

Minutes of a meeting of the Planning Committee  
held in the Council Chamber, The Grange,  
Nutholt Lane, Ely on Wednesday, 5<sup>th</sup> December 2012  
at 2.00pm

**P R E S E N T**

Councillor Philip Read (Chairman)  
Councillor David Ambrose Smith  
Councillor Derrick Beckett  
Councillor Will Burton  
Councillor Lavinia Edwards  
Councillor Jeremy Friend-Smith  
Councillor Bill Hunt  
Councillor Mike Rouse  
Councillor Joshua Schumann  
Councillor Robert Stevens  
Councillor Gareth Wilson

**O F F I C E R S**

Alan Dover – Principal Development Control Officer  
Sue Finlayson – Team Leader, Development Control  
Giles Hughes – Head of Planning & Sustainable  
Development Services  
Janis Murfet – Democratic Services Officer  
Jeanette Thompson – Head of Legal & Democratic Services

**I N A T T E N D A N C E**

3 members of the public

**40. APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Tom Kerby and Sue Willows.

There were no substitutions.

**41. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**42. MINUTES**

Further to Minute No 38 (12/00698/FUL – Erection of Two Dwellings and Garage, 19 Brook Street, Soham), page 11, Councillor Friend-Smith pointed out that the details of the recorded vote did not make sense.

With the agreement of the Chairman, the Democratic Services Officer explained that this was one of several typographical errors in the draft minutes, discovered after the agenda had been published. She had made the necessary corrections and circulated them to the Committee in advance of today's meeting, and Members would be asked to approve the corrected version. Whereupon,

It was resolved:

That the minutes of the meeting held on 7<sup>th</sup> November 2012 be confirmed as a correct record and signed by the Chairman.

#### **43. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed Members that they would each be given a copy of the "National Planning Policy Framework" and "Planning Policy for traveller sites" documents. It was intended to have a short presentation on the NPPF before the next Committee meeting.

#### **44. 12/00732/ESF – THE CONSTRUCTION OF A SOLAR FARM OF 20MW CAPACITY, TO INCLUDE PV PANELS AND SUPPORTS, TRANSFORMERS/INVERTORS, MONITORING EQUIPMENT, SECURITY FENCING/CAMERAS, LANDSCAPING AND ANCILLARY WORKS – LAND SOUTH WEST OF STOW BRIDGE FARM, NEWMARKET ROAD, STRETHAM**

Sue Finlayson, Team Leader Development Control, presented a report which set out details of the application, the applicant's case, the site and its environment, the planning history and relevant factors and policies.

A Members' site visit had taken place prior to the meeting.

Mrs Finlayson drew the Committee's attention to a number of housekeeping issues relating to the application:

- Revised comments had been received from the Environment Agency. There were no longer any concerns regarding contamination and therefore conditions 11, 12 and 13 could be omitted from the recommendation;
- However, the Environment Agency now stated that further work was now needed on the proposed drainage scheme involving:

- a) monitoring to record peak ground water levels where infiltration systems are to be installed;
  - b) by percolation testing to prove the system will drain successfully;
  - c) construction details of soakaways and recommended depths of installation; and
  - d) following which a final report should be submitted.
- A condition was now therefore proposed as follows:

“Prior to commencement of construction the following work on the proposed drainage scheme shall be carried out and a final drainage report submitted to the local planning authority for written approval in consultation with the Environment Agency:

- a) details of monitoring to record peak ground water levels where infiltration systems are to be installed;
- b) details of percolation testing to prove the system will drain successfully; and
- c) construction details of soakaways and recommended depths of installation.

The approved scheme shall thereafter be implemented in full.”

- In para 4.1 the distance between the site and the village of Stretham is 1.4kms not 2.4kms as stated;
- In para 8.10 the distance from Tiled House Farm Roman Villa to the site is 0.8km i.e. 800m, not 1.8m as stated;
- In para 8.19 the construction period should read 80 days not 80 weeks.

Mrs Finlayson then summarised the main points of her report and reminded the Committee that the main issues for consideration were:

- Policy regarding countryside development and renewable energy;
- Impact on visual amenity and character of the countryside;
- Impact on nearby heritage assets;
- Impact on ecology and biodiversity;
- Impact on highway network;
- Possible loss of agricultural land;
- Flood risk and drainage.

With regard to the principle of development in the countryside and the policy issues surrounding renewable energy development, it was noted that the application site was located on land designated as countryside in the East Cambridgeshire Core Strategy 2009. Policy CS1 strictly controlled new

development in the countryside, but supported the provision of essential infrastructure. Policy CS7 also supported the provision of new infrastructure, and Policy EN4 specifically encouraged renewable energy proposals unless they would have a significant adverse impact on the environment, residential amenity, protected species, or sites of national or local nature conservation, unless the adverse effects were outweighed by wider social, economic and environmental benefits. Members were also reminded that there was significant national policy (National Planning Policy Framework, and the National Policy Statement for Energy (EN1) to indicate that such proposals should be supported.

Mrs Finlayson next explained how the solar panels would be constructed, adding that it was a simple method that would not have much impact on the land. The distance between the arrays of panels was crucial in order to avoid casting shadows, and a condition was proposed regarding the materials to be used for the invertor and switch buildings.

In terms of the impact on visual amenity and the character of the countryside, it was noted that the location of the site was very isolated in the countryside. The surrounding land was mostly agricultural, predominantly arable and fairly flat. Public access and close views were only affordable from the river bank public right of way to the north of the site and the development had been set back from the southern field boundary to minimise visual effect on the property to the south and ensure shadow effects from adjacent trees was negated.

The applicant had submitted a Landscape & Visual Impact Assessment which identified that whilst there would be some visual change at the local level, the qualities and setting of the Fens would not be materially affected by the scheme. It was considered that the development could be successfully assimilated into the surrounding landscape without any significant adverse effects on visual amenity or the character and setting of the area.

In respect of the impact on nearby heritage assets, the Heritage/Archaeological Assessment and the supplementary report submitted concluded that whilst the operation of the facility would not directly impact on the identified cultural heritage receptors, there might be an impact on the setting. However, as the setting had already been influenced by modern agricultural buildings etc, the proposal would have no residual impacts on the area surrounding the site.

The County Archaeology Team had originally asked that determination of the application be deferred until an appropriate archaeological investigation had been undertaken. However, having visited the site and discussed the proposed construction methods, they now concluded that an investigation was unnecessary.

Turning next to the impact on ecology and biodiversity, Mrs Finlayson informed Members that the Ecological Impact Assessment had concluded that the site had an extremely low potential to support protected species. There were a number of bird species present at the site, but little animal presence, apart from the brown hare. The proposed mitigation measures in the form of planting and a management plan would be likely to enhance wildlife habitat.

County Highways had confirmed that the proposals were acceptable and it was considered that the development would not have an adverse impact on highways safety. However, they required that new hedge planting along the boundary should not encroach on the footpath, and suggested informatics to any approval in respect of treatment of the footpath during construction.

Neither the Environment Agency nor the Internal Drainage Board had objected to the proposal or suggested any conditions to be attached to any consent. However, the Environment Agency had suggested French drains be dug to prevent channelling of run-off water from the PV units which might impact on access and maintenance. The proposal was therefore considered to be acceptable in terms of drainage and flood risk.

At the invitation of the Chairman, Mr David Tyman, developer, spoke in support of the application and made the following remarks:

- The built footprint of the proposal would be 25 acres;
- Each row would be separated by 6.5 metres, to minimise the overall land take;
- Security fencing would be installed and there would be landscaping;
- Public views should be minimal and consideration had been given to the distance from properties;
- There had been detailed consultation with residents, the District and Parish Councils – all had been very supportive;
- In terms of need, the proposal would contribute to the national energy policy and was in accordance with local policies;
- There would be no long term loss of agricultural land and the quality of the land would remain unaffected;
- The minimisation of any impact had been considered from the very beginning;
- It was accepted that there must be a balance with local effects, and there would be no detriment to local people;
- This would be an opportunity to diversify farm activity to maintain long-term employment for existing employees and create further job opportunities;
- There would be off-site benefits to the Streatham Community Land Trust.

Mr Tyman concluded by asking the Committee to consider the application on its merits.

Councillor Beckett had a number of questions for Mr Tyman. He wished to know how much concrete and hardstanding there would be, whether bird patterns would be affected by the panels, and whether the panels would cause reflections that might disrupt aircraft. Mr Tyman replied that there would be some concrete around the invertor houses, but otherwise none; there was no suggestion that birds mistook the panels for water, and the panels were etched and therefore would not cause any reflections.

Councillor Stevens raised the issue of flooding and asked if the panels had sufficient clearance from the ground to prevent damage in the event that the banks overflowed. Mr Tyman advised that an independent risk assessment had shown this risk to be negligible, and any flooding would have to be really severe to have an effect. If the site did become flooded, the panels would have to be switched off.

Councillor Hunt queried the size of the site, suggesting that Mr Tyman meant 25 hectares rather than acres. He also wished to know how many houses 20MW could service. Mr Tyman responded, saying that he should have said hectares, and that approximately 14,000 houses could be serviced. Councillor Hunt expressed his delight at such commitment to the community, and a contribution to the Community Land Trust.

In respect of the Community Land Trust contribution, the Chairman asked if the applicant had been asked for a contribution, because he was concerned that the perception might be that it was an inducement. Mr Tyman refuted this, stating that the idea had been put forward by his team before the planning application had been submitted. It had merely been a suggestion, a way of giving back to the community.

At this point the Head of Legal & Democratic Services interjected to remind Members that this matter was not related to the planning application; that Mr Tyman had stated that he had not been asked for such a contribution to the Community Land Trust and confirmed that they should put this to one side as it was not relevant as to whether to grant or refuse planning permission today.

In declaring his support for the scheme, Councillor Rouse proposed that the application be approved; the motion was seconded by Councillor Ambrose Smith, and when put to the vote,

It was resolved unanimously:

That planning application reference 12/00732/ESF be approved, subject to the conditions as detailed in the Officer's report, but with the following amendments:

- i) Conditions 11, 12 and 13 to be omitted from the permission;
- ii) The imposition of the following additional condition:  
Prior to commencement of construction the following work on the proposed drainage scheme shall be carried out and a final drainage report submitted to the local planning authority for written approval in consultation with the Environment Agency:
  - a) Details of monitoring to record peak ground water levels where infiltration systems are to be installed;
  - b) Details of percolation testing to prove the system will drain successfully; and
  - c) Construction details of soakaways and recommended depths of installation.

The approved scheme shall thereafter be implemented in full.

The meeting closed at 2.53pm.