

UTT/14/0621/FUL (Little Bardfield)

(MAJOR)

PROPOSAL: Construction of 18.65 ha solar park, including installation of solar panels, transformer and inverter housings, security fencing, landscaping and associated works – revised scheme to that approved under UTT/13/2207/FUL relating to relocation of substation, adjusted route of grid connection and change to inverter and transformer housing design.

LOCATION: Hydes Farm, Little Bardfield

APPLICANT: Push Energy Ltd.

EXPIRY DATE: 10 June 2014

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site is situated at Hydes Farm to the south of the Thaxted to Bardfield Road and comprises arable farmland comprising 18.65 ha. The site comprises a flat plateau beyond a ridge and is accessed by a long private farm drive from Bardfield Road. The site is traced by public footpaths along its north-west and north-east boundaries, whilst a public bridleway leads southwards down from the south-west corner of the site to Bustard Green. The edges of the field are marked by deep drainage ditches with thinly scattered trees, but no hedges.

3. PROPOSAL

3.1 This application relates to revisions to this 10.8MW solar farm scheme previously approved under UTT/13/2207/FUL where these revisions extend to the following:

- relocation of approved substation position from Tylers along Bardfield Road to the northern perimeter of the application site itself, together with new underground grid connection cable alignment route;
- changes to the transformer and inverter housing design where this equipment would now appear similar to shipping containers and where the size dimensions of these would be 2.4m wide x 6.0m long x 2.6m high.

3.2 No revisions are proposed to the design or layout of the solar arrays themselves where these remain as previously approved. Due to the nature of the application proposal, the revisions cannot be dealt with through the minor amendment process and are subject to a further planning application for formal consideration by the Council.

4. APPLICANT'S CASE

- 4.1 “The proposed solution offers improved security and reduces the amount of work required on site, reducing construction period”.

5. RELEVANT SITE HISTORY

- 5.1 Planning permission granted by the Council’s Development Committee in November 2013 for the construction of an 18.65ha solar park with associated equipment and works at Hydes Farm when the principle of this renewable energy scheme was considered acceptable subject to appropriate planning conditions to protect rural amenity etc. (UTT/13/2207/FUL).

6. 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 S7 - The Countryside
- ULP Policy E4 - Farm diversification: alternative use of farmland
- ULP Policy ENV5 - Protection of agricultural land
- ULP Policy ENV8 - Other landscape elements of importance for nature conservation
- ULP Policy ENV15 - Renewable Energy
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN3 - Flood Protection
- ULP Policy GEN4 - Good neighbourliness
- ULP Policy GEN7 - Nature Conservation
- ULP Policy GEN8 - Parking

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. PARISH COUNCIL COMMENTS

- 7.1 Comments not received.

8. CONSULTATIONS

Environment Agency

- 8.1 No objections to the proposed revisions as per the previous comments, although recommend a suitably worded condition covering proposed soakaways.

NATS Safeguarding

- 8.2 The proposed development has been examined from a technical safeguarding aspect and does not conflict with safeguarding criteria.

Airside Operations Ltd

- 8.3 The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. No objections.

ECC Highways

- 8.4 No objections subject to the public's rights and ease of passage over public footpaths 10 and 11, Little Bardfield being maintained free and unobstructed at all times.

ECC Archaeology

- 8.5 No objections subject to archaeological monitoring condition due to potential effect of proposed development on archaeological deposits.

Braintree District Council

- 8.6 The views from this location point are similar to those which would be seen from the nearest parts of Braintree District. I consider that these give limited views of the site and that these would not give rise to an adverse impact on the landscape between the site and Dunmow Road.

9. REPRESENTATIONS

- 9.1 0 representations received. Neighbour notification expired 4 April 2014. Advertisement expired 10 April 2014. Site notice expired 10 April 2014.

10. APPRAISAL

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

- A Whether the revisions would be acceptable in terms of design and impact on rural amenity (NPPF, ULP Policies S7 and GEN2).

A Whether the revisions would be acceptable in terms of design and impact on rural amenity (NPPF, ULP Policies S7 and GEN2).

- 10.1 The principle of a solar farm at this rural location was considered acceptable under application UTT/13/2207/FUL when the officer report for that application concluded that the scheme would not have a significant detrimental effect on the rural amenities of the area in terms of countryside protection.

- 10.2 The current application relates to the proposed re-siting of the sub-station and design amendments to the transformer and inverter stations for this previously approved scheme. The re-siting of the sub-station is considered acceptable where it would be moved from its approved off-site position along Bardfield Road to a less prominent

position along the northern perimeter of the site itself situated behind a natural dividing ridge where this revised siting is considered to be more favourable in terms of its impact on rural amenity.

- 10.3 The design changes to the transformer and inverter stations would result in slightly smaller size dimensions as amended at 2.4m wide x 6.0m long x 2.6m high as opposed to 2.2m wide x 8.4m long x 2.5m high for the approved installations, although the revised equipment version would have shallow ridged roofs as opposed to steeper pitched roofs as approved. Whilst the roofs to the equipment would have been more preferable as approved, the transformer and inverter stations would still be centrally sited and it is considered that their impact on the site would be no greater than the approved design. The proposal would therefore comply with ULP Policies S7 and GEN2 in this respect.
- 10.4 No other issues arise with this revised application for this solar farm scheme where other matters relating to access, parking and ecology were addressed under previous application UTT/13/2207/FUL.

11. CONCLUSION

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

- A The re-siting of the sub-station and design amendments to the transformer and inverter stations as proposed are considered acceptable and the proposal complies with relevant national and local planning policy.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions

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. Before development commences full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-
- a) proposed finished levels [earthworks to be carried out]
 - b) means of enclosure
 - c) car parking layout
 - d) vehicle and pedestrian access and circulation areas
 - e) hard surfacing, other hard landscape features and materials
 - f) existing trees, hedges or other soft features to be retained
 - g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
 - h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
 - i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
 - j) location of service runs
 - k) management and maintenance details

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Uttlesford Local Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

3. All hard and soft landscape works shall be carried out in accordance with the details as approved by the local planning authority or in accordance with an alternative 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 Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. Surface water run-off from the solar arrays and plant buildings on the site shall be drained in accordance with the drainage recommendations as contained within the Flood Risk Assessment report prepared by A E Designs Ltd dated February 2013.

REASON: To ensure that adequate drainage is provided for the development in accordance with ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

5. Prior to commencement of development, details of the external colour specification for the associated plant equipment shall be submitted to and approved in writing by the local planning authority. The equipment shall be externally painted in accordance with the approved details.

REASON: To minimise the visual impact of the development within the countryside in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005).

6. Prior to commencement of the development hereby permitted, details of boundary treatment shall be submitted to and approved in writing by the local planning authority. The details shall include the location, design, materials, colour and type of boundary treatment to be erected. The boundary treatment shall be carried out in accordance with the approved details. 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 of the Uttlesford Local Plan (adopted 2005).

7. No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

REASON: The Historic Environment Record and the desk based assessment provided with the application indicate that elements of the proposal lie within potentially sensitive areas of archaeological deposits. The desk based report identifies the potential threat to the below ground deposits from the support posts, cabling, power cables, the transformer bases and the cable trench to the sub-station. The development area had been under woodland, however, there is the potential of surviving archaeological deposits related both to the woodland but also earlier occupation from the prehistoric to Roman period. To limit the extent of the watching brief it is recommended that a phased programme of work be undertaken in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

Initially a geophysical survey by magnetometer should be undertaken over the main solar park area. This will identify any significant features which can then be targeted as part of the archaeological monitoring phase. The monitoring will take place on areas identified from the geophysical survey and on the cabling link to the sub-station. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office.

8. No development shall take place until a Biodiversity Mitigation and Enhancement Plan has been submitted to and approved in writing by the Uttlesford Planning Authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted, as outlined in the Preliminary Ecological Appraisal (dated February 2013) and Landscape Strategy (dated 21st March 2013) and shall, without prejudice to the foregoing, include:
 - (i) Aims and objectives of mitigation and enhancement;
 - (ii) Extent and location of proposed works;
 - (iii) A description and evaluation of the features to be managed, including but not limited to the ditches, hedgerows and grassland;
 - (iv) Sources of habitat materials;
 - (v) Timing of the works;
 - (vi) Disposal of wastes arising from the works;
 - (vii) Selection of specific techniques and practices for preparing the site and creating/establishing vegetation;
 - (viii) Appropriate management options for achieving aims and objectives;
 - (ix) Prescriptions for management actions, including stocking density of livestock and specific timings for grazing, outlining how a long forage season for bumblebees will be achieved;
 - (x) Personnel responsible for implementation of the Plan;
 - (xi) The Plan shall include demonstration of the feasibility of the implementation of biodiversity mitigation plan for the period specified in the Plan;
 - (xii) Monitoring and remedial / contingencies measures triggered by monitoring to ensure that the proposed biodiversity gains are realised in full. Monitoring shall review agreed targets at five year intervals and allow for remedial action to be agreed with the Uttlesford Planning Authority.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

9. Should the development hereby approved not have been commenced within one year of the date of this planning permission, a further biodiversity survey of the site shall be carried out to update the information previously submitted with the application [Environmental Impact Assessment, dated July 2013] together with an amended mitigation strategy to mitigate the impact of the development upon the identified

protected or priority species. The new biodiversity survey and mitigation strategy shall be submitted to and be approved in writing by the Planning Authority prior to the commencement of the development hereby permitted and thereafter the development shall be implemented in accordance with the approved biodiversity survey and mitigation/compensation strategy.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

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

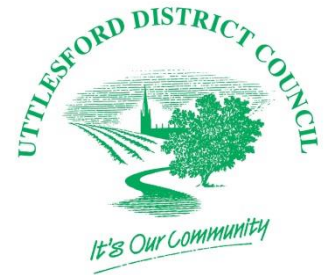
REASON: To safeguard the character and appearance of the countryside in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

11. The development hereby permitted shall be carried out in accordance with the Construction Management Programme prepared by Push Energy.

REASON: To minimise disruption to the local highway network and on residential amenity in accordance with ULP Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

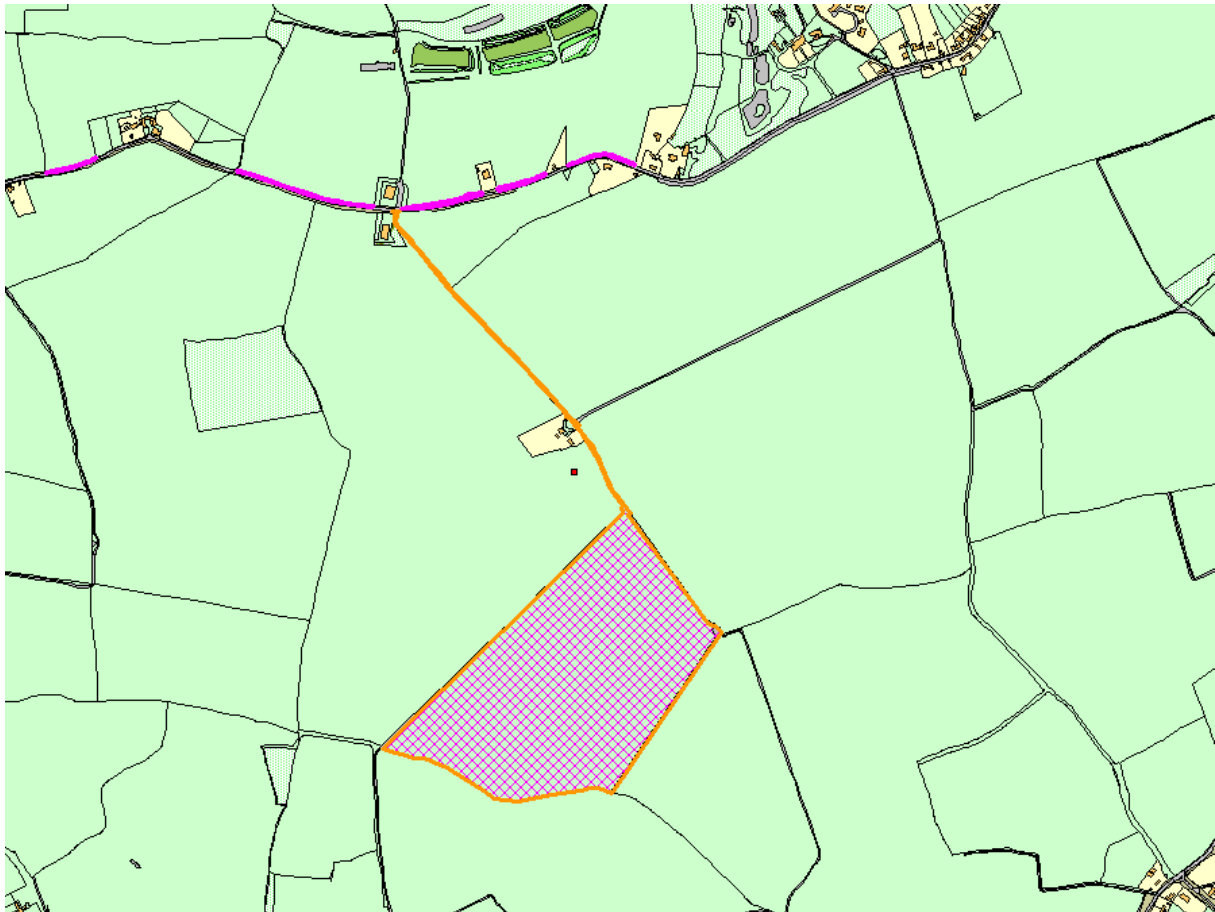
12. Should the solar panels not be used continuously for the production of energy for a period of six months, the panels, support structures and associated buildings shall be removed in their entirety and the land shall be restored to its former condition in accordance with a scheme of work submitted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



Application no.: UTT/14/0621/FUL

Address: Hydes Solar Farm Little Bardfield



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Organisation: Uttlesford District Council

Department: Planning

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