

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ML	04/04/2023
Planning Manager / Team Leader authorisation:	AN	04/04/23
Planning Technician final checks and despatch:	CC	05.04.2023

Application: 22/01643/VOC **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr Sam Dix - Low Carbon Solar Park 26 Limited

Address: Land South of Primrose Hall Primrose Lane Ramsey

Development: Application under Section 73 of the Town and Country Planning Act, to allow a variation of conditions 2 (approved plans) and 21 (site access details) of 20/01384/FUL to enable the improvement of site access at both construction and operation.

1. Town / Parish Council

No comments received

2. Consultation Responses

ECC Highways Dept

The information submitted with the application has been assessed by the Highway Authority and conclusions reached based on a desktop study in conjunction with a site visit. It is noted that the variation is associated with the approved plans and amendments to the site access for construction vehicles. Bowl Road will now be used for as a temporary construction access; the road provides access to specific premises only; it does not provide a through route connecting to any other part of the road network aside from A120 Harwich Road. The revised proposal will see the introduction of a separate construction entrance and exit being provided on the northern side of Bowl Road. During the construction phase, the traffic generation is anticipated to be, two heavy goods vehicles per week over 36-week period and two to three light goods vehicles (LGV) per hour; the construction LGV flows of two to three per hour, indicates that Bowl Road will have a peak hour flow of less than 10 vehicles when the construction traffic included. It is noted that all heavy goods vehicles movements will operate on a booking system with specific time slots to minimise disruption and potential build-up of vehicles, considering these factors:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. Prior to occupation of the site, the road junction / access at its centre line shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 58 metres in both directions, as measured from and along the

nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

2. No works whatsoever shall commence until such time as the Construction and Traffic Management Plan as detailed in the supporting Documents is approved in writing by the Local Planning Authority which shall be adhered to by 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 and in accordance with Policy DM 1.

3. No development shall take place, including any ground works or demolition, 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. banksman for exiting construction traffic leaving site
- vi. temporary road works entrance and exit/ construction traffic signage drawing

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and Policy DM1.

4. 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 which shall be adhered to by 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 and in accordance with Policy DM1.

5. 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 and in accordance with Policy DM1.

6. The public's rights and ease of passage over public footpath no. 18_183 (Wix) shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11.

7. Prior to the first use of any external solar panel within the development site, shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that users of the highway are not subjected to glare and dazzle from within the development in the interest of highway safety and in accordance with Policy DM1.

Environmental Protection
10.11.2022

I have reviewed the above application and have no adverse comment to make.

Highways England
25.03.2023

Referring to the consultation on a planning application dated 26 October 2022, referenced above, in the vicinity of the A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

a) offer no objection (see reasons at Annex A);

~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~

~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~

~~d) recommend that the application be refused (see reasons at Annex A) Highways Act 1980 Section 175B is/is not relevant to this application.~~

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction

2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningEE@nationalhighways.co.uk

Annex A National Highway's assessment of the proposed

development National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have reviewed the submitted supporting documents, for this current (variation of conditions) application. After our previous response (dated 16 November 2022), the consulting agent has submitted a transport technical note (dated 05 January 2023). We have completed our review and are content the development will not result in a severe impact upon the SRN.

3. Planning History

20/01186/EIASCR	EIA screening opinion for proposed 20MW Solar Park to power over 6000 homes by a renewable generation plant.	EIA Not Required	22.09.2020
20/01384/FUL	Placement of a ground-mounted solar farm including associated infrastructure, namely inverters, transformer, a DNO substation and grid connection.	Approved	19.03.2021
22/01643/VOC	Application under Section 73 of the Town and Country Planning Act, to allow a variation of conditions 2 (approved plans) and 21 (site access details) of 20/01384/FUL to enable the improvement of site access at both construction and operation.	Current	

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP6 Infrastructure and Connectivity

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth

SPL3 Sustainable Design

HP3 Green Infrastructure

PP13 The Rural Economy

PPL1 Development and Flood Risk

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL7 Archaeology

PPL9 Listed Buildings

PPL10 Renewable Energy Generation

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

DI1 Infrastructure Delivery and Impact Mitigation

Local Planning Guidance

Tendring Landscape Character Assessment

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site (the site) covers an area of approximately 28.5 hectares (70.5 acres) and is located south of Primrose Hall and northwest of the A120 (Harwich Road/Wix By-pass). The site is located northeast of the village of Wix and south west of Ramsey. The land is agricultural in nature.

The site benefits from a planning permission which granted the placement of a ground-mounted solar farm including associated infrastructure, namely inverters, transformer, a District Network Operator (DNO) substation and grid connection at the site. This permission was originally granted in 2021 (under ref. 20/01384/FUL).

Proposal

This S73 application seeks planning permission to vary conditions 2 (approved plans) and 21 (site access details) of 20/01384/FUL to enable the improvement of site access at both construction and operation phases.

In this respect the application seeks permission to alter the approved site access for construction and operation to rely solely on an access from Bowl Road rather than the A120, including improvements and reconfigurations to facilitate access by HGVs and remove the approved alterations to the A120 access. This has been done in the interest of improving highway operation and road safety.

Furthermore, to reduce the impact upon nearby residents a 'one way' system is proposed for construction traffic with the southernmost Bowl Road access being used for ingress only and a northern egress track being proposed.

The application also seeks to make subsequent and necessary changes to the site layout and location of associated infrastructure to ensure the feasibility of the new access arrangements and to represent the most appropriate final design for the proposals.

Impact of Changes

Highway Safety

The proposed changes to the Bowl Road access arrangements will include alterations and improvements to facilitate HGV access and egress into the site. This would include widening of the access points/tracks and improvements to the visibility splays to allow for safe access and egress of 16.5m articulated lorries and HGVs.

Given that the A120 access is no longer required for construction and operational purposes, this application also seeks to remove/rescind the approved alterations to the access point, which includes the alterations to enable HGV access and egress from the site, remove approved internal maintenance tracks leading from the A120 into the site and reconfigure the site layout. As a result, the requirement under Condition 21 for the submission of A120 access design details are no longer needed or required.

Due to the location of the site directly adjacent to the A120, National Highways have been consulted. They have provided the following comments;

We have reviewed the submitted supporting documents, for this current (variation of conditions) application. After our previous response (dated 16 November 2022), the consulting agent has submitted a transport technical note (dated 05 January 2023). We have completed our review and are content the development will not result in a severe impact upon the SRN.

Essex County Council Highways have also reviewed the submitted details and have, following the submission of plans showing visibility splays for the exit access onto Bowl Road, they have provided the following response;

It is noted that the variation is associated with the approved plans and amendments to the site access for construction vehicles. Bowl Road will now be used for as a temporary construction access; the road provides access to specific premises only; it does not provide a through route connecting to any other part of the road network aside from A120 Harwich Road. The revised proposal will see the introduction of a separate construction entrance and exit being provided on the northern side of Bowl Road. During the construction phase, the traffic generation is anticipated to be, two heavy goods vehicles per week over 36-week period and two to three light goods

vehicles (LGV) per hour; the construction LGV flows of two to three per hour, indicates that Bowl Road will have a peak hour flow of less than 10 vehicles when the construction traffic included. It is noted that all heavy goods vehicles movements will operate on a booking system with specific time slots to minimise disruption and potential build-up of vehicles, considering these factors from a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority.

The conditions recommended by ECC-Highways are consistent with those that they requested as part of the original application. These conditions will be re-applied with the inclusion of a condition securing the visibility splays for the proposed construction traffic exit.

In terms of PRowS, the new site layout would alter the location of the approved maintenance track which crosses the Public Right of Way (PRow) no. 18_183 (Wix) which runs north-south in the western part of the site but would not alter the number of crossings. It is considered that Condition 27 of the decision notice adequately addresses any impacts arising from the proposed changes and ECC raise no concerns in this respect.

Residential Amenities

The originally submitted plans showed the construction access point on Bowl Road being located opposite a residential property known as 'Wickham Lodge'. Due to concerns being raised by officers in respect of the impact upon resident's amenity, revised plans have been received following discussions with the developer. The revised plans show the construction access point being located approximately 290 metres to the south-west of 'Wickham Lodge' and the egress point located opposite an existing commercial depot and approximately 65 metres to the north-east of an existing property known as 'Lane Farm'. Therefore, due to the degree of separation of the access points and the nearest residential properties along with the relatively short time period of the construction phase, the impacts upon local residents in terms of noise, disturbance and vibrations are considered to be acceptable.

The Council's Environmental Protection Team concur with this stance and provide no objections.

Conditions

The relevant conditions have been updated and removed where necessary. The development has not commenced so the time limit condition has been varied to reflect this. All other conditions imposed on the original permission have been re-applied.

No legal agreement was required as part of the original planning permission and that remains the case.

Other Considerations

No comments from the Parish Councils have been received.

Several letters of representation were received prior to the submission of amended plans showing an alternative access point and the implementation of a 'one system' for construction traffic onto Bowl Lane.

The representations outlined the following concerns;

- New site entrance, directly opposite a residential property, would lead to an unacceptable impact on the level of peace and tranquillity and reduce the occupier's quality of life.
- Noise, vibration and pollution generated from deliveries and vehicles would cause a great deal of disturbance.
- A120 should remain the site access point for construction traffic.
- Access further down Bowl Road would be more amenable as near commercial depot.
- The noise and sounds from vehicles unloading along with the fumes from diesel vehicles will be intolerable.

- The amendment proposed will result in a significant increase in traffic on Bowl Road that will place unnecessary pressure on this part of the highway network. The proposed intensification of the use of this access and local highway network will lead to a greater conflict for all road users, thus increasing the risk for accidents and potential harm for all road users.

The application was also the subject of a 'call-in' by the local member (Cllr Bush). However, following the submission of revised plans to relocate the construction access and a re-consultation, Cllr Bush removed his 'call-in' request and no further representations have been received.

6. Recommendation

Approval

7. Conditions

- 1 The development hereby permitted shall be begun before the 19th March 2024.

Reason - To comply with the requirements of Section 73 and 91 of the Town and Country Planning Act 1990 as amended by Section 51 of 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;

- LCS130-SP-01 rev.01 - Site Location Plan
- LCS130-PLE-01 rev.06 - External Site Layout Plan
- 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
- 10 A01 Visibility Splays Plan

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, updated 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(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The 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 topsoils 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 postmedieval 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 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.

- 22 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 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.

- 23 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. banksman for exiting construction traffic leaving site
- vi. temporary road works entrance and exit/ construction traffic signage drawing

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

- 24 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.

- 25 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.

- 26 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.

- 27 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.

- 28 Prior to the first use of the proposed construction exit junction onto Bowl Road, at its centre line the junction shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 58 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall retained free of any obstruction at all times.

Reason - To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety.

8. **Informatives**

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informative:

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no.18_183 (Wix) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is collaborating with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
---	-----	-----------

Are there any third parties to be informed of the decision? If so, please specify:	YES	NO