

UTT/15/2318/FUL – GREAT DUNMOW/LITTLE DUNMOW

(MAJOR)

PROPOSAL: Installation and operation of a solar farm and associated infrastructure including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, composting toilet, access tracks, fencing, pole-mounted CCTV cameras

LOCATION: Bumpstead Hill, Land west of A120, Chelmsford Road, Great Dunmow

APPLICANT: Lightsource SPV 91 Ltd

AGENT: Mr Colm Ryan, Lightsource Renewable Energy Holdings Ltd

EXPIRY DATE: 13 November 2015

EXTENSION OF TIME: 27 November 2015

CASE OFFICER: Karen Denmark

1. NOTATION

- 1.1 Outside Development Limits/Adjacent Important Woodland and close to Local (County) Wildlife Site.

2. DESCRIPTION OF SITE

- 2.1 The application site is located to the west of the A120 on the eastern extremity of Great Dunmow. The site is located to the north of the Flich Way and to the southeast of woodland known as Bumpstead Hill, which is designated as an important woodland.
- 2.2 The site area is 13.2ha and is Grade 3 agricultural land, and the application states this is Grade 3A land. The site rises from the south to the north with the lowest part of the site being approximately 55m AOD and the highest part being approximately 73m AOD. There is mature hedging to the boundaries with the hedging being on average between 2 and 3 metres higher than the adjoining ground level. However, given the nature of the site and the local topography, the upper parts of the site are visible from outside the site, in particular from the A120 and across the valley from Barnston.
- 2.3 Access to the site is via Little Dunmow and Grange Lane and the byway that passes over the A120.

3. PROPOSAL

- 3.1 The application relates to the construction of a 5MW solar farm, capable of generating enough power for 1400 typical households. The proposed development would constitute rows of solar panels mounted on frames, having a maximum height of 2.5m above ground level.
- 3.2 Additional structures will be required including:

- Inverters – small green cabinets of approximately 2.8m high and 4.4m long and 1.5m wide
- Transformers – probably located inside a small cabinet of a similar size to the inverter or surrounded by a fence with an accompanying switchgear cabinet
- Substations – two are required, one to shut the solar farm off from the grid (client substation) and one to shut the grid off from the solar farm (DNO substation)
- Perimeter fence – 2m high agricultural timber and wire fence
- Security cameras – erected around the perimeter of the site on poles of 2m in height
- Communications building – a small cabinet of approximately 3.6m in length, 3m in width and 2.5m in height
- Composting toilet – for the use of operations and maintenance staff

3.3 The development is expected to cover approximately 30% of the ground area.

3.4 The access to the site would be via Little Dunmow. The vehicles associated with the development would use Grange Lane and follow this to the bridge that passes over the A120 and then a field track down the edge of the field adjacent to the A120.

4. APPLICANT'S CASE

4.1 The application is accompanied by the following documents:

- Planning, Design and Access Statement
- Agricultural Land Classification
- Biodiversity Management Plan
- Preliminary Ecological Appraisal
- Construction, Decommissioning and Traffic Management Method Statement
- Sequential Analysis Study
- Solar Photovoltaic Glint and Glare Study
- Historic Environment Setting Impact Assessment
- Flood Risk Assessment
- Archaeological Desk-Based Assessment
- Archaeological Geophysical Survey 2015
- Statement of Community Involvement

4.2 Conclusion of Planning, Design and Access Statement:

The Bumpstead Hill solar farm will increase the UK's sustainable, locally generated, energy supply, by providing enough clean energy to power 1400 households. Growing our renewable energy generation capacity will both reduce our carbon emissions and enhance the security of energy supply by lowering our reliance on volatile international fossil fuel markets. The proposal also provides the opportunity to enhance biodiversity values.

Government policy promotes the development of large and small scale renewable energy developments, provided that the environmental impacts of individual proposals are acceptable, or can be made so through mitigation strategies.

The proposed location has a number of advantages. From an energy generation perspective the relatively flat ideal (sic) for maximising daylight capture, and proximity to existing National Grid infrastructure provides for efficient transmission of the electricity generated. It is considered that the impacts of the proposal will be

acceptable, and where potential environmental impacts have been identified, detailed assessments have been undertaken and these accompany this application.

Consultation will be undertaken with the LPA, local Parish Councils and local community, and issues raised during this engagement process have been addressed as detailed in the accompanying Statement of Community Involvement (sic).

The proposal has been shown to comply with the relevant planning policy framework, therefore planning permission should be granted.

5. RELEVANT SITE HISTORY

- 5.1 UTT/15/1927/SCO – Request for screening opinion for proposed solar farm. Opinion given 2 July 2015.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S7 – Countryside
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection
- GEN4 – Good Neighbourliness
- GEN7 – Nature Conservation
- E4 – Farm Diversification: Alternative Use of Farmland
- ENV5 – Protection of Agricultural Land
- ENV8 – Other Landscape Elements of Importance for Nature Conservation
- ENV11 – Noise Generators

7. TOWN COUNCIL COMMENTS

- 7.1 Great Dunmow Town Council objects to this application on the following grounds:

- Impact on the A120 – distraction to drivers as it is very close to the road.
Impact on views from the Flich Way.
- In conflict with the Town Council's aspirations on its adjacent land to protect and enhance public open space and woodland
- Poor access

8. CONSULTATIONS

Environmental Health Officer

- 8.1 No comments.

ECC Archaeology

- 8.2 Recommend a trial trenching and excavation condition as the site lies in a sensitive area immediately adjacent a known medieval windmill. This site was excavated during the construction of the A120 and it is possible that associated medieval buildings will

be located within the development area. Other features identified from the geophysical survey will also need to be assessed.

ECC Highways

- 8.3 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions relating to a Traffic Management Plan, a before and after survey of the construction traffic route, and the submission of a Construction Management Plan.

ECC Ecology

- 8.4 The application is supported by both a Preliminary Ecological Appraisal and a Biodiversity Management Plan. The BMP is acceptable and should be adhered to in full. Recommend a construction environmental management plan is conditioned.

Highways England

- 8.5 Offer no objection.

ECC Lead Local Flood Authority

- 8.6 Having reviewed the Flood Risk Assessment and the associated documents we support the granting of planning permission subject to a condition requiring the consent to be carried out in accordance with the approved Flood Risk Assessment.

BAA Aerodrome Safeguarding

- 8.7 No safeguarding concerns for Stansted Airport.

Landscape Officer

- 8.8 The cumulative impact of the proposed development on the wider landscape is considered to be limited and acceptable. Part of the proposed array would be visible in views taken from the public footpath network [FP 61] south-west of the site, north of Martels Manor Farm. However, the viewpoints are over 1km distant from the site and the development would be satisfactorily assimilated within the pattern of broader landscape. Parts of the site can be seen from the footbridge over the A120 [FP 4] to the north of the site at a distance of some 0.3km, however, the site is generally screened by the hedge on the northern boundary of the site. The site is not visible from the Flitch Way [FP 42], or the bridleway [BW 5] to the south of the site. The site is not visible from the A120 due to topography and roadside planting.

9 REPRESENTATIONS

- 9.1 This application has been advertised and 3 letters of representation have been received. Notification period expired:
- We are owners of the land that the same company is at present erecting a similar project at Toolies Farm.
 - Many more heavy movements of materials onto the site than we appreciated, including about 35 workers in vehicles
 - Grange Lane is a single track road well used by many as a footpath as it is part of a circular walk, also off-road vehicles and bikes

- Condition relating to times heavy traffic is permissible has been difficult to totally adhere to, especially with foreign drivers
- Grange Lane would need 2 or 3 passing places and speed restrictions
- Grange Lane has never, beyond Grange Farm, had to accommodate 40 tonne traffic
- Support proposals
- Proposed solar farm will power over 1,400 households with clean, locally produced energy
- Existing hedgerows and trees in and around the site will be retained
- This form of renewable energy production allows farmers to diversify their land use
- Biodiversity enhancement measures and included in proposals
- We all need to use electricity, but if we continue to rely on the burning of fossil fuels for our energy, we will pollute the planet and remain vulnerable to volatile price fluctuations of the global fossil fuel markets
- Solar power is a much needed part of the renewables mix that this country so desperately needs
- Renewable energy production is a responsible choice that as a society we must support

10 APPRAISAL

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

- A The recognised benefits of providing renewable forms of energy in the interests of climate change as weighed against the impact of the proposed development upon the countryside at this rural location having due regard to design and the particular characteristics and sensitivity of the site and its immediate surroundings, the loss of arable farmland and the cumulative impact of having a second solar farm within the same geographical operational area (NPPF, NPPG and current government advice on solar farms and ULP Policies S7, E4, ENV5, ENV8, ENV11 and GEN2);
 - B Whether access arrangements would be satisfactory (ULP Policy GEN1);
 - C Whether the development would constitute a risk to flooding (ULP Policy GEN3);
 - D Impact of the proposed development on wildlife and protected species (ULP Policy GEN7);
 - E Impact upon residential amenity (ULP Policies GEN2 and GEN4);
 - F Impact upon sites of local archaeological importance, listed buildings and conservation areas (ULP Policies ENV4, ENV1 and ENV2; NPPF);
 - G Other material considerations: Glint and Glare.
- A The recognised benefits of providing renewable forms of energy in the interests of climate change as weighed against the impact of the proposed development upon the countryside at this rural location having due regard to design and the particular characteristics and sensitivity of the site and its immediate surroundings, the loss of arable farmland and the cumulative impact of having a second solar farm within the same geographical operational area (NPPF, NPPG and current government advice on solar farms and ULP Policies S7, E4, ENV5, ENV8, ENV11 and GEN2);**

10.1 The UK Government is committed to meeting its legally binding targets for reducing the country's carbon footprint and a key component of this is increasing the levels for renewable energy generation in the UK. This will have the benefit of insulating the UK from volatility in the global fossil fuel markets by increasing domestic energy self-sufficiency. The Department of Energy and Climate Change (DECC) document, Energy Security Strategy (2012) provides statistical data in support of the argument for carbon reduction and increase in renewable energy generation. The current application through the generation of solar energy to the National Grid is seen as representing a further contribution in fulfilling this national target and in reducing the country's carbon footprint. The Council has granted consent for four similar facilities in the district which demonstrates the Council's commitment to this national policy when these were considered in line with prevailing government advice at the time.

10.2 The NPPF advises that all communities have a responsibility to help increase the use and supply of green energy, but adds that this does not mean that the need for renewable energy automatically overrides the environmental protections and the planning concerns of local communities, adding that as with other types of development that it is important that the planning concerns of local communities are properly considered in matters that directly affect them. Updated National Planning Policy Guidance (NPPG) (Paragraph: 013 Reference ID: 5-013-20150327) provides national guidance on the particular planning considerations that need to be considered in relation to large scale ground-mounted solar PV farms and states that the deployment of large scale solar farms (such as the application proposal submitted) can have a negative impact on the rural environment, particularly in undulating landscapes. It continues, however, that the visual impact of a well-planned and well screened solar farm can be properly addressed within the landscape if planned sensitively.

10.3 It goes on to list the particular factors an LPA will need to consider, namely:

- encouraging the effective use of land by focusing large scale solar farms on previously developed land and non-agricultural land provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays;
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons, including latitude and aspect.

10.4 The government advice under the NPPG update concludes by saying that the approach to assessing cumulative landscape and visual impact of large scale solar

farms is likely to be the same as assessing the impact of wind turbines, although adds that in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography that the area of a zone of visual influence could be zero. It is against this overarching national criteria and also assessment against relevant adopted and saved local planning policies that the planning merits of the application proposal as submitted are now considered.

- 10.5 The application site is located within the countryside outside development limits as defined within the Council's adopted local plan. ULP Policy S7 of the plan states that the countryside will be protected for its own sake and that permission will only be given for development that needs to take place there or is appropriate to a rural area. The policy adds that development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. The rural safeguard provisions of this local constraint policy therefore have to be balanced against the benefits of providing solar energy at this selected rural site by the applicant and whether it satisfies the advice criteria set out in the NPPG relating to greenfield solar. It should be noted that ULP Policy ENV15, which is the Council's specific local policy on renewable energy is not applicable to the application as the proposal does not by reason of its medium to large scale size and direct feed into the National Grid represent a small scale renewable energy development scheme to meet local needs.
- 10.6 A sequential Analysis Study (SAS) has been undertaken by the applicant for this solar farm proposal to support the applicant's contention of compliance with extant national planning policy and other material considerations, in particular the aforementioned National Planning Practice Guidance. The study, for the purposes of geographical context comprises the Uttlesford District boundary and the western extents of Braintree District. The findings and conclusions of the SAS are such that the applicant considers the SAS to be compliant with the NPPG, namely that;
- i) the use of agricultural land (Greenfield) is necessary in the absence of previously developed land within the defined study area and barriers to the deployment of large scale commercial roof space within the study area for solar photovoltaic development;
 - ii) there are no potential alternative sites of any poorer agricultural quality land and subject to any less environmental constraints than the application site within the study area; and
 - iii) that the application site would remain in agricultural use and that biodiversity improvements would be delivered as part of the proposed development.
- 10.7 The Council has considered the detailed SAS methodology and site analysis process carried out on behalf of the applicant in an attempt to establish appropriate, available and sufficiently large brownfield sites within the geographical area to justify solar installations both on an operational and commercial basis and also its findings and conclusions as an alternative siting to greenfield solar. The SAS as prepared is similar in its methodology and geographical inclusion area for previous solar farm applications received by the Council for its district, most recently being the refused site at Hawkspur Green, Little Bardfield, earlier this year when the SAS was accepted at that site and it is considered that there are no specific grounds in the circumstances under which the Council is effectively able to challenge the findings and conclusions of the SAS submitted for the current application on this basis.
- 10.8 The site is currently used for arable farming purposes. ULP Policy E4 states that alternative uses for agricultural land will be permitted if (a) the development includes measures for landscape and nature conservation enhancement, (b) the development

would not result in a significant increase in noise levels or other adverse impacts beyond the holding, (c) the continued viability and function of the agricultural holding would not be harmed and (d) the development would not place unacceptable pressures on the surrounding rural road network. ULP Policy ENV5 states, however, that development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for possible alternative development locations on poorer quality agricultural land except where other sustainability considerations suggest otherwise.

10.9 The applicant has carried out a full BRE agricultural land classification study to establish the agricultural land classification grading for the site and this has concluded that the site comprises Grade 3a land, thereby constituting best and most versatile agricultural land. The SAS concludes that there are no suitable sites within the search area of lower quality land, or previously developed land. In the absence to any quantifiable evidence to the contrary, the Council accepts the findings of the report.

10.10 It is the case that many farms in the UK undertake some form of activity that fall outside of the core business of farming in order to support farm operations, i.e. farm diversification. This can result in a more productive use of part of the farming unit and can provide a regular form of income to the farm to balance the traditional fluctuations in farm incomes. In the case of solar farms, diversification towards renewable energy increases farm income security as well as representing an opportunity to provide a dual use of the site livestock can be kept in with the panels. In this particular instance it is suggested that bee keeping and/or hay cropping could be carried out. It is considered from this that the proposals comply with ULP Policies E4 and ENV5.

10.11 Consideration now needs to be given to landscape impact. The submitted Landscape and Visual Impact Assessment (LVIA) notes that the site is not covered by any landscape designations. The site falls within the County Landscape Area of Chelmer Valley, and the District Landscape Character Area of the Upper Chelmer River Valley. The skyline is noted as being sensitive to change, with open and framed cross-valley views and long views along the river corridor potentially affected by new tall or non-screened new development. The susceptibility of the landscape to changes is considered to be medium, due to the close presence of the A120.

10.12 The LVIA states that there would be very limited inter-visibility between the proposed development and the wider landscape due to the existing field boundary hedgerow network which restricts views towards the site from publically accessible highways and public rights of way. As a result the magnitude of the change on the wider landscape is assessed as being negligible, resulting in a negligible overall effect. However, the magnitude of change within the site itself would be high resulting in a major effect on the landscape character of the site.

10.13 The local topography and landscape components such as woodland blocks limit the inter-visibility of the site within the surrounding landscape. The receptors that would result in the highest effects are limited to those in the immediate vicinity of the site, in particular a short section of the public right of way as it crosses the A120 to the northeast of the application site. The cumulative impact of the proposed development on the wider landscape is also considered to be limited and acceptable.

10.14 The impact of the proposed solar farm on the rural landscape at this countryside location has been assessed by the Council. It has been identified that part of the proposed array would be visible in views taken from the public footpath network south-west of the site, north of Martels Manor Farm. However, this viewpoint is over 1km from the application site and the development would be satisfactorily assimilated within

the pattern of the broader landscape. The site is not visible from the Flitch Way or the bridleway to the south of the site. There would be limited visibility from the A120, but this could be mitigated by additional planting. Overall it is considered that the proposals would not have an adverse impact on the character of the rural area.

B Whether access arrangements would be satisfactory (ULP Policy GEN1);

- 10.15 Access to the site would be via Little Dunmow and Grange Lane, crossing over the A120 and using a field access at the northern end of the site. Swept path analysis from the junction with the Braintree Road (B1256) to the site has been submitted and this indicates that the roads can accommodate the proposed vehicles. ECC Highways raise no objections to the proposals subject to a survey to ensure the road does not suffer deterioration as a result of the development, and any damaged is subsequently repaired.
- 10.16 Grange Lane is a single track road which leads into the local public right of way network. Where Grange Lane meets the bridge crossing the A120 there is a public right of way heading westwards towards Great Dunmow. Further south Grange Lane becomes a byway leading towards the Flitch Way. As such Grange Lane has the potential to be well used by walkers, cyclists and horse riders as well as general traffic. The width of the lane is insufficient to permit two vehicles to pass each other comfortably and potential conflict with other road users increases due to the relationship between Grange Lane and the surrounding public rights of way.
- 10.17 Policy GEN1 requires development proposals to be located where the traffic generated is capable of being accommodated on the surrounding transport network in a safe manner and must not compromise road safety for all potential users. As stated above, the applicant has demonstrated that the access route is capable of accommodating the proposed vehicular traffic associated with the construction phase. This will be a short-term period of approximately 6-8 weeks and it is envisaged that 95 HGV movements will be required to deliver the components to the site, with average deliveries being between 2 and 4 a day throughout the construction period. Additional vehicles associated with the construction team are envisaged to be a maximum of 10.
- 10.18 The Construction, Decommissioning and Traffic Management Method Statement states that delivery times will be restricted to 8am to 6pm Monday to Friday and 8am to 1pm on Saturday. Deliveries will be scheduled to avoid peak times such as rush hour and school pick up/drop off times.
- 10.19 Following concerns raised about potential conflict with non-vehicular users of Grange Lane further discussions have been carried out, including with the landowner who has written a letter of representation in respect of concerns relating to a similar development being carried out on their land. A further document detailing Construction Traffic Management Arrangements has been submitted and this give details of passing bays that will be constructed for the construction period. A new temporary passing bay would be constructed on the northern side of Grange Lane adjacent to the last property at the eastern end. There is space within the existing farm entrance further to the west. A second temporary passing place would be constructed between the farm entrance and the approach to the bridge over the A120. Immediately adjacent to the A120 there is an area of hardstanding which would provide a further passing bay.
- 10.20 The proposed passing bays, together with other measures such as signage and use of banksmen ensures that the developer would be undertaking the best measures possible to ensure the potential for conflict is significantly reduced during the construction phase. During the operational phase vehicular movements associated

with the solar farm would be limited to several times a year for maintenance purposes and a twice a month visit by operations and maintenance staff.

- 10.21 In view of the additional information submitted detailing the proposed measures to ensure highway safety is maintained for all road users, it is considered that the proposals are in accordance with Policy GEN1.

C Whether the development would constitute a risk to flooding (ULP Policy GEN3);

- 10.22 The NPPF and the NPPG both advocate the use of a risk based "Sequential Test" to direct development away from areas at the highest risk of flooding. The site is zoned as Flood Risk Zone 1 (lowest risk of flooding) and the applicant makes the case in the submitted Flood Risk Assessment (FRA) that the proposed development would not result in any discernible change in the quantity or rate of surface water run-off from the site. Notwithstanding this, the FRA proposes a sustainable drainage strategy involving the implementation of a Sustainable Drainage System (SuDS) in the form of water collection swales which would be formed along the southern boundary of the site. It is stated that the solar farm would result in a 0.2% increase in hardstanding areas at the site (where at present no hardstanding areas exist given its arable nature).

- 10.23 The proposal has been considered by the ECC LLFA team who raise no objections to the proposals, subject to a condition requiring the development to be carried out in accordance with the recommendations set out in the FRA. The proposal is in compliance with ULP Policy GEN3 relating to flood protection.

D Impact of the proposed development on wildlife and protected species (ULP Policy GEN7);

- 10.24 The site comprises an arable field bordered by hedgerows and woodland. The wider landscape supports similar arable fields, pockets of woodland and grasslands. An Extended Phase 1 habitat survey report has been submitted as part of the application which concludes that the ecological value of the site overall is considered to be low and that the potential for adverse effects on protected notable species can thus be avoided through the implementation of the proposed development. Biodiversity enhancement measures have been proposed within the accompanying Biodiversity Management Plan, including the creation of grasslands and wildflower habitats, tree planting and hedgerow augmentation. It has been submitted that the implementation of these measures would lead to a net biodiversity gain at a local ecology level.

- 10.25 The Extended Phase 1 habitat survey report and the Biodiversity Management Plan has been examined by the ECC Ecology Officer who states that the site shows limited potential for protected species owing to domination of arable land use. She notes that the site boundaries show some potential for birds, bats and badgers. However, as all boundary features are to be retained, no further surveys for bats or birds have been recommended and she agrees with this assessment. The Reasonable Avoidance Measures for badgers and protected species are acceptable. It is considered that the Biodiversity Management Plan is acceptable and should be adhered to in full. Accordingly, she has not raised any ecology objections to the proposal, subject to a condition requiring a Construction Environmental Management Plan: Biodiversity. As such, the proposal would conform to ULP Policy GEN7.

E Impact upon residential amenity (ULP Policies GEN2 and GEN4);

- 10.26 The impact upon residential amenity falls to be considered with a medium to large scale solar farm proposal such as the scheme submitted. It is generally recognised

that solar farms are not by their very nature noisy developments. Associated plant infrastructure such as inverter cabinets are fitted with cooling fans which generate a small amount of noise whilst the solar farm is operating during the day, although usually contain most of the noise generated with no noise generated during the night. The applicant has stated that it stipulates through its own site management measures that it requires that a maximum noise level of 35dBA is not exceeded at the site boundaries, which means in practice that there would be no audible noise beyond the site boundary once ambient noise is taken into account.

10.27 The closest dwellings to the site are Clobbs Cottage and Langleys. Clobbs Cottage is located on the eastern side of the A120 and therefore is more likely to be adversely affected by road noise than any potential noise from the solar farm. Langleys is located approximately 150m from the southwestern corner of the site. There is extensive screening along the boundary of the site and around Langleys which provide a significant buffer from the site. As such neither Clobbs Cottage nor Langleys would suffer adverse effects on amenity either through noise or other nuisances. As such the proposal is in accordance with ULP Policies GEN2 and GEN4.

F Impact upon sites of local archaeological importance, listed buildings and conservation areas (ULP Policies ENV4, ENV1 and ENV2; NPPF);

10.28 The application has been submitted with an Archaeological Desk Based Assessment and an Archaeological Geophysical Survey. These refer to ECC's Historical Environment Record (HER) and assess the potential for the site to contain archaeological finds of importance. Based on current evidence, including the results of the geophysical survey, the assessment identified a moderate potential for Prehistoric and Medieval activity in the eastern part of the site. A low potential has been identified for all other periods and in the rest of the site. As such, ECC Archaeology has recommended that an archaeological trial trenching and excavation condition be imposed on any planning permission granted to allow field work to take place. As such the proposals are in accordance with ULP Policy ENV4.

10.29 The application is also accompanied by a Historic Environment Settings Impact Assessment. This identifies that there are 19 Grade II listed buildings located within 1km of the site. There are also 10 Scheduled Monuments, 38 Grade I and II* listed buildings within 5km. There are also 3 Conservation Areas within 2km. The report concludes that the proposed development would not materially harm the significance of any designated heritage assets through the alteration of their setting due to them having no visual, historical or functional relationship with the site. As such the proposals are considered to be in accordance with ULP Policies ENV4, ENV1 and ENV2, and the NPPF.

G Other material considerations: Glint and Glare.

10.30 The Glint and Glare report accompanying the application concludes that there is no potential for the proposed solar arrays to represent a glint or glare issue to aircraft or to receptors on the ground, including nuisance to users of the A120. It adds that the solar panels would be comprised of specialist glass to reduce the incidence of glint and glare and would be fixed and not rotating.

10.31 Both NATS and Stansted Airport Limited (SAL) have been consulted on the application. NATS have confirmed that the proposals do not give rise to any safeguarding concerns in respect of operations at Stansted Airport.

11 CONCLUSION

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

- A The proposal is located in a rural area and would involve the loss of Grade 2 agricultural land. A Sequential Assessment has been undertaken which confirms that no other sites of lesser land value or brownfield have been identified. The visual impact of the proposal would be limited to the immediate vicinity of the site and the proposals are considered to be in accordance with Policies S7, ENV5 and GEN2.
- B The application has adequately demonstrated that the proposed development can be carried out without adverse harm to other road users. Therefore the proposal, subject to the implementation of the mitigation measures, is considered to be in accordance with Policy GEN1.
- C The proposal would not significantly affect the greenfield runoff rate of surface water. The scheme includes the provision of swales within the site which would actually result in a betterment of surface water runoff. As such the proposal is in accordance with Policy GEN3.
- D There are no protected species within the site and the completed development will result in the planting of a wildflower meadow which would increase the potential for biodiversity. As such the proposals are in accordance with Policy GEN7.
- E Given the relationship of the site with the closest residential properties, the development would not result in the loss of residential amenity. As such the proposals are in accordance with Policies GEN2 and GEN4.
- F The application site has the potential to contain archaeological remains and it is recommended that a trial trenching and excavation condition be imposed to mitigate any potential impacts. Given the relationship of the site with nearby listed buildings and nearby Conservation Areas it is not considered that there would be any adverse impacts on heritage assets. As such the proposals are considered to be in accordance with ULP Policies ENV4, ENV1 and ENV2, and the NPPF.
- G The proposals are unlikely to give rise to significant concerns in respect of glint and glare.

RECOMMENDATION – CONDITIONAL 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. 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 local planning authority. The implementation of archaeological works shall be carried out in accordance with the written scheme.

REASON: The site lies in a sensitive area immediately adjacent to a known medieval windmill and possible medieval buildings may be located within the development area. Recording of heritage assets is required in accordance with Uttlesford Local Plan Policy ENV4 (2005) and the NPPF.

STATEMENT: This pre-commencement condition is required to ensure the archaeological investigation works are carried out prior to the development and to ensure any archaeology can be recorded prior to works being undertaken on the site.

3. The Construction Traffic Route Plan as detailed within the "Construction, Decommissioning and Traffic Management Method Statement", prepared by Lightsource, and the "Construction Traffic Management Arrangements", prepared by PFA Consulting, shall be adhered to by all ground works, construction and decommissioning traffic throughout the pre-construction, construction and decommissioning phases.

REASON: To ensure that the adjoining highway is not obstructed by construction activity in the interest of highway safety in accordance with Uttlesford Local Plan Policy (2005).

4. No development shall take place until a comprehensive condition survey of the agreed construction traffic route has been completed. Details of such survey having first been submitted to and approved by the Local Planning Authority. The results of such 'before' survey and any required repair work necessary to facilitate the passage of heavy goods vehicles shall be submitted to and approved in writing by the local planning authority with any repair work being carried out prior to the construction/decommissioning periods.

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

STATEMENT: This pre-commencement condition is required to ensure the condition of the highway is properly recorded prior to the commencement of works so that any damage arising as a result of the development can be repaired at a later date, as required by the provisions of condition 5 below.

5. Following completion of the construction/decommissioning, a further comprehensive survey of the agreed construction routes shall be completed in accordance with the details approved in 2 above. The results of the survey and any identified damage/repair work shall be submitted to and approved in writing by the Local Planning Authority. Any repair works identified in the 'after' survey shall be carried out within 3 months of the completion of the construction/decommissioning periods to a programme to be agreed with the Local Planning Authority if they present an immediate hazard to road users.

REASON: In the interests of highway safety.

6. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of biodiversity protection zones;

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
d) The location and timing of sensitive works to avoid harm to biodiversity features;
e) The times during construction when specialist ecologists need to be present on site to oversee works;
f) Responsible persons and lines of communication;
g) The role and responsibilities on site of an ecological clerk of works or similarly competent person; and the
h) Use of protective fences, exclusion barriers and warning signs.
The approved CEMP: Biodiversity shall be implemented and adhered to throughout the construction period of the development hereby approved.

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

STATEMENT: This pre-commencement condition is required to ensure that adequate measures are put in place to protect the biodiversity of the site.

7. Prior to the commencement of the development hereby permitted, full details of the final locations, design and materials to be used for the panel arrays, inverters, transformers, control room, switchgear substations and CCTV cameras shall be submitted to and approved in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the approved details.

REASON: To ensure the development is carried out in a manner which minimises the visual impact on the character of the rural area in accordance with Adopted Uttlesford Local Plan Policy GEN7 (2005).

STATEMENT: This pre-commencement condition is required because the information submitted with the application is subject to minor changes due to the requirements of the operator and this allows some flexibility in relation to the final site layout and design.

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

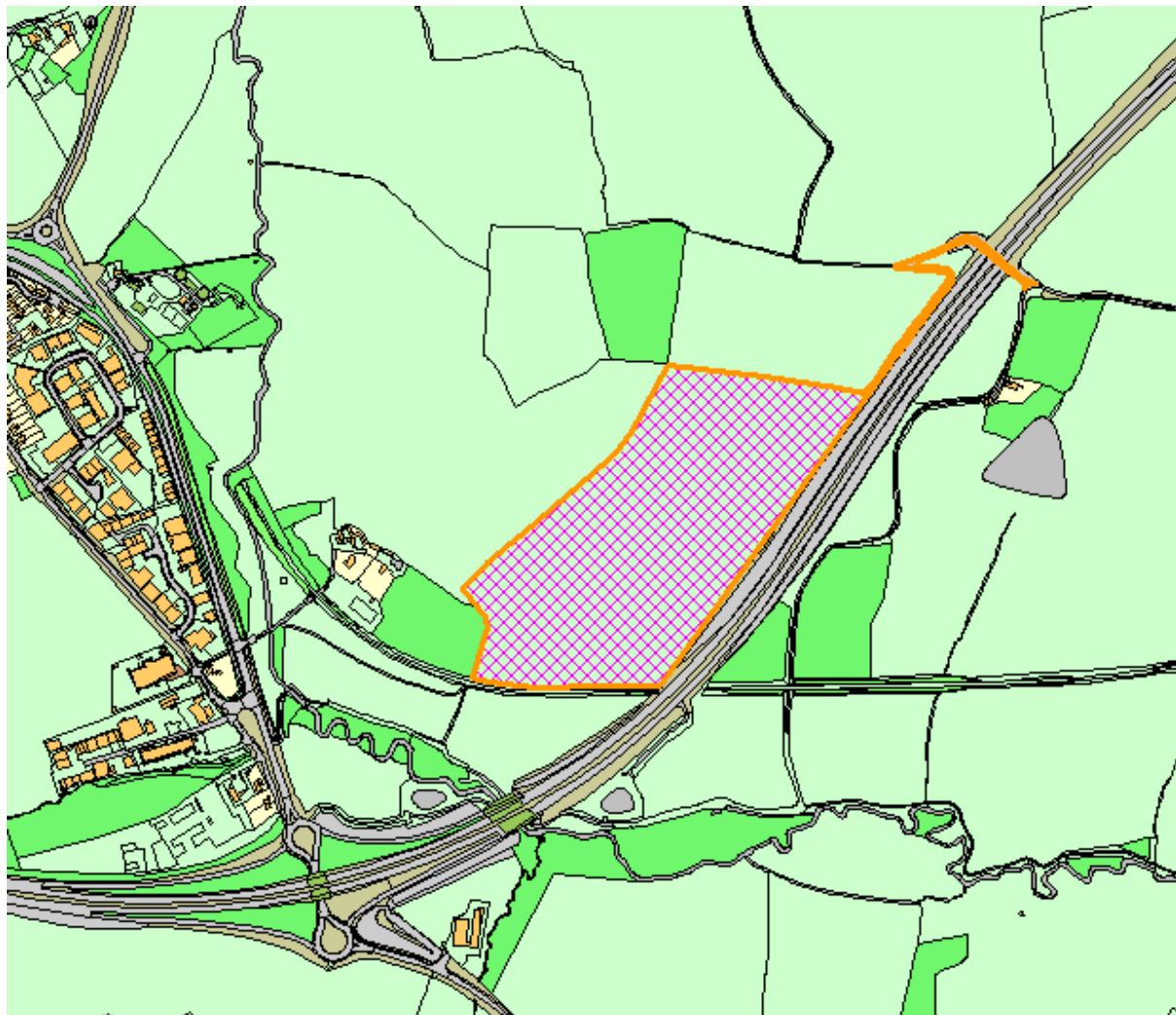
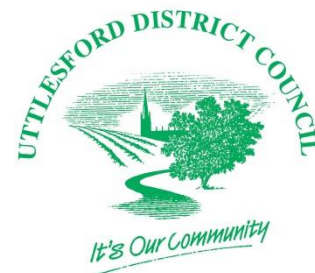
REASON: To safeguard the character and appearance of the countryside in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

9. 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/15/2318/FUL

Address: Bumpstead Hill, Land west of A120, Chelmsford Road,
Great Dunmow



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Organisation: Uttlesford District Council

Department: Planning

Date: 04 November 2015

SLA Number: 100018688