

UTT/14/0186/FUL (Little Sampford)

(MAJOR)

PROPOSAL: Application to vary condition 5 (fencing plan) and condition 6 (external finish of control room and inverter stations) of approved planning application UTT/13/1472/FUL relating to a proposed 29.96ha solar park with associated plant, equipment and works.

LOCATION: Land at Spriggs Farm, Thaxted Road, Little Sampford.

APPLICANT: Spriggs Solar Limited.

AGENT: Pegasus Group.

EXPIRY DATE: 28 April 2014

CASE OFFICER: Clive Theobald

1.0 NOTATION

1.1 Outside Development Limits.

2.0 DESCRIPTION OF SITE

2.1 The application site is located to the south-east of the B1051 between Thaxted and Little Sampford. It is accessed via a public right of way which runs between two residential properties known as Stack Yard and Silver Birches. The application site consists of four agricultural fields, totalling 29.96ha, which are divided by hedgerows. The north-western boundary of the site is along the public right of way which runs to the south-west towards Thaxted. This section of the site is open with no existing hedgerows. There is a further public right of way which runs adjacent to the northern boundary of the site, which is located in the adjacent field.

2.2 The application site is relatively flat with a difference in height across the site of approximately 7m. There is a slight fall on the site from the north-west to the south-east. Beyond the site to the south-east are two areas of woodland, separated from the site by a further area of agricultural land.

2.3 Works are at an advanced construction stage on an approved solar farm at this rural location where various items of equipment has been installed on the ground in connection with this renewable energy scheme

3.0 PROPOSAL

3.1 This application seeks variations to two conditions imposed under planning permission UTT/13/1472/FUL relating to a solar park at this rural location, namely a variance of condition 5 substituting the previously approved locations for the perimeter fencing and condition 6 in respect of changes in the siting and colour of the equipment installations. The application is retrospective in nature given that the fencing works and equipment changes have already taken place.

3.2 The boundary fencing as modified is of the same design, height and style as approved, although the revised fencing now relates to a single perimeter fence around the edge of the whole site rather than around the edges of the four parcels of land which make up the site. The control room and DNO switchroom buildings as sited are formed of Glass Reinforced Plastic and are not concrete as required by condition 6, although are the same dimensions as approved and have been coloured green in accordance with condition 6. The position of the switchroom is within the same position as previously approved, but has been rotated at an orientation of 90 degrees to facilitate easier access and connection to the power distributor.

4.0 APPLICANT'S CASE

4.1 This application seeks to reflect the final technical requirements of the site developer and seeks retrospective approval for minor alterations from the approved details to reflect the "as built" solar scheme. The changes are minor in nature where the change in fencing to that approved results in a large net reduction in the quantity of fencing required for the solar park, whilst the change in specification of the equipment reflects a more practical finish solution.

5.0 RELEVANT SITE HISTORY

5.1 The principle of a 12MW solar farm as a stand alone renewable energy scheme at Spriggs Farm was considered acceptable by the Council at this rural location under application UTT/12/5601/FUL when the officer report to the Development Committee for that application concluded that the proposal would not have a significant detrimental impact upon the rural character of the area. A subsequent application for the variation of two conditions relating to the requirement for the development to be carried out in accordance with the approved drawings (condition 2) and details of the control room and inverter cabinets to be submitted for approval prior to commencement (condition 8) in order to vary the heights, materials and positions of the proposed control room and inverter stations and to reduce the number of inverter stations was approved by Members in August 2013 (UTT/13/1472/FUL).

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (NPPF).

Relevant Government advice:

- DCLG – "Planning practice guidance for renewable and low carbon energy" (July 2013)
- DE&CC – "UK Solar PV Strategy Part 1: Roadmap to a brighter Future (Oct 2013)
- DE&CC – "UK Solar PV Strategy Part 2: Delivering a Brighter Future (April 2014)

6.2 Uttlesford District Local Plan 2005

- ULP Policy ENV15 - Renewable Energy
- ULP Policy S7 - The Countryside

- ULP Policy GEN7 - Nature Conservation
- ULP Policy E4 - Farm diversification: alternative use of farmland
- ULP Policy ENV5 - Protection of agricultural land
- ULP Policy GEN8 - Vehicle Parking Standards

6.3 Uttlesford District DRAFT Local Plan (Pre-submission Document, April 2014)

- Policy SP8 - Renewable Energy and Energy Efficiency
- Policy SP9 - Protection of the Countryside
- Policy SP11 - Protecting the Natural Environment
- Policy EN10 - Sustainable Energy and Energy Efficiency
- Policy C1 - Protection of Landscape Character
- Policy DES1 – Design
- Policy TA1 - Vehicle Parking Standards

7.0 PARISH COUNCIL COMMENTS

7.1 No comments.

8.0 CONSULTATIONS

ECC Highways

8.1 No highway objections.

9.0 REPRESENTATIONS

9.1 0 representations received. Notification period expired 20 February 2014.
Advertisement expired 27 February 2014. Site Notice expired 27 February 2014.

10.0 APPRAISAL

The issues to consider in the determination of this application are:

A Whether the proposed changes would be acceptable in terms of design / resulting impact on the rural amenities of the area (NPPF, ULP Policies S7 and GEN2).

10.1 The principle of a solar farm at this rural location was originally approved by the Council in January 2013 under UTT/12/5601/FUL and this issue does not therefore fall to be considered under the current application, which seeks condition variations as described above.

10.2 The proposed changes to the site perimeter fencing to reduce the amount of fencing at the site for stated practical and security purposes would amount to a visual site improvement, whilst the rotation of the switchroom on its axis would be an acceptable change where this would be insignificant. The substitution of the external materials for the control room and DNO switchroom buildings from concrete as previously approved to Glass Reinforced Plastic is also considered an acceptable change. As such, the changes overall would comply with ULP Policy GEN2 in terms of design and ULP Policy S7 in terms of countryside protection.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The changes proposed by this variation of condition application would not have a harmful effect on the rural amenities of the area and would comply with the NPPF and ULP Policies S7 and GEN2. The proposal is therefore considered acceptable.

RECOMMENDATION – APPROVAL

Conditions/reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The solar panels to be used and their number and positioning within the site shall be installed in accordance with the details which have been previously submitted to the local planning authority and subsequently approved under Discharge of Condition (DOC) application reference UTT/13/1202/DOC.

REASON: To ensure that the development does not introduce any additional adverse effects in terms of its visual impact in accordance with Uttlesford Local Plan Policies S7 and GEN2 (adopted 2005).

3. All hard and soft landscape works shall be carried out in accordance with the details which have been previously submitted to the local planning authority and subsequently approved under Discharge of Condition (DOC) application reference UTT/13/1490/DOC. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the local planning authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted, destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

REASON: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Uttlesford Local Plan Policies S7 and GEN7 (adopted 2005).

4. The development hereby permitted shall be implemented in accordance with all identified flood alleviation and protection measures as set out in the Flood Risk Assessment.

REASON: To prevent the increased risk of flooding in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

5. The boundary treatment for the site insofar as this relates to the location of security fencing shall be carried out in accordance with the revised details as shown on drawing LAYOUT UPDATE 1 dated 7 January 2014. 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 without the prior written agreement of the local planning authority.

REASON: To ensure that the appearance of the site does not detract from the character of the rural area in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

6. The control room and DNO switchroom shall be erected in accordance with the details shown on drawing LAYOUT UPDATE 1 dated 7 January 2014. The control room and DNO switchroom shall be finished in Glass Reinforced Concrete coloured green.

REASON: To safeguard the character and appearance of the countryside in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

7. No lights shall be erected within the site without the prior written agreement of the local planning authority.

REASON: To safeguard the character and appearance of the countryside in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

8. Should the solar panels not be used continuously for the production of energy for a period of six months, the panels, support structures and associated buildings shall be removed in their entirety and the land shall be restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent the retention of development in the countryside that is not being used for its intended purpose in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

9. The scheme of biodiversity enhancement for the site shall be carried out in accordance with the details which have been previously submitted to the local planning authority and subsequently approved under Discharge of Condition (DOC) application reference UTT/13/1340/DOC.

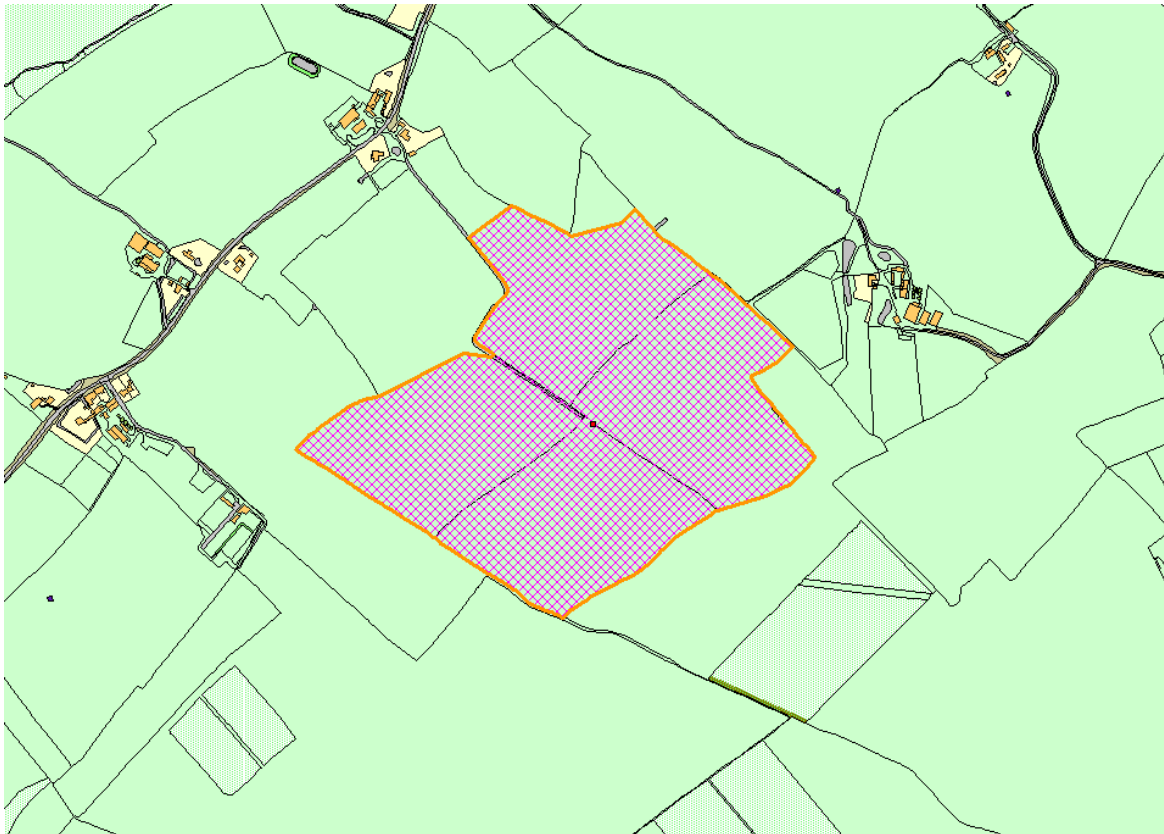
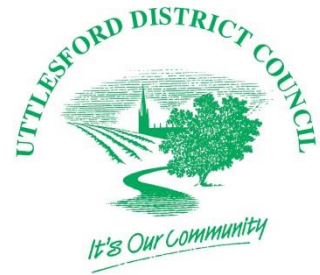
REASON: To ensure the development results in an improvement to the biodiversity of the site in accordance with Uttlesford Local Plan Policy GEN7 (adopted 2005).

10. The Construction Management Action Plan shall be implemented in accordance with the details which have been previously submitted to the local planning authority and subsequently approved under Discharge of Condition (DOC) application reference UTT/13/1342/DOC.

REASON: In the interests of highway safety in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005).

Application no.: UTT/14/0186/FUL

Address: Land At Spriggs Farm Thaxted Road Little Sampford



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Organisation: Uttlesford District Council

Department: Planning

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