
MAIN CASE

Reference No: 15/00723/ESF

Proposal: Installation and operation of a solar farm and associated infrastructure

Site Address: Goose Hall Farm Factory Road Burwell Cambridge CB25 0BN

Applicant: Lightsource SPV 115 Ltd

Case Officer: Penelope Mills Senior Planning Officer

Parish: Burwell

Ward: Burwell

Ward Councillor/s: Councillor David Brown
Councillor Lavinia Edwards
Councillor Michael Allan

Date Received: 3 July 2015

Expiry Date:

[Q100]

1.0 **RECOMMENDATION**

1.1 Members are requested to APPROVE the application subject to the recommended conditions summarised below. The conditions can be read in full on the attached appendix 1.

- 1) List of approved plans
- 2) Time limit for commencement
- 3) Time limit for development of 35 years and remove if no longer required
- 4) Notify local planning authority of commencement
- 5) Drainage strategy
- 6) Full landscaping details
- 7) Landscape maintenance
- 8) Noise limit
- 9) Construction and delivery times
- 10) Construction Management Plan
- 11) Site access details
- 12) Exclusion of use of Howlem Balk for access
- 13) Highway condition surveys and remediation
- 14) Archaeological Assessment
- 15) Methods of work/installation in areas of archaeological interest.
- 16) Ecological mitigation and measures
- 17) Biodiversity Management Plan.

- 18) No additional lights
- 19) No additional CCTV

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks permission for the installation and operation of an array of photovoltaic solar panels at Goosehall Farm, Burwell.
- 2.2 The solar panels would have an energy generation capacity of approximately 39.48 Megawatts (MW), which the Environmental Statement states is equivalent to the power requirements for 11,100 typical households per year. The energy generated would be fed directly into the local power grid network for use by the nearest points of demand.
- 2.3 The development is a temporary/medium term use with an operational life of approximately 30-35 years. After this time all equipment associated with the solar farm would be removed from the site, and minor remediation works undertaken.
- 2.4 The development comprises the following elements:
 - Solar panels, each measuring 1.959m x 0.995m x 0.05m, mounted on pile driven frames fixed at a 20° angle. The panels would have a maximum height of 3.049m above ground level with the lower end 800mm above to ground to allow for grazing.
 - 26 Inverters, which are housed in cabin like structures of 2.92 high x 4.42 long x 1.52m wide.
 - 13 Transformers, which are housed separately from the inverters in a green cabin measuring 2.8m high x 6m long x 2.5m wide.
 - 2 Switchgear substations.
 - A 2m high agricultural timber and wire fence around the perimeter of the site.
 - 45 Pole mounted security cameras (infrared technology requiring no lighting)
 - A composting toilet for Operations and Maintenance staff and for tours of the site by community groups and schools.
- 2.5 The area of ground covered by the rows of panels and associated infrastructure would be 32.73% of the total site area of 72.42 hectares. The remainder of the site will be planted with grass or other landscaping.
- 2.6 A planting plan is included with the application. The landscaping work will include the creation of new hedgerow and planting of trees around the site perimeter and the creation of a species rich grassland within the site, with areas of wildflower meadow and turtle dove mix.
- 2.7 The site would be accessed from Factory Road on the southern side of the site. Four possible routes are then proposed to link with the B1102 and on to the wider highway network. All access routes would involve accessing the site from Factory Road, option 1 would then involve heading north on North Street before taking Howlem Balk to the B1102, option 1a and 1b would use a temporary track running parallel to Howlem Balk (with option 1a then joining Howlem Balk before the B1102)

and option 2 would involve following North Street to the south then Silver Street and Toyse Lane before linking with the B1102.

- 2.8 The full planning application, plans and documents submitted by the Applicant can be viewed 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, in the application file.**

3.0 PLANNING HISTORY

- 3.1 Prior to the application being made, pre-application advice was sought and at this stage it was indicated that given the size of the proposal, an Environmental Statement would be likely to be required in support of any application.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site covers an area of land extending to 72.42 hectares, at Goosehall Farm on the northern side of Factory Road, just outside the village of Burwell.

- 4.2 The site, which is predominantly flat, comprises intensively farmed arable fields, bounded by a series of drainage ditches (both wet and dry, trees, scattered scrub and hedgerows. The site is approximately 725m from the Wicken Fen Ramsar and Site of Special Scientific Interest (SSSI) which is to the north west.

- 4.3 There are a number of large scale industrial buildings in the vicinity of the site including the National Grid electricity substation and connected overhead lines. There are also scattered dwellings, and to the west is a clay mineral extraction site known as the 'Cambridgeshire Tile and Brick Company' with associated operational buildings. Further to the west is the woodland area surrounding the Wicken Fen National Nature Reserve.

- 4.4 There is a small complex of existing building, in the centre of the site, which accessed from an existing track leading from Factory Road. These include a small barn, derelict cottages and associated outbuildings.

- 4.5 There are a number of Public Rights of Way within the immediate vicinity of the site, although none cross the site itself.

- 4.6 The application site lies within the Swaffham Internal Drainage Board and also lies within Flood Zones 1, 2 and 3 of the Environment Agency's Flood Risk Maps.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Summaries of the responses received from the consultees and set out below. The full responses are available on the Council's web site.

- 5.2 **Department for Communities and Local Government** – No comments to make.
- 5.3 **Burwell Parish Council** – No objection. Would like conditions included to ensure that following construction, any damage caused to the roads and verges is repaired to the standard required by the Local Highways Authority.
- 5.4 **Cambridgeshire County Highways** – No objection. Initially, concerns were raised regarding the level of information provided in the transport statement in relation to the following areas:
- Details of the existing nature of Factory Road and the cycle facilities provided as well as details of the existing speed limit.
 - Details of site access and the potential impact on rights of way
 - Greater detail on the nature of traffic currently using the network and the methodology used to assess speeds.
 - Greater evidence for the potential trip generation during construction and for staff once operational.
- Following the submission of additional information County Highways have confirmed they are satisfied with the information submitted. Conditions are recommended in relation to:
- Construction access arrangements
 - Exact nature and location of the routes to the site
 - Submission of a construction management plan.
- 5.5 **Cambridgeshire County Definitive Map Officer** – No objection, but the following point/concerns were raised.
- The main part of the solar farm does not have any Public Rights of Way impacts.
 - Public Footpath number 10 Burwell runs along First Drove, which is suggested as one of the site construction routes. This proposal will take large number of HGV movements to construct so we have a number of concerns, which should be addressed. This matter should be addressed in the full Construction Management Plan.
 - Clarification is sought as to how the applicant is going to guarantee safety of footpath users.
 - It is an offense to damage a Public Right of Way and Public Footpath No.10 must remain open and unobstructed at all times.
- 5.6 **Cambridgeshire County Archaeology** – No objection to the development. Made the following comments and recommendations:
- Some indication that remains of greater antiquity are present, though these are dispersed and presently incoherent.
 - The use of planning conditions requiring archaeological evaluation prior to commencement and then appropriate mitigation are used.

- 5.7 **Environment Agency** – Recommend that the application should not be determined until the Sequential Test has been demonstrated for the following reasons:
- Para 101 of the NPPF requires decision makers to steer new development to areas of the lowest probability of flooding by applying a sequential test. In this instance evidence provided indicates the test carried out is inadequate.
 - The Sequential Analysis Study undertaken by Pegasus Group incorrectly indicates in table 2.1 that there is no Environment Agency flood zone 2 or 3 on the site.
 - Our most recent modelling suggests that the area does not benefit from defences to a 1 in 100 year standard as required for an area benefitting from Defences.
 - It is for the LPA to decide whether the application passes the sequential test.
 - This area is shown to flood in a 1 in 75 year event and the area benefitting from defences is therefore redundant and the site is realistically in undefended flood zone 3.
 - Flood modelling provided does not include modelling of any of the drains which feed the catch water drain. The FRA states that the IDB system is maintained to a 1 in 20 year standard of protection.
 - No objection if the LPA deem the sequential test to be passed as less vulnerable development is appropriate in flood zone 3a. Urge the LPA to consider, in conjunction with the IDB, whether any part of the site would be considered to be functional floodplain due to floodrisk from IDB drains.
- 5.8 **Swaffham Internal Drainage Board** – No objection but raised the following points:
- No residual capacity to accept any direct surface water discharge. Any direct flow into the drainage network must be limited to 1.1 litre/sec/ha. This is the Board's approved rate and is based on the capacity of pumping stations.
 - Prior consent of the Board is required for a number of different works. No formal agreement has been given to relax its Bylaw requirements.
 - The granting of planning permission does not guarantee that the applicant will be granted Bylaw consent. All consents must be obtained before work commences on site.
- 5.9 **National Air Traffic Service (NATS) Safeguarding** – No objection as there is no conflict with the NATS safeguarding criteria. Advised that this only relates to the management of en route air traffic and does not provide any indication of the position of any other party.
- 5.10 **Ministry of Defence Safeguarding – Cambridge Airport** – No safeguarding objections.
- 5.11 **Historic England** – Do not wish to offer any comments and recommend that the application be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
- 5.12 **ECDC Conservation Officer** – No objection, although initial concerns raised over the lack of information on the impact on views from Steven's Mills, Wicken Mill and St Mary's Church Tower. These concerns have been addressed through the

submission of additional visual montages. The following other comments were made:

- Comprehensive heritage impact assessment submitted and the assessments of the impact to above ground designated heritage assets appears to be thorough. I agree that by virtue of the topography and existing building lines and planting, the proposal will have a negligible impact on the character, appearance and setting of the listed buildings or conservation area.
- Views of panels in the landscape limited due to height. This also limits the impact on the immediate setting of listed buildings and conservation areas.

5.13 **Natural England** – Comments provided in relation to the following areas:

- Statutory nature conservation sites – no objection
- Protected Species – We have not assessed this application for impacts on protected species as there is published Standing Advice.
- Soils - we consider that the proposed development is unlikely to lead to significant and irreversible long term loss of best and most versatile agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the development is undertaken to high standards. Although some components of the development, such as construction of a sub-station, may permanently affect agricultural land this would be limited to small areas. In the short-term we recognise that it is likely that there will be a loss of potential agricultural production over the whole development area.
- Advise your authority to consider applying conditions to secure appropriate agricultural land management and/or biodiversity enhancement during the lifetime of the development, and to require the site to be decommissioned and restored to its former condition when planning permission expires.
- Priority habitat Creation – Solar farm developments offer excellent opportunities to create new habitats, and especially “priority habitats” listed under s41 of the NERC Act 2006. Other priority habitats that could be created or enhanced depending on site conditions, are hedgerows, ponds, and arable field margins. We suggest that a habitat creation plan also references any existing local sites recognised for their nature conservation interest, such as SSSIs and Local Wildlife Sites.
- Local sites - If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

5.14 **ECDC Environmental Health Officer** – No objection but comments made in relation to the following:

- Inverters etc appear well placed to avoid noise outside the site. Support the use of a noise condition stating level emitted shall not exceed 35dB(A) at the site boundary.

- If route 5 is used then delivery times would not need to be restricted. However if any other route is used delivery times should be limited to the construction times which should be 07:00 – 19:00 Monday – Saturday and no work on Sundays or Bank Holidays.
- Public Health England require that the main requirement from a human health perspective is that the electromagnetic fields in publically accessible areas in and around the site should comply with the ICNIRP guidelines.

5.15 **Neighbours** – 36 neighbouring properties were notified and site notice posted. 14 responses were received by the time of writing this report (10 in support, 2 objecting and 2 neither explicitly supporting nor objecting), and the responses received are summarised below. A full copy of the responses are available on the Council’s website.

- The loss of yet another natural landscape which reduces the enjoyment of the village environment.
- Objection to the use of Howlem Balk as the access route from Ness Road as it is a bridle way no longer maintained by the Highways Authority and is in a poor state of repair and entirely unsuitable for through traffic.
- Concern about the impact on the gable end of 118 North Street (constructed of clunch) from the vibrations associated with heavy traffic if Howlem Balk is to be used as access route.
- Concern for structural damage to other properties along Howlem Balk if this access route is used.
- Concern for safety of pedestrians, cyclists and horse riders (if Howlem Balk used)
- Support for use of alternative access to the north of Howlem Balk.
- Residents of Howlem Balk have strong objections to its use as an access route.
- Concerns for the future legacy of the development for Howlem Balk if this access route is used.
- It is necessary to produce more electricity this way.
- The area will be regenerated for wildlife with public access to the new wildlife areas.
- Concerns about the amount of Brambles proposed in the planting as it is a vigorous species requiring constant management – could some be substituted with Guelder rose (*Viburnum opulus*).
- New walking route proposed around the perimeter linking with existing footpaths.
- Properties on North Street affected by the construction traffic would be reduced if Howlem Balk were used as an access but it should not become a ‘rat-run’.
- A temporary track to the north of Howlem Balk seems a good idea.
- This area is being taken over by solar farms – the soil is top quality and should be used for growing crops.

6.0 The Planning Policy Context

6.1 **East Cambridgeshire Local Plan 2015**

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development

EMP 7	Tourist facilities and visitor attractions
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 11	Conservation Areas
ENV 12	Listed Buildings
ENV 13	Local Register of buildings and structures
ENV 14	Sites of archaeological interest
ENV 15	Historic parks and gardens
COM 6	Telecommunications
COM 7	Transport impact

6.2 Supplementary Planning Documents

Renewable Energy Development (Commercial Scale) October 2014.

6.3 National Planning Policy Framework 2012

Core Planning Policies

- 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
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 8 Promoting healthy communities

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

POLICY AND PRINCIPLE OF RENEWABLE ENERGY DEVELOPMENT

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In circumstances where there is a conflict with the provisions of a Development Plan, the decision maker has to determine whether there are any material considerations which would override the conflict, leading to a conclusion that the development should be approved.
- 7.2 In the case of renewable energy development, significant weight should be given to the benefits of the scheme in terms of the contribution to the national objective of promoting renewable energy technologies.
- 7.3 The adopted Development Plan comprises the East Cambridgeshire District Council Local Plan (2015) and the Cambridgeshire and Peterborough Minerals and Waste Plan (2012). The key planning policy in relation to renewable energy within the adopted Local Plan is policy ENV6 (Renewable energy development), which

supports the development of renewable energy. The other relevant topic-specific policies within the development plan, which have been highlighted in this report, inform the assessment of compliance to be undertaken in accordance with Policy ENV6.

Policy ENV6: Renewable Energy Development

Proposals for renewable energy and associated infrastructure 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 in relation to:

- *The local environment and visual landscape impact.*
- *Impact on the character and appearance of the streetscape/buildings.*
- *Key views, in particular those of Ely Cathedral.*
- *Protected species.*
- *Residential amenity.*
- *Safeguarding areas for nearby airfields; and*
- *Heritage assets.*

Renewable energy proposals which affect sites of international, national and local nature importance or other irreplaceable habitats will be determined against the relevant sections of Policy ENV 7.

The visual and amenity impacts of proposed structures will be assessed on their merits, both individually and cumulatively.

Provision should be made for the removal of facilities and reinstatement of the site, should they cease to operate

- 7.4 Renewable energy development is identified in Policy GROWTH2 of the Core Strategy as being one possible exception to the normally strict control over development in the countryside. Therefore, the proposed solar farm development should be considered acceptable in principle, provided that it meets the requirements of the policy set out above and all other material considerations are met.
- 7.5 In addition to Policy ENV6 of the Local Plan, there is a Supplementary Planning Document 'Renewable Energy Development (Commercial Scale)', adopted by the Council in October 2014. This document provides guidance on how planning applications for renewable energy proposals may be assessed by the Council and is a material consideration, where it is consistent with the national policy advice.
- 7.6 As well as Local Plan Policy, and the above mentioned Supplementary Planning Document, the proposed development must also be considered in the context of the National Planning Policy Statements (NPS), which were debated and approved by the House of Common in July 2011, which are a material planning consideration.

7.7 The National Planning Policy Framework (NPPF) sets out the Government's economic, environmental and social planning policies for England. Supporting the transition to a low carbon future in a changing climate is one of the core principles of planning identified in the NPPF. Indeed, paragraph 93 of the NPPF states that: *"Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development."* As such, the NPPF states that local planning authorities, when determining applications for renewable energy development, should not require applicants to demonstrate the overall need for the development.

7.8 In the rest of this report, the key topics for consideration are set out and discussed, identifying where adverse effects are considered likely to arise. The final 'planning balance' is then discussed, identifying how the recommendation was reached.

VISUAL AMENITY AND THE CHARACTER OF THE COUNTRYSIDE

7.9 Policy ENV6 requires the effects on the local environment and visual impact, the impact on the character and appearance of the streetscape/buildings, the impacts on key views to be considered when determining applications for renewable energy development. The policy confirms that the visual and amenity impacts will be assessed on their own merits, both individually and cumulatively and the need to respect the capacity of the distinctive character areas defined in the Cambridgeshire Landscape Guidelines is also stressed.

7.10 Policies ENV1 and ENV2 do not relate specifically to renewable energy development, but stress the desire to protect important views into and out of settlements, space between settlements and their wider landscape setting, visually sensitive natural and man-made skylines, hillsides and geological features and views of key landmark buildings. This reflects the Government's objectives in terms of protection of the countryside and landscapes more generally, set out in paragraph 109 of the NPPF, which states that the planning system *"should contribute to and enhance the natural and local environment by protecting and enhancing valued landscape"*. The need to recognise *"the intrinsic beauty of the countryside"* is also enshrined as a core planning principle in paragraph 17 of the NPPF.

7.11 National Planning Practice Guidance recognises that large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, it goes on to state that the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

7.12 The Environmental Statement includes a Landscape and Visual Impact Assessment, which examines the potential impacts on the surrounding

countryside. The assessment has been undertaken in accordance with best practice and the study area extends to 5km from the application site boundary, which is considered by to be an appropriate distance. 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 both during construction and operation

- 7.13 The application site is made up of rectilinear fields and the network of hedgerows and ditches between them are a key existing landscape feature. The overhead electricity transmission and distribution lines crossing the site are also a prominent feature in the local landscape. The surrounding area is characterised by large scale arable fields in a flat landscape, with field being predominantly bounded by drainage ditches and hedgerows with some hedgerow trees. However, there are some existing industrial feature including the electricity substation and overhead lines and the infrastructure associated with the clay mineral extraction site the 'Cambridgeshire Tile and Brick Company'.
- 7.14 The Assessment within the Environmental Statement concludes that as the existing landscape field boundary vegetation would be retained and reinforced with additional infill hedgerow planting and tree planting, the effects on the local and wider landscape character would be limited. The existing vegetation features on and around the site and in the surrounding landscape would also reduce the visibility in longer distance views.
- 7.15 Some visual receptors in the immediate vicinity would experience a more significant effect, most notably a stretch of footpath 35/10 which runs alongside the eastern boundary of part of the application site, users of Factory Road and the residential properties in this area. However, the establishment of new planting and hedgerow management regime, allowing it to grow to 3 metres in height, would reduce the impact to a level considered not to be significant.
- 7.16 Whilst some adverse effects have been identified in terms of visual amenity, which would attract some weight against the proposal in the planning balance, 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 without significant harm to visual amenity, or the character of the surrounding area. As such it is considered that the proposal meets the requirements of policy ENV6 of the Local Plan in this respect.

RESIDENTIAL AMENITY

- 7.17 The land surrounding the application site is predominantly undeveloped farm land. However there are some residential properties in relatively close proximity fronting on to Factory Road, close to the former Brickworks site, a vacant travellers site to the east on First Drove and scattered properties on the western edge of the main village of Burwell on Waterside and North Street.
- 7.18 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. To ensure this is the case a noise condition would be applied.

- 7.19 Representations have been raised over the impacts on amenity arising from construction and decommissioning of the development. This is particularly the case in relation to those properties on Howlem Balk. It is likely that this part of the development would have the greatest potential to cause disruption and adverse effects on amenity.
- 7.20 There are a number of access routes available, some of which would have more potential amenity impact than others and this is discussed in more detail in the highways section below. The particular concerns arising from the users and residents of Howlem Balk could be addressed by preventing this access route from being used through a planning condition.
- 7.21 Given the limited period of time that construction would be taking place, the weight attracted against the development in relation to this issue in the planning balance would not be significant. In addition, conditions relating to the submission of a construction management plan, hours of construction and hours for deliver would go some way to mitigate this impact.
- 7.22 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 ENV2 of the Local Plan.

CULTURAL HERITAGE

- 7.23 Cultural heritage encompasses a wide range of features, both visible and buried, including archaeological remains, Scheduled Ancient Monuments, Listed Buildings and Conservation Areas.
- 7.24 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the same Act requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 7.25 A comprehensive heritage impact assessment looking at any heritage assets that may be affected by the proposal has been submitted with the application. The Conservation Officer has confirmed that they agree that by virtue of the topography and existing building lines and planting, the proposal will have a negligible impact on the character, appearance and setting of the listed buildings or conservation area.

- 7.26 Views of the panels from within the landscape will be limited and this in turn limits any impact that the proposal may have on the immediate setting of the listed buildings and conservation areas.
- 7.27 Initial concern the Conservation Officer raised regarding the potential impact on views from Steven's Mills, Wicken Mill and St Mary's Church Tower have been addressed through the submission of additional visual montages.
- 7.28 In terms of below ground Heritage Assets, the County Council Historic Environment Team have advised that there is some indication that remains may be present. However, they do not object to the application and recommend the examination of the area, with an archaeological trench-based evaluation, with the results used to inform the applicant of significant areas of archaeological remains, should they be present. They state that various options for mitigation will be available and this should be secured through the use of a planning condition.
- 7.29 With the use of appropriate mitigation and conditions, outlined above and detailed in the Environmental Statement, it is considered that the application is acceptable in terms of the impact on heritage assets and is in compliance with policies ENV11, ENV12 and ENV14 of the Local Plan and with the requirements of the Renewable Energy SPD with regards to Heritage.

FLOOD RISK AND DRAINAGE

- 7.30 Policy ENV8 of the Local Plan states that "all developments and re-developments should contribute to an overall flood risk reduction". The policy also states that development will not be permitted where: it would intensify the risk of flooding; it would increase the risk of flooding of properties elsewhere; the risk of flooding would cause an unacceptable risk to safety; it would have a detrimental effect on existing flood defences; or, safe access is not achievable to the development during times of flooding.
- 7.31 The Local Plan policy reflects the guidance contained within the NPPF, which states at paragraph 100 that "inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere."
- 7.32 The application site is located within Flood Zones 1, 2 and 3 of the Environment Agency's Flood Risk Maps and also falls within the Swaffham and Internal Drainage Boards area.
- 7.33 Neither the IDB nor the Environment Agency object to the proposal. However, the Environment Agency has drawn attention to the need for the 'Sequential Test' to be applied to the development by the local planning authority. The aim of the sequential test is to steer new development to land with the lowest risk of flooding. Only where there are no reasonably available sites in Flood Zones 1 and 2 should the suitability of site in Flood Zone 3 be considered.

- 7.34 The applicant has submitted evidence in relation to the site selection process covering the whole of East Cambridgeshire as well as parts of Forest Heath and South Cambridgeshire that fall within 10km of the site, seeking to identify alternative sites that could accommodate a scheme of comparable MW output. This information is provided in respect of the use of agricultural land. However, it demonstrates to the satisfaction of the Local Planning Authority that the application site is in fact the only appropriate site for a development of this nature within the search area.
- 7.35 Given that it is not possible for the development to be located in zones with a lower probability of flooding, the Sequential Test is passed and the Exception Test can be applied. This requires that it is demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and that the development will be safe for its lifetime.
- 7.36 A Flood Risk Assessment has been submitted alongside the application, which concludes that the development and its users would be appropriately safe for its lifetime, without increasing floodrisk elsewhere, provided the use of an appropriate planning condition is used to ensure the recommended drainage arrangements are carried out. In terms of wider sustainability benefits, the contribution towards renewable energy is considered to be a considerable benefit that would outweigh flood risk in this instance.
- 7.37 A sequential approach has also been taken in terms of the internal layout of the site and all control infrastructure is located within Flood Zone 1, with only the solar panels (which are mounted with the lowest edge 800mm above ground level), located in areas of Flood Zone 2 and 3. A drainage strategy is also proposed , which would ensure that the development would have a negligible impact on site drainage, with surface water arising from the developed site mimicking the surface water flows arising from the site prior to the proposed development.
- 7.38 The solar panels will be a minimum of 0.1m above the modelled 1 in 1000 year flood level and it is therefore considered that the development can remain safe and operational in times of flooding. The solar arrays will be securely piled into the ground and piles and security fencing will not impede floodwaters allowing the natural floodplain to continue to function.
- 7.39 On balance it is therefore considered that the development is in accordance with Policy ENV8 of the Local Plan and with the relevant National Planning Policy.

ECOLOGY AND BIODIVERSITY

- 7.40 Policy ENV7 of the Local Plan seeks to ensure that the impact on wildlife is minimised and that opportunities for biodiversity enhancement are taken. This reflects one of the core aims of the NPPF, which is to conserve and enhance the natural environment. NPS EN-1 also requires 'significant harm' to be avoided, but stresses the impacts that climate change itself will have on biodiversity, thus highlighting the need to weigh up any adverse effects against the wider benefits of renewable energy development.

- 7.41 The application site comprises arable farmland bordered by species poor intact and defunct hedgerows, some of which have associated ditches. Wicken Fen Ramsar and Site of Special Scientific Interest is approximately 725m to the northwest of the site and the County Wildlife Sites of Burwell Brick Pit and New River and Monk's Lode are adjacent to the western boundary of the site and 200m to the north respectively.
- 7.42 Natural England has confirmed that they have no objection to the proposal in terms of Statutory sites, which includes the nearby Wicken Fen. In terms of the potential impact on the County Wildlife sites, both of these are designated for the assemblage of plant life they support. Burwell Brick Pit for its habitat mosaic and New River and Monk's Lode for the submerged, floating, emergent and wet bank species. It is considered that the solar farm would have no adverse effects on the designating features of either of these sites.
- 7.43 In terms of the potential impact on protected species, the Environmental Statement compiles information from a desk study, extended phase 1 habitat survey and a great crested newt presence/absence survey. The assessments establish the likely presence of protected or notable species on or near the application site and the likely impact the development would have. In reviewing this information, regard has been had to the Natural England Standing advice and the quality of the submissions and the areas covered are considered to be acceptable.
- 7.44 The key impacts are considered to arise from construction phase physical and involve land take, habitat fragmentation, temporary damage to plants by workers and machinery, disturbance and pollution from dust, dirt and runoff from working areas.
- 7.45 A number of measures are proposed in order to mitigate any potential impacts: a pollution prevention and control measures will be implemented during works; the boundary hedges and trees will be retained and protected during the construction phases of the development; a buffer zone between panel construction and field margins will be established; vegetation clearance and long term management works to avoid the breeding bird season and if they do need to occur a check by an ecologist will take place first; a pre-construction badger survey immediately prior to works commencing; and, reasonable avoidance measures in relation to amphibians. The implementation of these measures will be secured through the use of a planning condition.
- 7.46 Natural England, in their consultation response, stress the excellent opportunities that solar farm provide in terms of biodiversity enhancements. The Environmental Statement sets out proposed biodiversity enhancements and a Biodiversity Management Plan has also been submitted which further sets out how the land will be managed to enhance and sustain biodiversity. Adherence to this plan will be secured through the use of a condition.
- 7.47 With the use of appropriate mitigation and enhancement, secured through the use of conditions, it is considered that the application is acceptable in terms of the impact on ecology and biodiversity and is in compliance with policy ENV7 of the Local Plan. Indeed, it is considered that the scheme would bring considerable

enhancements in biodiversity, which would weigh in favour of the development in the planning balance.

HIGHWAYS IMPACTS

- 7.48 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. The construction period is anticipated to take approximately five months with a total anticipated HGV number of HGVs needed over that time being 1040. A breakdown of the anticipated HGV generation is provided in the Transport Statement Addendum and a copy of this information is provided in appendix 2.
- 7.49 County Highways reviewed the proposals and placed an initial holding objection pending the receipt of further information in relation to details of the existing speed limits and cycles facilities, information on the potential impact on the public rights of way, greater detail on the nature of traffic using the local network, and greater evidence for the potential trip generation during construction and for staff once operational.
- 7.50 Following the submission of the additional information the County Highways Officer has confirmed that they no longer object to the proposal on highways grounds, subject to the use of conditions securing a Construction Management Plan and full details of the site access.
- 7.51 A number of potential routes to the site have been proposed and the final possible routes are set out in the Transport Statement Addendum. All access routes would involve accessing the site from Factory Road, option 1 would then involve heading north on North Street before taking Howlem Balk to the B1102, option 1a and 1b would use a temporary track running parallel to Howlem Balk (with option 1a then joining Howlem Balk before the B1102) and option 2 would involve following northstreet to the south then Silver Street and Toyse Lane before linking with the B1102.
- 7.52 The Highways Authority is satisfied that all of these routes would be acceptable from a highway point of view. However, a number of representations have been received raising concerns about the use of Howlem Balk in relation to issues of amenity for those living close by, the change in character of the existing track and the potential for its use to be intensified by other vehicles following the completion of the development.
- 7.53 In light of the particular concerns over the use of this access route and the fact that other, less harmful access routes are available, it is recommended that the local authority should prevent the use of this route by way of a planning condition.
- 7.54 Concerns have also been raised over the impact on road user and public footpath user safety. The Highways Officers are happy that this matter has been adequately addressed. However, further detail on these issues would be secured through the construction management plan.

- 7.55 With the use of appropriate mitigation and conditions a 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 COM7 and COM8 of the Local Plan.

OTHER MATERIAL MATTERS

Agricultural Land

- 7.56 There are no Local Plan policies specifically 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 areas of poorer quality land in preference to that of a higher quality."
- 7.57 The Environmental Statement confirms that the site is within land classified as primarily Agricultural Land Grading 2 (83%) with 17% Grade 3a.
- 7.58 The Local Authority has taken the view on previous applications that due to the nature of solar farms, which are a temporary use of the land which do not require large areas or hard surfacing, they do not represent an irreversible loss of agricultural land.
- 7.59 The Renewable Energy Development Supplementary Planning Document adopted in October 2014 under the previous Core Strategy states in relation to the loss of agricultural land, where it is proposed to develop a solar farm on a greenfield site, applicants will be expected to provide information on: the amount of high quality land being used; the alternative sites that were considered and discounted; the extent of ongoing agricultural use; and, information on the restoration of the land.
- 7.60 A Sequential Analysis Study was submitted with the application addressing this issue. It relates to an area of search covering all of East Cambridgeshire as well as parts of Forest Heath and South Cambridgeshire that fall within 10km of the site, and seeks to identify alternative sites that could accommodate a scheme of comparable MW output.
- 7.61 The study concludes that the use of greenfield/agricultural land is necessary due to an absence of previously developed land of an equivalent size, capable of producing a comparable output with and/or with fewer environmental constraints. It also found there to be no sites of existing commercial roofspace that could deliver a comparable sized MW output, and no potential sites of poorer quality agricultural land and subject to any less environmental or physical constraints that the application site.
- 7.62 The applicant has confirmed that the site would remain in agricultural use throughout the lifetime of the development through grazing sheep between and around the panels. The land would also be returned to its former agricultural use upon decommissioning. In addition, biodiversity improvements would be delivered as part of the development through the provision of ecological enhancements managed in a favourable way.

- 7.63 In light of the above it is considered that the scheme is in accordance with paragraph 112 of the NPPF and paragraph 013 of the Government's Planning Practice Guidance. The proposal also meets the criteria in relation to the use of agricultural land set out in the SPD and Local Plan policy ENV6.

Mineral Safeguarding

- 7.64 The site is located within a mineral safeguarding area for sand and gravel. The Minerals and Waste Team at Cambridgeshire County Council have been consulted on the application and Members will be updated at Planning Committee in relation to their response.

Environmental Impact Assessment (EIA)

- 7.65 An Environmental Statement was submitted with the application and the development therefore constitutes EIA development, within the terms of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).
- 7.66 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.
- 7.67 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.
- 7.68 The Environmental Information identifies significant impacts in relation to visual impact and details the mitigation that is required to ameliorate these impacts. In addition, lesser potential impacts are identified in relation to access, ecology, agricultural land and cultural heritage. Again, the details of how this will be mitigated have been provided and they would be secured alongside any consent.
- 7.69 The Local Planning Authority is satisfied that all of the relevant environmental information has been provided and fully considered in reaching its recommendation.

SUMMARY AND PLANNING BALANCE

- 7.70 A renewable energy scheme 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 and this is a benefit that weighs heavily in favour of the development. The scheme is also likely to result in significant biodiversity enhancements which would also afford substantial weight in favour of the development. The economic benefits in terms of construction and the creation of jobs would attract additional, albeit less substantial weight in favour.
- 7.71 A number of potential adverse effects have been identified including the temporary visual impact of the proposal, the potential impact on archaeological remains, and highways impacts. However, in all of these cases a combination of appropriate mitigation and the temporary nature of the effects reduced the weight they would carry against the proposal.
- 7.72 The scheme would result in the temporary loss of land from intensive agricultural production. However, due to the temporary nature of the development and the sequential approach taken to the site selection this would only attract limited weight against the proposal.
- 7.73 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 would not outweigh the benefits associated with renewable energy development. The application is therefore recommended for approval.
- 8.0 APPENDICES
- 8.1 Appendix 1 - Full list of conditions
- 8.2 Appendix 2 – Estimated construction programme and HGV numbers.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
Case Environmental Statement and associated documents	File, Penelope Mills Room No. 011 and The Grange Ely	Penelope Mills Senior Planning Officer 01353 665555 penny.mills@eastcambs.gov.uk
	Also available to view on public access http://pa.eastcambs.gov.uk/online-applications	

NPPF and Planning Practice Guidance

<http://planningguidance.planningportal.gov.uk/>

East Cambridgeshire District Local Plan 2015 <http://www.eastcambs.gov.uk/local-development-framework/east-cambridgeshire-local-plan-2015>