



**REPORT of
ASSISTANT DIRECTOR: PLANNING AND IMPLEMENTATION**

to
**DISTRICT PLANNING COMMITTEE
4 SEPTEMBER 2024**

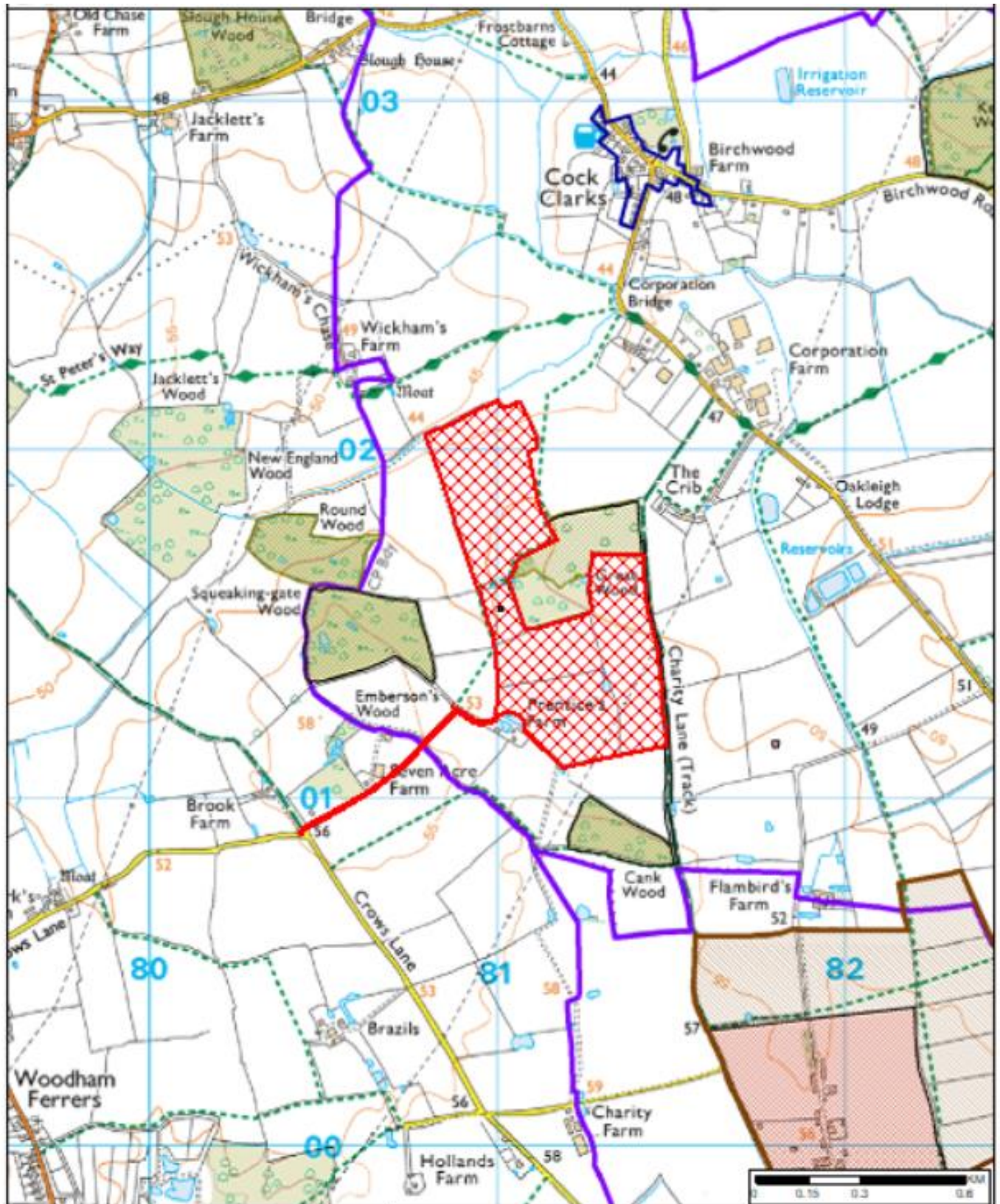
Application Number	24/00366/FULM
Location	Land South West Of The Warren, Hackmans Lane, Purleigh, Essex
Proposal	Proposed Solar Farm together with sub-station, ancillary buildings, structures, landscaping, emergency lighting and access
Applicant	Anglo Renewables Limited
Agent	Harris Lamb Limited
Target Decision Date	EoT 11.09.24
Case Officer	Lisa Page
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 as detailed in section 8 of this report.

2. **SITE MAP**

Please see below.



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	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 (the extent of Ancient Woodland having recently been increased in size to include the remainder of 'Great Wood'). 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 (SMGWA), which is a Conservation Area containing several grade II* listed buildings.

Proposal

- 3.1.4 The application seeks full permission for the erection of a solar photovoltaic ('PV') array, commonly referred to as a solar farm, with a generating capacity of 25 megawatts (MW).
- 3.1.5 The application has been submitted following the refusal of a solar farm on the same site (application 23/00807/FULM). The amendments sought within this application relate to the removal of a section of solar panels within Parcel 5 (the closest parcel to existing residential dwellings); and an increased separation between the development in Parcels 2 and 3 with the Ancient Woodland of Great Wood (to provide a 15 metre buffer); and increased landscaping.
- 3.1.6 The layout details five different development parcels within the site which in addition to the solar arrays would provide the following:

Parcel	Additional Equipment
1	<ul style="list-style-type: none">• 3No. Medium Voltage Power Substations (MVPS)• Access road along the western boundary of the parcel
2	<ul style="list-style-type: none">• (No additional equipment proposed)
3	<ul style="list-style-type: none">• 2No. MVPS• An access road along the northern and eastern boundaries also

Parcel	Additional Equipment
	serving parcel 5.
4	<ul style="list-style-type: none"> • 1No. MVPS • Distribution Network Operator (DNO) / Private Substation • Spares container • Access road within the southwestern corner of the parcel. • Satellite
5	<ul style="list-style-type: none"> • 2No. MVPS • An access road along the western side of the parcel.

- 3.1.7 The solar arrays would face south, running in an east-west direction. They would have a maximum height of 2.7m and lowest height of 1m, with a 30° tilt.
- 3.1.8 The ancillary structures / buildings would be as follows:
- A DNO substation (7.5m in width, 3m in depth, with a flat roof height of 3.3m);
 - A Spares Container (12.2m in width, 2.4m in depth with a height of 2.6m);
 - A Private Substation with motoring room (10m in width, 3m in depth);
 - A MVPS substation (12.2m in width, 2.4m in depth with a height of 2.6m);
 - A satellite dish in Parcel 4 (to a height of 5m, sited on a base measuring 1.5m²).
- 3.1.9 Each of the parcels would 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 would also include a temporary compound measuring 30m x 50m although the exact location is yet to be determined.
- 3.1.10 The proposed lighting is limited to emergency lighting in the form of infrared lighting attached to CCTV columns.
- 3.1.11 Access to the site would be from a single priority junction from Crows Lane onto an access track. The junction would be in the form of a 7.3m wide access road. During construction Heavy Goods Vehicles (HGV's) would access the site from Main Road and Crows Lane, then down the access track to the development site. Smaller vehicles would be used to transfer materials when needed. The access track would require temporary enabling works, which consist of temporary surface widening to turning areas between the site access track and immediately east of Crows Lane.
- 3.1.12 Construction on the site would be carried out Monday to Friday 08:00-18:00 for a period of approximately 24 weeks.
- 3.1.13 In terms of soft landscaping, the existing trees and hedgerows within the site would be retained, and a 15 metre buffer is retained with the Ancient Woodland. 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 around 30 hectares. A drainage trench would be provided within the centre of the site running north to south from the Ancient Woodland. An area in excess 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 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.

Procedural Information

- 3.1.16 As stated above, the application site is situated in both the Maldon District and Chelmsford City Council (CCC) 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 Maldon District Council (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 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 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 application will assist achieving the country's drive to increase the contribution from renewable energy, thereby helping to counter the severe effects of climate change and also to address the mounting issue of energy security and to reduce reliance upon foreign energy exports. The application would accord with policy D4 of the Local Development Plan (LDP), which recognises that in bringing forward infrastructure projects, including renewable energy projects, the impact of such schemes will have to be off set against their benefits.

- 3.2.2 In addition to the renewable energy benefits to which significant weight is assigned, the development would secure significant biodiversity net gain, which weighs in

favour to a moderate degree. Some further economic benefits are given limited weight in the planning balance. Against these benefits, are the harms arising from landscape impacts and some short-term impacts to highways (PRoW), wherein it is accepted that with mitigation, to be secured via conditions, reduces these impacts.

3.2.3 In the overall planning balance, Officers consider that the significant benefits of the development would outweigh any harm that would arise from the development.

3.2.4 The development is also considered to overcome the reason for refusal on the earlier scheme. The reduction in the number and siting of solar panels in parcel 5, together with the additional landscaping proposed would reduce impacts upon landscape character and neighbouring residential amenity. In addition, the increased buffer now proposed with the Ancient Woodland (within Parcels 2 and 3) would be a further benefit with this revised application.

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 / Sustainable Urban Development (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 Proposals for development of solar farms are assessed against national and local planning policies including National Planning Policy Statements (NPS), NPPF, National Planning Practice Guidance (NPPG) and the statutory Development Plan for MDC.
- 5.1.2 The Climate Change Act 2008 sets legally binding targets to reduce carbon dioxide emissions in the UK by at least 80% by 2050, from 1990 levels. Paragraph 11 of the NPPF identifies that there is a presumption in favour of sustainable development and Paragraph 88b supports decisions that enable diversification of agricultural rural businesses.
- 5.1.3 The Government has set out through the Ten Point Plan for a Green Industrial Revolution and Energy White Paper in 2020, the Net Zero Strategy in 2021; and in

last year's British Energy Security Strategy a clear and consistent set of strategic objectives to enable the transformation of the energy system so it is secure, low-cost and low-carbon. The governments recently published 'Powering up Britain Energy Security Plan March 2023' sets ambitions to fully decarbonise the power system by 2035, growing and developing energy sources beyond the power sector to deliver on the UK net zero commitments. It states that in 2021, the share of generation from renewables reached 40%, including from bioenergy, wind and solar and 15% from nuclear. It goes on to say that 'Solar has huge potential to help us decarbonise the power sector. We have ambitions for a fivefold increase in solar by 2035, up to 70GW, enough to power around 20 million homes. We need to maximise deployment of both ground and rooftop solar to achieve our overall target. Ground-mount solar is one of the cheapest forms of electricity generation and is readily deployable at scale. Government seeks large scale solar deployment across the UK, looking for development mainly on brownfield, industrial and low/medium grade agricultural land. We encourage deployment of solar technology that delivers environmental benefits, with consideration for ongoing food production or environmental improvement'.

- 5.1.4 The Government expects future low cost, net zero consistent electricity to be made up of predominantly on-shore and offshore wind and solar, complemented by technologies which provide power or reduce demand when the wind is not blowing, or the sun does not shine.
- 5.1.5 Renewables now account for over one third of all UK electricity generation, up from 7 per cent in 2010, driven by the deployment of wind, solar and biomass. Electricity demand is predicted to double in the UK by 2050, driven in part by the electrification of vehicles and increased use of clean electricity replacing gas for heating. The Government has set a target to cut greenhouse gas emissions compared to 1990 levels in the UK by 100% by 2050.
- 5.1.6 More widely, the UK is committed to meeting a target of net-zero by or before 2050. This means that across the UK, emissions of Green House Gas for all sources will have to reduce from the current figure of 4352 million tonnes. The UK Government industrial and green growth strategies have made further pledges to invest in green growth low carbon infrastructure and investment in efficiency.
- 5.1.7 The overarching National Policy Statement for Energy 2011 is a document published by Government which is mainly intended as guidance to the Planning Inspectorate on Nationally Significant Infrastructure Projects, but which also sets out the Government's policy of delivery of major energy infrastructure. It sets out a commitment to, and roadmap to achieving, the Government's commitment to achieving a 80% reduction in green house gas emissions by 2050, compared to 1990 levels. Achieving this will require a number of measures, including the electrification of many technologies which are currently powered by other means, resulting in an increasing need for the sustainable delivery of clean electricity. The document also sets out a number of factors to be considered in the design of renewable energy projects and the selection of suitable sites.
- 5.1.8 The principle of developing solar power generating development is supported in the NPPF which states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. The NPPF talks generally about renewables within the context of planning for climate change but makes no specific reference to solar farms. It favours sustainable energy systems as long as any impacts are (or can be) made acceptable, and states that LPA's should approach these as part of a positive strategy for tackling climate change.

- 5.1.9 Paragraphs 157 and 163 of the NPPF are of particular relevance to this proposed development. Paragraph 157 states that the planning system should support the transition to a low carbon future. Paragraph 163 states that when determining planning applications for renewable and low carbon development, LPA's should: a) not require Applicant's to demonstrate the overall need for renewable or low carbon energy, and recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable.
- 5.1.10 Other relevant sections of the NPPF include Paragraph 180 which requires proposals to: a) protect and enhance the valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 5.1.11 The Written Ministerial Statement (WMS) on Solar Energy: Protecting the local and global environment (25 March 2015) relates to the unjustified use of agricultural land and expects any proposal for a solar farm involving the best and most versatile agricultural land to be justified by the most compelling evidence. The WMS was linked to updated NPPG.
- 5.1.12 The NPPG states that increasing the amount of energy from renewable technologies will help secure supply and reduce carbon emissions to slow down climate change, which is one of the core principles of the NPPF. The Renewable and Low Carbon Energy section of the PPG sets out the particular planning consideration that relate to large scale ground mounted solar photovoltaic farms. These include, but are not limited to:
- i) the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
 - ii) 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;
 - iii) the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety; the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
 - iv) the need for, and impact of, security measures such as lights and fencing;
 - v) great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets;
 - vi) the potential to mitigate landscape and visual impacts through, for example, screening with native hedges.
- 5.1.13 Whilst there is not a requirement for a sequential test to be undertaken, 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).

5.1.14 Policy D4 of the 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. 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;*
- 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.'*

5.1.15 In relation to point 7 the NPPG 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.'*

5.1.16 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 no concerns have been raised. Also, no objections have been received from the (SMGWA) relating to communications. Therefore, there is no objection in relation to point 6.

5.1.17 In order to address criteria (7) the application has been supported by an Agricultural Land Classification report. Best and Most Versatile Agricultural Land is defined as land classed as being within Grades 1; 2 and 3a of the Agricultural Land Classification. The assessment is based upon the findings of a study of published information on climate, geology, and soil in combination with a soil investigation carried out in accordance with the Ministry of Agriculture, Fisheries and Food 'Agricultural Land Classification of England and Wales: Revised Guidelines and Criteria for Grading the Quality of Agricultural Land', October 1988 (the ALC Guidelines). The report states that the entire site is classified as Grade 3b. As the site does not provide the best and most versatile agricultural land, it would be in accordance with criteria 7 of Policy D4 of the LDP, and NPPG.

5.1.18 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.

5.1.19 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 treed 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 wherein a 15 metre buffer is proposed. Construction traffic would also seek to primarily utilise existing tracks to avoid the need for new access roads to be created.
- 5.2.14 The embedded mitigation would 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. A larger area of landscape mitigation is proposed to the northern area of Parcel 5 to assist in further reducing the impact of residential receptors to the east. The improvements to landscape would 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. (As noted above, the construction on the site would be carried out Monday to Friday 08:00-18:00 for a period of approximately 24 weeks).
- 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 to 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 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 are 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 do 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 would 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, they 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 infra-red 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 Turning to potential noise impacts, the arrays themselves, during operation in daylight hours, have no running parts and emit no carbon, noise smell or light. Once installed, the system itself needs minimum maintenance and will be unmanned. However, in terms of noise impact from the development, the development will include various items of plant which would generate noise. This includes string inverters at the end of the solar arrays, transformers, and centralised inverters within the substation. 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, March 2024) (NIA) states that this would 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.
- 5.4.4 The NIA sets out that there would be 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 40 decibels (dB) 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 would be no significant

adverse impacts on health or quality of life caused by noise from the proposed development.

- 5.4.5 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.
- 5.4.6 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.
- 5.4.7 The impact to neighbouring amenity from potential 'glint and glare' is addressed with the application, via the submission of a 'Glint and Glare Assessment'. Whilst there is little guidance or policy available in the UK at present in relation to the assessment of glint and glare from such proposed developments, it is recognised as a potential impact which needs to be considered. 'Glint' is defined as a momentary flash of bright light, while 'Glare' is defined as a continuous source of bright light. Glint and glare effects can only occur when the weather is clear and sunny.
- 5.4.8 The Glint and Glare Assessment identifies residential receptors within 1km of the application site. The Assessment identifies that solar reflections are possible at four of the 14 residential receptors assessed within the 1km study area (with residential receptors to the east of the site on Hackman's Lane', and further residential receptors to the West on Crow's Lane as shown on the images below). The initial bald-earth scenario for the 14 receptors, identified potential impacts as High at one receptor including one residential area (on Crows Lane), Low at three receptors (including the dwellings at Hackman's Lane), and None at all remaining receptors.



Above. Receptors to the east on Hackmans Lane. Bald-earth scenario identifies potential impacts as Low.



Above. Receptors 10 and 11. Bald-earth scenario identifies potential impacts as High and Low respectively.

- 5.4.9 As set out above, these potential impacts are based on a 'bald-earth' scenario. The Glint and Glare Assessment then goes onto review the actual visibility of the receptors, and concludes that the glint and glare impacts and reduce to None at all receptors, due to the level of existing landscaping.
- 5.4.10 The Councils have engaged independent Glint and Glare Consultants (Mabbett) to review the applicants Assessment. The Consultant is content that the approach for data modelling is appropriate for this assessment. In addition, they concur that there is moderately dense hedgerow field boundaries and trees between the dwellings and the area of the proposed development where glare impacts are predicted, such that the impact rating could be reduced to none for these residential dwellings. It is further noted that additional new native hedgerow planting, and mixed scrub and tree planting is proposed to the boundaries of some of the parcels. On this basis, the conclusions are that there would be no harmful impacts to neighbouring amenity from glint and glare.

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 would be able to accommodate the type and number of vehicle movements during the construction and operation phase of the site and that there would 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, February 2024) (TS) and Glint and Glare Assessment (Neo environmental, 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 would be taken from Crows Lane and connects to Main Road towards the west. During the construction phase Heavy Goods Vehicles (HGV's) would be required to access the site via Main Road and Crows Lane as well as the access track where smaller vehicles would 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.
- 5.5.5 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 would be managed to reduce potential conflicts. Such management would include the provision of a banksman on the access road who would also ensure priority is given to background traffic on the highway network. Upon entering the site, construction vehicles would be able to turn within the proposed compound area.
- 5.5.6 It is acknowledged that part of the access track is classified as a PRow. The TS notes that the use of the footpath is low but states that measures to reduce the conflict between pedestrians and construction vehicles would still be required. The measures would include use of a banksman, signage, driver training, and pedestrian waiting areas which would be secured by a condition requiring a Construction Traffic Management Plan.
- 5.5.7 Concerns expressed from local Parish Councils and third parties regarding the suitability of Crows Lane to accommodate the scale and nature of the proposed vehicle movements are noted. The Local Highway Authority have been consulted on the above and have set out that whilst there would be a period of HGV's going to and from the site during the construction phase this would be temporary and could be managed through conditions. Overall, the access arrangements for the construction of the solar farm would not be detrimental to highway safety, capacity, or efficiency.
- 5.5.8 In terms of vehicle movements during the operational phases, the TS sets out that this would 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 from a highway and transportation perspective.

Traffic Generation and Impacts

- 5.5.9 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 TS states that construction traffic would be coordinated to avoid the local highway network peak hours.
- 5.5.10 It is anticipated that there would be a maximum of 100 construction workers on site during peak times during the construction phase. A construction compound would be provided to ensure that there is sufficient parking for the workers and there is no overspill parking on the local highway network.

- 5.5.11 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 would be even lower given that there would be one vehicle visit a week or fortnightly.
- 5.5.12 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

- 5.5.13 Regard is also had to the proximity of the site to SMGWA, but given the statement within the Design and Access Statement (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.
- 5.5.14 The assessment concludes that reflected sunlight would 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. The independent consultants (Mabbett) who reviewed the Glint and Glare Assessment made similar conclusions.

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 (April 2024); Skylark Mitigation Scheme (November 2023); Great Crested Newt District Level Licencing – Impact Assessment & Conservation Payment Certificate; and a Biodiversity Metric 4.0 – Calculation Tool.
- 5.6.3 In relation to Great Crested Newts (GCN), it is noted that an Impact Assessment & Conservation Payment Certificate, countersigned by Natural England, has been provided to support this application. This demonstrates that developer’s intention and eligibility to enter the Essex Great Crested Newt District Level Licencing scheme. This allows the LPA to have certainty of likely impacts upon GCN and allows the LPA to demonstrate compliance with the Conservation of Habitats and Species Regulations 2017 (as amended) for this European Protected Species when issuing

their decision. It is advised that a copy of the GCN Licence will be required prior to commencement via a condition of any consent.

- 5.6.4 In relation to bats, the 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. 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.
- 5.6.5 The Councils Ecology Consultant had previously issued a holding direction due to potential impacts upon irreplaceable habitat, as insufficient buffer zones and clarification of likely impacts had been provided on ancient woodland and veteran trees. The Proposed Site Layout Plan-Rev13 (Island Architecture Ltd, August 2024) and the Arboricultural Impact Assessment, Rev B (Barton Associates Ltd, August 2024) has now been updated to ensure a 15m buffer zone from the Ancient Woodland. In addition, the Agents Response to LPAs Ecology response (Harris Lamb Ltd, August 2024) has stated the following with regard to the Veteran trees adjacent to the access road: *Two veteran trees are located next to the existing access track into the development site. Due to the nature of the development, during the operation phase the increase in the number of vehicles utilising the access track is considered negligible and would not negatively affect the veteran trees. During the operational phase the increase in traffic of heavy plant and construction vehicles has the potential to increase soil compaction. The AIA specifies Root Protection Areas around T62 and T63 (16.5m and 19.5m respectively) and advises that suitable ground protection boards should be in place to protect from soil compaction and damage to tree roots within the upper soil layer. Providing this mitigation is implemented during the construction phase, no impacts are anticipated on the identified veteran trees.* The Ecology Consultant supports this interpretation of impacts for veteran trees and is satisfied that sufficient ecological information is available for determination for this application.
- 5.6.6 This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- 5.6.7 The mitigation measures identified in the Ecological Impact Assessment (Harris Lamb Ltd, April 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species, with finalised measures being secured via a Construction Environmental Management Plan (CEMP: Biodiversity) to be secured as a pre-commencement condition.
- 5.6.8 In addition, it is indicated that the Impact Assessment & Conservation Payment Certificate, countersigned by Natural England, confirms developer's intention and eligibility to enter the Essex Great Crested Newt District Level Licencing scheme. As a result, a copy of the Great Crested Newt Licence will be required prior to commencement via a condition of any consent.
- 5.6.9 Furthermore, The Ecology Consultant supports the Skylark Mitigation Scheme (Harris Lamb Ltd, November 2023) in principle and recommends a finalised scheme should be secured as a compliance condition.

- 5.6.10 In relation to Biodiversity Net Gain (BNG) the Ecology Consultant supports the submitted Statutory Biodiversity Metric - Calculation Tool (May 2023) and is satisfied there is sufficient information at the application stage. The development would deliver a 65.27% increase in habitat units and a 46.44% increase in hedgerow units.
- 5.6.11 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. As a result, a Biodiversity Gain Plan, as well as the finalised full Statutory Biodiversity Metric – Calculation Tool, should be submitted prior to commencement as part of the biodiversity gain condition.
- 5.6.12 As on-site habitat will contain significant on-site enhancements a Habitat Management and Monitoring Plan (HMMP) will be required for this planning application. If the LPA decides that this is required, it is highlighted that this should be in line with the approved Biodiversity Gain Plan, with the maintenance and monitoring secured via legal obligation or a condition of any consent for a period of up to 30 years. The monitoring of the post-development habitat creation will need be provided to the LPA at years 2, 5, 10, 15, 20, 25, 30 any remedial action or adaptive management will then be agreed with the LPA to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.
- 5.6.13 Furthermore, the proposed bespoke species enhancements are supports as identified within the Ecological Impact Assessment (Harris Lamb Ltd, April 2024). This includes the provision of 20no. nesting boxes, 20no. bat boxes, 3no. hedgehog house and reptile hibernacula / log piles. It is recommended that these measures are secured via a Biodiversity Enhancement Strategy, to be secured prior to beneficial use.

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 (March 2024) (AIA).
- 5.7.2 Since the determination of the earlier planning application, the extent of designated Ancient Woodland at Great Wood has been increased. Government standing advice states that for ancient woodlands, the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage. The site layout has been amended to reflect this, and all development would be outside of the recommended 15-metre buffer zone with the Ancient Woodland. The development is now considered acceptable in this regard and would ensure that there is no harm to this irreplaceable habitat. The Woodland Trust have raised no objections to the application and support the revised documentation which includes the 15 metre un-encroached buffer afforded to all areas of ancient woodland, ancient wood pasture, and the veteran tree buffers afforded to oak trees T62 and T63.
- 5.7.3 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 as was also the view on the earlier application, 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 being required, 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 (FZ1), with the very northern part of the site of the site being located within Flood Zones 2 and 3 (FZ2 and FZ3). The proposal is classified as 'Essential Infrastructure' in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance, although it is noted that no development will be within FZ2 and FZ3.
- 5.8.2 The application has been supported by a Flood Risk Assessment (FRA) (BWB, March 2024). This confirms that all development is located within FZ1. All ancillary equipment has been proposed to be raised 150mm above the external ground level to discourage water ingress, whilst any panels located adjacent to the FZ2 would be 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.
- 5.8.3 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.
- 5.8.4 Taking account of the above, the proposal is in accordance with Policy D5 of the LDP and the NPPF.

5.9 Other Matters

Cumulative Impact

- 5.9.1 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.
- 5.9.2 The developments would 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.

- 5.9.3 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.
- 5.9.4 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.
- 5.9.5 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.
- 5.9.6 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

- 5.9.7 Third party comments relating to health impacts are noted. The application has been supported by a Health Impact Assessment (Harris Lamb, April 2024) 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.
- 5.9.8 There is no wider evidence to suggest that solar array development result in harm to the health of residents within their locality. And as set out above, there would be no glint or glare predicted in this application, such that there would be no specific harm to health or amenity in this respect. Rather, the development would 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 regarding health impacts.

Construction, Operation and Decommissioning

- 5.9.9 For any temporary development, construction should minimise disturbance to the ground and surrounding environment. The panels would sit on a metal frame which is piled into the ground. Whilst there would be ground disturbance, is considered that this can be controlled through a Construction Environmental Management Plan prior to the commencement of development. Should permission be granted, such a condition could be imposed.
- 5.9.10 In terms of operation, Policy D4 of the Local Development Plan states that renewable energy schemes should not have an adverse impact upon BMV. As set out above, the site is entirely 3b and in any event, the installation allows for continued agricultural use.
- 5.9.11 In terms of decommissioning, a condition could be attached to any planning permission to require the site to be decommissioned and restored when energy

generation use ceases or becomes non-functioning for a period of 6 months or more. Such a scheme shall include measures to restore and protect soil quality. The submission sets out that all infrastructure including modules, mounting structures, cabling, inverters, and associated infrastructure would be removed from the site and recycled or disposed of in accordance with good practice and market conditions at that time. It is therefore considered that the decommissioning of the site can be controlled by way of condition.

Fire Risk

- 5.9.12 Fire risk has also been considered as part of this application. Officers consulted the Environmental Health Officer and Fire Service on the application. (Note, there is no requirement to notify the Health and Safety Executive (HSE), as the application does not relate to a major hazard establishments or major hazard pipelines, and as 'solar farms' are usually not a relevant development in relation to land-use planning because they do not, in themselves, involve the introduction of people into the area).
- 5.9.13 The Environmental Health Officer has made no comments with regards to possible fires, with their comments primarily focusing on possible noise impacts from the generators and construction management.
- 5.9.14 The Essex Fire and Rescue Service response was more targeted and provided a list of criteria that the development should adhere to in order to provide suitable access for fire engines, in the unlikely scenario of a fire. They make reference to the design guidance contained with the County Fire Authority (CFA) Document entitled Design Guidance and Model Requirements Renewable Energy Facilities V4.
- 5.9.15 Third party comments and consultees have raised concerns with the single vehicular access point, making reference to the condition of Crows Lane, and that there is only one access route into the development, wherein Essex Fire and Rescue advise that two should be provided. Consideration of the acceptability of Crows Lane has already been addressed above. In terms of the number of access points, this is a matter that would further be covered under Building Regulations and would be a matter that the CFA would need to advise on, wherein compensatory measures may be incorporated to overcome the need for a further access point(s).
- 5.9.16 Officers are therefore satisfied in this case that from a fire safety perspective, the proposal is acceptable in planning terms. Conditions and relevant informatives could be recommended to ensure that the relevant requirements discussed above are controlled. This could be in the form of a management plan that could demonstrate how the facility could be operated safely.

5.10 Planning Balance and Sustainability

- 5.10.1 As set out within Paragraph 47 of the NPPF, planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. 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 The presumption in favour of sustainable development sits at the heart of the NPPF. As set out in Paragraph 8 of the NPPF, achieving sustainable development means that the planning system has three overarching objectives, which are interdependent

and needed to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): - an economic objective (to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure); - a social objective (to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being); and - an environmental objective (to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy).

5.10.3 Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. In this case, the proposed development is considered to be in general accordance with the Adopted LDP.

5.10.4 The adverse impacts and benefits of the proposed development are set out below.

Summary of Public Benefits

Renewable Energy

5.10.5 The proposal is a renewable energy project, which in principle is supported by National and Local Policy on account of the benefits it would deliver by providing carbon free electricity to the network. The proposal would generate up to 25 MW of renewable energy, which could provide approximately enough energy to power over 5,200 homes a year. The site would directly contribute to the government's aim to achieve the UK's carbon net zero targets to limit the impacts of global warming. Overall, it is considered that the benefit of the electricity generated by the solar panels would carry significant weight and the ability of the scheme to provide sustainable energy to the wider network weighs heavily in its favour.

Employment Opportunities

5.10.6 The proposal would generate some benefits by providing employment opportunities in the construction phase, with some further albeit more limited employment opportunities during the operational phases, in addition to generally contributing to sustaining jobs in the wider solar power industry. Local businesses would benefit from a temporary short-lived increase in demand as a result of expenditure by direct and indirect workers during the construction/installation phase. This economic benefit is given very limited weight in the overall planning balance given the short lived in the small quantity of jobs it would create, given the scale of development.

Biodiversity Net Gain

5.10.7 Biodiversity net gain would be achieved. The proposals indicate that a net increase of over 65.27% in habitat units, with an increase of 46.44% in hedgerow units. In addition, the development would secure further ecological connectivity across the

landscape via the proposed hedgerows, trees and woodland planting, together with grass and wildflower meadow creation, creating a richer and more varied ecological habitat being provided in comparison to the existing lower value arable fields which form the majority of the application site. This benefit weighs moderately in its favour.

Summary of Adverse Impacts

Landscape / Arboricultural Impact

5.10.8 The proposal would result in some landscape and visual harm from the loss of agricultural character and visual amenity to visual receptors and landscape receptors within or surrounding the site. The most significant harm to visual receptors would be to those walkers who use the local network of footpaths adjoining the site, with the largest impact upon PRoW Purleigh 7. However, the overall impacts would be localised and would not be significant or unacceptable. Furthermore, the impacts would reduce as the proposed vegetation matures. In addition, the site would be returned to its current state after 40 years. Limited weight is given to this matter in the planning balance.

Highways / PRoW

5.10.9 Part of the access track is classified as a PRoW. Whilst the use of this footpath is considered to be low, there may be some conflict between pedestrians and construction vehicles. However, measures are proposed to manage such potential conflicts which include signage, driver training and pedestrian waiting areas, and this would be secured by a condition requiring a Construction Traffic Management Plan. Given that the potential conflict would be very occasional, and over a short period given the construction phase is a maximum of 24 weeks, only limited weight is assigned to this in the planning balance.

5.11 Conclusion

5.11.1 The application will assist achieving the country's drive to increase the contribution from renewable energy, thereby helping to counter the severe effects of climate change and also to address the mounting issue of energy security and to reduce reliance upon foreign energy exports. The application would accord with policy D4 of the LDP, which recognises that in bringing forward infrastructure projects, including renewable energy projects, the impact of such schemes will have to be off set against their benefits.

5.11.2 Having considered the benefits that would arise from the proposal and weighed this against the harm arising from landscape impacts and some short term impacts to pedestrians on the PRoW, it is considered that the significant benefits of the development would outweigh any harm that would arise from the development.

6. RELEVANT SITE HISTORY

6.1 The relevant planning history at the site is as follows:

- **23/00807/FULM** - Solar Farm together with sub-station, ancillary buildings, structures, landscaping, emergency lighting and access. Refused. At appeal.
- **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 and Town Councils

Name of City / 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. • Concerns regarding the accessibility of the site and the impacts of traffic impacts on South Woodham Ferrers and surrounding countryside network. • The removal of panels closest to the neighbour, appears to overcome previous issues relating to neighbour amenity. • Ecological assets should be sufficiently protected. • Decommissioning should be managed through conditions. 	Addressed within Sections 5.2, 5.5, 5.4, 5.6 and 5.9 of the Report.
Cold Norton Parish Council	No objection.	Noted
Woodham Mortimer and Hazeleigh Parish Council	No response received at the time of writing this report.	Noted
Woodham Ferrers and Bicknacre Parish Council	No objection in principle, but comment that the condition of Crows Lane (a narrow hedge lined road with soft verges and a crumbling edge to the carriageway) is unsuitable for HGVs. Comment that the road should be reinforced before construction with all damage made good at the developer's expense once construction has concluded.	Noted. Addressed within Section 5.5 of the Report.
Purleigh Parish Council	<p>Object. Comment with the following:</p> <ul style="list-style-type: none"> • The development is too close to neighbouring properties in Hackmans Lane. Application does not adequately address the potential adverse effects to these dwellings. • The differences with the refused application does not adequately demonstrate that the harms will be outweighed by the benefits of the proposal. • Access for the emergency services, especially Essex Fire & Rescue Service is inadequate given the nature and 	Noted. Addressed within Section 5.4, 5.9 and 5.6 of the Report.

Name of City / Parish / Town Council	Comment	Officer Response
	<p>dimensions of Crows Lane and the unmade chase to Prentice's Farm. In addition, there are no accessible fire hydrants in the immediate vicinity. This risk is compounded by the nature of the materials used in, and the infrastructure incorporated within, the development, including lithium batteries.</p> <ul style="list-style-type: none"> Does not adequately address the potential harm to wildlife, including protected species, given that it is adjacent to ancient woodlands, namely Great Wood, Squeaking Gate Wood, Round Wood and New England Wood. 	
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	<p>Advise that theft from solar farms are increasing. Make the following comments:</p> <ul style="list-style-type: none"> The application should include a Risk Reduction Strategy to cover the construction, operation and decommission of the development; Deer Stock fencing in relation to crime is not sufficient; Mature 'spiky' dense hedging can provide deterrents; Open site lines should be preserved; Inclusion of CCT vans similar should be used. 	Noted. Addressed within Section 5.9 of the Report.
Environment Agency	No objections.	Addressed within the Report.
Archaeology	Recommendation for full archaeological conditions	Addressed within Section 5.3 of the Report.
Stow Maries Great War Aerodrome	No comments received.	Noted. Addressed within Section 5.5 of the Report.
Maldon and Dengie Ramblers	No objection, subject to conditions to ensure that the public rights of way are retained and that the safety of walkers is ensured both during	Noted. Addressed within

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	the construction period and afterwards. Footpaths should be kept to the recommended two metres width and are clearly signposted. Also request that any new boundary furniture installed should be gates, not stiles.	Section 5.5 of the Report.
Essex County Fire and Rescue	Make comments in relation to access, Building Regulations, Water Supplies and Sprinklers.	Noted. Addressed within Section 5.9 of the Report.
Natural England	No objection. Comment that the application will not impact upon the 'best and most versatile' (BMV) agricultural land. Also note that significant BNG will be created.	Addressed within Section 5.1 and 5.6 of the Report.
Essex Wildlife Trust	No comments received.	
Local Highway Authority	<p>Having assessed the application and submitted information, visited the site, conclude that it is not contrary to national/local highway and transportation policy and current safety criteria.</p> <p>Comment that 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>Conclude that the proposal will not be detrimental to highway safety, capacity, or efficiency.</p>	Addressed within Section 5.5 of the Report.
Campaign to Protect Rural England (CPRE)	<p>Object. Raise the following comments: - Support for green energy projects in suitable locations and has recently been running a campaign to promote the use of roof-space (e.g. warehouse, factory and car park roofs) for solar panels. This is a realistic alternative to solar farm developments in rural locations, which not only destroy habitats and the beauty of the landscape but also take precious agricultural land out of production.</p> <p>Notwithstanding concerns relating to other aspects of this development (e.g. unsuitable access and harm to the amenity of local residents), CPRE Essex objects to this proposal because of the adverse impacts it will have on the landscape, habitats and biodiversity together with enjoyment of the countryside.</p>	Noted. Addressed within Section 5.1, 5.2 and 5.6 of the Report.
Woodlands Trust	No objections.	Noted, addressed

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
		within Section 5.7 of the Report.
Lead Local Flood Authority (LLFA)	No objection subject to conditions	Addressed within Section 5.8 of the Report.
Essex Bridleway Association	<p>Make comments neither supporting nor objecting. Advise that the site borders a significant number of PRoWs.</p> <p>Request consideration be given to the granting of a permissive track allowing equestrian access around the perimeter of the site. This would allow riders to safely ride off road, and would help alleviate the safety concerns we have as a result of the surrounding lanes becoming busier with construction and service traffic.</p> <p>Request that there be no impact or encroachment upon bridleway 8.</p>	Noted, addressed within Section 5.5 of the Report.

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No objection. Comment that 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.	Addressed within the Report.
Environmental Health	Advise that there will be no significant adverse impacts on health or quality of life from noise of vibration cause by the development. A suitably worded condition should be included requiring a construction environmental management plan relating to the construction Phase.	Addressed within the Report.
Ecology	Have been re-consulted on the revised site plan and updated supporting information. Members will be notified of their comments.	Discussed within Section 5.6 and 5.7 of the Report.
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 within Section 5.7 of the Report.

7.4 Representations received from Interested Parties

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

Objection Comment	Officer Response
Application does not differ in a meaningful way from the refused application because of the harm to local residents and wildlife.	Addressed within the Report
Is unsuitable as it wraps around ancient woodlands and wildlife habitats. Is an objection from the Woodlands Trust.	
Crows Lane is a farm track and both unsuitable and unsafe as the only access road to the site. Woodham Ferrers, Chelmsford City and Purleigh Parish Councils have all raised concern about this.	
Is around 150 metres from dwellings and would have a significant negative including health risks.	
Could result in a risk of glare, fires and flooding.	
The solar farm will be unsightly and surrounded by 3 metre high fencing and CCTV cameras, including along the Wildside Walk public footpath and bridleway.	
The loss of scenery will have a negative impact on the local area and all of the walkers, cyclists and riders on the PRow's.	
Loss of arable land.	
There are two solar farms already in the area, one in Purleigh parish and the one in Danbury parish.	

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_001.300.13
 - 24045.101 REV C
 - ISD_001.307.00 REV 01
 - ISD_001.306.00 REV 01
 - ISD_001.305.00 REV 01
 - ISD_001.304.00 REV 01
 - ISD_001.303.00 REV 01
 - ISD_001.302.02REASON: 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 24045.101 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 Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

- 4 The fences as shown on the approved plan numbers ISD_001.307.00 and ISD_001.300.13 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 Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

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 Local Planning Authority. 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 Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

- 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 Local Planning Authority 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 Maldon District Local Development Plan 2017.

- 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 Maldon District Local Development Plan 2017.

- 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);
- d. Full details of temporary traffic management / banksmen control / mitigation / delivery timing restrictions required in connection with the construction traffic routing and any 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;
- i. Construction signage and traffic management;
- j. Details for the protection and convenience of users on the Public Right of Way network;
- k. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- l. Details of how the approved plan will be implemented and adhered to, including contact details for individuals responsible for ensuring compliance;
- m. Contact details for Site Manager and details of publication of such details to local residents.

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 Maldon District Local Development Plan 2017.

- 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 Maldon District Local Development Plan 2017 and Policy DM19 of the Chelmsford Local Plan.

- 10 Prior to commencement of the development, details of the access arrangements at Crows Lane (including required visibility splays and surfacing improvements to ensure the road is capable of accommodating a vehicle of 18 tonnes) required to facilitate access for Construction Traffic, shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be fully carried out prior to its first use in relation to works relating to the site clearance, construction or otherwise.

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 Maldon District Local Development Plan 2017 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, 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 Maldon District Local Development Plan 2017 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 Maldon District Local Development Plan 2017 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 Local Planning Authority. The scheme shall subsequently be implemented as approved.

REASON: in the interests of surface water flood risk in accordance with Policy D5 of the Maldon District Local Development Plan 2017.

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 Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

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 dated March 2024, 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 Maldon District Local Development Plan 2017.

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 Maldon District Local Development Plan 2017, and the National Planning Policy Framework.

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 Local Planning Authority. 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 Maldon District Local Development Plan 2017.

- 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 Local Planning Authority.
REASON: in the interests of surface water flood risk in accordance with Policy D5 of the Maldon District Local Development Plan 2017.
- 19 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Harris Lamb, April 2024). 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 Local Planning Authority 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 All mitigation measures and/or works for the Skylark shall be carried out in accordance with the details contained in the Skylark Mitigation Scheme (Harris Lamb Ltd, November 2023), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
- The two skylark plots shall be implemented on a yearly rotational for the lifetime of the solar farm.
REASON: To conserve protected species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the Local Planning Authority to discharge its duties under Section 40 of the NERC Act 2006(as amended)
- 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.

REASON: To conserve protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan 2017 and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and Section 40 of the NERC Act 2006 (as amended).

- 23 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.

REASON: To conserve protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan 2017 and allow the Local Planning Authority to discharge its duties under the National Planning Policy Framework and Section 40 of the NERC Act 2006 (as amended)

- 24 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. 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 2017 and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and Section 40 of the NERC Act 2006 (as amended)

- 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 Local Planning Authority. 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 Local Planning Authority.

REASON: To conserve protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan 2017 and allow the Local Planning Authority 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 2017.
- 27 Prior to the first use of the development hereby approved, a Management Plan in relate to fire and rescue matters, shall be submitted to and approved

in writing by the Local Planning Authority, to demonstrate the facility would be operated safely.

REASON: In the interest of safety and amenity.

- 28 Prior to commencement of development, a Habitat Management and Monitoring Plan, in line with the approved Biodiversity Gain Plan, must be submitted to the planning authority and approved in writing.

The content of the Habitat Management and Monitoring Plan should include the following: a) A management and monitoring plan for onsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The development shall be implemented in full accordance with the requirements of the approved Habitat Management and Monitoring Plan, with monitoring reports submitted to the council at the specified intervals.

REASON: To allow the development to demonstrate mandatory biodiversity net gain and allow LPA to discharge its duties under Schedule 7A to the Town and Country Planning Act 1990.

INFORMATIVES

- 1 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:
- a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Maldon District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.