



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**DISTRICT PLANNING COMMITTEE
23 JANUARY 2024**

Application Number	23/00807/FULM
Location	Land South West of the Warren, Hackmans Lane, Purleigh
Proposal	Solar Farm together with sub-station, ancillary buildings, structures, landscaping, emergency lighting and access.
Applicant	Anglo Renewables Limited
Agent	James Hollyman – Harris Lamb Limited
Target Decision Date	02.02.2024
Case Officer	Devan Hearnah
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Proposal is a 'development of strategic interest' as defined under the Scheme of Delegation

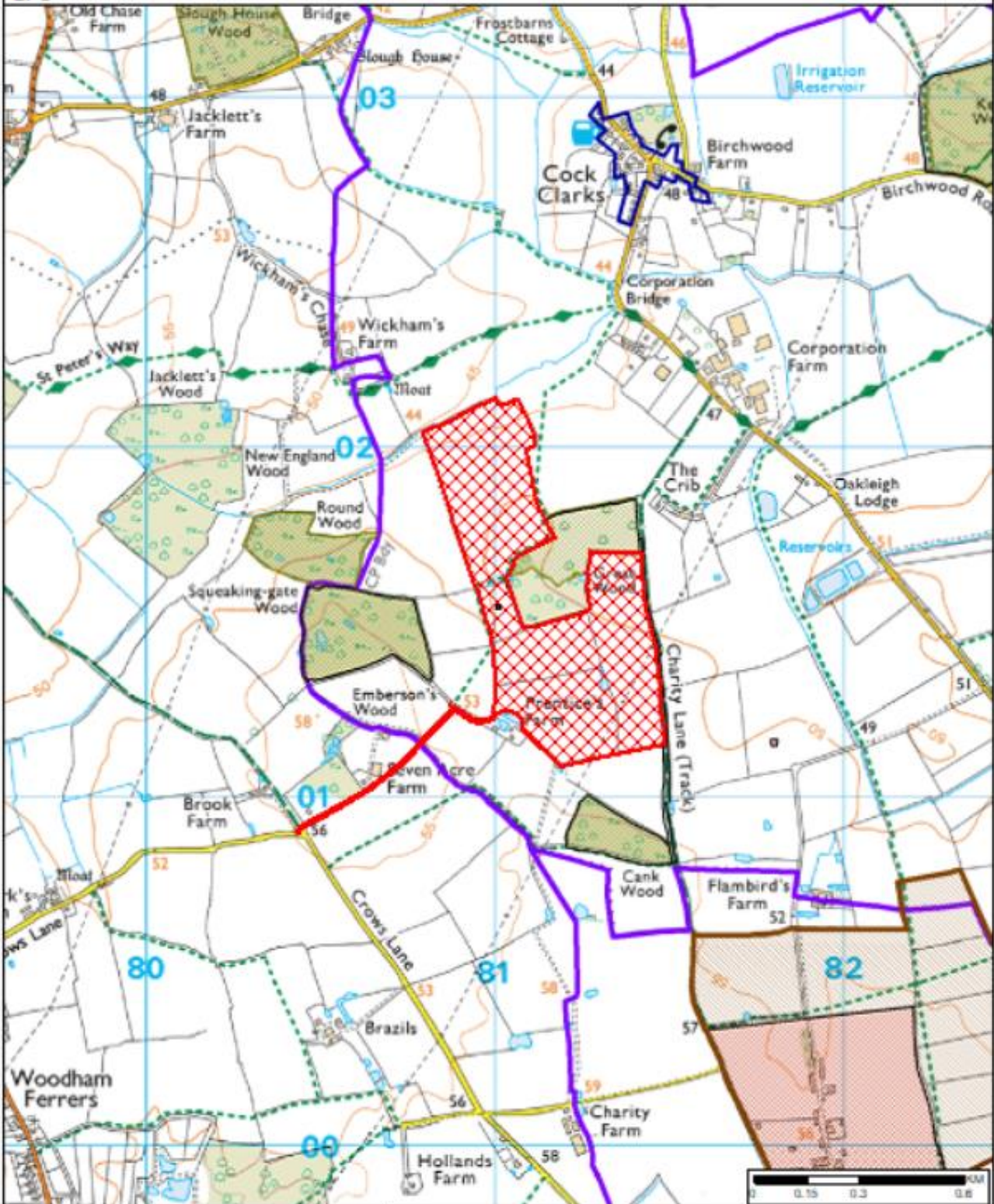
1. RECOMMENDATION

APPROVE subject to the conditions set out in section 8.

2. SITE MAP

Please see below.

23/00807/F ULM
DPC



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Maldon District Council 100018588 2014


MALDON DISTRICT COUNCIL

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Scale:	1:15,000
Organisation:	Maldon District Council
Department:	Department
Comments:	
Date:	01/11/2023
MSA Number:	100018588

3. **SUMMARY**

3.1 Proposal / brief overview, including any relevant background information

Application site

- 3.1.1 The application site is located west of Hackmans Lane and occupies an area of approximately 33 hectares. The site lies predominantly in the Maldon District, in the Parish area of Purleigh. However, part of the site, where the access lies, is located outside of the Maldon District, in the administrative area of Chelmsford City Council (CCC) and the Parish of South Woodham Ferrers.
- 3.1.2 The site is an irregular shape and is made up of agricultural land, with predominantly hedgerow field boundaries. The far northern part of the site lies in Flood Zones 2 and 3. The site wraps around Great Wood, an Ancient Woodland and Local Wildlife Site (LoWS) on its eastern side. Cank Wood, also an Ancient Woodland and LoWS lies to the south of the application site but does not adjoin the boundary of the site. To the east of the application site is Public Right of Way (PRoW) No. 8, which is a bridleway. PRoW No.7 is a footpath that runs through the centre of the site and along part of the western boundary, the PRoW then adjoins PRoW 14 a footpath where access to the site from Crows Lane would be provided. PRoW No.10 lies to the south of Cank Wood and is a footpath. To the east of the application site is a Farmstead. Approximately 370m to the southwest of the main body of the site is Seven Acres Farm. There is an existing power line running in a northeast direction across the southwest corner of the site.
- 3.1.3 The site also lies approximately 870m to the northwest of Stow Maries Great War Aerodrome, which is a conservation area containing several grade II* listed buildings.

Proposal

- 3.1.4 Planning permission is sought for the construction of a Solar Photovoltaic (PV) Farm for a period of 40 years. At the end of that period, the solar farm will be decommissioned and returned to agricultural use. The solar farm would generate approximately 25MW of electricity.
- 3.1.5 Plan ISD_001_300.07 (Proposed Site Layout Plan) details five different development parcels within the site which will provide the following:

Parcel	Equipment	Energy Output
1	<ul style="list-style-type: none">15,480 panels running in an east to west direction3No. Medium Voltage Power Stations (MVPS)Access road along the western boundary of the parcel	9.288 MW
2	<ul style="list-style-type: none">960 panels running in an east to west directionAccess road along the south and eastern	0.576 MW

Parcel	Equipment	Energy Output
	boundary of the parcel	
3	<ul style="list-style-type: none"> • 5,580 panels running in an east to west direction • 2No. MVPS • An access road along the northern and eastern boundaries also serving parcel 5. 	3.348 MW
4	<ul style="list-style-type: none"> • 8,100 panels running in an east to west direction. • 1No. MVPS • Distribution Network Operator (DNO) / Private Substation • Spares container • Access road within the southwestern corner of the parcel. • Satellite 	4.86 MW
5	<ul style="list-style-type: none"> • 11620 panels running in an east to west direction. • 2No. MVPS • An access road along the western side of the parcel. 	6.972 MW

3.1.6 The solar arrays would have a maximum height of 2.7m and lowest height of 1m, with a 30° tilt. Each array would have a width of 23.3m.

3.1.7 The ancillary structures / buildings would be as follows:

- The DNO substation would measure 7.5m in width and 3m in depth. It would have a flat roof with a height of 3.3m.
- The Spares Container would measure 12.2m in width and 2.4m in depth with a height of 2.6m.
- The Private Substation would have a width of 10m and a depth of 3m. It would contain a motoring room as well as the substation.
- The MVPS substation would measure 12.2m in width and 2.4m in depth with a height of 2.6m.
- The satellite dish in Parcel 4 would have a height of 5m and be sited on a base measuring 1.5m by 1.5m.

3.1.8 Each of the parcels will feature hedgerow boundaries and 2m high deer fencing. A number of CCTV posts and cameras are also proposed measuring a height of 2.8m along intervals of the proposed fencing. The development will also include a temporary compound measuring 30m x 50m although the exact location is yet to be determined. The compound will provide parking for construction contractors of which there are expected to be up to 80-100 during peak times.

- 3.1.9 The proposed lighting is limited to emergency lighting in the form of infrared lighting attached to CCTV columns.
- 3.1.10 Access to the site will be from a single priority junction from Crows Lane onto an access track. The junction will be in the form of a 7.3m wide access road. During construction HGV's will access the site from Main Road and Crows Lane, then down the access track to the development site. Smaller vehicles will be used to transfer materials when needed. The access track will require temporary enabling works, which consist of temporary surface widening to turning areas between the site access track and immediately east of Crows Lane.
- 3.1.11 Construction on the site will be carried out Monday to Friday 08:00-18:00 for a period of approximately 24 weeks.
- 3.1.12 During the operation phase, there would be a once weekly / fortnightly visit that would be made by a van or 4x4 type vehicle which would enter and exit the site via the existing access on Crows Lane.
- 3.1.13 In terms of soft landscaping, the existing trees and hedgerows within the site would be retained. New native hedge planting would be provided along the site boundaries to reinforce the existing hedgerow. The areas around and under the solar arrays would be planted with a flowering meadow grass seed mix equating to an area of 31.9 hectares. A drainage trench would be provided within the centre of the site running north to south from the Ancient Woodland. An area of 0.5 hectares of mixed scrub and tree planting is also proposed in areas outside of the solar panel development zones.
- 3.1.14 As stated above, at the end of the development's lifespan (40 years) the solar panels and other infrastructure would be removed, and the site restored to its current state.
- 3.1.15 In February 2023 the Local Planning Authority (LPA) issued a Screening Opinion (22/01247/SCR) stating that the proposed Solar Farm would not result in likely significant effects which would warrant the submission of an Environmental Impact Assessment (EIA) as part of this planning application. Therefore, an EIA has not been submitted as part of this application and is not considered a requirement.

Relevant Background Information

- 3.1.16 As stated above, the application site is situated in both the Maldon District and Chelmsford City Council administrative areas. Paragraph 34 of the Planning Practice Guidance (Fees for planning applications) states:

'If an application site is on land that falls within the boundary of more than one Local Planning Authority, then identical applications must be submitted to each Local Planning Authority, identifying on the plans which part of the site is relevant to each. The planning fee is paid to the Local Planning Authority whose area contains the largest part of the application site.'

- 3.1.17 In this instance, the largest part of the application site falls within the administrative area of MDC. However, in the absence of alternative administrative or statutory arrangements, planning applications should be determined by the LPA. Where a development crosses two administrative areas, this could result in two different decisions being made on what is essentially one application, differing conditions being imposed on the same development or multiple Section 106's being entered into. This approach is contrary to Government guidance which seeks collaborative

working between LPA's. Paragraph 24 of the National Planning Policy Framework (NPPF) states that LPA's have a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. The Government clearly advocates joint working between Local Authorities and Maldon District Council (MDC) and CCC have adopted this approach on plan making and strategic matters to date. On this basis, CCC sought agreement with MDC to devolve its planning powers to the latter in a letter dated 30 June 2023, so that MDC can determine the application in its entirety. This approach is in accordance with section 101(1) of the Local Government Act 1972.

- 3.1.18 The element of the proposed development within CCC administrative area would only relate to the existing road access to the site. Therefore, as the majority of the development lies within the Maldon District, it is appropriate for CCC to devolve their Development Management powers to MDC in relation to determining this planning application. MDC has consulted both Essex County Council (ECC) and the relevant Town Council (South Woodham Ferrers Town Council) and will consider the application against MDC's Planning policies as well as CCC's.

3.2 Conclusion

- 3.2.1 The proposed development would result in some adverse impacts to the existing landscape. However, the impacts would be limited to immediate receptors and would be mitigated by proposed landscaping therefore ensuring that the impacts are not significant or unacceptable. Likewise, any adverse ecological impacts could be suitably dealt with through mitigation to be secured by conditions. The same applies in relation to any potential impacts on the highway network including Public Rights of Way. The development would, however, deliver a net biodiversity gain and would provide a source of renewable energy which is supported by national and local policy. Therefore, in balancing the benefits against the adverse impacts of the development, it is considered that the benefits would outweigh the harm.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2023 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54-57 Planning conditions and obligations
- 108-117 Promoting sustainable transport
- 96- 107 – 103 Promoting healthy and safe communities
- 108-117 Promoting sustainable transport
- 131-141 Achieving well-designed and beautiful places
- 157 – 179 Meeting the challenge of climate change, flooding and coastal change
- 180-194 Conserving and enhancing the natural environment
- 195- 214 Conserving and enhancing the historic environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- D3 Conservation and Heritage Assets
- D4 Renewable and Low Carbon Energy Generation
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity
- I1 Infrastructure and Services
- T1 Sustainable Transport
- T2 Accessibility

4.3 Chelmsford Local Plan 2013-2036. Adopted May 2020

- S2 Addressing Climate Change and Flood Risk
- Strategic Priority 5 - Delivering New and Improved Strategic Infrastructure
- S1 Spatial Principles
- S3 Conserving and Enhancing the Historic Environment
- S4 Conserving and Enhancing the Natural Environment
- S11 The role of the countryside
- DM8 New buildings and structures in the Rural Area Beyond the Green Belt.
- DM10 Change of use (Land and buildings) and Engineering operations.
- DM13 Designated heritage assets,
- DM14 Non designated heritage assets,
- DM15 Archaeology,
- DM16 Ecology and biodiversity,
- DM17 Trees, Woodland and landscape features,
- DM18 Flooding / SUDs
- DM19 Renewable and Low Carbon Energy
- DM23 High quality and inclusive design,
- DM27 Parking standards,
- DM29 Protecting living and working conditions,
- DM30 Contamination and pollution.

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide Supplementary Planning Document (SPD) (MDDG) (2017)
- Maldon District Vehicle Parking Standards SPD (VPS)
- Chelmsford Local Plan Solar Farm Development Supplementary Planning Document (2021)

5. **MAIN CONSIDERATIONS**

5.1 **Principle of Development**

5.1.1 Policy D4 of the Maldon District Local Development Plan (LDP) supports the delivery of large-scale renewable and low carbon energy projects in principle, provided adverse social, economic and environmental impacts have been minimised to an acceptable level. Likewise, paragraph 157 of the NPPF seeks to ensure that the planning system supports the transition to a low carbon future in a changing climate and that it should help to support renewable and low carbon energy and associated infrastructure. Paragraph 163 of the NPPF goes on to state that when determining planning applications for renewable and low carbon development, LPAs should:

- 'a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions; and*
- b) approve the application if its impacts are (or can be made) acceptable¹. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas; and*
- c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable'*

5.1.2 Having regard to the above, it is not necessary for the Applicant to have demonstrated a need for the proposal.

5.1.3 Likewise, there is not a requirement for a sequential test to be undertaken. Notwithstanding this, the Planning Statement and Site Selection Report (May 2023), confirms that an examination of the Council's Brownfield Register was undertaken to establish whether there were any sites available to accommodate the scheme. It was deemed that there were no Brownfield sites of a suitable size (33.23 hectares) either within or outside existing settlements, both within Maldon and Chelmsford Districts that could accommodate the development. Sites were also either not close enough to the point of grid connection or were being promoted / designated for other uses. Likewise, there were no other suitable greenfield sites available for the size required and due to an absence of lower grade agricultural land within the search area (3km radius of the site).

5.1.4 Policy D4 states that:

'Development proposals will be approved where it can be demonstrated, to the Council's satisfaction, that the development will not have an adverse impact, either individually or cumulatively, on the following:

- 1) The purpose or function of internationally, nationally or locally designated sites of protected wildlife or landscape areas;*

¹ *'Footnote 58: Except for applications for the repowering and life-extension of existing wind turbines, a planning application for wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan or a supplementary planning document; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been appropriately addressed and the proposal has community support.'*

- 2) *Heritage assets and the setting of heritage assets within the landscape;*
- 3) *Landscape and the character of the undeveloped coast and areas, which by nature of their topography, are sensitive to development;*
- 4) *Neighbouring amenity, in respect to visual impact, flicker, vibration, glare, overshadowing, active or background noise levels and any other emissions;*
- 5) *The safety of public footpaths, bridleways, highways, avian wildlife and aviation;*
- 6) *Telecommunications including those used by the police and emergency services and navigational equipment; and*
- 7) *The best and most versatile agricultural land.'*

5.1.5 In relation to point 7 the National Planning Practice Guidance states '*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.*'

5.1.6 Points (1) – (5) will be discussed within the relevant sections of this report. In regard to point (6), the emergency services have been consulted on the application and at the time of writing this report no concerns have been raised. Also, whilst Stow Maries Great War Aerodrome (SMGWA) has raised concerns in respect of obstructions to approach and departure routes and emergency landing options, they have not raised any concerns relating to communications. Therefore, there is no objection in relation to point 6. The matters raised by SMGWA will be addressed where relevant further within this report.

5.1.7 In order to address criteria (7) the application has been supported by an Agricultural Land Classification report (Amet Property, 27 September 2022). The report states that the entire site (33.32Ha) of the site is classified as Grade 3b. Therefore, evidencing that the site does not provide the best and most versatile agricultural land in accordance with criteria 7 of Policy D4 of the LDP, and National Planning Practice Guidance.

5.1.8 Having regard to the above, there is clear national policy support for renewable or low carbon energy proposals. Furthermore, local policy, most notably Policy D4 also supports the provision of such proposals in principle. Therefore, subject to other material considerations the principle of development is considered acceptable.

5.1.9 As the proposed solar farm itself will be located entirely within the Maldon District and it is just the access that relates to CCC administrative area, it is not considered relevant to assess the principle of a solar farm development against CCC policies. Notwithstanding this, it is noted that the principle of Policy DM19 of the Chelmsford Local Plan follows similar principles to Policy D4 of the LDP. Furthermore, CCC has raised no objection to the principle of development within their consultation response to the application. Matters relating to the access will be discussed below.

5.2 Landscape and Visual Impact

5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.'

5.2.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;
- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency.

5.2.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

5.2.5 In addition, Policy D4 seeks to ensure that large-scale renewable and low carbon energy projects do not have an adverse impact the landscape character of the undeveloped coast and areas, which by the nature of their topography, are sensitive to development.

5.2.6 The application has been supported by a Landscape Visual Impact Assessment (LVIA) (mhp, May 2023) which assesses the visual impact of the scheme from within the local vicinity of the site and from long distance views. The LVIA concludes that the site is not a valued landscape and is not located within a national designation.

5.2.7 The site is located within the National Character Area (NCA) 111 Northern Thames Basin. However, this is a broad area and is less relevant than the more detailed local landscape character areas. The site falls within Local Landscape Character Areas (LCA) F6 Woodham Wooded Farmland (south west part of the site) and F12 East Hanningfield Wooded Farmland (north east part of the site) as defined within the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessments. (September 2006 Chris Blandford Associates).

5.2.8 The key characteristics of the F6 area are:

- Sands and gravels over London Clay.
- Broad wooded east-west ridge descending from Danbury.

- Distinctive small, rounded hills visible where ridge has eroded in southeast.
- Open landscape of arable farmland framed by woodland and hedgerows on the lower ground.
- Enclosed to semi-enclosed commons, small irregular fields and pasture on the wooded ridge.
- Visual characteristics consists of Pylons are located across the landscape from Cock Clark's in a northeast direction towards Maldon. Many footpaths crisscross the area, including St Peter's Way.

5.2.9 The key characteristics of the F12 area are:

- Predominantly large arable fields, delineated with very mature tree boundaries and ditches;
- Evidence of field boundary loss;
- Pockets of pasture and pony paddocks;
- Network of quiet narrow lanes;
- Generally dispersed settlement pattern;
- Sense of tranquillity away from major road corridors;
- Fords where streams and narrow lanes meet;
- Visual characteristics consist of open and framed views to wooded horizons, both within the character area and also within adjacent LCA; Pylons dominant within views southwards from the area.

5.2.10 The LVIA provides a summary of the landscape character which states:

'An agricultural landscape with differences in scale due to the presence or loss of boundary vegetation and historic pathways. A rural landscape with sense of tranquillity and intimate character created by established trees, hedges and woodland with good sense of time depth. Of mixed condition due to deterioration of local hedges and agricultural use but offering potential to restore green infrastructure to improve sense of containment.'

5.2.11 Landscape receptors include the NCA and LCA's, which have a Medium to Medium / High sensitivity to change. The immediate contextual agricultural landscape also has a Medium / High sensitivity to change whilst Great Wood has a high susceptibility to change, a high landscape value which causes it to have a high sensitivity to change. The site hedgerows and trees are found to have a medium high sensitivity to change whilst the sites grassland / arable land has a medium sensitive.

5.2.12 Due to the limited height of the development and given the intervening boundary treatments the visual impacts are limited by local land character. The visual receptors during the operational phase of the development are limited to the residents of Hackmans Lane, walkers and road users along Hackmans Lane, users of the PRow's in and around the site. The visual sensitivity of these receptors vary between medium high to high visual sensitivity.

5.2.13 The proposal includes embedded mitigation which relates to the location of the site away from settlement edges as well as the surrounding vegetation which assists in containing the development. The development has been designed in a way to ensure sufficient buffers are retained around trees and hedgerows to protect them for the long term, which includes the Ancient Woodland of Great Wood. Construction traffic would also utilise existing tracks to avoid the need for new access roads to be created.

- 5.2.14 The embedded mitigation will also be supported by additional proposed mitigation in the form of increased hedgerow planting within existing hedgerows but also the planting of new native hedgerows behind existing field boundaries to improve screening. Between the existing and proposed hedgerows grassland corridors will be provided. The improvements to landscape can and should be secured by a condition.
- 5.2.15 During the construction phase visual receptors are predicted to experience a greater change in visual effects. However, it is acknowledged that these impacts will be temporary.
- 5.2.16 Having considered the LVIA it is noted that the proposal would result in some landscape and visual harm from the loss of agricultural character and visual amenity to those visual receptors and landscape receptors within or surrounding the site. The main harm results from the loss of an open agricultural site which adds to the character of the surrounding rural landscape. The greatest degree of landscape harm would be to the site, its grassland and its hedgerows. At the time the landscaping becomes established there would still be substantial adverse impacts. However, a degree of harm is expected to be to the development site itself and these are localised impacts. The degree of landscape harm landscape receptors beyond the application site is at worst moderate to adverse with a low/medium overall magnitude of effect.
- 5.2.17 The most significant harm to visual receptors would be to those walkers who use the local network of footpaths adjoining the site. The main degree of harm would be to walkers using PRoW Purleigh 7 through the site where at the establishment of vegetation the level of harm would be Moderate / Substantial Adverse., likely due to the fact that the footpath runs through the application site.. The footpath would benefit from increased planting and to the northeast the footpath directs away from the application site so the impacts would be reduced. There is also existing tree and hedgerow planting along the eastern boundary which would be reinforced and reduces views on approach to the site.
- 5.2.18 In respect of the other footpaths the proposal would be of limited height, would not feature extensive areas of hardstanding and would be largely screened by good levels of mature vegetation, which would be supplemented by additional planting. Therefore, the impacts would largely be restricted to the immediate area of the site. The LVIA therefore concludes that the harm would not exceed a threshold of significant and unacceptable for the location. Furthermore, the proposal has a temporary lifespan of 40 years and the landscape will be returned back to its original state at the end of that 40 year period therefore, resulting in any negative impacts being over a temporary period. Nevertheless, as stated above, a condition should be imposed securing the soft landscaping as well as management of the landscaping proposals.
- 5.2.19 In terms of the overall design of the development, the proposed solar arrays are of a standard design for the type of development proposed and are becoming fairly common features of the countryside. Whilst the associated infrastructure such as the DNO and substations would introduce more urban forms of development into the rural area, they are of a fairly limited scale and none of the proposed structures or associated infrastructure would exceed a single storey height. Furthermore, the proposed fencing is open, therefore any views between vegetation would be across the landscape and the landscaping scheme seeks to maintain the existing character of the site as much as possible through the proposed planting both around and within the site. Therefore, whilst the development would undoubtedly erode the open character of the site to a degree and would result in undesirable impacts in the short term, subject to conditions securing matters such as soft landscaping in accordance

with Policy D4 the environmental impacts of the development have been minimised to an acceptable degree.

5.2.20 Notwithstanding the above, it is noted that Policy D4 seeks to ensure that large-scale renewable and low carbon energy projects do not have an adverse impact on the landscape character of the undeveloped coast and areas, which by the nature of their topography, are sensitive to development. Therefore, the landscape impacts will need to be weighed against the benefits of the development within the planning balance section below.

5.3 Impact on the Historic Environment

5.3.1 Policy D3 of the LDP states that development proposals that affect a heritage asset and/or its setting will be required to preserve or enhance its special character, appearance, setting and any features and fabric of architectural or historic interest. Likewise, Policy D4 seeks to ensure that large-scale renewable and low carbon energy projects will not have an adverse impact on heritage assets and the setting of heritage assets within the landscape.

5.3.2 The application site is located approximately 570 metres north-west of SMGWA, which is a conservation area that contains several Grade II* listed buildings. As set out in the Conservation Officer's consultation response the aerodrome has outstanding architectural and historic interest as the largest known surviving group of Royal Flying Corp buildings from World War 1 (WW1), being abandoned in 1918 and not adapted for further military use later.

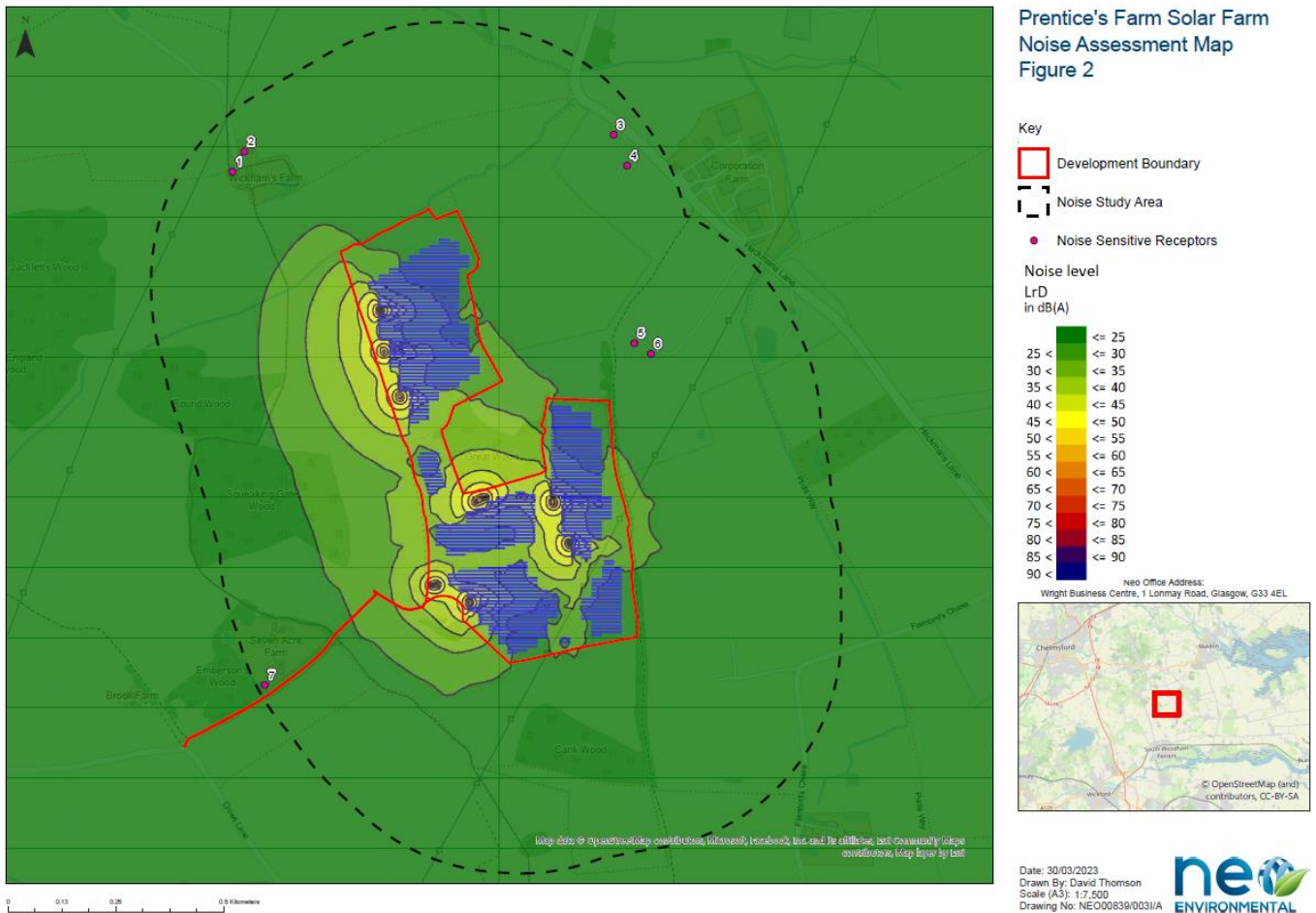
5.3.3 When considering the distance of the application site from the aerodrome, as well as the intervening vegetation, farm buildings and limited height of the proposal there should be no clear views of the proposal from the aerodrome itself. On this basis the development would not have a detrimental impact on the long views of the aerodrome. As such it is concluded that the proposed solar farm and associated development would cause no harm to the setting or significance of the heritage asset. Therefore, the development would not conflict with Policies D3 and D4 of the LDP, chapter 16 of the NPPF or the duty set out in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. These findings accord with the consultation response provided by the Conservation and Heritage Specialist and it is also noted that the SMGWA response raises no objection to the development from a heritage perspective.

5.3.4 The application has also been supported by a Historic Environment Desk Based Assessment and a Written Scheme of Investigations for targeted trial-trenching on the area identified as having archaeological potential by the geographical survey. As set out in the Historic Environment Officers response to the application, this comprises a roughly circular enclosure or enclosures of unknown, but possibly prehistoric date. The trial-trenching is intended to ground-truth the geophysics results and to establish the date and significance of the archaeological remains. This will then inform the development of an appropriate mitigation strategy.

5.3.5 In relation to the above, as archaeological deposits are both fragile and irreplaceable the development, if permitted, should be preceded by a programme of archaeological investigation. Therefore, full archaeological conditions should be imposed if the development is to be approved.

5.4 Impact on Residential Amenity

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017). Likewise point 4 of Policy D4 requires large-scale renewable and low carbon energy projections to have no adverse impact, either individually or cumulatively on *'Neighbouring amenity, in respect to visual impact, flicker, vibration, glare, overshadowing, active or background noise levels and any other emissions;'*
- 5.4.2 The application does not propose any operations that are considered to result in detrimental impacts through odour or light, particularly as the only lighting proposed is for emergency purposes and would be limited to infrared lighting which would be attached to the CCTV columns used as part of the proposed security system. Furthermore, given the low-level height of the development and distance from the nearest residential properties, it would not have an adverse impact on light or outlook.
- 5.4.3 The Design and Assessment Statement (DAS) and Glint and Glare Assessment (Neo Environmental, 19 April 2023) note that by their nature solar panels are designed to absorb light. However the Glint and Glare Assessment notes that glint can be produced as a reflection of the sun from the surface of the solar PV panel. The report describes it as 'a momentary flash', which can be an issue due to visual impact and viewer distraction on ground-based receptors and on aviation. The Glint and Glare Assessment identifies 31 residential receptors, including three residential areas and 21 road receptors within 1km of the application site. The effects of glint and glare were found to have no significant impacts and as such there would be no significant effects.
- 5.4.4 There are also potential noise impacts resulting from the development. The solar panels themselves would not generate noise impacts. However, the development does include inverters and substation transformers which would create noise. Whilst the development would only operate during daytime hours, during the summer months this would include the hours of 4am – 7am. The maximum noise impacts would be realised when the inverters reach their peak and the solar farm is generating at its maximum power. The Noise Impact Assessment (Neo Environmental, April 2023) (NIA) states that this will usually be when the sun is high in the sky just after noon. However, the NIA states that a continuous operation at peak level was assumed for both day and night-time to present a worst-case scenario. The figure below taken from Appendix A of the NIA shows the location of the noise sensitive receptors and the noise levels predicted in those areas.



5.4.5 It can be seen from the above figure that the results of the assessment show Low and Negligible impacts at all receptors within the study area. Furthermore, the levels at all receptors were found to be below the Night Noise Guideline value of 40dB set out in the World Health Organisation (WHO) Night-time Guidelines. On the basis of the findings and having consulted with Environmental Health it is concluded that there will be no significant adverse impacts on health or quality of life caused by noise from the proposed development.

5.4.6 Notwithstanding the above, it is acknowledged that the NIA does not include an assessment of noise resulting from the construction phase. However, given the nature of the development it is considered that a suitably worded condition securing a Construction Environmental Management Plan would be sufficient to control noise, dust and other construction-based environmental impacts. The Planning Statement also acknowledges that this would be required.

5.4.7 The above-mentioned condition would also be necessary to ensure that there are no undue impacts to residential amenity caused by construction traffic. However, it is noted that the main point of access to the application site is to the west and is located away from the main residential areas. Furthermore, the construction phase would be temporary, and the hours of work can be controlled. Therefore, it is appropriate to control these matters through the above mentioned condition.

5.5 Access and Highway Safety

5.5.1 Policy T2 aims to create and maintain an accessible environment. Similarly, Policy D1 of the approved LDP seeks to maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian,

cycle and, where appropriate, horse-riding routes. Policy D4 also seeks to protect the safety of public footpaths, bridleways and highways. In the same way, Policy DM19 of the Chelmsford Local Plan requires that renewable and low carbon energy developments have no detrimental impact on highway safety.

- 5.5.2 The CCC Solar Farm Development SPD requires proposals to demonstrate that the local and strategic highway network will be able to accommodate the type and number of vehicle movements during the construction and operation phase of the site and that there will be no detrimental adverse impacts on highway safety, including cyclists, pedestrians and equestrians. The SPD also seeks to improve the highway network and to accommodate trips by more sustainable modes of travel.
- 5.5.3 A Transport Statement (Ref: SJT/SC/23227-02_Transport Statement, 7 June 2023) (TS) and Glint and Glare Assessment (Neo environmental, 19 April 2023) have been included with the application and include assessments as to the developments impacts on the highway network and highway safety.

Access

- 5.5.4 Access to the application site will be taken from Crows Lane and connects to Main Road towards the west. During the construction phase HGV's will be required to access the site via Main Road and Crows Lane as well as the access track where smaller vehicles will then be used to transfer materials to where they are needed within the site. Temporary works to the access track in the form of surface widening to the turning areas between the site and access track immediately east of Crows Lane are required to accommodate HGV's during the construction phase. The TS confirms that subject to these works HGV's are able to maneuver along the route in a forward gear. The likelihood of HGV's meeting each other is also low given that a low number of vehicles are expected. However, the TS provides assurance that the arrival and departure of construction vehicles will be managed to reduce potential conflicts. Such management will include the provision of a banksman on the access road who will also ensure priority is given to background traffic on the highway network. Upon entering the site, construction vehicles will be able to turn within the proposed compound area.
- 5.5.5 It is acknowledged that part of the access track is classified as a PRow. The TA notes that the use of the footpath is low but states that measures to reduce the conflict between pedestrians and construction vehicles will still be required. The measures would include signage, driver training and pedestrian waiting areas which would be secured by a condition requiring a Construction Traffic Management Plan. A condition should also be imposed requiring regular inspections of the route used by construction vehicles, including interactions with the PRow's. If any damage is found to the route, then this will be dealt with expediently through the use of a remediation plan.
- 5.5.6 The Local Highway Authority have been consulted on the above and have noted that whilst there will be a period of HGV's going to and from the site during the construction phase this will be temporary and can be managed through conditions. Therefore, the access won't be detrimental to highway safety, capacity, or efficiency.
- 5.5.7 Vehicle movements during the operational phases will be limited to one visit per week or fortnight by a light van or 4x4 type vehicle. Therefore, given the limited movements and type of vehicles there are no concerns in this respect.

Traffic Generation and Impacts

- 5.5.8 As stated above, the construction is anticipated to take approximately 24 weeks (Monday-Friday) with the highest number of deliveries taking place of over a 6-week period. The TA states that construction traffic will be coordinated to avoid the local highway network peak hours.
- 5.5.9 It is anticipated that there will be a maximum of 100 construction workers on site during peak times during the construction phase. A construction compound will be provided to ensure that there is sufficient parking for the workers and there is no overspill parking on the local highway network.
- 5.5.10 The overall trip generation during the construction phase is predicted to be circa 15 two-way vehicle trips per day. This would not have significant impacts on the highway network. During the operational phase the impacts will be even lower given that there would be one vehicle visit a week or fortnightly.
- 5.5.11 In consideration of the above, the vehicle movements associated with the development would be minimal and not detrimental to the highway network.

Stow Maries Great War Aerodrome

- 5.5.12 Regard is also had to the proximity of the site to SMGWA, but given the statement within the DAS which states that the solar panels have been designed in a way as to not cause significant glint and glare, as well as the Assessment of the Impact of the Prentices Farm Solar Farm on Aircraft Operations at Stow Maries Airfield (Ref: WPAC 093/23, 12 November 2023) document, which concludes that Glint and Glare in relation to aircraft operating at SMGWA is unlikely and if observed is not expected to be significant, there is no objection in this regard. In fact the assessment concludes that reflected sunlight will not enter the normal field of view of the pilot and, on most occasions, would be blocked by the aircraft structure. Furthermore, the panels are designed to only reflect 2% of the incident light and this light is dispersed and not focused. Therefore, glare would only be observed as reflections. In addition, it is common practice for pilots to be aware of solar sites in their area and take necessary precautions which include appropriate briefings.

5.6 Impact on Ecology and Biodiversity

- 5.6.1 Policy N2 of the LDP states that “All development should seek to deliver net biodiversity and geodiversity gain where possible. Any development which could have an adverse effect on sites with designated features, priority habitats and / or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance”. Conservation and enhancement of the natural environment is also a requirement of the NPPF.
- 5.6.2 As stated above, the site wraps around Great Wood, an Ancient Woodland and Local Wildlife Site (LoWS) on its eastern side. Cank Wood, also an Ancient Woodland and LoWS, lies to the south of the application site but does not adjoin the boundary of the site. The proximity of the site to the LWS, Woodland and surrounding undeveloped land provides an opportunity for impacts on protected or priority species. The application has been supported by an Ecological Impact Assessment (Harris Lamb, May 2023), a Breeding Bird Survey Report (Falco Ecology, August 2023), Biodiversity Metric v3.1 Calculation Tool (Abigail Lloyd, May 2023), Biodiversity Metric 4.0 (Randhawa, September 2023), Agents Response to Ecology Consultation (Harris Lamb, September 2023), GCN Impact Assessment & Conservation Payment

Certificate (Natural England, March 2023) and a Skylark Mitigation Scheme (Harris Lamb, November 2023).

- 5.6.3 Initially the Council's Ecological Consultant raised concerns over a lack of certainty of the likely impacts to Great Crested Newts (GCN). Therefore, an Impact Assessment and Conservation payment Certificate (IACPC) was requested. This was submitted to the Council and on 19 October 2023, the Ecologists response was updated to confirm that the LPA now has certainty on the likely impacts on GCN. However, a copy of the GCN District Level licence would be required to be secured by a condition.
- 5.6.4 As the Breeding Bird Surveys identified Skylark, further details were requested to mitigate for the loss of nesting habitat for ground-nesting birds. This was requested as part of a bespoke Farmland Bird Mitigation Strategy and prior to determination in order to ensure that impacts to the Priority species has been mitigated and compensated. A response was provided by the Applicant which discussed the surrounding landscape and its potential to contain suitable breeding habitat for Skylark. However, there was a lack of information as to how this would be achieved, and Ecology identified that further information was still required to mitigate for the loss of nesting habitat for ground-nesting birds and in the form of a bespoke Farmland Bird Mitigation Strategy as previously requested.
- 5.6.5 Following the above, the Skylark Mitigation Scheme (Harris Lamb, November 2023) was submitted demonstrating that two compensatory Skylark Plots will be provided within land under the Applicant's ownership. Therefore, this is acceptable so long as a finalised Farmland Bird Mitigation Strategy is secured by way of a condition.
- 5.6.6 The submitted information also includes reasonable biodiversity enhancements including 20 nesting bird boxes, 20 bat boxes, three hedgehog boxes, hedgerow planting and other neutral grassland creation, which have been recommended by the Ecological Impact Assessment (Harris Lamb, May 2023) to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2023). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. In addition to this a Landscape and Ecological Management Plan (LEMP) should be secured by a condition to ensure that the biodiversity enhancements are managed appropriately over the long-term. Essex Wildlife Trust also support the submission of a LEMP and note that the information submitted should contain information on grazing or mowing of the site. The LEMP should also consider a monitoring programme to inform any necessary changes to the site management arrangements.
- 5.6.7 In relation to bats, there Ecological Impact Assessment finds that bats could be foraging / commuting within and around the site. Therefore, any external lighting should be sensitively designed. Whilst no lighting is currently proposed other than infrared security lighting, this can be managed by a condition.
- 5.6.8 The Ecological Impact Assessment also recommends a precautionary method statement be produced for reptiles and Brown Hare. This can be included within a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) to be secured by a condition. The CEMP: Biodiversity should also include mitigation for potential impacts to retained and adjacent habitat, most notably through dust and pollution events.

Net Biodiversity Gain

- 5.6.9 The Biodiversity Metric 4.0 Calculation Tool was submitted to address previous comments relating to the submitted Biodiversity Metric V3.1 Calculation Tool being out of date. The revised Calculation Tool also now provided previously omitted information and confirmed that the creation of any habitat will not be delayed. The submitted information states that the conditions of post-development habitat will be considered as 'poor' resulting in a net gain of +77.16%. However, as confirmed by the Ecological Consultant the Biodiversity Metric 4.0 Calculation Tool submitted is satisfactory.
- 5.6.10 In view of the above it is considered that the development would provide a suitable net biodiversity gain and would mitigate any ecological impacts to an acceptable degree in accordance with Policy N2.

5.7 Arboricultural Impacts

- 5.7.1 As previously stated, the application site wraps around Great Wood, an Ancient Woodland on its eastern side. Cank Wood, also an Ancient Woodland lies to the south of the application site but does not adjoin the boundary of the site. The application site has been supported by an Arboricultural Impact Assessment (May 2023) (AIA).
- 5.7.2 The AIA confirms that the development would not involve the removal of any trees and would also avoid any root protection areas. A constriction exclusion zone is also proposed to be installed taking into account the 15-times of the stem diameter root protection areas required for the surrounding veteran and ancient semi natural woodland. The development would also use existing compacted farm tracks and access points to mitigate the potential for compaction caused by construction equipment. If any new access tracks are required, they would be laid on top of existing surfaces and would not involve any digging. On this basis, following consultation with the Council's Arboricultural Consultant and providing that the AIA is adhered to, which can be secured by a condition, as well as an Arboricultural Method Statement and Tree Protection Plan, no objection is raised.

5.8 Flood Risk and Surface Water Drainage

- 5.8.1 The majority of the site is located within Flood Zone 1, with the very northern part of the site of the site being located within Flood Zones 2 and 3. As the proposal is classified as 'Essential Infrastructure' in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance, the proposal is required to pass the Sequential and Exception tests. The application has been supported by a Flood Risk Assessment (FRA) (BWB, May 2023).
- 5.8.2 The FRA specifies that the site has been arranged so that no development is Located within Flood Zone 3 and all equipment is located within Flood Zone 1. Therefore, the Sequential Test is passed.
- 5.8.3 In terms of the Exception Test in accordance with paragraph 170 of the NPPF, it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 5.8.4 In terms of the wider benefits to the community, as will be discussed in the section below, the proposal would create significant benefits in terms of providing renewable energies that provide social benefits through its assistance in combating climate change. Given that none of the areas in Flood Zones 2 or 3 will be developed, it is considered that the flood risk is small and would be outweighed by those benefits. Likewise, all ancillary equipment has been proposed to be raised 150mm above the external ground level to discourage water ingress. Any panels located adjacent to the Flood Zone 2 are raised above the 1 in 100-year plus climate change flood level. The FRA states that as the solar panels would be raised at a minimum of 1m above the ground which is considered to be a sufficient amount of clearance to account for the future impacts of climate change. Having regard to this, the development would be unlikely to result in a significant increase in flood risk, not be habitable or accessible by the public and would largely operate unmanned and therefore the Exception Test has been passed.
- 5.8.5 In relation to surface water the FRA and the Lead Local Flood Authority have advised that they raise no objection to the proposal subject to a condition requiring the development to be carried out in accordance with the FRA to ensure that the proposed mitigation measures are included and a separate condition to ensure the management and maintenance of the surface water drainage features. Furthermore, a scheme to minimise the risk of offsite flooding caused by surface water run-off during the construction phase which will also prevent pollution should also be secured by a condition. A soil management plan is also required to avoid run off as a result of soil compaction. Whilst it is stated that soil compaction will be avoided by the use of the existing farm tracks, this will need to be evidenced further as there are likely to be a larger number of construction vehicles using those tracks than what is reasonably expected as part of the function of the agricultural field.
- 5.8.6 Taking account of the above, the proposal is in accordance with Policy D5 of the LDP.

5.9 Other Matters

Stow Maries Great War Aerodrome

- 5.9.1 The consultation response from SMGWA raises concern that the application was not supported by an Aeronautical Impact Assessment which would have considered the possibility of obstructions to approach and departure routes, and the emergency landing options available for pilots. The response suggests that the location of the proposed development reduces the pilot's chances of securing a safe emergency landing.
- 5.9.2 In response to the above, the application has been supported by a document titled Assessment of the Impact of the Prentices Farm Solar Farm on Aircraft Operations at Stow Maries Airfield (Ref: WPAC 093/23, 12 November 2023). As part of that document includes sections called Section 9 Stow Maries Airfield Operations – Land Out Opportunities and Section 10 Stow Maries Airfield Operations- Land Out obstructions. The report sets out the following key points:
- Stow Maries is surrounded by flat, mostly open fields which a small proportion of will be taken by the solar farm proposal (0.4sqm)
 - Within 5km of the aerodrome it is estimated that over half of the terrain would be suitable for a safe engine failure land out (40sqm of the 75sqkms available)

- An aircraft suffering an engine failure approaching the solar farm would need to turn only a few degrees left or right to be presented with a range of land-out options.
- Pre-flight briefs will identify the safe and practical areas to be used.
- Although the site is a relatively flat space, it is more forested / coppiced compared to most of the neighbouring farmland. All road and field borders and bound by vegetation. The site has overhead power lines and pylons crisscrossing the area. Therefore, the application site is not ideal for landing-out and has no special advantages over other sites.

5.9.3 SMGWA were re-consulted on the above but have failed to comment. Nevertheless, taking a pragmatic stance which takes into consideration the availability of surrounding land for emergency landing it is not considered reasonable to object to the application on this basis.

5.9.4 The matters raised in respect of highways impacts including glint and glare to aircrafts are addressed above.

Cumulative Impact

5.9.5 It is noted that there has been a previous approval for a solar farm at Hall Farm Land, Hazeleigh Hall Lane, Hazeleigh (22/00261/FUL). The neighbouring approval lies approximately 3,000m to the northeast of this application site. Policy D4 seeks to ensure that the cumulative impact of development will not be harmful in relation to the seven exception criteria listed. Therefore, the neighbouring permission is a material consideration in the assessment of this application. However, other than their geographical location the two proposals are individual and do not relate to each other.

5.9.6 The developments are considered to be set at a sufficient enough distance from each other as to not cause cumulative impacts on designated sites, or the same heritage assets. Furthermore, both proposals are largely visually contained to their immediate area and would not impact on the same immediate landscape. Likewise, there would not be cumulative impacts on the same visual or noise receptors given that each proposal would relate to different receptors.

5.9.7 Whilst there is the potential that both schemes could be built out at the same time, the construction phases are limited and each site would utilise different parts of the road network. Therefore, there would not be a harmful cumulative impact to the highway network.

5.9.8 It was deemed under application 22/00261/FUL that the development would not detrimentally impact on telecommunications. The same has also been concluded for this application, albeit some concerns were raised in relation to the operation of the SMGWA. Therefore, even when considered as a whole, given the lack of interference identified with telecommunications through either scheme, no concern is raised.

5.9.9 Given the size of both sites and that they do not impact on the best and most versatile agricultural land there is no concern that the developments in cumulation would result in a significant loss of agricultural land to the detriment of the surrounding area or food production.

5.9.10 An appeal was also allowed under 15/00779/FUL for a solar farm to the west of Hackmans Lane, adjacent to the application site. However, aerial photography suggests this was never implemented.

Health Impacts

5.9.11 The application has been supported by a Health Impact Assessment (Harris Lamb, 14 May 2023) which concludes that the development would have no adverse impacts directly on health, mental health and wellbeing, an individual's ability to improve their own health and wellbeing and nor would it result in a change in demand for health and social care services. It would however, have a positive impact in terms of local and global health by reducing carbon emissions. Furthermore, the proposal includes suitable mitigation measures against noise, dust and light pollution. Therefore, no objection is raised.

Essex Design Guide Supplementary Guidance

5.9.12 On 29 June 2022 Supplementary Guidance on the Essex Design Guide website was published called 'Solar Farm Guidance Principles'. Officers have had regard to the guidance in the consideration of the application. However, as the Local Planning Authority have not adopted the Essex District Design Guide and it is not considered that the guidance requires any additional information which would have a substantial bearing on the above assessment, it is not necessary to comment on the guidance further.

5.10 Planning Balance and Sustainability

5.10.1 The starting point for decision making is the adopted Development Plan. The most relevant policy of the Development Plan relating to this application is Policy D4 which is considered to be up-to-date and consistent with the content of the NPPF. Whilst the proposal would result in some conflicts with Policy D4 as a result of the landscape impacts of the development, these impacts must be weighed against the environmental, economic and social impacts of the development.

5.10.2 With regard to the three tests of sustainability, in economic terms, it is reasonable to assume that there may be some support for local trade from the development, particularly during the construction phase, but more limited during the operational phase. When the scheme is operational the development will involve the payment of business rates, although, these benefits are likely to be fairly minimal.

5.10.3 In social terms the proposal would impact on the ease of using the PRoW in and around the site during the construction phase, although this would be for a limited period of 24 weeks, with the most intensified impacts occurring for six weeks. However, crossing over into the environmental arm of sustainability, the proposal would deliver a renewable energy project which would have social benefits in terms of helping limit climate change. Given that both National and Local Policy support the provision of renewable energy sites, it is considered that the benefits of the solar farm would carry significant weight in the planning balance and would outweigh these short-term impacts.

5.10.4 In environmental terms, the proposal would generate enough energy to power approximately 11,300 households per annum, which is estimated to save an approximate 19,200 tonnes of carbon dioxide over the lifetime of the development. The development would result in some negative ecological impacts as set out in the relevant section above. However, the development proposes appropriate mitigation and would result in a net biodiversity gain, providing a richer and more varied ecological habitat in comparison to the existing agricultural field.

5.10.5 The Planning Statement suggests that the development would involve the loss of a small area of Grade 2 agricultural land. However, the submitted Agricultural Land

Classification report confirms that the entire site is Grade 3b. Therefore, the impacts resulting from the loss of agricultural land are limited. Further, even if a small section of the site was considered to be Grade 2 land this would not relate to the whole site, the impacts are reversible giving the short lifetime of the application and the land could still be used for agricultural purposes during the lifetime of the development.

5.10.6 The proposal would also have adverse impacts on the landscape and visual receptors. However, these impacts would be localised and would not be significant or unacceptable. Furthermore, the impacts are likely to reduce as the proposed vegetation matures and the site would be returned to its current state after 40 years. Therefore, in the grand scheme of time, the impacts would be considered temporary. Therefore, given that degree of the landscape harm and that any ecological harm can be suitably mitigated, the resultant harm of the development is considered to be outweighed by the notable public benefits of the proposal and its assistance in combating climate change.

5.10.7 Further to the above, it is noted that Policy D4 requires any adverse social, economic and environmental impacts to have been minimised to an acceptable level. The proposal includes mitigation in the form of landscaping, highways management and ecological management in order to reduce the adverse impacts to an acceptable level.

5.10.8 Having considered the significant benefits that would arise from the proposal and weighed this against the harm arising from landscape, heritage and highways impacts, it is considered that the significant benefits of the development would outweigh the cumulative harm that would arise from the development.

5.11 Pre-commencement Conditions

5.11.1 Pre-Commencement conditions are recommended, and the Applicant's Agent has been contacted for agreement to these conditions. A written update will be provided at the necessary time.

6. ANY RELEVANT SITE HISTORY

- **22/01247/SCR** - EIA Screening Opinion request is in respect of a full planning application for a ground-mounted solar farm to achieve a generating capacity of approximately up to 25 MWp together with all associated works, equipment, necessary infrastructure and landscape planting (Proposed Development) – EIA not required 09.02.2023.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from City, Parish/Town Councils

Name of Parish / Town Council	Comment	Officer Response
Chelmsford City Council	<ul style="list-style-type: none"> • Consideration should be given to the level of landscape harm. Where the harm is major/moderate adverse mitigation should be considered in the form of a Landscape and Ecological 	Addressed at Section 5.2

Name of Parish / Town Council	Comment	Officer Response
	<p>Management Plan and Landscape Mitigation Plan. All project stages should be considered.</p> <ul style="list-style-type: none"> Concerns regarding the accessibility of the site and the impacts of traffic impacts on South Woodham Ferrers and surrounding countryside network. Consideration should be given to the impacts on neighbouring residential properties Ecological assets should be sufficiently protected. Decommissioning should be managed through conditions. 	<p>Addressed at Section 5.5</p> <p>Addressed at Section 5.4</p> <p>Addressed at Section 5.6</p> <p>Noted</p>
Cold Norton Parish Council	<p>No objection subject to sufficient information being supplied regarding the distribution of the power produced.</p> <p>The Parish Council are disappointed that they were not involved in early discussions.</p>	<p>The power produced will enter the national grid.</p> <p>Pre-application discusses held by the developer are outside of the consideration of this application</p>
Woodham Mortimer and Hazeleigh Parish Council	No response received	Noted
Purleigh Parish Council	Support subject to suitable conditions to protect the amenity of nearby residents, footpath users, the local environment and the operations of the Aerodrome.	Noted
South Woodham Ferrers Town Council	No response received at the time of writing this report	Noted

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex Police	Regard should be given to the security of the site	Whilst this is desirable it is not a planning consideration.
Environment Agency	No comment- Refer to standing advice	Addressed at section 5.8
Archaeology	Recommendation for full	Addressed at section 5.3

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Stow Maries Great War Aerodrome	<p>archaeological conditions</p> <p>Development will not cause harm to the setting or significance of the heritage assets. If the scheme were to be enlarged the impacts could be significant.</p> <p>Documentation does not include an aeronautical impact assessment. This would include possible obstructions to approach and departure routes, as well as emergency landing options. The location of the development reduces the changes of a safe emergency landing.</p> <p>Concerns regarding impacts on ground operations. The Aerodrome uses Crows Lane for access and there is concern that during the construction phase event days could be impacted by the development. Increase signage along Crows Lane would be welcomed.</p> <p>The Aerodrome has a lack of electrical supply and therefore would welcome access to the energy source.</p>	<p>Addressed at section 5.3. The development must be assessed on what is being proposed and not speculation of future applications.</p> <p>Further information was provided in relation to this and SMGWA were consulted on the additional information. However, no response has been received. This matter is further addressed at section 5.9.</p> <p>Addressed at sections 5.5 and 5.9</p> <p>This is outside of planning.</p>
UK Power Networks	No response received at the time of writing this report	Noted
Essex Bridleways Association	No response received at the time of writing this report	Noted
Essex County Fire and Rescue	No response received at the time of writing this report.	Noted
Natural England	No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.	Addressed at section 5.6
Essex Wildlife Trust	<ul style="list-style-type: none"> The site has a county level of important for nature conservation Recommendations in relation to the location and management of wildflower and 	Addressed at section 5.6

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>hedgerow planting and management</p> <ul style="list-style-type: none"> • A Landscape Environmental Management Plan should be secured by a condition and should include a grazing or mowing regime. • The use of agrochemicals on site should be avoided. • An ecological monitoring programme is required. 	
Local Highway Authority	<p>The Highway Authority has assessed the application and submitted information, visited the site, and has concluded that in highway terms it is not contrary to national/local highway and transportation policy and current safety criteria.</p> <p>Whilst there will be a period of HGVs going to and from the site during the construction period, this is only for a temporary period, and this can be managed appropriately by the Highway Authority. When the construction is complete, the vehicle movements to the site will be minimal and there will be no detriment to the highway as a result.</p> <p>Consequently, the Highway Authority has concluded that the proposal will not be detrimental to highway safety, capacity, or efficiency.</p>	Addressed at section 5.5
Ramblers Association	No objection in principle subject to conditions retaining the public rights of way and the safety of walkers is ensured.	Addressed at section 5.5
Royal Society for the Protection of Birds (RSPB)	No response received	Noted
Lead Local Flood Authority	No objection subject to conditions	Addressed at section 5.8

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	<p>Due to the distance of the application site from the Stow Maries Great War Aerodrome Conservation Area and the Grade II* listed buildings it contains, and the intervening vegetation and farm buildings, there should be no clear views of the proposed solar farm from the aerodrome. The development would not impact any important long views of the aerodrome. Overall the proposed development will cause no harm to the setting or significance of the heritage assets.</p>	Addressed at section 5.3
Environmental Health	<p>No objection – there will be no significant adverse impacts on health or quality of life from noise of vibration cause by the development.</p> <p>A suitably worded condition should be included requiring a construction environmental management plan relating to the construction Phase.</p>	Addressed at section 5.4
Ecology	<p>18 September 2023 objection:</p> <ul style="list-style-type: none"> • An Impact Assessment and Conservation Payment Certificate (IACPC) document countersigned by Natural England, as evidence of site registration, needs to be submitted prior to determination of this application. Submission of a copy of the Great Crested Newt District Level Licence can then be recommended as a condition of any consent. • As Skylark have been identified as a result of the breeding bird surveys, further details would be required to mitigate for the loss of nesting habitat for ground-nesting birds. This should be as part of a bespoke Farmland Bird Mitigation Strategy, which should be submitted prior to determination of this 	Addressed at section 5.6

Name of Internal Consultee	Comment	Officer Response
	<p>application. This is to ensure that impacts to Skylark, a Priority species, have been mitigated and compensated.</p> <ul style="list-style-type: none"> • It's suggested potential compensation measures could be provided off-site, in appropriate nearby land. If this land is under the applicant's control, then then this can be secured by condition of consent. However, if suitable land is not in the applicant's control, then compensation measures may need to be secured by a legal agreement. • Any nesting habitat that is unable to be mitigated for on site should be compensated for offsite. • The Biodiversity Metric v3.1 Calculation Tool indicates that the current proposals would result in a net gain of 227.10 (216%) of habitat units and 54.93 (46.70%) of Hedgerow units. Further information is required to demonstrate that a measurable biodiversity gain can be achieved. 	
Arboriculture	No objection subject to the Arboricultural Impact Assessment being strictly abided to throughout the scheme. A condition is recommend requiring the finalisation of an Arboricultural method statement and tree protection plan.	Addressed at section 5.7

7.4 Representations received from Interested Parties

7.4.1 **Five** letters objecting to the application have been received. The reasons for objection are outlined below:

Objecting Comments	Officer Response
Health risks including electromagnetic radiation	Addressed at section 5.9. There is no Government Guidance to suggest that solar farm radiation is of a level that would be detrimental to human health
Devaluation of properties	This is not a planning consideration
Flood risk	Addressed at section 5.8
Loss of agriculture	Addressed at section 5.1
Risks to biodiversity	Addressed at section 5.6

Objecting Comments	Officer Response
Impacts on local landscape character	Addressed at section 5.2
Lack of advertising of the application	The Local Planning Authority has advertised via a site notice and newspaper advert as required under legislation.
Fire Risk	The level of risk is considered to be low
Impacts on Public Rights of Way and Bridleways	Addressed at section 5.5
Pollution impacts	Addressed at sections 5.4 and 5.9
Noise impacts	Addressed at section 5.4
Glare impacts	Addressed at section 5.4, 5.5 and 5.9
Concerns over potential for further expansion	The application must be assessed on what is being proposed only.
No guarantees the land will be put back into use in 40 years – this should be financially funded by the company so that the local community don't burden the cost.	This will be secured by a condition. Failure to do so will result in enforcement action on the land.

8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
 - ISD_001.301.00
 - ISD_001.300.07
 - ISD_001.302.02
 - ISD_001.303.00
 - ISD_001.304.00
 - ISD_001.305.00
 - ISD_001.306.00
 - ISD_001.307.00
 - CHF-BWB-00-01-DR-G-0001 Rev P1
 - CHF-BWB-00-02-DR-G-0001 Rev P1
 - CHF-BWB-00-03-DR-G-0001 Rev P1
 - CHF-BWB-00-04-DR-G-0001 Rev P1
 - CHF-BWB-00-05-DR-G-0001 Rev P1
 - CHF-BWB-00-06-DR-G-0001 Rev P1REASON: To ensure the development is carried out in accordance with the details as approved
- 3 The soft landscape works shall be carried out in accordance with plan 21110.101 Rev C. Prior to any works above ground level occurring at the application site, the following shall be submitted to and approved in writing by the Local Planning Authority:
 - 1) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes,

- seeding rates, planting methods, mulching, plant protection, staking and/or other support.
- 2) Details of the aftercare, monitoring and maintenance programme. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the first operation of any part of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.
 - 3) **Hard landscape works:** Details of hard surfacing, with materials finishing and edgings. The hard landscape works shall be carried out as approved prior to the first use / occupation of any part of the development hereby approved and retained and maintained as such thereafter.

REASON: In the interest of the character and appearance of the site, surrounding countryside in accordance with Policies S1, D1, and D4 of the MDLDP and guidance contained within the NPPF.

4. The fences as shown on the approved plan number(s) ISD_001.307.00 and ISD_001_307.07 shall be constructed prior to the first use of the development to which it relates and shall be retained as such thereafter.

REASON: In the interest of the character and appearance of the site, surrounding countryside in accordance with Policies S1, D1, and D4 of the MDLDP and guidance contained within the NPPF.

5. If use of the hereby approved development should cease for the purposes of energy generation for a concurrent period exceeding six months or more, all the equipment and structures hereby approved shall be removed from the land and the site reinstated to its former condition. In any case, the Panels, associated structures, and infrastructure shall be removed at the latest by the 31 December 2068. Prior to the removal of any panels and equipment a scheme (to include timescales) for the reinstatement of the site to agricultural land alongside any retained ecological habitat areas shall be submitted to and approved in writing by the LPA. The site shall be reinstated in accordance with the approved details.

REASON: In the interest of the character and appearance of the site, surrounding countryside and nearby heritage assets in accordance with Policies S1, D1, D3 and D4 of the MDLDP and guidance contained within the NPPF.

6. No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has submitted an archaeological assessment by an accredited archaeological consultant to establish the archaeological significance of the site. Such archaeological assessment shall be approved by the LPA and will inform the implementation of a programme of archaeological work. The development shall be carried out in a manner that accommodates such approved programme of archaeological work.

REASON: In the interests of the historic environment in accordance with Policy D3 of the MDLDP.

7. No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has secured the implementation of a programme of archaeological work from an accredited archaeological contractor in

accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work.

REASON: In the interest of the historic environment in accordance with Policy D3 of the MDLDP.

- 8 Prior to the commencement of the development, including any ground works or demolition, a detailed Construction Traffic Management Plan (CTMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The detail within the CTMP shall include:
- a. Details of any other scheduled development and associated construction traffic in the area during the construction programme;
 - b. Details of the expected traffic levels during the construction period and operational periods of the Development, including numbers of expected HGVs, LGVs, minibuses, cars and their likely distribution across the construction and operational phases of the development;
 - c. Detailed final proposed construction traffic routing plan for construction vehicles which, where necessary, shall coordinate traffic with cumulative development identified within an approved Phasing Strategy (no. 1 above);
 - d. Full details of temporary traffic management / banksmen control / mitigation / delivery timing restrictions required in connection with the construction traffic routing and co-ordination between nearby planned development;
 - e. On-site parking and turning arrangements;
 - f. Loading and unloading of plant and materials;
 - g. Storage of plant and materials used in constructing the development;
 - h. Wheel and underbody cleaning facilities for vehicles;
- Thereafter the Construction Traffic Management Plan shall be fully adhered to throughout the construction period, unless otherwise agreed in writing with the Local Planning Authority.
- REASON: In the interest of the highway safety and neighbouring amenity in accordance with Policies S1, D1, D4 T1 and T2 of the MDLDP.
- 9 Prior to the commencement of development, including any ground works or demolition, a detailed phasing strategy shall be submitted to and approved in writing by the Local Planning Authority. The phasing strategy shall specify details of the construction programme and any overlaps that have been identified with other consented major developments likely to give rise to significant levels of construction traffic on the local highway network. Should any overlaps in construction programme be identified then the phasing strategy shall also specify any alternative construction management measures that will be put in place to manage conflicts that may arise during the period of overlap in construction programme(s). The development shall thereafter be carried out in accordance with the approved phasing strategy.
- REASON: In the interest of the highway safety in accordance with Policies S1, D1, D4 T1 and T2 of the MDLDP and Policy DM19 of the Chelmsford Local Plan.
- 10 Prior to commencement of the development details of the access arrangements at Crows Lane, including any visibility splays and surfacing improvements required to facilitate access for Construction Traffic, shall be

submitted, for approval in writing, by the Local Planning Authority, with the agreed scheme being implanted prior to the first use.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with Policies S1, D4 T1 and T2 of the MDLDP and Policy DM19 of the Chelmsford Local Plan.

- 11 No development shall take place, including any ground works or demolition, until a detailed Route Mitigation Plan based on the principles contained in the Construction Traffic Management Plan, detailed in condition no. 10 above, has been submitted to, and approved in writing by the Local Planning Authority, and any required permissions, Traffic Regulation Orders and licences have been applied for. The approved Route Mitigation Plan shall be implemented and adhered to throughout the construction period, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure construction traffic is managed on the highway network in the interest of the highway safety in accordance with Policies S1, D1, D4 T1 and T2 of the MDLDP and Policy DM19 of the Chelmsford Local Plan.

- 12 Prior to the commencement of the development an inspection of the route to be used by construction vehicles in connection with the development shall be carried out, including all interactions with Public Footpaths no.7 & 14 Woodham Ferrers & Bicknacre and no.7 Purleigh, the scope and methodology of which shall be agreed in advance with the Local Planning Authority in consultation with the Local Highway Authority and include appropriate evidence. The route should then be inspected during construction, at intervals to be agreed by the Local Planning Authority as part of the scope and methodology above, with any damage arising from construction traffic being dealt with expediently. On completion of the development any damage to the highway and footpaths resulting from construction traffic movements generated by the application site shall be identified in a remediation plan, submitted to and agreed in writing by the Local Planning Authority, and should be repaired within 3 months of initial detection to an acceptable standard and at no cost to the Local Highway Authority.

REASON: To preserve the integrity and fabric of the highway, in the interests of highway safety in accordance with Policies S1, D1, D4 T1 and T2 of the MDLDP and Policy DM19 of the Chelmsford Local Plan.

- 13 No works shall take place until a scheme to provide an enforceable and robust soil, grass, and/or land management plan to keep land in good condition has been submitted to, and approved in writing by, the LPA. The scheme shall subsequently be implemented as approved.

REASON: in the interests of surface water flood risk in accordance with Policy D5 of the MDLDP.

- 14 No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:

- Tree protection plan
- Arboricultural method statement (including drainage service runs and construction of hard surfaces)

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the Local Planning Authority. The tree protection measures shall be carried out in accordance with the approved detail.

REASON: In the interest of the character and appearance of the site, surrounding countryside in accordance with Policies S1, D1, and D4 of the MDLDP and guidance contained within the NPPF.

- 15 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment Ref PFE-BWB-ZZ-XX-RP-YE-0001_FRA, Rev P02, dated 04/05/23, by BWB Consulting.

The mitigation measures proposed in the above document shall be fully implemented prior to first use and subsequently in accordance with the timing / phasing 2 arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: in the interests of flood risk and preventing pollution in accordance with Policy D5 of the MDLDP.

- 16 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented as approved.

REASON: In the interests of flood risk and preventing pollution in accordance with Policy D5 of the MDLDP.

- 17 Prior to the first operation of the development a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the LPA. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

REASON: in the interests of surface water flood risk in accordance with Policy D5 of the MDLDP.

- 18 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the LPA.

REASON: in the interests of surface water flood risk in accordance with Policy D5 of the MDLDP.

- 19 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Harris Lamb, May 2023) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an Ecological Clerk of Works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve and enhance protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA to discharge its duties under the Conservation of Habitats and

Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).
20 Any works which will impact the breeding / resting place of Great Crested Newt, shall not in in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a GCN District Level Licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

REASON: To conserve protected species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

21 Prior to the commencement of the development a Farmland Bird Mitigation Strategy shall be submitted to and approved by the Local Planning Authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation in nearby agricultural land, prior to commencement.

The content of the Farmland Bird Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots;
- b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';
- c) locations of the compensation measures by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

REASON: To conserve protected species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA to discharge its duties under the NERC Act 2006

22 Prior to the commencement of development a construction environmental management plan (CEMP: Biodiversity) shall be 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) including precautionary method statements for reptiles and Brown Hare.

- 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 (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority

23 REASON: To conserve protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species). Prior to any works above ground level a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the Local Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to operation and shall be retained in that manner thereafter.

24 REASON: To conserve protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority habitats & species). Prior to the first operation of the development hereby approved a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the operation of the development

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To conserve protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan and to allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

- 25 Prior to first operation of the development hereby approved, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the LPA. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.

Under no circumstances should any other external lighting be installed without prior consent from the LPA.

REASON: To conserve protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

- 26 The Solar Panels hereby approved shall be of an anti-glare design.
REASON: To avoid detrimental impacts of neighbouring amenity, visual amenity, users of the Public Rights of Way and aircraft safety in accordance with Policies D1, D4 and T1 of the Maldon District Local Development Plan.