS



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Application:	14/00408/FUL	Town / Parish: Ardleigh Parish Council
Applicant:	Sunsave 28 (Ardleigh) Limited	
Address:	Chancery Farm Park Road Ardleigh CO7 7SS	
Development:	Ground based photovoltaic solar farm, including access, two substations off Frating Road with new vehicular access off the public highway, grid connection and grid connection cable and associated works.	

1. **Executive Summary**

- 1.1 This application has been brought to Planning Committee due to the level of interest in the application and the local issues that the proposal raises.
- 1.2 The proposal is for a 9.52MW solar farm including access, two substations off Frating Road with new vehicular access off the public highway, grid connection and grid connection cable and associated works.
- 1.3 The application was originally submitted in March 2014, once submitted it was advised by the National Planning Casework Unit on behalf of the Secretary of State that an Environmental Impact Statement was required as the potential for a significant environmental effect on the landscapes of historical, cultural and archaeological significance could not be ruled out on the basis of the information currently available. This was submitted on 22nd May 2015 and the application was re-started, further consultation took place with the relevant consultees and those that originally commented.
- 1.4 In this case, there is no adverse impact on ecology, residential amenity, highway safety or flood risk. There is also the opportunity to improve biodiversity, by altering the agricultural use of the land which is currently used for turf production.
- 1.5 Whilst the proposal would have some landscape impact it is not considered to be significantly harmful. The mitigation would soften the impact but would not eliminate it. However, the adverse impact would not have a wider impact.
- 1.6 The information submitted indicated that there is a high likelihood for below ground archaeological remains, it is considered that this matter can be dealt with by conditions to ensure a programme of trial trenching and test pitting followed by open air excavation.
- 1.7 The localised impact on the area is not considered to be sufficient to recommend refusal especially given the lack of harm in other respects and the benefits to biodiversity and the long term benefits to the landscape when the site is decommissioned by the planting mitigation retained.
- 1.8 Therefore, although Officers have found limited harm to the countryside and potential harm to archaeological remains, the localised extent of harm does not outweigh the national benefits derived from providing renewable energy.

Recommendation: Approve

Conditions:

1. Standard time limit for commencement

2. Development to be carried out in accordance with submitted plans
3. No other fencing on site other than as shown on approved plans
4. Details of decommissioning shall be submitted and agreed prior to the implementation of decommissioning
5. Fixed permission for 30 years when the use will cease and all solar panels and ancillary equipment shall be removed from the site in accordance the agreed decommissioning details.
6. Solar Park to be removed if ceases to export electricity to the grid for a continuous period of 12 months.
7. The soft landscaping as shown on Drawing No. 206-01-10A shall be carried out in the first plant season following the substantial completion of the development.
8. Any plants or species, included within the soft landscaping scheme (Drawing No. 206-01-10A) which die during whilst the land is in use as a solar farm shall be replaced.
9. Details of the construction and future maintenance of any necessary bridging/piping of a drainage ditch/watercourse be submitted and approved in consultation with the Lead Local Flood Authority.
10. The off-street parking, HGV turning and wheel washing facilities shall be provided in accordance with the submitted information.
11. The development shall be carried out in accordance with the recommendations set out in the habitat survey.
12. The biodiversity measures as set out in the biodiversity management plans shall be carried out within 12 months following the substantial completion of the development and retained during the life of the solar farm.
13. Prior to the commencement of development the route of the construction vehicles shall be agreed by the local planning authority.
14. No external lighting
15. Details of any proposed CCTV shall be submitted to and agreed by the local planning authority.
16. Prior to the commencement of development colour and material of ancillary equipment shall be submitted to and agreed by the local planning authority.
17. Prior to commencement of development a scheme for protecting the nearest sensitive dwellings from noise/dust and lighting during the construction phase shall be submitted to and agreed by the local planning authority. The construction phase shall be carried out in accordance with the approved details.
18. No construction of decommissioning works outside the hours of 0700-1900 Monday to Friday and 0800-1300 Saturdays. With the exception of any piling or other percussive works which shall not take place outside the hours of 0800-1700 hours Monday to Friday.

19. No traffic associated with site shall arrive prior to 6.45am Mondays to Fridays or 7.45am on Saturdays or leave after 7.15pm on Mondays to Fridays or after 1.15pm on Saturdays.
20. The rating level of the noise emitted for the site shall not exceed the existing background level LA90,T by more than 5dB as measured at the nearest residential façade.
21. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a Written Scheme of Investigation. Following the completion of this a summary report shall be prepared and a mitigation strategy detailing the approach to further archaeological excavation and/or preservation in situ through re-design of the development.
22. No development or preliminary groundworks shall commence on the areas of the site containing archaeological deposits, until the satisfactory completion of archaeological fieldwork, as detailed in the mitigation strategy.
23. Following the completion of the archaeological fieldwork, the application shall submit a post-excavation assessment, which will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum and submission of a publication report.

2. Planning Policy

National Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Local Policy

Tendring District Local Plan 2007

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

EN4 Protection of the Best and Most Versatile Agricultural Land

EN6 Biodiversity

EN6A Protected Species

EN6B Habitat Creation

EN13A Renewable Energy

EN23 Development Within the Proximity of a Listed Building

EN29 Archaeology

TR1A Development Affecting Highways

Tendring District Local Plan: Proposed Submission Draft (2012) as amended by the
Tendring District Local Plan: Pre-Submission Focussed Changes (2014)

SD1 Presumption in Favour of Sustainable Development

SD8 Transport and Accessibility

SD9 Design of New Development

SD10 Sustainable Construction

PLA1 Development and Flood Risk

PLA4 Nature Conservation and Geo-Diversity

PLA5 The Countryside Landscape

PLA6 The Historic Environment

PLA10 Renewable Energy Installations

3. **Relevant Planning History**

95/00586/FUL	Change of use from agricultural to domestic	Approved	04.07.1995
04/00949/OUT	Proposed erection of farm worker/manager's detached house	Approved	31.03.2005
05/00990/DETAIL	Proposed erection of farm worker/manager's detached house	Approved	29.07.2005

4. **Consultations**

4.1 Ardleigh Parish Council

Ardleigh Parish Council opposes the application. The proposal is to develop a solar farm on Grade 1 agricultural land, which is contrary to Government Guidance on the location of large solar farms and is contrary to NPPF guidance on the siting of solar farms. The proposal is also contrary to guidance in two recent and local planning appeals which have both stated that agricultural land of Grades 1, 2 and 3A should not be considered for solar farms. The Parish Council notes the strong views both in favour and opposed to the proposal exist within the Parish. Whilst the Parish Council supports the principle of solar power, it believes that solar farms should be located in accordance with NPPF and central Government Guidance which is to locate them away from Grades 1, 2 and 3a agricultural land.

4.2 Great Bromley Parish Council

No comments received.

4.3 Elmstead Parish Council
No objection to the application

4.4 Environmental Health

Consider that the noise report is satisfactory and the levels that they suggest are reasonable and achievable. No objection subject to conditions to cover the following:

- A scheme for protecting the nearest sensitive dwellings from noise/dust and lighting emanating from the construction phase.
- Limit construction to 7am and 7pm Monday to Friday and 8am and 1pm Saturdays with no Sunday or Public Holidays working at all. With the exception of Piling or other percussive works which must not exceed the hours of 8am to 5pm Monday to Friday.
- No traffic associated with the site to arrive prior to 06.45 Monday-Friday or 7.45am on Saturdays or leave after 19.15 Mondays to Fridays or after 13.15 on Saturdays.
- Ensure that cabinets housing the electrical equipment and cooling fans are regularly inspected and maintained to ensure that they are attaining the noise reduction as confirmed by the manufacturer.

4.5 Principal Tree & Landscape Officer

In the main the application site is well screened and the proposed development will not, in terms of the general public's use and enjoyment of the surrounding countryside and Public Rights of Way, have a significant detrimental visual impact of the appearance of the local landscape. However from the viewpoints that it can be seen it is considered that the development proposal would be an incongruous feature in the landscape. The potential harm can be mitigated by new landscaping but it should be recognised that such a development causes a significant change to both the character and appearance of the countryside.

4.6 In terms of potential benefits to wildlife the replacement of the, now lapsed, monoculture turf production with grazed pasture would provide benefits for wildlife. There is an opportunity to establish additional wildlife habitat for amphibians and reptiles; the adjacent small pond just off site to the south west and agricultural reservoir to the north and east of the application site may also provide opportunities to secure benefits for wildlife.

4.7 If consent, is likely to be granted then measures should be put in place to ensure that the proposed soft landscaping works, as described in The Landscape Management Plan, are fully implemented.

4.8 Anglian Water Service
No comments received

4.9 Department for Environment Food and Rural Affairs
No comments received

4.10 Essex County Council Archaeology

4.11 The Cultural Heritage Chapter included within the applicants EIA, correctly identifies the high likelihood for below ground archaeological remains being present within the development site, which has been confirmed by the applicant's geophysical survey, together with the probable significance of these remains, and the likelihood that these would be damaged or destroyed by construction phase of the proposed solar farm. The following recommendations are made in line with the Department for Communities and Local Government National Planning Policy Framework:

1. No development or preliminary ground-works can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with

a Written Scheme of Investigation, which has been submitted by the applicant, and approved by the planning authority. Following the completion of this initial phase of archaeological work, a summary report will be prepared and a mitigation strategy detailing the approach to further archaeological excavation and/or preservation in situ through re-design of the development, shall be submitted to the local planning authority.

2. No development or preliminary groundwork can commence on those areas of the development site containing archaeological deposits, until the satisfactory completion of archaeological fieldwork, as detailed in the mitigation strategy, which has been signed off by the local planning authority.
3. Following completion of the archaeological fieldwork, the applicant will submit to the local planning authority a post-excavation assessment (within six months of the completion date, unless otherwise agreed in advance with the planning authority), which will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

4.12 Essex County Council Highways

Raise no objection subject to conditions to cover the following:

- The access onto Frating Road being constructed in accordance with the submitted plans
- Details of the construction and future maintenance of any necessary bridging piping of a drainage ditch/watercourse be submitted and approved by Lead Local Flood Authority (Essex County Council).
- The off-street parking, HGV turning and wheel washing facilities provided in accordance with the submitted information.

4.13 Network Planner – UK Power Networks

No comments received

4.14 Environment Agency

As of April 2015 in their role as Lead Local Flood Authority, Essex County Council are now the statutory consultee for surface water management proposals for major developments, instead of the Environment Agency.

4.15 Essex Wildlife Trust

No comments received

4.16 Natural England

Advise the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

4.17 RSPB (Royal Society for the Protection of Birds)

Do not object to this proposal but considers mitigation measures to enhance the biodiversity of the solar farm should be secured via an appropriately worded planning condition.

4.18 National Grid

No comments received

4.19 Historic England

Historic England does not consider that the proposed solar farm will result in harm to the significance of designated assets in the vicinity. Note that the redline plan includes a narrow strip of land alongside the western side of Frating Road, for the installation of underground cabling to connect the solar farm to the National Grid. It is understood from previous discussions that the cabling works will be confined to the road verge, and therefore outside the area designated as a scheduled monument. If, however, the footprint

of the proposed development (temporary works, cabling or access) does extend into the scheduled area advise that further consultation with Historic England should be undertaken.

4.20 National Planning Casework Unit

No comments to make.

4.21 Essex County Council SUDS (Sustainable Urban Drainage)

No comments received

5. Representations

5.1 When the application was first submitted approx. 190 objection letters were received and 64 letters of support (some people have submitted more than one letter and not all letters are from people who live within the Tendring District).

5.2 The objection letters, which include an objection from the Campaign to Protect Rural England, raise the following concerns:

- The land itself is good quality farming land.
- There is now, and increasingly a need for us to grown our own food.
- Unacceptable visual impact.
- It will affect so many homes. No other site in Tendring, or anywhere in the country we are aware of, is so close to so many homes.
- The development would set a dangerous precedent. It could open the floodgate for sites in other highly populated areas, not just in Essex but all over the South East of England.
- The site is inappropriate for a development of this type which should be directed towards previously developed sites (Brownfield sites)
- The application is contrary to the policy recently expressed by Liz Truss, Secretary of State for Environment, Food and Rural Affairs, who stated that government policy would not support the establishment of solar farms on good farm land.
- Once lost to a development of this type, it is feared that the land would never be used for farming.
- The boundary fence, two metres in height, would be an ugly eyesore immediately on the edge of the properties of some of the residents, which would detract greatly from their enjoyment of the pleasant rural environment which currently prevails in the area.
- The roads are narrow and pass through pleasant farmland, they are unsuitable for heavy construction traffic.
- The field is next to residential property and therefore a potential invasion of privacy.
- Visual and noise impact the solar farm will have on Green Island Gardens. The view out over the field is paramount to the experience of walking along the northern boundary walks within the gardens and seating areas at the pond capturing the framed landscape out over the fields. The proposed planting does nothing to allay fears due to the time it will take to obscure the solar farm and in the end even if the panels are lost the depth of the view will be lost totally to a screen of deciduous trees and hedging.
- Proposed working hours 6am to 8pm at night Monday to Saturday as well as Sunday working will cause huge disruption for locals at very anti-social times.
- The application is on the wrong site and we should preserve our countryside and particularly Best and Most Versatile agricultural land.

- Noise of fans within the inverters would result in an adverse impact on neighbouring residents amenities.
- Substation buildings are huge, the applicant has failed to address any screening for these large buildings.
- Screening will take many years to become effective, probably half the life of the solar installation.
- The deciduous nature of the screening means that for 6 plus months of the year the solar installation will be highly visible.
- The claims that the land will be improved and enhance its agricultural capacity by allowing sheep to graze is highly questionable. The sheep will not be viable as the panels are too closely positioned at 1.5 metres.
- The local community have not been consulted properly and the views as expressed by the vast majority have been ignored.
- The fact that the land has been little farmed, and was most recently used for turf production is a choice by the farmer.
- A background noise assessment needs to be included due to the proximity of residential properties.
- The 10 commitments for solar farm developers have been ignored.
- The construction process will take 12 weeks. For 9 weeks there will be 209 HGV visits to the site therefore a total of 418 movements in all, which is very concerning due to the nature of the road and the fact it is used by families for walks.
- There is nothing to suggest how this solar farm would benefit the local community
- The building will be the first thing you see as you enter Burnt Heath from Ardleigh and highly visible along the local footpath.
- The noise generated will be incredibly intrusive, especially at night in an area where total silence has always prevailed broken only by the sound of nocturnal animals.
- The impact on Green Island Gardens will be immensely damaging as this fantastic visitor attraction depends on its amazing setting and location for drawing in visitors from miles around. Given that promoting tourism and economic regeneration are key aspirations for the Council this impact on this site is critical.
- Industrialisation of an area which is intrinsically agricultural and traditionally food producing in character.
- The substation buildings will be an eyesore from the public footpaths that cross the Scheduled Monument just to the north of them.
- The soil was tested in the middle of August when it was at its driest. Nevertheless, despite repeated tests on the soil it is still Grade 1 or 2 land and can therefore be used for food production.
- Loss of view from surrounding properties
- With the wind turbines at Clacton and other solar farms in the area the area does not need any further renewable energy sources.
- Although tall hedges are proposed to hide the unacceptable visual impairment created by the solar farm they will lessen the light and sunlight into objector's homes and create unexpected shadows over gardens.
- The glint and glare that the large number of residents will experience in the early mornings and later afternoons/evenings is a serious visual impairment which can also constitute a serious irritation affecting people's health.
- The households would in all likelihood suffer a loss in value, both these nearby and those in the vicinity.

- The near industrial look of this solar electricity generation and its unsightly fencing and CCTV cameras is in complete and stark contrast to the historical character of the landscape.
- Any conceivable local employment would be insignificant.
- The large pylon standing within the site and the other one at its southern border would seriously affect the productivity of the proposed site as it would obstruct the sunlight from a considerable number of panels throughout the day.
- Areas where skylarks could breed will be lost and never recover.
- Ardleigh is already over-burdened with huge gravel pits and the associated smells and there are quite a few wind turbines appearing on agricultural land in the area. This scheme would be a very unfair overload on a small residential area.
- Intrusion of privacy with tall solar arrays.
- Increase risk of flooding
- The substations and inverters would be within very close sight of a scheduled monument of national importance and will contradict the statutory recommendations of English Heritage regarding the negative impact upon its vistas and surrounding views.
- Among the key benefits are a mixed species grass meadow, 550 new fruit trees, additional planting of hedgerows, hedgehog homes, log piles, bird and bat boxes. Will there be a warranty that these will be maintained throughout the 30 years of the project and does the planning department have the power to enforce these?
- Once the site has been vacated, 3% of the land will be permanently lost from agricultural use. This is an unacceptable waste of prime grade land.
- The only access is via a very minor lane, which itself is only accessed by Bromley Road an unclassified road (with a weight restriction) or a B class feeder road, also with a weight restriction.
- Approving this site, in such a populated area, will turn public opinion against solar and may jeopardise the long term inherent benefits of the technology.
- A green light for this development would set a dangerous precedent and erode much needed public support for renewable energy technologies.
- The UK and, in particular Tendring have already exceeded their targets for renewable energy sites with construction of wind turbines and solar energy.
- To shield views from first floor windows hedging or trees of a height of approx. 18ft will be required.
- The proposal fails to meet the criteria of the Visual Design Statement and the Local Plan.
- Solar farms are subject to theft and would increase the risk of crime in the area, especially in the areas where there is no security fence, which is contrary to Article 8 of the European Convention on Human Rights.
- The nature of the construction works, excavation of foundations and the laying of cables will permanently destroy the potential archaeology.
- The site already suffers significant pooling of water in large puddles, the panels could well concentrate the water into these areas causing flooding into properties adjacent to them.
- A recent analysis of the Department of Energy and Climate Change's Renewable Energy Planning Database of April 2014 shows there is sufficient solar and wind installations built or approved for planning so as to comply now with our 2020 obligations.
- Oversupply of solar energy is clearly undesirable for investors

- Due to this potential oversupply decision makers in the planning system should now be giving greater weight to negative local impacts and less weight to the achievement of the European Union targets.
- If any of the traffic crosses Park Road it will further destroy a road that is already in very poor condition.
- The presence of the solar farm will positively discourage new people from coming to live in the area and present the real possibility of the decline in village population and possibly the demise of a historic village and community.
- The output from the whole solar farm is less than one of the new generation offshore wind turbines, which will be placed so far offshore so as not to be an eyesore to anyone.
- The neighbouring farmer whose field borders the site has been growing crop/vegetables for many years.
- The installation of cameras is an invasion of privacy.
- Negative effect on local house prices
- Financial gain for one family
- It is clear that a full archaeological survey needs to be carried out before any further decision is made.
- The letters in support of the application raise the following points:
 - Gives the area another source of reusable energy which does not harm the environment
 - Allows diversification within what is now a difficult climate for farming communities
 - The only reason farmers are having to look for alternative sources of income is because of the very fact that their industry is dying out, they need support so they can keep growing produce.
 - Solar energy farms are far less intrusive than fracking
 - If farms are to remain a feature of the countryside in current economic conditions the owners must be allowed to diversify
 - Nothing anti-social in using land to generate renewable energy
 - Would prefer to have a sympathetically managed solar farm nearby rather than a new housing development.
 - The proposal will ensure that the land will continue to be a fruit farm.
 - This is a working farm supporting the local community and trying to create new employment as well as trying to invest in the future of our planet and reduce pollution.
 - This project should be supported to allow this long standing business, currently in its 3rd generation of the same family to keep this vital small farm producing fruit for the 4th generation and hopefully more in the future.
 - In accordance with Local Policies and the NPPF
 - Not high quality land in landscape terms, it benefits from no particular landscape designation and does not have any characteristics that raise it above any other part of this mainly rural district.
 - Not only will this keep a local farmer in business it will benefit the whole community.
 - The proposed field is tucked away discreetly
 - The proposed development is also silent and unobtrusive
 - Is an admirable use of land, which although agricultural has not been used as such for a decade due to poor quality land requiring a lot of additives.
 - This is looking into the future for sustainable energy production to encourage the decline in fossil fuels.

- Unlike some energy production the use of PV panels, at near to ground level, does not mar the landscape and is not an aviation or bird strike hazard.
- The ground is not concreted over but provides space for growth whilst the panels provide wildlife shelter.
- Chancery Farm has agreed that they would be willing to plant an area with a suitable mix of seed to provide for Turtle Doves, as part of the RSPB Operation Turtle Dove Project.
- During the life of the solar installation it is hoped that Chancery Farm may be able to gain organic certification for the site as there will be minimal application of pesticides and herbicides.
- Chancery Farm will certainly be able to offer local employment opportunities as it is able to increase the size of the managed orchards.
- This application in no way reduces the food production from Chancery Farm, but rather increases it as, in addition to Chancery Farm's own orchard expansion, the fruit produced from within the solar site will be available for the grower to harvest, the low level sheep grazing of the site and the honey produced from bees.
- It fulfils the planning constraints (land not in agricultural use, flat land, no adverse effects on the landscape, well screened by hedges and trees)
- Few properties are affected.
- The proposed usage of the land seems to be both responsible and very much in the overall public interest.
- Tree and hedge features will rapidly mask the panels from public view
- Should be embracing alternative energy sources, it is naïve to continue to rely on finite fossil fuels.
- The IPCC (Intergovernmental Panel on Climate Change) has stated that unless we change our energy systems climate change threatens to drive the loss of wildlife here in the UK and globally, they make it clear solar power has a huge role to play in cutting carbon emissions.
- The land in question is not an Area of Outstanding Natural Beauty and the current farm buildings and electricity pylons cannot be considered attractive.
- There will be no security lighting or CCTV cameras
- With the buffer zones, hedges and planting of the heritage apple varieties the overall views will be improved not diminished.
- The scheme will provide an enormous boost to biodiversity on the site.
- Farms do not pay rates, solar farms do and will be paying rates to Tendring District Council which, along with the Community Fund being set up will benefit the local community as a whole.
- There are other uses of the land which would be more intrusive that don't need planning permission such as keeping of pigs.
- Everyone with children should be concerned about the future demand for energy and support green energy.
- The Solar farm will be decommissioned at the end of the 30 year period so it is not permanent.
- There are no brownfield sites available for solar.
- There is no lack of land for farming just a need to reassess the relationship we have with food, thousands and thousands of tons of fruit and veg are discarded before they even get to the shops because of overzealous supermarket specifications.
- The Countryside is a working environment.

- The perimeter fence is a maximum of 2 metres high
- The farm is surrounded by some of the largest potato and onion growers in the Anglia Region, if the land was viable it would have been rented out years ago.
- Encourage other residents to support and use domestic solar panels
- Local residents will benefit from the Community Fund
- Connection to the National Grid will be less disruptive and easier, due to the pylons already on site.
- Will bring much needed investment into the rural economy.

5.3 Following the submission of the Environmental Impact Assessment 49 letters of support have been received and 125 letters of objection have been received, again some people have submitted more than one letter and are not all from residents of the Tendring District. However, they do not raise any additional points to the ones set out above.

6. **Assessment**

6.1 The main planning considerations are:

- Principle of Development
- Renewable Energy and Planning Policy Context
- Impact on the Countryside
- Impact on Heritage - Listed Buildings and Archaeology
- Impact on Biodiversity/Ecology
- Impact on Highway Safety
- Impact on Residential Amenity (including glint and glare)
- Impact on Agricultural Land
- Impact on Flood Risk
- Cumulative Impacts
- Other Issues

Context and Background

6.2 In March 2013 a request for an Environmental Impact Assessment (EIA) Screening Opinion was submitted to the Council. An EIA Screening Opinion is to establish if a planning application needs to be accompanied by an Environmental Impact Assessment, taking into account the relevant criteria contained in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. In April 2013 the Council determined that the proposed solar farm did not require an EIA.

6.3 The application was submitted in March 2014. In July 2014 the Council received a copy of correspondence sent to the National Planning Casework Unit requesting a Screening Direction. The National Planning Casework Unit issued its Screening Direction on behalf of the Secretary of State in August 2014. The Secretary of State was of the opinion that the proposed development did require an EIA as the potential for a significant environmental effect on the landscapes of historical, cultural and archaeological significance could not be ruled out on the basis of the information currently available. Following this a Scoping Opinion which identifies the issues which will be significant was issued by the Council in November 2014. The Environmental Statement was submitted to the Council in May 2015.

6.4 The application site comprises of a total area of 18.62 hectares. It comprises of fields 1.8 km southeast of the village of Ardleigh at Chancery Farm, where arrays of solar photovoltaic modules would be sited, plus a 236.7 square metre enclosure for two electricity sub-stations off Frating Road, and the route of a high voltage grid connection cable running

from the solar array area via the two sub-stations to an existing overhead electricity line on Frating Road.

6.5 The fields on which the photovoltaic panels would be sited are within a triangle formed by Park Road to the north, Frating Road to the east and Colchester Road to the south. Fields being used for arable agriculture about the western site perimeter, beyond which is a woodland containing the property Green Island Gardens. To the east the site backs onto the rear gardens of residential properties on Frating Road and the north the rear gardens of Chancery Farm Cottages, in Park Road. More distant properties on Colchester Road are located approx. 100m to the south of the development site.

6.6 The site is generally flat and is currently used for the purposes of turf cutting for the last eight years.

Proposal

6.7 This application seeks planning permission for a ground based photovoltaic solar farm at Chancery Farm, Park Road, Ardleigh for a period of 30 years.

6.8 The application proposes a 9.52MWp-AC solar farm, which is sufficient to provide electricity to supply 3,000 households over its life time.

6.9 The area where the photovoltaic panels would be sited covers approx. 16 hectares. The photovoltaic panels proposed to be mounted on steel racks called arrays. The array on which the PV panels will be supported are held in place by pole foundations that are piled into the ground. Each array would measure 3.3 metres wide, 12.3 metres long, be tilted at 15 degrees from the horizontal and have a maximum height of 1.7 metres above ground level at the back of the array, which will be the highest part of the structure. The space between each array will be 1.5 metres.

6.10 The arrays will be enclosed by a 2.2 metre high perimeter fence which will run around the perimeter of the site. This fence is proposed to be a mesh steel panel fence coated in green.

6.11 Within the array area 7 no. cabinets are proposed containing inverter and transformer equipment. These measure 8.9 metres by 3.1 metres and have an overall height of 2.8 metres.

6.12 All existing hedgerows will be retained and new hedgerows planted. 5,386 new apple trees will be replanted, between the solar arrays.

6.13 The land under and around the arrays will be sown with grass seed mix, allowed to establish and then grazed by sheep.

6.14 A new access and two cabinets are proposed off Frating Road. The proposed access measures 22 metres in width at the point it meets with Frating Road and 4 metres in width at the narrowest point. The proposed access would serve two substations. One measuring 5.4 metres by 4.9 metres with a height of 3.7 metres; the other measures 5.9 metres by 6.3 metres with a height of 3.3 metres. The ground on which the proposed substations are situated and surrounding them will be built up by 0.1 metres to make it level.

6.15 A buried high voltage grid connection cable will run from the solar array area, north across Park Road, through fields and then to the substations off the B1029 (Frating Road). The buried cable will then continue north along the highway verge to a pole on a 33kV line approx. 850 metres north of the array area.

- 6.16 Access to the site, both during construction and thereafter for maintenance would be via Park Road, along the driveway that serves the farm.

Principle of Development

- 6.17 The National Planning Policy Framework (NPPF) contains the Government's planning policies and sets out how these should be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.
- 6.18 Policy PLA5 of the emerging Tendring District Local Plan Proposed Submission Draft 2012 states that the quality of the district's landscape and its distinctive local character will be protected and wherever possible enhanced. Any development which would significantly harm landscape character or quality will not be permitted. The Council will seek in particular to conserve natural and man-made features which contribute to local distinctiveness including, amongst other things, ancient woodlands and other important woodland, hedgerows and trees. Where a local landscape is capable of accommodating development, any proposals shall include suitable measures for landscape conservation and enhancement. Policy EN1 of the Tendring District Local Plan 2007 also follows those sentiments. It is therefore acknowledged that development can occur in the countryside, providing that development does not have an adverse impact on the character and appearance of the area.
- 6.19 Policy EN13a of the Tendring District Local Plan 2007 states planning permission will be granted for development proposals for renewable energy generation, subject to there being no material adverse impact on the local environment in relation to noise; vibration; smell; visual intrusion; residential amenity; landscape characteristics; biodiversity; cultural heritage; the water environment; the treatment of waste products and highway and access considerations.
- 6.20 This approach is supported by the National Planning Policy Framework (NPPF) which states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. It is therefore clear that the planning system should facilitate the transition to a low carbon economy by, amongst other things, maximising renewable energy development. The NPPF does however state that the adverse impacts of renewable energy generation need to be addressed satisfactorily. It is the impacts of proposals for renewable energy generation that need to be considered rather than the principle of such development in the Countryside.
- 6.21 The above approach in the NPPF also states that applicants do not need to demonstrate a need for a renewable energy proposal, that planning professionals should look favourably upon such proposals and that even if a proposal provides no local benefits, the energy produced should be considered a national benefit that can be shared by all communities and therefore this national benefit is a material consideration which should be given significant weight. It is within this context that a renewable energy proposal needs to be considered.
- 6.22 In addition to the NPPF the Government has published a suite of National Planning Practice Guidance documents. Included within this suite of national guidance, is 'Renewable and Low Carbon Energy', which assists local councils in developing policies for renewable energy in their local plans and identifies the planning considerations for a range of

renewable sources such as hydropower, active solar technology, solar farms and wind turbines.

- 6.23 This guidance document forms a material consideration. It provides a list of criteria which need to be considered in the determination of planning applications for large scale solar farms. Where a planning application is required, factors to bear in mind include:
- The importance of siting systems in situations where they can collect the most energy from the sun;
 - Need for sufficient area of solar modules to produce the required energy output from the system;
 - The effect on a protected area such as an Area of Outstanding Natural Beauty or other designated areas;
 - The colour and appearance of the modules, particularly if not a standard design.
- 6.24 Furthermore, this document states the particular factors a local planning authority will need to consider include:
- encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
 - where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
 - that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
 - the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;
 - the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
 - the need for, and impact of, security measures such as lights and fencing;
 - great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
 - the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
 - the energy generating potential, which can vary for a number of reasons including, latitude and aspect.
- 6.25 In addition to this document, the Government under the Department of Energy and Climate Change (DECC) published in November 2013 its UK Solar PV Strategy Part 1: Roadmap to a Brighter Future, which sets out four guiding principles which form the basis of the Government's strategy for solar PV which includes the principle that "support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them."
- 6.26 DECC have recently published (April 2014) a follow up document entitled UK Solar PV Strategy Part 2: Delivering a Brighter Future, which builds on those 4 guiding principles in Part 1 which reiterates the guiding principle above in italics.

- 6.27 DECC state that they will promote DCLG's planning guidance on large-scale solar farms, and the guidance sets out particular considerations for solar farms, such as their visual impact, and underlines that it is important that the planning concerns of local communities are properly heard in matters that directly affect them.
- 6.28 As a result, these issues, together with principle in support of renewable energy schemes, needs to be carefully balanced in reaching a decision to approve or refuse the application.

Renewable Energy and Planning Policy Context

- 6.29 It is important to consider the wider policy context before considering the impacts of the proposal as a balancing exercise will need to be undertaken where the inherent benefits of renewable energy are balanced against the impacts of the proposal. Key international and national policy considerations of note are as follows:
- Many reviews of climate change including the UN Climate Change Conferences in Bali (2007) Cancun (2010) underlined the need to act now to reduce carbon emissions, renewable energy being one such possible means of doing this.
 - The government commissioned Stern Review in 2007 which concluded that there is a pressing need to deal with climate change. The government has accepted these findings and also wishes to exploit the potential economic benefits of the new global green economy. Energy security was also identified as an important consideration.
 - The European Union energy policy, to which the UK is signed up to, sets a renewable energy target for each country with the UK's being 15% of energy from renewables by 2020. The country as of 2011 provides 9.4% from such sources.
 - The Energy Bill 2012 -2013 aims to close a number of coal and nuclear power stations over the next two decades, to reduce dependence on fossil fuels and has financial incentives to reduce energy demand. Government climate change targets set out in the bill are to produce 30% of electricity from renewable sources by 2020, to cut greenhouse gas emissions by 50% on 1990 levels by 2025 and by 80% on 1990 levels by 2050.
- 6.30 Policy PL10 of the Tendring District Local Plan Proposed Submission Draft 2012 states that the Council will support proposals for renewable energy schemes, and schemes should be located and designed to minimise increases in ambient noise levels; and visual impacts should be mitigated through siting, design, layout and landscaping measures in accordance with guidance set out in the National Policy Statement for Renewable Energy Infrastructure.
- 6.31 The above are material considerations which weigh in favour of a renewable energy proposal.
- 6.32 In summary, there is strong in principle support for renewable energy proposals in light of the national and local policy context. This in principle support needs to be considered against the impacts of the proposal and the two must be 'weighed' together. The weighing process is a matter of planning judgement. Consequently the assessment moves on to consider the impacts of what is proposed, the impacts will then be balanced against the in principle support and the inherent national benefits.

Impact on the Countryside

- 6.33 Policy PLA5 of the Tendring District Local Plan 2012 states that the quality of the district's landscape and its distinctive character will be protected and wherever possible enhanced. Any development which would significantly harm landscape character or quality will not be permitted. The Council will seek in particular to conserve a number of natural and man-made features which contribute to local character including, amongst other things, skylines

and prominent views, including those of ridge tops and plateau edges; ancient woodlands and other important woodland, hedgerows and trees; and the traditional character of protected lanes, other rural lanes, bridleways, and footpaths. Where a local landscape is capable of accommodating development, any proposals shall include suitable measures for landscape conservation and enhancement. Policy EN1 of the Local Plan 2007 also follows these sentiments. It is therefore acknowledged that development can occur in the countryside, providing that development does not have an adverse impact on the character and appearance of the area.

- 6.34 The site, other than being within the countryside, is not located within any special landscape designation.
- 6.35 The application site is situated within the area defined in The Tendring District Landscape Character Assessment (LCA) as The Bromley Heaths. This area has a sparse and dispersed settlement pattern and is particularly sensitive to change. Any development needs to be carefully sited and the impact of the development proposal on the character and appearance of the area must be carefully considered along with proposals to minimise and mitigate any potential harm.
- 6.36 The Council's Landscape Management Strategy describes the condition of The Bromley Heaths Landscape Character Assessment as declining with a moderate character. It identified need to conserve the rural character and historic elements of the landscape and to enhance woodland cover, hedgerow character and heathlands.
- 6.37 The Landscape and Visual Impact Assessment (LVIA) submitted with the planning application accurately describes the existing baseline situation for topography, vegetation cover and land uses. The information submitted identifies soft landscaping to mitigate the potential harm caused by the installation of the solar array.
- 6.38 The LVIA concludes that the proposals of the installation of solar PV panel will cause some adverse landscape and visual effects. The mitigation works help to reduce the longer term visual effects through planting of hedgerows and orchard trees to screen the development. There will however be a moderate level of adverse effect on landscape character for the 30 year period during which the site would be operational. The mitigation works described would help to reduce the visual effects identified through a combination of screening the site from adjoining roads and houses through hedgerow and fruit tree planting.
- 6.39 It is considered that the proposal from the viewpoints that it can be seen from will initially be an incongruous feature in the landscape and will change the character of the area. However, as the proposed soft landscaping matures the screening will increase and it is considered that whilst the site is well screened, within 5-7 years the screening will be further improved. In terms of the general public's use and enjoyment of the surrounding countryside and Public Rights of Way, it is considered that the proposed development would not have a significant detrimental visual impact.
- 6.40 Due to the type of planting proposed the site would be more visible in winter months. It is considered that adequate screening will still be provided. However, if it is considered that if further screening was required then it could be required by condition that more evergreen species are used.
- 6.41 The position of the proposed substation off Frating Road will require the creation of a new access point from the highway. There is currently a gap in the existing hedgerow and the new access will require the removal of one small tree, which would not cause any harm to the appearance of the area. The applicant has submitted sufficient details of soft landscaping proposals to screen the proposed structures and they are sufficient to provide a good level of screening.

- 6.42 With regard to the route of the cable run in the grass verge along Frating Road it is considered that this can take place without causing harm to the low Hawthorn hedgerow on the adjacent land. The hedgerow is trimmed as a height less than 1.5 metres tall and any severance of roots would be unlikely to cause any real harm.

Impact on Heritage – Listed Buildings/Scheduled Ancient Monuments

- 6.43 The Secretary of State considered that the proposed development did require an EIA as the potential for a significant environmental effect on the landscapes of historical, cultural and archaeological significance could not be ruled out on the basis of the information currently available.
- 6.44 The enduring physical presence of the historic environment contributes significantly to the character and sense of place of rural and urban environments. Some of this resource lies hidden and often unrecognised beneath the ground in the form of archaeological deposits, but other heritage assets are more visible.
- 6.45 Policy PLA6 of the Draft Local Plan states that the Council will work with its partners to understand, protect and enhance the district's historic environment by, amongst other things, requiring archaeological evaluation to be undertaken for schemes affecting sites that do or might contain archaeological remains. Furthermore, Policy PLA8 of the Draft Local Plan states development affecting a listed building or its setting will only be permitted where it, amongst other things, does not have an unacceptable effect on the special architectural or historic character and appearance of the building or its settings. These sentiments are echoed in policies EN23 and EN29 of the Saved Local Plan.
- 6.46 The NPPF is clear that when determining applications, Local Planning Authorities (LPA's) should require the applicant to describe the significance of a heritage asset affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 6.47 The nearest listed building to the site is approx. 460 metres away from the boundary of the site to the south-west (Wood Cottage). There are a further 2 listed buildings within the local area (Ardleigh Park and Collierswood Farm). Given the nearest listed building is approx. 460 metres away and having assessed its setting it is concluded that there is no adverse impact on its setting due to the distance of separation.
- 6.48 The proposed solar farm is located 300 metres to the south-east of a multi-period cropmark site, which is designated as a schedule monument (NHLE 1002146 – crop mark site south of Ardleigh). The scheduled monument comprises extensive below ground remains relating to Bronze Age funerary monuments, Iron Age settlement and a Romano-British pottery production site. The remains are regarded as having national significance on account of their survival and complexity, and by the potential for the site to contribute to archaeological understanding. Historic England do not consider that the development proposal will result in harm to the significance of designated heritage assets in the vicinity. In their response Historic England queried the extent of the cabling works as if it extended into the scheduled area further consultation would be required. It has been confirmed by the agent that the cabling works are taking place on the road verge only, therefore no further consultation is required.

Archaeological Impacts

- 6.49 The NPPF states that where a site includes or has the potential to include assets with archaeological interest, Local Planning Authorities should require developers to submit an appropriate desk-based assessment and where necessary a field evaluation.
- 6.50 The Cultural Heritage Chapter included within the applicants EIA, correctly identifies the high likelihood for below ground archaeological remains being present within the development site, which has been confirmed by the applicant's geophysical survey, together with the probable significance of these remains, and the likelihood that these would be damaged or destroyed by construction phase of the proposed solar farm.
- 6.51 However, it is considered that subject to conditions recommended by Essex County Council Archaeology to secure a programme of trial trenching and test pitting followed by open area excavation the proposal would be acceptable.

Impact on Biodiversity/Ecology

- 6.52 Both the Development Plan and NPPF support the safeguarding of protected species and their habitat. These documents also support the need to exploit opportunities to improve biodiversity in all developments where possible. The application is supported by a Biodiversity Management Plan and a Habitat Survey.
- 6.53 The Habitat Survey concludes that no adverse environmental impact is expected on any UK or EU protected habitat locally or regionally.
- 6.54 Natural England have confirmed that the proposal is unlikely to affect any statutorily protected sites or landscapes.
- 6.55 The Biodiversity Management Plan sets out a number of biodiversity enhancements, which includes wildflower seeding, hedgerow enhancements and bird boxes. This enhancement of biodiversity in the area is a positive aspect. The implementation of the biodiversity management plan can be secured by condition.

Impact on Highway Safety

- 6.56 The operation of the site would not result in significant traffic movements, it will be movements associated with occasional maintenance work. No on-site workers are required to operate the solar farm and no staff offices or maintenance buildings are needed within or near to the site.
- 6.57 However, during the construction period, which is generally 9-12 weeks a total of up to 209 HGVs are proposed to access the site. This will result in a total of 418 HGV traffic movements (arrivals and departures). Over the construction period this equates to approx. 8-10 traffic movements per day.
- 6.58 The area of the arrays will be served by an existing access to Chancery Farm; it is suitable for HGVs and is regularly used by large farm vehicles.
- 6.59 A new access is proposed to off Frating Road to serve the substation; this entrance will be constructed to standards of Essex County Council Highways. There will be sufficient space within this area for the turning of vehicles.
- 6.60 The construction Traffic Management Plan states that the route for HGVs to get to the site will be agreed by condition. A condition along these lines is recommended. As the access to the solar arrays will be from Park Road it will be necessary for HGVs to use Park Road.

Drawing No. 5393/107 demonstrates that it is possible for an HGV to enter Park Road from Frating Road.

- 6.61 Essex County Council Highways have reviewed the application and raise no objection from a highway safety aspect. The impact on highway safety is considered to be acceptable.

Impact on Residential Amenity (including glint and glare)

- 6.62 Policy SD9 of the draft Local Plan states new development should be compatible with surrounding uses and minimise any adverse environmental impacts, and that development (amongst other things) will not have a materially damaging impact on the amenities of occupiers of nearby properties. This sentiment is echoed in policy QL11 of the TDLP.
- 6.63 The array is entirely passive during operation, has no moving parts and emits no carbon, noise, smell or light. Once installed, the system itself needs minimum maintenance and will be unmanned.
- 6.64 It is acknowledged that the substations, inverters and transformer stations will be acoustically rated and that noise has been considered by Inspectors when determining planning appeals for solar farms. A noise assessment has been carried out by the applicants, which has been assessed by the Council's Environmental Health department. The results of the assessment conclude that the effects would be low at all Noise Sensitive Receptors (NSRs) which in this case are the surrounding residential dwellings and that there will be no increase to the ambient noise level at the NSRs. A condition is recommended within the report that would control the any noise increase above 5dB, the Council's Environmental Health Department raise no objection to this condition subject to conditions set out above to restrict working hours.
- 6.65 During the construction phase there will be disruption to the neighbouring residents. This will only be for a temporary period and subject to the conditions recommended by Environmental Health, it is considered that any disruption would not be sufficient to warrant a reason for refusal.
- 6.66 The panels themselves being 1.7 metres above ground level are not considered to be overbearing in relation to proximity from existing residential properties.
- 6.67 The substation buildings are larger the highest with a height of 4.9 metres, however, these are considered to be sufficient distance from neighbouring residential properties (approx. 50 metres) not to result in any overbearing impact.
- 6.68 The solar arrays and substation buildings will be seen from neighbouring properties and will change the views which are currently experienced from private land, however, the loss of a private view is not a material planning consideration and cannot be taken into account in the determination of this application.
- 6.69 The solar panels are designed to absorb light rather than reflect light, and so although the surface is glass, it is not reflective in the same way as a mirror or window, and therefore the solar panels are not considered to adversely affect nearby residential amenity by way of adverse glint or glare.
- 6.70 There would be no external lighting of the site, again this could be secured by condition, so there would be no impact on the countryside or residential amenity in this respect.

Impact on Agricultural Land

- 6.71 Concern has been expressed that the proposal will result in the loss of the Best and Most Versatile Agricultural Land, reducing the land supply to meet the populations food needs.
- 6.72 Paragraph 12 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. In a Ministerial Statement delivered on 25th March 2015 it was stated that meeting energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land. This is a material consideration but it is not policy whereas the NPPF is policy and thus carried more weight.
- 6.73 Policy EN4 of the 2007 LP states where development of agricultural land is unavoidable, areas of poorer quality agricultural land should be used in preference to that of higher quality agricultural land, except where other sustainability considerations suggest otherwise. Development will not be permitted on the best and most versatile land (namely classified as grades 1, 2 or 3a) unless special justification can be shown. Although the Council is keen to discourage loss of best and most versatile agricultural land, it recognises the economic importance of farm diversification schemes. Although there is no specific policy which deals with this issue in the emerging Local Plan, policy PLA10 'Renewable Energy Installations' has been amended to include the following: Proposals for 'solar farms' will be permitted on low grade agricultural land other land with no agricultural function. The use of the best and most versatile agricultural land (grades 1, 2 and 3a) will be permitted where it can be demonstrated, with evidence, that lower quality land is not available or practical for this use and the benefits of the development outweigh any concerns over the loss of agricultural land. This amendment to the policy has been requested by Members of the Council. Given that the amended policy is currently only at a draft stage and may well receive further amendments, it is considered limited weight can be given to this amended policy at this time.
- 6.74 Agricultural land is graded on its quality from 1 (excellent) to 5 (very poor). Grades 1, 2 and 3 are considered to be the best and most versatile (BMV) agricultural land. Provisional maps produced in the 1970s and 1980s show the application site in an area of Grade 1. These maps however are only indicative and DEFRA recommend survey work to gain a better understanding of the Grading for an individual site. An Agricultural Land Classification Report has been submitted which concludes that the site is Grade 2 agricultural land.
- 6.75 The application is for a temporary period of 30 years. Planning conditions would secure this and the remediation of the site back to agricultural land once the use ceases. This would all be at the expense of the applicant.
- 6.76 The applicants have sought to provide justification regarding the use of the land, saying that it is poor quality land, which is not being used for food production and have sought to demonstrate that there are no other suitable sites within 4km of the site. This is considered to be of limited weight as the land is classified as Grade 2 land which is still high quality agricultural land and the search area is limited.
- 6.77 There are numerous appeal decisions on this matter which have been cited by the applicant in support of their application. The majority of these pre-date the Ministerial Statement which is a material consideration in the determination of the application. A recent appeal decision in Braintree District (Appeal Ref: APP/Z1510/A/14/2219512) concluded that an application for a solar farm on a site which was 14% Grade 2 agricultural land and 80%

Grade 3a agricultural land would be contrary to Government's aims of focusing such development on previously –developed and non-agricultural land.

- 6.78 Previous appeal decisions are material considerations, but are not necessarily a determining factor. In this case it is proposed to plant fruit trees surrounding the arrays and introduce sheep for grazing. Therefore the site will still be used for agricultural purposes and therefore does not represent a loss of agricultural land. Furthermore, after the temporary period of 30 years the solar arrays will be removed.

Impact on Flood Risk

- 6.79 The site falls within Flood Zone 1 and is therefore not considered to be at risk of flooding. However, given the size of the site there is a requirement for the application to be accompanied by a Flood Risk Assessment.
- 6.80 The submitted Flood Risk Assessment concludes that as; the site is located entirely within Flood Zone 1; it lies within an area with no history of flooding; no development will take place within 8 metres of any watercourses; there will no net increase in discharge rate or runoff volume from the proposed development site the site is suitable for the proposed development.

Cumulative Impacts

- 6.81 The NPPG requires Local Planning Authorities to consider cumulative impacts. These require particular attention, especially the increasing impact that this type of development can have on landscape and local amenity as the number of solar arrays in an area increases.
- 6.82 Whilst there are other solar farms within the Tendring District these are generally spread throughout the district with a cluster around Wix. It is considered that in this case, there is no cumulative impact. There are none within sight of the current application site.

Other Issues

- 6.83 The effect of the development proposal on the value of surrounding properties is not a material planning consideration.
- 6.84 With regard to the potential of crime the solar array and substation area off Frating Road will be enclosed by a security fence.
- 6.85 Concerns have been raised regarding CCTV; no details of this have been submitted as part of the application. However, a condition is recommended to ensure details are agreed prior to installation.

7. Conclusion

- 7.1 The assessment of a renewable energy proposal requires the impacts to be considered in the context of the in principle policy support given the Government's conclusion that there is a pressing need to deliver renewable energy generation. The starting point in the assessment, as outlined in paragraph 98 of the NPPF, is when determining planning applications, LPA's should approve the application if its impacts are (or can be made) acceptable, however weight should be given to advice published in the NPPG 'Renewable and Low Carbon Energy', and the UK Solar PV Strategy Part 2: Delivering a Brighter Future (DECC), and that views of the local communities should be listened to.

- 7.2 In this case, there is no adverse impact on ecology, residential amenity, highway safety or flood risk. There is also the opportunity to improve biodiversity, by altering the agricultural use of the land.
- 7.3 Whilst the proposal would have some landscape impact it is not considered to be significantly harmful. The mitigation would soften the impact but would not eliminate it. However, the adverse impact would not have a wider impact.
- 7.4 The information submitted indicated that there is a high likelihood for below ground archaeological remains, it is considered that this matter can be dealt with by conditions to ensure a programme of trial trenching and test pitting followed by open air excavation.
- 7.5 The localised impact on the area is not considered to be sufficient to recommend refusal especially given the lack of harm in other respects and the benefits to biodiversity and the long term benefits to the landscape when the site is decommissioned by the planting mitigation retained.
- 7.6 Therefore, although Officers have found limited harm to the countryside and potential harm to archaeological remains, the localised extent of harm does not outweigh the national benefits derived from providing renewable energy.

Background Papers

None