

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON WEDNESDAY, 17TH MARCH, 2021 AT 6.00 PM
THE MEETING WAS HELD PURSUANT TO STATUTORY INSTRUMENT 2020/392.**

Present:	Councillors White (Chairman), Bray (Vice-Chairman), Alexander, Cawthron, Casey, Fowler, V Guglielmi, Harris and Placey
Also Present:	Councillors Morrison (except items 110 and 111) and Scott (except item 111)
In Attendance:	Ian Davidson (Chief Executive), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Graham Nourse (Assistant Director (Planning)), Trevor Faulkner (Planning Manager), Ian Ford (Committee Services Manager), Joanne Fisher (Planning Solicitor), Matthew Lang (Planning Officer), Keith Durran (Democratic Services Officer) and Debbie Bunce (Legal and Governance Administration Officer)

104. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none on this occasion.

105. MINUTES OF THE LAST MEETING

It was moved by Councillor Bray, seconded by Councillor Placey and:-

RESOLVED that the minutes of the last meeting of the Committee, held on Wednesday 17 February 2021 be approved as a correct record.

106. DECLARATIONS OF INTEREST

Councillor Scott, an also present at the meeting, declared for the public record in relation to **Planning Applications 20/01524/LBC & 20/01523/FUL – Alresford Hall, Ford Lane, Alresford CO7 8AY** that he was a local Ward Member for that application.

107. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

There were none on this occasion.

108. (A.1) PLANNING APPLICATION - 20-00822-FUL - THE LAURELS, PARSONAGE LANE, TENDRING CO16 0DE

The Chairman of the Committee (Councillor White) reported that, in relation to the above application, Essex County Council's (ECC) Highways Department (a statutory consultee) had submitted, very late on, a further letter of representation in which it had now amended its original recommendation of approval of the application to one of refusal on highway safety grounds.

As a result of this the Chairman informed the meeting that, reluctantly, he had had no other choice but to withdraw this application from the Agenda in order to allow all interested parties in this application the opportunity to comment and respond to ECC's change of opinion.

The Committee noted the foregoing.

109. (A.2) PLANNING APPLICATION - 20-00385-OUT - LAND EAST OF POND HALL FARM, RAMSEY ROAD, RAMSEY CO12 5ET

Members recalled that the Chairman of the Planning Committee (Councillor White) had withdrawn this planning application from the Agenda for the meeting of the Committee held on 17 February 2020 in order to allow a further period of time in which Ramsey & Parkeston Parish Council and Harwich Town Council could submit their respective representations.

It was reported that the application site covered an area of approximately 30 hectares and was located between the A120 highway and the existing Dovercourt urban area of Harwich. The applicant proposed revisions to the extant planning permission (14/01431/OUT) under Section 73 of the Town and Country Planning Act 1990 (as amended) in order to vary Condition 1 with a substituted phasing plan and provide revised wording to Condition 19 in order to permit the development of 80 residential dwellings ahead of the proposed new access and roundabout.

The Committee was informed that the applicant had originally sought to amend conditions 1 and 19 in order to bring forward all 297 residential dwellings ahead of the proposed new access and roundabout. Following discussions with this Council's Officers and Essex County Council Highways Officers the application had been amended to allow a reduced amount of 80 residential units ahead of the access road and roundabout by revision of the approved phasing plan, in order to incorporate a sub-phase of phase 3 to come ahead of phases 1 and 2 for the access and roundabout.

It was noted that, at the occupation of the 80th dwelling, all existing planning conditions and Section 106 contributions would revert back to the requirements of the original outline consent (14/01431/OUT).

Members were made aware that the site at land east of Pond Hall Farm had been allocated within the Tendring District Local Plan 2007 under Policy HAR 2 without a residential allocation. The site had also included in various iterations of the Tendring District Local Plan (2013-2033) during the draft and consultation stages with an allocation of 297 residential dwellings and a requirement for the residential units to be delivered via Stour Close. Taking into account the site was now 'consented' the Tendring District Local Plan (submission Draft) Part 2 referred to the site as 'mixed use consented' and therefore it was not necessary for the site to be considered as an allocation.

The Committee was advised that the extant outline consent was subject to an Environmental Impact Assessment with the application being accompanied by an Environmental Statement. In light of subsequent changes to environmental legislation and the time lapsed the applicant had reviewed and updated the Environmental Statement and had submitted an Environmental Statement Addendum (ESA) in order to review and mitigate any changes.

It was reported that the review to the ESA had been carried out taking into account the delivery of all 297 residential dwellings off Stour Close, and which had been prior to amending the application to restrict the number to 80 residential dwellings. The findings

of that review had demonstrated that there were no severe adverse impacts resulting from the delivery of 297 residential dwellings off Stour Close.

Members were informed that the Council had received objections from the public primarily concerning traffic and vehicle movements to and from the site. Due to the current pandemic and unusually low levels of traffic on the network historic data had been used to assess traffic impacts and movements, which had confirmed that traffic impact would be at an acceptable level, and again this was at the higher level of 297 dwellings. Whilst ECC Highways had concerns regarding the delivery of 297 dwellings off Stour Close they had submitted 'No Objection' to the revised number of 80 dwellings subject to conditions including the improvement to a vision splay.

The Committee was advised that the applicant had informed the Council that the changes were necessary in order to secure a developer for the residential site and in order to fund the delivery of the access and roundabout due to the lack of uptake of the retail, business and leisure uses and the current inability to fund the access and roundabout.

It was reported that the Council's Lawyer had confirmed that it was not necessary to amend the related Section 106 Legal Agreement and that the necessary amendment of the approved phasing plan and agreement of 80 dwellings only could be undertaken through a Unilateral Undertaking which was currently being prepared.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a **recommendation of approval**.

At the meeting, an oral presentation was made by the Council's Planning Manager in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of a consultation response received from Harwich Town Council which recommended refusal of the application on the grounds that: *"the existing road layout was designed to support the existing development and that it is inappropriate to increase the traffic volume through a residential area onto a fast and busy thoroughfare. Since the original outline consent, the Harwich peninsula has seen a large increase in population without an increase in infrastructure and as local social infrastructure levels are a material planning consideration, this proposal should be viewed as an additional increase in population."*

Parish Councillor Steve Richardson, speaking on behalf of Harwich Town Council, addressed the Committee and advocated that this application should be refused.

Councillor Morrison, a local Ward Councillor, addressed the Committee and advocated that this application should be refused.

Peter Keenan, an agent acting on behalf of the applicant, spoke in favour of the application.

During the Committee's debate on this application, Members discussed and asked questions on the following matters:-

Matters raised by a Committee Member:-	Officer's response thereto:-
The site management plan should ensure that all construction related traffic should be routed onto the site as soon as possible and that no vehicles are parked/placed on the narrow residential roads in that locality.	This could be covered and enforced as part of the Construction Method Statement (CMS) that would be required under proposed planning condition number 15.
In relation to the residents' fears that parts of their curtilage will be lost had there been any Compulsory Purchase Orders undertaken?	TDC Planning Officers were not aware of any such intentions.
What was the potential impact of this development on the Freeport East initiative and the sought after dualling of the A120?	TDC Planning Officers were not aware of any such impact. The applicant controlled land north of the A120 opposite this development site that could be part of any future discussions on dualling the A120.
Would emergency vehicle access remain unimpeded throughout construction?	This would be looked at thoroughly by ECC Highways and would form part of any CMS that would be required under proposed planning condition number 15.
What would be the length of time for the construction period?	Estimated up to two years but it could be quicker.
Was it always the developer's intention to use Stour Close as the route to service this development?	No – the original intention was to service the construction period from the A120 to the north when the development was due to commence with the construction of the retail superstore.
Could we left with the position that the residential element is completed and nothing else leaving an access from Stour Close in perpetuity?	No more than 80 houses can be built before the access from the A120 is required to be constructed.
Will the controls on the building phase be strict and tightly enforced?	Yes – the CMS will be strict and any breach will be firmly actioned.
Are these 80 houses included within the 5 year land supply housing provision within the adopted Section 1 of the Local Plan?	No – and therefore this development could be seen as a planning gain in that respect.

Following discussion by the Committee, it was moved by Councillor Bray, seconded by Councillor Alexander and:-

RESOLVED that, contrary to the Officer's recommendation of approval, the Assistant Director (Planning) (or equivalent authorised officer) be authorised to refuse planning permission for the development due to the following reasons:-

“New development should be compatible with surrounding uses and minimise any adverse environmental impacts including avoiding a materially damaging impact on the amenities of occupiers of nearby properties by reason of unacceptable levels of pollution including air, amenity, and health and safety through noise, smell, dust, light, vibration, fumes or other forms of pollution or nuisance.

In this case, it is considered that the construction and occupation of 80 residential dwellings via existing narrow residential streets (Stour Close and Clayton Road) will result in undue environmental impacts and accordingly is considered to be contrary to Policy QL11 (Environmental Impacts and Compatibility of Uses) of the adopted Tendring District Local Plan 2007 and Policies SPL3 (Sustainable Design) and DI1 (Infrastructure Delivery and Impact Mitigation) of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.”

110. (A.3) PLANNING APPLICATIONS – 20/01524/LBC & 20/01523/FUL - ALRESFORD HALL, FORD LANE, ALRESFORD CO7 8AY

It was reported that these planning applications had been referred to the Planning Committee by Councillor Scott on the grounds that, in his opinion, *“a full archaeological investigation scheme was not undertaken, the requirement of a justification for an increase in wall height, the need for new materials to be assessed by experts in the field of historic building restoration. For example, the type of lime mortar being considered and for samples provided of bricks that are to be used in any works, and mortar samples should be taken of completed works to ensure the lime/sand/mortar mix is acceptable.”*

Members were made aware that the applications sought retrospective planning permission and retrospective listed building consent for a swimming pool in the south walled gardens, repair to part of a wall that had been storm damaged and a flight of steps.

The applications also sought planning permission and listed building consent to repair and raise the east garden wall, reinstate the original and new gates to the existing openings in the garden, and build a small section of wall to infill next to the shed to be able to install a gate.

Officers acknowledged that it was regrettable that some works had been completed which had not allowed the necessary archaeological investigations to take place. However, the applications presented a development that was, in their view, acceptable in terms of design, visual impact and heritage considerations and were therefore recommended for approval subject to the necessary planning conditions.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a **recommendation of approval**.

At the meeting, an oral presentation was made by the Council’s Planning Manager in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting informing it that the applicants, through their agent, had confirmed that the spoil material from the swimming pool was available within the grounds of Alresford Hall on land that was part of the old Nursery. As the spoil was still available Officers proposed that an

archaeological investigation of the material should take place which would confirm or deny if there was anything of interest and would allow the processing and recording of any finds. Should the Committee accept the Officers' recommendation of approval it was proposed to add a further planning condition securing that archaeological investigation.

Councillor Scott, a local Ward Member, addressed the Committee on these applications.

Will Marsden, the applicant, spoke in support of the applications.

Following discussion by the Committee, it was moved by Councillor Bray, seconded by Councillor Harris and unanimously:-

RESOLVED that the Assistant Director (Planning) (or equivalent authorised officer) be authorised to grant planning permission and listed building consent for the development, subject to the following conditions (and reasons):-

Application - 20/01523/FUL

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed east garden wall works revision 2.2 received 10th February 2021;
Drawing titled 'gate design for opening between tennis court lawn and pool garden';
Drawing titled 'Gate design for opening between main lawn and tennis court - left hand gate';
Photo titled 'Gate design for the wooden gate to be located in the existing opening in the north east corner of the walled garden';
Drawing titled 'Gate design for opening between main lawn and tennis court - right hand gate'; and
Drawing titled 'The proposed view of the gates for the gap between the shed and the repaired wall'.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to relaying and replacing the bricks on the east wall and prior to laying the bricks to infill the section next to the shed the following shall be submitted to and approved in writing by the Local Planning Authority:

A sample of the red brick proposed; and
Details of the mortar mix, profile and finish.

Reason - To ensure that special regard is paid to the architectural interest and integrity of the walls surrounding the garden.

- 4 Within 3 months of the date of this decision or prior to the reuse of the spoil material excavated from the swimming pool if this is sooner, an archaeological investigation of the spoil material shall be completed. Following completion of the archaeological investigation, the applicant will submit to the local planning authority a post-investigation 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-investigation analysis, preparation of a site archive and report ready for deposition at the local museum, and submission of a publication report. A professional archaeologist or team of archaeologists should undertake the archaeological work. A brief outlining the level of archaeological investigation will be issued by Essex County Council Place Services on request.

Reason - The Essex Historic Environment Record shows that the development is located within an area with potential for below ground archaeological deposits.

Application – 20/01524/LBC

- 1 The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed east garden wall works revision 2.2 received 10th February 2021;
Drawing titled 'gate design for opening between tennis court lawn and pool garden';
Drawing titled 'Gate design for opening between main lawn and tennis court - left hand gate';
Photo titled 'Gate design for the wooden gate to be located in the existing opening in the north east corner of the walled garden';
Drawing titled 'Gate design for opening between main lawn and tennis court - right hand gate'; and
Drawing titled 'The proposed view of the gates for the gap between the shed and the repaired wall'.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to relaying and replacing the bricks on the east wall and prior to laying the bricks to infill the section next to the shed the following shall be submitted to and approved in writing by the Local Planning Authority:

A sample of the red brick proposed; and
Details of the mortar mix, profile and finish.

Reason - To ensure that special regard is paid to the architectural interest and integrity of the walls surrounding the garden.

- 4 Within 3 months of the date of this decision or prior to the reuse of the spoil material excavated from the swimming pool if this is sooner, an archaeological investigation of the spoil material shall be completed. Following completion of the archaeological investigation, the applicant will submit to the local planning authority a post-investigation 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-investigation analysis, preparation of a site archive and report ready for deposition at the local museum, and submission of a publication report. A professional archaeologist or team of archaeologists should undertake the archaeological work. A brief outlining the level of archaeological investigation will be issued by Essex County Council Place Services on request.

Reason - The Essex Historic Environment Record shows that the development is located within an area with potential for below ground archaeological deposits.

111. (A.4) PLANNING APPLICATION - 20-01384-FUL - LAND SOUTH OF PRIMROSE HALL, PRIMROSE LANE, RAMSEY CO12 5NB

It was reported that this application had been referred to the Planning Committee at the discretion of the Assistant Director (Planning) due to the scale and size of the proposal.

The Committee was informed that this application proposed the placement of a ground-mounted solar farm including associated infrastructure, namely inverters, transformer, a DNO substation and grid connection. The farm would have an export capacity of 17.6 Mega Watts (MW).

Members were aware that there was a recognised need and support for renewable energy technology through both National and Local planning policies and that this development would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply from renewable sources.

The Committee was advised that the assessment of a renewable energy proposal required the impacts to be considered in the context of the strong, in principle, policy support given the Government's conclusion that there was a pressing need to deliver renewable energy generation. In this case, there was felt to be no adverse impact on heritage assets, ecology, residential amenity, highway safety or flood risk. There was also an opportunity to improve biodiversity.

The landscape impact was considered by Officers to be relatively local, contained mainly to the adjacent A120, Bowl Road and the Public Right of Way that crossed the site. This impact however was considered to be of moderate harm. The landscape mitigation would soften the impact but would not eliminate it. However, the localised impact on the area was not considered by Officers 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 was decommissioned by the planting mitigation retained. Therefore, although Officers had found moderate harm to the countryside, the localised extent of harm did not outweigh the national benefits derived from providing renewable energy.

Officers felt therefore that the proposal could be considered to be in accordance with saved policies EN1 and EN4 and emerging policy PPL 3 and represented an

appropriate form of development in the countryside. Therefore, the principle of the development in this location was considered acceptable.

In addition, the application was supported by saved policy EN13A and emerging policy PPL10 which advocated for new proposals for renewable energy developments in the District. The energy generated by the proposed development would contribute to supporting growth in the region, and the carbon emissions saved as a result of generating electricity from a renewable source, would help to tackle climate change and minimise resource use.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, any written representations received and a **recommendation of approval**.

At the meeting, an oral presentation was made by the Council's Planning Officer (ML) in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of an additional letter of objection.

Anthony Groombridge, a member of the public, spoke against the application.

Parish Councillor Robert Stephens, speaking on behalf of Wix Parish Council, addressed the Committee on this application and advocated that it should be refused.

Tom Pike, an agent acting on behalf of the applicant, spoke in support of the application.

During the Committee's debate on this application, Members discussed and asked questions on the following matters:-

Matters raised by a Committee Member:-	Officer's response thereto:-
Will the Public Rights of Way across the site remain?	Yes – they will remain open and in place at all times though the visual aspect from those footpaths will change.
How many tonnes of carbon will be removed as a result of this application?	143,000 tonnes over the lifetime of the solar farm according to the applicant's calculations.
Does TDC have a Strategic Plan for Renewable Energy generation within the District?	No – sites are developer-led in accordance with the NPPF and are assessed by TDC Officers on their individual merits.
Is this site designated as a safeguarded green space?	No.
Is there anyway of checking the carbon capture savings? Is there a formula for this? There could be a benefit to nature if the land is no longer used as farmland?	No – but these figures were provided by a specialist company. Yes – there could be biodiversity gain from the planting of trees, hedgerows and wild flowers on this site.

Following discussion by the Committee, it was moved by Councillor Alexander, seconded by Councillor Harris and unanimously:-

RESOLVED that the Assistant Director (Planning) (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following conditions (and reasons):-

1. The development hereby permitted shall begin no later than three years from the date of this decision. Written notification of the date of commencement of the development hereby permitted shall be given to the Local Planning Authority no later than 14 days after the event.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans being drawing nos. titled:

- REN669-CEPH-SL001 B – Solar Farm Layout
- CE-PHSF-SD001 0 – Solar Panel Section
- CE-PHSF-ED001 1 – Solar Panel Elevation
- 5033-1 A – Tubular Fixed Pole Elevation
- Inverter Top and Side Elevations
- Inverter Section Elevations
- Inverter Floor Plans
- Inverter Elevations
- Tubular Fixed Pole Specification Sheet

Reason - For the avoidance of doubt and in the interests of proper planning.

3. Development, aside from enabling works, shall not begin until a Decommissioning Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include the timing for decommissioning of all, or part of the solar farm if it ceases to be operational, along with the measures, and a timetable for their completion, to secure the removal of panels, plant, fencing, equipment and landscaping initially required to mitigate the landscape and visual impacts of the development. Decommissioning shall be carried out in accordance with the approved Decommissioning Method Statement.

Reason - In the interests of the amenity of the area.

4. No development, aside from enabling works, shall take place until a scheme for landscaping, including a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of additional and supplemental planting, including an on-going management plan to ensure maintenance of any approved landscaping. The landscaping scheme shall be implemented in accordance with the approved details within the first planting season following the completion of the development hereby permitted, and shall be maintained during the first 5-years of the development, with the replacement of any trees or plants which die, are removed or become seriously damaged or diseased, in the first available planting season with others of similar size and species.

Reason - To ensure the provision of amenity afforded by appropriate landscape design.

5. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in chapter 6 of the Ecological Impact Assessment (Gray Ecology, Sept 2020, updated Nov 2020), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason - To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

6. A wintering and breeding farmland bird mitigation and monitoring strategy must be submitted to and approved in writing by the Local Planning Authority prior to the completion of the development, and the strategy must provide details of the measures that will be implemented if the surveys identify a decline in bird population numbers.

The Farmland Bird Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed measures
- b) Detailed Methodology for measures to be delivered
- c) Location of the proposed measures by appropriate maps and/or plans
- d) Mechanism for implementation & Monitoring of delivery

The Farmland Bird Mitigation Strategy shall be implemented in the first nesting season following completion of the development and in accordance with the approved details, or any amendment as may be approved in writing pursuant to this condition, and all features shall be delivered for a minimum period of 10 years.

Reason - To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

7. A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within Chapter 7 of the Ecological Impact Assessment (Gray Ecology, Sept. 2020, up-dated Nov. 2020), shall be submitted to and approved in writing by the local planning authority prior to the completion of the development. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason - To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

8. There shall be no installation of external lighting during the operational phase of the development except in full accordance with a scheme that has been approved in writing by the Local Planning Authority.

Reason - To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

9. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to completion of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

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

Reason - To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

10. No works except enabling works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. There should be a minimum of a 1m gap between the highest annual ground water level and the base of any infiltrating feature. All point infiltration features should maintain a 5m distance from any structure foundations.
- Ensuring that discharge rates and volumes are not increased as a result of the application for all storm events up to and including the 1 in 100-year rate plus 40% allowance for climate change.
- Detailed information regarding the mitigation of the risk channels being created by the solar arrays.

- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Reasons:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

11. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason - The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoil during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

12. Prior to completion of the development a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason - To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

13. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason - To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

14. The development hereby permitted shall not be commenced until such time as a soil management plan has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason - Soil compaction and the creation of channels can cause increased run-off rates and volumes from the site. Therefore a soil management plan should show how this will be mitigated against. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

15. No construction or decommissioning works shall take place except between the following hours: 0800 to 1800 Monday to Friday, and 0800 to 1300 Saturday. No construction or decommissioning works shall take place at any time on Sunday or a Bank Holiday.

Reason - In the interests of local amenity.

16. The planning permission hereby granted is for a period from the date of this decision until the date occurring 30 years after the date the development is first operational commences, when the use shall cease and the solar panels and all ancillary equipment and landscaping initially required to mitigate the landscape and visual impacts of the development shall be removed from the site in accordance with the Decommissioning Method Statement approved pursuant to Condition 3.

Reason - To ensure that the landscape impact of the development exists only for the lifetime of the development.

17. All ancillary equipment, including substations and inverter/transformer stations, shall be painted a non-obtrusive colour in accordance with details to be agreed in writing with the Local Planning Authority before implementation of the ancillary equipment. The development shall be carried out in accordance with the approved details.

Reason - In the interests of the amenity of the area.

18. 12 months prior to the expiry of the planning permission, a site restoration scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme of works to remove the solar panels and related equipment, and shall be fully implemented within 12 months of the expiry of this permission.

Reason - In the interests of the amenity of the area.

19. If the solar farm ceases to export electricity to the grid for a continuous period of 12 months then a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months from the end of the 12 month period for the removal of the solar farm and associated equipment and the restoration of (that part of) the site to agricultural use. The approved scheme of restoration shall then be fully implemented within 6 months of that written approval being given.

Reason - In order to ensure that the solar park fulfils its required purpose or is removed from the land in the interests of rural visual amenity.

20. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in above.

The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This 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.

Reason - Evidence from the HER in the surrounding area shows there is, however, potential for survival of previously unrecorded archaeological remains dating to the prehistoric and Roman periods and Medieval to post-medieval agricultural features. This condition is therefore being applied in line with the National Planning Policy Framework to ensure the appropriate protection of the potential heritage assets impacted by the development.

21. Within 18 months of the date of this planning permission the developer shall have submitted and received written approval from the local planning authority (in consultation with Highways England) of the following design details relating to the required improvements to the A120 site access and the scheme shown in outline on SLS drawing number SLS 376.1/20/002 rev2. Scheme details shall include drawings and Documents showing as applicable:

i. How the improvement interfaces with the existing highway alignment and carriageway markings.

- ii. Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis.
- iii. Full Signing/lighting.
- iv. Confirmation of compliance with Departmental standards (DMRB) and policies (or approved relaxations/departures from standards).
- v. Evidence that the scheme is fully deliverable within land in the control of either the applicant or the Highway Authority.
- vi. An independent Stage 2 Road Safety Audit (taking account of and stage 1 Road Safety Audit recommendations carried out in accordance with Departmental Standards (DMRB) and Advice Notes.

The above scheme approved by the Local Planning Authority shall be implemented and completed to the satisfaction of the Local Planning Authority in consultation with the Highways Authorities and NO construction of the main development shall take place unless and until the junction improvements shown in outline on SLS drawing number SLS 376.1/20/002 rev2 have been delivered and are fully open to traffic.

Reason – In the interests of highway safety.

22. Prior to the commencement of development a vehicular turning facility for service and delivery vehicles, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

23. No works whatsoever shall commence until such time as a Construction and Traffic Management Plan is approved in writing by the Local Planning Authority. The approved plan shall be adhered to at all times during all ground works, construction and decommissioning traffic throughout the pre-construction, construction and decommissioning phases.

Reason - To ensure that the adjoining highway is not obstructed by construction activity, in the interests of highway safety.

24. No development shall take place, including any enabling works, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities
 - v. swept path analysis for construction vehicles for key junction(s)

Reason - To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety.

25. No development shall take place until a Construction Traffic Routing Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved plan shall be adhered at all times during all ground works, construction and decommissioning traffic throughout the pre-construction, construction and decommissioning phases.

Reason - To ensure that the adjoining highway is not obstructed by construction activity, in the interests of highway safety.

26. Prior to the commencement of any work on the site a joint inspection of the local road (Bowl Road) to be used by construction vehicles should be carried out by the applicant and the Highway Authority, to include photographic evidence. The route should then be inspected again, after completion of the development, and any damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at no cost to the Highway Authority.

Reason - To preserve the integrity and fabric of the highway, in the interests of highway safety.

27. The public's rights and ease of passage over public footpath no. 18_183 (Wix) shall be maintained free and unobstructed at all times, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure the continued safe passage of the public on the definitive right of way and accessibility.

28. Following the completion of construction works the site compound areas shall be restored in full accordance with an approved Site Compound Restoration Scheme. This scheme shall be submitted 4 months prior to the completion of construction works and approved in writing by the Local Planning Authority.

Reason – To ensure the compound areas are sympathetically restored in the interests of visual and residential amenity.

The meeting was declared closed at 9.20 pm

Chairman