

MAIN CASE

Proposal: The installation of a 27.2 MW Solar Farm and associated infrastructure.

Location: Land Off Heath Road Burwell Cambridgeshire

Applicant: Daisy No 1 Ltd

Agent: Richard Pike Associates

Reference No: 13/00878/ESF

Case Officer: Penelope Mills

Parish: Burwell
Ward: Burwell
Ward Councillor/s: Councillor Hazel Williams
Councillor David Brown
Councillor Lavinia Edwards

Date Received: 22 October 2013 Expiry Date: 11 February 2014

[N211]**2.1 EXECUTIVE SUMMARY**

- 1.1 The application seeks full planning permission for the construction of a solar farm capable of generating up to 27.2 MW of electricity, on land forming part of the Exning Estate. The application site covers an area of 61.6 hectares and is located to the north west of Newmarket, south west of Exning and south east of Burwell.
- 1.2 It is accompanied by an Environmental Statement which describes the proposal and provides an assessment of the likely significant environmental effects that may arise from the construction and operation of the facility. This proposal is of a significant scale, for a form of development that could be of wider public interest, and as such it has been brought before the Planning Committee for determination.
- 1.3 The main issues for consideration are:
- The principle of development in the countryside and the policy issues surrounding renewable energy development;
 - The impact on visual amenity and the character of the countryside;
 - The impact on residential amenity;
 - The impact on nearby heritage assets;
 - The impact on ecology and biodiversity;

- The possible loss of agricultural land;
- Highways issues; and
- Flood risk, pollution control and drainage issues.

1.4 A renewable energy development of this scale will make an important contribution to the Government's aim of reducing carbon dioxide emissions, and Local and National Policy are supportive of such schemes. It is considered that a countryside location is appropriate for this proposal and the temporary loss of agricultural land involved is acceptable. The adverse effects in relation to visual amenity and the setting of the heritage asset devil's Dyke, would be successfully mitigated through landscaping and any residual harm would not outweigh the wider public benefits associated with renewable energy development. There would be no adverse effects on residential amenity, highway safety, floodrisk and drainage or protected species and the proposal would result in biodiversity enhancements, through landscaping and a management regime that would encourage a wider range of flora and fauna to the site. The application is recommended for Approval, subject to the conditions attached to this report.

1.5 **A Site visit has been arranged for 11.05, prior to the Planning Committee meeting.**

2.0 THE APPLICATION

2.1 The application seeks planning approval for the construction of a solar energy farm generating up to 27.2MW of electricity, which will be supplied directly into the local electricity network for a period of 25 years.

2.2 The development comprises the installation of approximately 108,790 photovoltaic (PV) panels laid out in arrays of rows running from east to west across the application site. The panels will form two large groups, separated by an existing tree belt, which runs across the site. Each panel measures approximately 1636 x 990mm, and will be arranged in pairs. The actual height of the panels will vary across the site from 2.2 – 3m depending on site levels and ground conditions. None of the panels will exceed 3 metres above ground level.

2.3 The development includes the installation of 17 inverter and transformer stations, each of which will comprise a switch room with ancillary structures. These will be located centrally through each of the two main blocks of panels. A single sub-station is also proposed in the northwest corner of the site. The site will be enclosed with a 2.05m high mesh security fence coloured green, with 18 CCTV cameras located at points around the boundary, mounted on poles, with a maximum height of 4 metres. No floodlighting is proposed as the cameras will detect movement and will have night vision capability.

2.4 The site will have a single access point from Heath Road in the south western corner.

2.5 The planning application is supported by a number of plans and reports:

- Site Location Plan (drawing no. D1-1010)
- Site Access Arrangements (drawing no. SK-100)
- Site Access Strategy (drawing no. 131303-02 revP3)
- PV Plant Layout (drawing no. 13.09-EXUK-Z001)
- PV Tables (drawing no. 13.07-NWUK-Z011)
- Elevations DNO Switch Room and Ancillary Structures (drawing no. 21)
- Fence Design (drawing no. 13-08-ZAUN-Z001)
- Landscape Masterplan (drawing no. Figure 7)
- Access Statement
- Extended Phase 1 Habitat Survey
- Archaeological Desk-Based Assessment
- Surface Water Drainage Assessment

2.6 The application is also accompanied by an Environmental Statement, as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

2.7 All of the above documents are available to view online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, on the application file.

2.8 Should it be approved, the application would require a S106 Agreement to secure the necessary off-site soft landscaping and highways works.

3.0 THE APPLICANT'S CASE

3.1 The applicant's case has been put forward in the Environmental Statement and the associated Non Technical Summary, both of which can be found on the planning file and can also viewed online via public access <http://pa.eastcambs.gov.uk/online-applications>.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located to the north of Heath Road, outside the settlement envelope for Burwell. The land is currently in agricultural production and the predominant surrounding land use is agricultural fields. The site does not fall within the development envelope of any settlement and is therefore designated as 'countryside'.

4.2 The site is dissected by an existing tree belt which runs north-south through the middle of the field. There are some existing trees and hedges around the site, to the north, east and south, but these do not provide a continuous screen around the application site. There are also two larger buildings adjacent to the southern of the development.

4.3 There are some scattered residential properties in relatively close proximity to the application site, although none share a common boundary with the development. The closest properties are located to the north of the site at Gravel Pit Farm, to the east of

the site at Harrington Stud along Lacy's Lane, and to the west and south on Heath Road.

- 4.4 There are no designated heritage assets within the site. However, Devil's Ditch, an Anglo-Saxon dyke, which is designated as a scheduled monument is located 700 metres to the west. The application site has also been identified as an area of high potential for prehistoric funerary remains.
- 4.5 The site is in close proximity to the Newmarket Heath and Devil's Dyke Sites of Special Scientific Interest (SSSI). The Devil's Dyke SSSI also forms part of the Devil's Dyke Special Area of Conservation (SAC). It is also identified as Flood Zone 1 of the Environment Agency's flood risk maps, meaning that it is an area at the lowest risk of sea or river flooding. In addition, there are two County Wildlife sites within 2 km of the site: Beacon Course Green Lane (CWS 7079) and July Course Grassland (CWS 7078/2).

5.0 PLANNING HISTORY

- 5.1 No relevant planning history

6.0 REPLIES TO CONSULTATIONS

6.1 Neighbours:

Site notice was posted and letters were sent to ten neighbouring properties. In addition an advertisement was placed in the Cambridge Evening News. One representation was received from No. 5 Heath Road, raising the following points:

- Concerns about the construction of the site and what access point will be used.

6.2 Ward Councillor – David Brown

Requested that the application is considered by the Planning Committee due to the scale of the proposal and in light of the emerging policy on renewables.

6.3 Parish Council

- No objection to the proposal, but have concerns over the access to the site during construction and when ongoing maintenance is being carried out.
- Access to the site either from Burwell or Exning Village will be via narrow roads, not particularly suitable for large construction vehicles.

6.4 Natural England

- No objection in relation to Statutory conservation sites – if undertaken in strict accordance with the details submitted it is not likely to have a significant effect on interest features for which Devil's Dyke SAC and SSSI and Newmarket Heath SSSI have been classified.
- The impact on protected species should be assessed in line with Natural England's Standing Advice, which is a material consideration in the determination of planning applications.
- The application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities

for bats or the installation of bird nesting boxes. The authority should consider securing measures to enhance the biodiversity.

- The application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment.
- Further information on solar parks can be found on Solar parks: maximising environmental benefits (TIN101).
- Impacts on locally designated sites should be considered before determining the application.

6.5 Wildlife Trust

- Ecological survey incorrectly states there are no non-statutory sites within 2km.
- Planning policy states that County Wildlife site must be considered during the planning process
- The desk-top study has not consulted the local Environmental Records Centre for information.
- Basic mitigation recommendations have been made for the site including a suggestion to seed the site with a native wildflower mix. Should permission be granted, an ecological management plan for the site should be produced, particularly if the site is to be re-seeded, as this will require management for the flowers to successfully establish.

6.6 Archaeology

- Initially raised concerns that the trenching strategy was too light given the archaeological potential of the site.
- Recommended a revised trenching and fieldwork strategy
- Following additional work they have confirmed they have no objection to the scheme proceeding, subject to an archaeological condition to ensure that no work will begin on site until the relevant mitigation strategy has been agreed.

6.7 English Heritage

- Recommended a programme of archaeological assessment be undertaken, to inform the suitability of the proposal and the development of an archaeological mitigation strategy.
- The development would cause some harm to the significance of designated heritage assets in the vicinity, in particular the setting and visual amenity of the Devil's Ditch scheduled monument. The harm could be reduced by landscape planting along the western edge of the solar farm, to screen the panels from views along the Devil's Ditch footpath.

6.8 Conservation Officer

- Raised some concerns over the lack of heritage statement and the limited detail on how the impact of the proposal on heritage assets has been considered and mitigated.

6.9 Environment Agency

- No objection in principle subject to conditions regarding contamination and monitoring of the surface water drainage regime of the site.

6.10 Swaffham Internal Drainage Board

- No objection

6.11 Environmental Health

- From the technical information provided it appears that the noise levels should be acceptable at the nearest properties. Sufficient information has been provided to alleviate earlier concerns regarding noise.
- Recommend a condition to limit the times of construction.

6.12 County Council Highways Officer

- No objection in principle to a solar farm in this location as, once built, it would generate very little traffic
- The development would generate a significant intensity of HCV movements during construction and dismantling. The width of Heath Road is inadequate for this type of traffic. Therefore, as a minimum, the carriageway should be widened to 6m to create sufficient passing places along the length of Heath Road such that drivers can see if the carriageway is clear between one passing place and the next one. A revised plan is required to show a suitable system of passing places.
- Conditions should be imposed on any consent to facilitate reinstatement should any damage to the verges or carriageway occur.
- The position of the site entrance does not accord with the position shown on the block plan. In any case, a revised layout is required at no less than 1:500 scale showing the proposed access width (7.3m), kerbed radii (15 on northwest side and 2m on southwest side), gating arrangements and visibility splays (2.4 x 215m both ways). An adequate access should be secured by condition.
- HWY16 applied to any consent in addition to condition for Construction Management Plan prior to commencement.

7.0 THE PLANNING POLICY CONTEXT

7.1 East Cambridgeshire Core Strategy 2009

CS1	Spatial Strategy
CS6	Environment
CS8	Access
S6	Transport impact
EN1	Landscape and settlement character
EN2	Design
EN3	Sustainable construction and energy efficiency
EN4	Renewable energy
EN5	Historic conservation
EN6	Biodiversity and geology
EN7	Flood risk
EN8	Pollution

7.2 Supplementary Planning Documents

DRAFT SUPPLEMENTARY PLANNING DOCUMENT ON RENEWABLE ENERGY DEVELOPMENT (COMMERCIAL SCALE)

7.3 East Cambridgeshire Local Plan Pre-submission version (February 2013)

- GROWTH 2 Locational strategy
- GROWTH 5 Presumption in favour of sustainable development
- ENV 1 Landscape and settlement character
- ENV 2 Design
- ENV 6 Renewable energy development
- ENV 7 Biodiversity and geology
- ENV 8 Flood risk
- ENV 9 Pollution
- ENV 12 Listed Buildings
- ENV 14 Sites of archaeological interest
- COM 7 Transport impact

8.0 CENTRAL GOVERNMENT POLICY

8.1 National Planning Policy Framework 2012 (NPPF)

- Core Planning Policies
- 7 Requiring good design
- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

9.0 PLANNING COMMENTS

- 9.1 The application site is approximately 61.6 hectares, with the PV array covering a significant proportion of the site. In view of the scale and nature of the development and the potential for it to have a significant effect on the landscape, in particular the setting and character of heritage assets, it was determined that Environmental Impact Assessment was required. An Environmental Statement has therefore been submitted with the application.
- 9.2 Both Local and National Planning Policy support the creation of renewable energy developments such as solar farms. The policy framework is such that local authorities should approve applications for renewable energy proposals unless there are material planning considerations that would outweigh public benefit associated with the development.
- 9.3 In considering this particular proposal the principle of renewable energy in this countryside location and the policy issues surrounding renewable development are discussed before going on to assess each of the relevant material considerations.

The principle of development in the countryside and the policy issues surrounding renewable energy development:

- 9.4 The application site is located outside the settlement of Burwell on land designated as countryside in the East Cambridgeshire Core Strategy 2009. Policy CS1 of the Core Strategy strictly controls new development in the countryside, restricting it to that which is essential to the efficient operation of local agricultural, horticulture, outdoor recreation and limited other uses specified within the Core Strategy.
- 9.5 Policy CS1 of the Core Strategy does not specifically identify renewable energy as a type of development that would be acceptable in countryside locations. However, policy GROWTH 2: LOCATIONAL STRATEGY, of the East Cambridgeshire Draft Local Plan (pre-submission version) highlights renewable energy development as one of the types of development which may be permitted as an exception to the usual strict control over development in the countryside.
- 9.6 Both policy EN4 of the Core Strategy and policy ENV6 of the draft Local Plan state that proposals for renewable energy development will be supported unless their wider environmental, social and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable.
- 9.7 In this case, the main material considerations which must be considered are: the impact on visual amenity and the character of the countryside; the impact on residential amenity; the impact on nearby heritage assets; the impact on ecology and biodiversity; the loss of agricultural land; highways issues; and, flood risk and drainage issues.

The impact on visual amenity and the character of the countryside:

- 9.8 The Environmental Statement includes a Landscape and Visual Impact Assessment, which examines the potential impacts on the surrounding countryside. The scope of this assessment includes the landscape of the site itself, the local and wider landscape character and changes to views that would result from the development.
- 9.9 The site itself consists of two arable fields separated by a substantial tree belt. There are other tree belts to the north, east and south, all of which would provide some screening of the proposed solar panels. However, the site is not fully bounded with vegetation and as such the landscape and Visual Impact Assessment concludes that there would be some impacts on views. In particular from the west, including from the elevated footpath running along Devil's Dyke, and from the immediate south, with more distant views of parts of the development also available from elevated points to the south of the site.
- 9.10 The Environmental Statement highlights significant effects from a residential property (No. 6 Heath Road); from an elevated point of Heath Road, being a Sustrans route with panoramic views adjacent the site; and from sections of the public footpath running along Devil's Dyke. In order to mitigate this impact soft landscaping is proposed, including off-site landscaping, which would be secured through a Section 106 Agreement. This landscaping would include tree and hedgerow planting in the vicinity of Nos. 5 and 6 Heath Road and gapping up and change of management of the roadside hedge to allow for growth and an increased overall height. The eastern

hedge would also be 'gapped up' and a new hedgerow would be planted to the southeast along Heath Road.

- 9.11 The assessment considers that the effects of the development in relation to wider landscape character would not be significant. The key landscape features, including the existing tree belts, would not be effected and the development would be fully reversible to arable land after 25 years. The proposed landscaping including 'gapping up' of hedges, described above will also help to reinforce landscape character.
- 9.12 Whilst some adverse effects have been identified in terms of visual amenity and views of the wider countryside, The Environmental Statement demonstrates how these can be sufficiently mitigated through soft landscaping and future management of that landscaping. As such, in terms of visual impact, it is considered that a solar farm could be accommodated within the site and the proposal and would meet the requirements of policies EN1 and EN2 of the Core Strategy.

The impact on residential amenity:

- 9.13 The land surrounding the application site is predominantly undeveloped. However there are some residential properties in relatively close proximity to the site: Dwellings to the west on Heath Road, the closest of which are No. 5 and No. 6; and Sheepyard cottages to the southeast on Heath Road.
- 9.14 The Environmental Health Officer has confirmed that the noise levels should be acceptable at the nearest residential properties to ensure that there would be no adverse effects on residential amenity.
- 9.15 One neighbour representation was received expressing concern over the location of the access to the site. The access for construction and decommissioning vehicles will be located in the southwest corner of the site and would therefore not be in close proximity to any residential dwellings. A condition restricting the hours of construction would also be applied to any consent to further protect neighbouring residential amenity.
- 9.16 Once up and running the solar farm would have no adverse impact on neighbouring residential amenity. No floodlighting would be used as security cameras would have night vision and there would be very little additional traffic generated by the development during its operational phase. The application is therefore considered to be acceptable in terms of the impacts on residential amenity and complies with policy EN2 of the Core Strategy.

The impact on nearby heritage assets and archaeology:

- 9.17 Policy EN5 of the Core Strategy aims to ensure that development proposals do not have an adverse impact on the historic environment. There are a number of heritage assets in the surrounding area that have the potential to be affected by the proposal. The main heritage asset affected is Devil's Dyke, although a number of other listed buildings and conservation areas in the wider landscape are also identified within the

application. The other issue identified is the potential archaeological remains within the site.

- 9.18 The Devil's Ditch, an Anglo Saxon dyke, which is designated as a scheduled monument, is located approximately 700 metres to the west of the proposed development. The dyke is also a footpath and its visual amenity has been enhanced over the years through an ongoing programme of sympathetic management.
- 9.19 English Heritage has commented on the application, and has raised concerns that the development would cause some harm to the significance of this designated asset. This is also recognised in the Environmental Statement, within the Landscape and Visual Impact Assessment. This highlights the potential adverse effect on views from the Dyke. However, English Heritage considers that this harm could be reduced by additional vegetation screening along the south-western boundary of the solar array.
- 9.20 Both the NPPF and Local Planning policy seek the conservation of heritage assets. However, in all cases the potential harm of any development should be weighed up against the public benefits of the proposal. The NPPF states that local authorities should recognise the valuable contribution that even small-scale projects have to cutting greenhouse gas emissions, and it is in this context that the potential harm to Devil's Dyke must be viewed.
- 9.21 In this case, the potential harm both to the nearby monument and other heritage assets in the surrounding landscape, would be mitigated by a programme of landscaping, secured through condition and S106 agreement. This will, over time, reduce the impact on nearby assets and will have a positive impact on local landscape character in the long term. The development itself will also be reversible and it is intended that after a period of 25 years, the panels will be removed and the land fully reinstated. In this context it is considered that the potential harm would not outweigh the wider public benefit and as such the proposal is considered to be acceptable in terms of the impacts on heritage assets.
- 9.22 The site has also been identified as having high archaeological potential and as such additional work was carried out to ensure that the potential archaeological remains would be properly accounted for. The Cambridgeshire County Historic Environment Team has been involved in the additional field evaluation that has taken place and has confirmed that they have no objection to the scheme proceeding.
- 9.23 During the field work two archaeological monuments were found within the site. It is therefore recommended that an archaeological condition be attached to any planning consent to ensure that impacts to the buried archaeological remains are avoided and that the prehistoric burial monuments are preserved for posterity.
- 9.24 With the use of appropriate mitigation and conditions, outlined above and detailed in the Environmental Statement and other Environmental Information, it is considered that the application is acceptable in terms of the impact of heritage assets and is in compliance with policy EN5 of the Core Strategy.

The impact on ecology and biodiversity:

- 9.25 Policies ES6 and EN6 of the Draft Local Plan and Core Strategy respectively, seek to ensure that the impact on wildlife is minimised and that opportunities for biodiversity enhancement are taken.
- 9.26 The application site is in close proximity to the Newmarket Heath and Devil's Dyke Sites of Special Scientific Interest (SSSI). The Devil's Dyke SSSI also forms part of the Devil's Dyke Special Area of Conservation (SAC). There are also two County Wildlife sites within 2 km of the site: Beacon Course Green Lane (CWS 7079) and July Course Grassland (CWS 7078/2).
- 9.27 Natural England has confirmed that they have no objection in terms of the Statutory designated sites and are satisfied that, provided the works are carried out in strict accordance with the information submitted in the Environmental Statement and supporting habitat assessment, there would be no adverse effect on the Devil's Dyke SAC. They have also confirmed that there would be no adverse effects on the Devil's Dyke and Newmarket Heath SSSI.
- 9.28 In terms of the impact on the County Wildlife sites, the local planning authority is satisfied that the proposal would have no adverse effects on these sites, which are specifically recognised for the grassland habitat they provide.
- 9.29 An extended phase 1 habitat assessment has been submitted in addition to the information contained within the Environmental Statement. This identifies the habitat types present and establishes the likely presence or absence of protected species. The assessment concludes that there would be no impact on European protected reptiles, widespread reptiles, Great Crested Newts, Dormice, Badgers, Watervoles, Otters or Schedule 1 listed Birds. However, the assessment did find that there could potentially be an adverse effect on bats and nesting birds if the mature trees or hedgerows within the site were disturbed or removed.
- 9.30 The proposed development does not involve the removal of either of these habitats and the retention and protection of these features will be secured by condition. It is therefore considered that there would be no adverse effect from the development on biodiversity or protected species.
- 9.31 This proposal provides an opportunity to improve the biodiversity of the land and incorporate features into the design which are beneficial to wildlife. Policy EN6 of the Core Strategy states that development proposals should maximise opportunities for creation, restoration, enhancement and connection of natural habitats, and this reflects national planning policy.
- 9.32 The applicant outlines a number of ecological enhancements including: the use of native species in planting schemes; the retention of existing hedgerows and additional planting within gaps; 10 metre margins adjacent to site boundaries to provide commuting and foraging corridors; avoiding using external lighting; and, seeding the areas underneath the solar installation with a wildflower mix suitable for the local area.
- 9.33 In addition, Natural England has suggested the use of roosting habitats for bats or bird nesting boxes. These features, along with the enhancements outlined above will be

secured through the use of a planning condition. An ecological management plan will also be required to ensure the future management of the site.

- 9.34 With the use of appropriate mitigation and conditions, outlined above and detailed in the Environmental Statement and other Environmental Information, it is considered that the application is acceptable in terms of the impact on ecology and biodiversity and is in compliance with policy EN6 of the Core Strategy.

The possible loss of agricultural land

- 9.35 The application site is currently in agricultural production as part of the Exning Estate. The National Agricultural Land Classification Map shows the area as comprising Grade 2 agricultural land. However, the maps are not sufficiently detailed to allow a field-by-field assessment, and that could only be achieved through detailed Agricultural Land Classification Survey.
- 9.36 There are no relevant Core Strategy or draft Local Plan policies relating to the loss of agricultural land. However, paragraph 112 of the NPPF states that *“where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in preference to that of a higher quality”*.
- 9.37 The proposed development does not result in the irreversible development of agricultural land and the development would be decommissioned at the end of 25 years. The installation of the panels would also have no adverse effect on the soil quality and potential future agricultural use of the land. It is therefore considered that the temporary loss of this land for intensive agricultural purposes would not outweigh the public benefit associated with renewable energy generation.

Highways issues

- 9.38 The operational phase of the solar farm would result in very few additional traffic movements to and from the site. However, there would be more significant traffic generation during the construction and decommissioning phases. Estimated to be a maximum of 8-9 HGV trips to/from the site per day over a 3 month period.
- 9.39 The Highways Officer has reviewed the proposals and has confirmed that the B1102 and the B1103 are classified roads, recognised as local HCV access roads and will not be adversely affected by the proposed development. However, Heath Road, is only used to access a small number of industrial units and its width is only 4 metres. This road width would not be suitable to accommodate the type of traffic movements associated with the development.
- 9.40 In order to address the concerns regarding the width of Heath Road and its suitability as an access for the proposed development, the applicant has provided details of passing places along its length, which would allow drivers to see if the carriageway is

clear between one passing place and the next. These improvements to the highway would be secured through a section 106 agreement.

- 9.41 The applicant has also provided details of the access arrangements in accordance with the requirements of the Highways Officer. As this access point involves crossing a small section of land outside of the redline site the provision of this access will be secured through the Section 106 Agreement.
- 9.42 In addition, in order to ensure that there is the minimum possible disruption to the public highway, details of the proposed parking, turning and loading/unloading of vehicles during the construction and decommissioning phases will be required by condition, as will a detailed construction management plan.
- 9.43 With the use of appropriate mitigation, conditions and legal agreements, outlined above and detailed in the Environmental Statement and other Environmental Information, it is considered that the application is acceptable in terms of the impact on the public highway and is in compliance with policies S6 and S7 of the Core Strategy.

Flood risk, drainage and pollution control

- 9.44 Policy EN7 of the Core Strategy seeks to ensure that proposals are not at risk of flooding and do not cause flood risk elsewhere. The application site is within Flood Zone 1 of the Environment Agency's Flood Risk Maps, and the Agency has confirmed that they have no objection to the proposed development, subject to the use of conditions relating to pollution control and monitoring of the surface water drainage regime.
- 9.45 The local planning authority is seeking clarification on the type of condition the Environment Agency wish to see in relation to surface water monitoring and members will be updated on this point at Planning Committee.
- 9.46 The proposal would raise no adverse effects in terms of flooding or pollution which could not be controlled by condition. The development is therefore considered to be acceptable in terms of the impacts on flood risk and drainage and complies with policy EN7 of the Core Strategy.

Environmental Impact Assessment (EIA)

- 9.47 The local planning authority 'screened' the proposal prior to the submission of an application and was of the opinion that it constituted EIA Development. The application is therefore accompanied by an Environmental Statement, as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
- 9.48 The Environmental Statement examines the key likely environmental effects of the development, in this case: the impact on landscape and visual amenity; the impacts on ecology and nature conservation; the impacts on cultural heritage; and, the impacts on access and highways issues. The statement also includes a description of the

development and the rationale for the selection of the site. The key findings of the Environmental Statement are set out in the Non-Technical Summary.

- 9.49 In addition to the Environmental Statement, further information in the form of reports and assessments, have been submitted to the local planning authority as requested by the consultees. This information, along with the Environmental Statement and consultation responses, forms the Environmental Information which must be considered when determining this application. It is considered that the information provided with the application is sufficient and meets the requirements of the EIA regulations.
- 9.50 The Environmental Information identifies significant impacts in relation to visual impact and the impact of cultural heritage, as discussed in this report. It also details the mitigation that is required to ameliorate these impacts and this can be secured through condition and legal agreement. In addition, lesser potential impacts are identified in relation to access, ecology and pollution control. Again, the details of how this will be mitigated have been provided and they would be secured alongside any consent.
- 9.51 The Local Planning Authority is satisfied that all of the relevant environmental information has been provided and fully considered in reaching its recommendation.

Summary

- 9.52 A renewable energy development of this scale will make an important contribution to the Government's aim of reducing carbon dioxide emissions, and Local and National Policy are therefore generally supportive of such schemes. It is considered that a countryside location is appropriate for this proposal and the temporary loss of agricultural involved is acceptable.
- 9.53 Having had regard to all of the Environmental Information, including the Environmental Statement, consultation responses and additional reports and assessments, it is considered that the adverse effects in relation to visual amenity and the setting of the heritage asset Devil's Dyke, would be successfully mitigated through landscaping and that any residual harm would not outweigh the wider public benefits associated with renewable energy development.
- 9.54 There would be no adverse effects on residential amenity, highway safety, floodrisk and drainage or protected species and the proposal would result in biodiversity enhancements, through landscaping and a management regime that would encourage a wider range of flora and fauna to the site. The application is recommended for Approval.

10.0 RECOMMENDATION:

Approval subject to the following conditions: -

- 1 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 2 The proposed solar panels shall be constructed and fixed to the ground in strict accordance with the design and assembly shown on drawing number 13-07-NWUK-Z011, and the panels shall be laid out in accordance with the submitted PV Plant Layout Plan No. 13-09-EXUK-Z001, subject to the following parameters:
 - Maximum panel height from ground level - 3m
 - Minimum distance from site boundary to fence - 5m
 - Minimum distance from fence to solar panels - 5m
 - Minimum distance between rows (measured panel to panel) - 5.5m
- 2 Reason: The proposed development has been deemed to be acceptable against the parameters set out above. To ensure that the development does not introduce any additional adverse effects in terms of its visual or ecological impact in accordance with policies EN1 and EN6 of the East Cambridgeshire Core Strategy 2009.
- 3 The approved boundary treatment shall be the 2.5m wire mesh panel fencing in green, shown on plan 13-08-ZAUN-Z001, and laid out in accordance with the details shown on the pv plant layout plan 13-09-EXUK-Z001. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order amending, revoking or re-enacting that Order) no additional boundary treatments shall be erected on the site .
- 3 Reason: To safeguard the character and appearance of the countryside, in accordance with policies CS1, EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 4 Prior to the commencement of the development full details of the materials to be used for the switch buildings and ancillary structures shall be submitted to the local planning authority and agreed in writing. The buildings shall be constructed in accordance with the details shown drawing number 21 and located in accordance with the details on the PV plant layout plan drawing no. 13-09-EXUK-Z001.
- 4 Reason: To safeguard the character and appearance of the countryside, in accordance with policies CS1, EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 5 No CCTV cameras shall be erected within the site (either freestanding or building-mounted) other than those expressly authorised within this application, shown on drawing nos. 13-09-EXUK-Z001 and 13-08-ZAUN-Z001.
- 5 Reason: To safeguard the character and appearance of the countryside, in accordance with policies CS1, EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 6 No lights shall be erected within the site (either freestanding or building-mounted) other than those expressly authorised within this application.

- 6 Reason: To safeguard the character and appearance of the countryside and the setting of the scheduled monument and to prevent potential adverse effects on protected species in accordance with policies CS1, EN1, EN2, EN5 and EN6 of the East Cambridgeshire Core Strategy 2009.
- 7 Notwithstanding the details shown on drawing no. Figure 7, no development shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include planting plans; a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and an implementation programme. The details shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 7 Reason: To assimilate the development into its surroundings, and safeguard the setting of the nearby scheduled monument, in accordance with policies EN1 and EN5 of the East Cambridgeshire Core Strategy 2009.
- 8 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2005 - Trees in relation to construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained within the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 8 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 9 Except as detailed on the approved plans, no trees shall be /pruned or removed/felled and no shrubs or hedges shall be removed without the prior written approval of the Local Planning Authority.
- 9 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area and prevent any harm to protected species, in accordance with policies EN1, EN2 and EN6 of the East Cambridgeshire Core Strategy 2009.
- 10 Prior to the commencement of the development an environmental management plan shall be submitted to the local planning authority and agreed in writing. The plan shall cover the entire lifespan of the development and identify who will be responsible for the ongoing management of the existing and newly created habitats. Once agreed the management of the site shall be undertaken in strict accordance with the details contained within the plan.

- 10 Reason: To conserve and enhance the habitats within the site, to improve biodiversity in accordance with policy EN6 of the East Cambridgeshire Core Strategy 2009.
- 11 The times of construction and deliveries during the construction and decommissioning phases of the development hereby approved shall be: 08:00 - 18:00 Monday - Friday and 08:00 - 13:00 on Saturdays. No work shall take place on Sundays or Bank Holidays.
- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009.
- 12 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy which has been submitted by the applicant and approved in writing by the local planning authority. This strategy will ensure that two prehistoric burial monuments, shown on the aerial photo received on 22nd January 2014, will not be subject to construction of any kind, or any other impacts in the development, use or maintenance of the land as a solar farm.
- 12 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy EN5 of the East Cambridgeshire Core Strategy 2009.
- 13 No development shall take place until full details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
- Parking, turning and loading/unloading of vehicles during the construction and decommissioning phases of the development.
- 13 Reason: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.
- 14 Prior to the commencement of development, a construction management plan shall be submitted to the local planning authority and agreed in writing. The construction decommissioning of the solar farm shall be managed and mitigated in accordance with the details contained in the agreed plan.
- 14 Reason: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.
- 15 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation

works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

- 15 Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 16 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 16 Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 17 Should the solar panels not be used for the production of energy for a period of six months, the panels, support structures and associated buildings and all associated electrical cabling above and below ground, shall be removed in their entirety and the land shall be restored to its former condition before accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.
- 17 Reason: To prevent the retention of development in the countryside that is not being used for its intended purpose in accordance with policy CS1 and EN1 of the Cambridgeshire Core Strategy 2009.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
13/00878/ESF Application File	Penelope Mills Room No. 011 The Grange Ely	Penelope Mills Senior Planning Officer 01353 665555 penny.mills@eastcambs.gov.uk

<http://pa.eastcambs.gov.uk/online-applications/>

Screening Opinion	Penelope Mills	Penelope Mills
-------------------	----------------	----------------

Draft Renewable
Energy SPD

Stewart Patience
The Grange
Ely

Stewart Patience
Forward Planning Officer
01353 665555

<http://www.eastcambs.gov.uk/meetings/development-transport-committee-14012013>

Core Strategy

<http://www.eastcambs.gov.uk/local-development-framework/adoption-core-strategy>

Draft Local Plan

<http://www.eastcambs.gov.uk/local-development-framework/east-cambridgeshire-local-plan>