



Chelmsford City Council Statement Of Case

Appeal Ref: APP/W1525/W/24/3344509

Address: Southlands Solar Farm and Battery Storage, on land south of Runwell Road (A132),
Runwell, Wickford

Local Planning Authority's Reference: 24/00035/REFUSE

Appellant: Enso Green Holdings J Ltd

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1. Introduction

- 1.1. This section 78 appeal arises from the decision of Chelmsford City Council (“the Council”) and Rochford District Council dated 6 December 2023 to refuse planning permission for the construction, operation, maintenance and decommissioning of a ground mounted solar farm (49.9 megawatts. 40year time limit) at land south of Runwell Road (A132), Runwell, Wickford (“the Appeal Site”). (application ref 23/00532/FUL; appeal ref 24/00035/REF). A copy of the decision notice can be found at CCC Appendix 1. The Appeal Site is wholly within the Metropolitan Green Belt.
- 1.2. Part of the application site lies within the area of Rochford District Council, the neighbouring local planning authority. Under section 101 (1) of the Local Government Act 1972, Rochford District Council, as the local planning authority, devolved its decision making powers for this application to Chelmsford City Council.

2. Appeal site and location

- 2.1. The Appeal Site extends to 66.1 hectares (ha), 59 hectares of which is the main site area. It comprises irregular shaped fields with well established hedgerows, and an underground cabling route that connects the site to the National Grid Rayleigh Main Sub Station which is approximately 3 km to the south of the Appeal Site.
- 2.2. The solar farm and battery storage facility are located wholly within the administrative area of Chelmsford City Council (CCC), along with a proportion of most of the underground connection corridor (61.1ha). The remainder of the cabling route lies, however, within the administrative boundary of Rochford District Council (RDC).
- 2.3. The site lies within the valley of the River Crouch which lies to the south and the site slopes from approximately 23m AOD near Runwell Road (A132) in the northern part of the site to approximately 3m AOD near the River Crouch (south western part of the Site). The land also slopes gently towards a central watercourse within and adjacent to the Site.
- 2.4. The watercourse within the site follows the route of the north-south oriented access track linking Runwell Road with Southlands Farm. A public right of way (footpath 231-8) intersects the Appeal Site in an east-west orientation.
- 2.5. The Environment Agency's (EA) flood map for planning for the area identifies that most of the Appeal Site lies within Flood Zone 1 (low risk) with minor areas of the Site in Flood Zones 2 and 3 along the River Crouch in the southern part of the Appeal Site and adjacent to the watercourse running north-south.

- 2.6. There is a Tree Preservation Order TPO/2001/078 located in the northeast corner of the Appeal Site.
- 2.7. There are no designated heritage assets within the Appeal Site and it is not within a Conservation Area. The nearest listed buildings are at Bear Hall (Grade II), St Marys Church (Grade I) and the Old Rectory (Grade II) to the west and east and within Battlesbridge Village to the east. There are also listed buildings to the south at Shot Farm which is within the Basildon District Council administrative area.
- 2.8. There are two non-designated heritage assets within the western part of the Appeal Site comprising two pillboxes, which form part of a series of features that formed the GHQ defence line construction in 1940 to slow a possible German invasion.
- 2.9. There is a further non-designated heritage asset to the north of the Appeal Site which is a former mid-nineteenth century county house that currently operates as a Toby Carvery.
- 2.10. The site is located within the Northern Thames Basin National Character Area (Natural England National Character Area Profile No. 111 refers). Locally, the Braintree, Brentwood, Chelmsford, Maldon, and Uttlesford Landscape Character Assessment (CBA 2006) locates it within LCA F11 - South Hanningfield Wooded Farmland (LCA). The site and surrounding area consist of open fields interspersed with marginal vegetation with a sloping topography towards the River Crouch to the south, with river estuary to the east. The landscape is predominantly composed of rural character elements with localised man-made influences and features. The site is currently accessed via an existing access road from Runwell Road (A132). The immediate contextual area is agricultural in nature and contains only a sporadic array of smaller scale buildings including dwellings and farmsteads.
- 2.11. The site is located on the western side of the A130. The A130 is the main route between Chelmsford to the north and Basildon/Southend on Sea to the south.
- 2.12. Agricultural Land Classification (ALC) for the site is classed as subgrade 3a and 3b (moderate agricultural quality).

3. Planning History and Screening

- 3.1. There are no relevant planning applications at the Appeal Site save for those which relate to uses associated with general agriculture at the Appeal Site. An Environmental Impact Assessment (EIA) Screening Request was submitted by the Appellant to CCC on 29th April 2022. A Screening Opinion (reference:

21/01186/SCREEN) was issued on 8th June 2022 confirming that an Environmental Statement (ES) would not be required under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

4. Description of development

- 4.1. The application seeks full planning permission for the construction of a solar farm with battery storage and associated infrastructure with export capacity of up to 49.9 megawatts. Temporary timeframe of 40 years.
- 4.2. Panels would be laid out in straight arrays north-south. The panels would be mounted onto a metal stand fixed into the ground. The solar panels would have a maximum height of about 3 metres and utilise a tracker system, meaning that the panels would tilt to track the movement of the sun.
- 4.3. Inverter/transformer stations would be located at several positions across the solar farm within containers finished in green. These have the appearance of shipping containers with a height of 2.9 metres.
- 4.4. 24no. battery storage containers finished in green with associated equipment would be located towards the north-east corner of the site. These would also have the appearance of shipping containers with a height of 2.9 metres, surrounded by welded steel wire mesh fencing with a height of 2.4 metres.
- 4.5. An on-site substation and switchgear compound would be co-located with the battery plant. This would consist of two buildings with a height of 3.9 metres, surrounded by welded steel wire mesh fencing of up to 2.4 metres.
- 4.6. Also located in this compound would be 2no. spare parts containers, having the appearance of shipping containers with a height of 2.9 metres.
- 4.7. Underground cabling would connect the panels and inverter/transformer stations to the proposed on-site substation and control rooms. An underground cable would link from the proposed solar substation to the National Grid Rayleigh substation.
- 4.8. 2 metres high perimeter fencing (loose metal mesh between wooden posts) with CCTV cameras mounted on poles of between 2.5 – 3 metres would be installed around the Appeal Site to maintain security. There would also be at least one 3 metre high pole-mounted weather station.
- 4.9. Landscape planting, biodiversity enhancements and surface water attenuation measures also form part of the proposal.
- 4.10. The site is currently accessed via an existing access road from Runwell Road (A132).

- 4.11. Between the arrays would be a series of internal access tracks. The Appellant proposes what is called mitigation, in the form of additional planting, primarily along the site boundaries, is proposed. The existing hedgerows would be augmented and retained.

5. Applicable Planning Policy

- 5.1. The planning policy and guidance relevant to the appeal is set out below. This will be further expanded upon in the Council's proofs of evidence in accordance with appeal procedure.
- 5.2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.

Local Planning Policies

- 5.3. The statutory development plan consists of the Chelmsford Local Plan 2013-2036 (adopted May 2020).
- 5.4. Chelmsford City Council is currently reviewing its Adopted Local Plan (May 2020). Consultation on the Preferred Options document closed on 19 June 2024. At present it carries very limited weight.
- 5.5. With reference to Chelmsford City Council's local policy as set out in the Chelmsford Local Plan 2013-2036 (adopted in May 2020):
- 5.6. Strategic Policy S1 (Spatial Principle) – includes Spatial Principles to ensure development is deliverable, is served by the necessary infrastructure, and that development utilises existing and planned infrastructure effectively.
- 5.7. Strategic Policy S2 - Addressing climate change and flood risk, sets out the Council's strategic policy requirements for mitigating and adapting to climate change. In addressing the move to a lower carbon future for Chelmsford, it states that the Council will, amongst other considerations, encourage new development that provides opportunities for renewable and low carbon energy technologies and schemes and provides opportunities for green infrastructure including city greening, and new habitat creation.
- 5.8. Policy DM6 - New Buildings in the Green Belt - Where new buildings are proposed within the Green Belt, inappropriate development will not be approved except in very special circumstances. Planning permission will be granted for the redevelopment of previously developed land and replacement buildings subject to meeting prescribed criteria. There are some buildings

associated with the development including a sub station, inverter stations, battery storage containers and spare parts containers.

5.9. Policy DM10 - Change of use (Land & Buildings) & Engineering operations - Planning permission will be granted for the change of use of buildings in the Green Belt, Green Wedges and Rural Area subject to the building being of permanent and substantial construction and where the building is in keeping with its surroundings. Engineering operations will be permitted within the Green Belt where they preserve openness, do not conflict with the purposes of including land in the Green Belt, and do not harm the character and appearance of the area. Changes of use of land will be permitted in the Green Wedges and Rural Area where the development would not adversely impact on the role, function and intrinsic character of the area.

5.10. Policy DM19 - Renewable and low carbon energy sets out the criterion that renewable and low carbon planning application proposals will be considered against. It states that planning permission will be granted for renewable and low carbon development provided they:

- Do not cause demonstratable harm to residential living environment; And
- Avoid or minimise impacts on the historic environment; and
- Can demonstrate no adverse effect on the natural environment including designated sites; and
- Do not have an unacceptable visual impact which would be harmful to the character of the area; and
- will not have a detrimental impact on highway safety.

It also states that “Where located within the Green Belt, renewable or low carbon energy developments will also need to demonstrate very special circumstances in order to be approved”.

5.11. Several other local plan policies are relevant to the consideration of proposals including:

- Strategic Priority 5 - Delivering New and Improved Strategic Infrastructure
- Strategic Policy S1 - Spatial Principles.
- Strategic Policy S3 - Conserving and Enhancing the Historic Environment,
- Strategic Policy S4 - Conserving and Enhancing the Natural Environment,
- Strategic Policy S11 - The role of the countryside,
- Policy DM10 - Change of use (Land and buildings) and Engineering operations.
- Policy DM13 - Designated heritage assets,
- Policy DM14 - Non designated heritage assets,
- Policy DM15 - Archaeology,
- Policy DM16 - Ecology and biodiversity,
- Policy DM17 - Trees, Woodland and landscape features,

- Policy DM18 - Flooding / SUDs
- Policy DM23 - High quality and inclusive design,
- Policy DM27 - Parking standards,
- Policy DM29 - Protecting living and working conditions,
- Policy DM30 - Contamination and pollution.

5.12. In May 2021, the Council published its draft Solar Farm Development Supplementary Planning Document (SPD) Consultation Document. The SPD was Adopted by the Council's Cabinet on 16th November 2021. The SPD contains local guidance on preparing and submitting proposals for solar farms. It is referred to in the reasons for refusal.

5.13. It gives guidance on how planning applications should be considered in light of national and local policy requirements, and inter alia stresses the importance of adequate Landscape and Visual Impact Assessments.

National Planning Policy

5.14. The Appeal Site is wholly located within the Metropolitan Green Belt.

5.15. The overarching National Policy Statement for Energy (NPS EN-1) and National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) set out national policy for the delivery of nationally significant energy infrastructure, including renewable energy, although neither explicitly covers solar powered electricity generation or battery storage. The Council agrees that these are material considerations in this Appeal but as the appeal proposal is not a NSIP, and this is not a DCO application, those documents do not apply in the way they would to a NSIP and the question is what weight to attach to those NPS.

5.16. The Environment Bill has put the 25-year Environment Plan into law and has created a statutory framework for environment principles. The Bill includes ambitious legislative measures to take direct action to address environmental policy including biodiversity net gain, restoration and enhancement of nature, improvement of air quality, tackling climate change, waste and resource efficiently and water resource management to enable the Government to reach its commitment to reach net zero emissions by 2050.

5.17. The NPPF talks generally about renewables within the context of planning for climate change and makes no specific reference to solar farms. It favours sustainable energy systems as long as any impacts are (or can be) made acceptable, and says that local planning authorities should approach these as part of a positive strategy for tackling climate change.

- 5.18. Paragraph 163 of the NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable.
- 5.19. Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.20. Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.21. Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.22. Paragraph 156 states that when located within the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
- 5.23. All planning proposals and decisions should contribute to and enhance the natural and local environment. Paragraph 180 of the NPPF requires development to, amongst other things, 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.
- 5.24. The National Planning Practice Guidance (NPPG): Renewable and low carbon energy paragraph 007 states criteria for considering proposals for renewable energy technologies, stating that it is important to be clear that:
- the need for renewable or low carbon energy does not automatically override environmental protections;
 - cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on

landscape and local amenity as the number of turbines and solar arrays in an area increases;

- local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;
- 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;
- proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
- protecting local amenity is an important consideration which should be given proper weight in planning decisions.

5.25. The NPPG: Renewable and low carbon energy paragraph 013 outlines guidance on the specific planning considerations that relate to large scale ground-mounted solar PV farms. These particular factors include:

- encouraging 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;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- 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. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;

- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

5.26. There are a number of other studies, policies and publications relating to renewable energy proposals and climate change that have been published by other Government departments, bodies and interested stakeholders. These will be considered in the Council's evidence. The Council declared a climate and ecological emergency in July 2020.

6. The Council's case

6.1. The planning application was refused for two reasons as set out in the decision notice (see CCC Appendix 1). The Council's case for each of the reasons for refusal is addressed in turn below. The Council also intends to highlight the fact that of the Appellant has not demonstrated that it satisfies the sequential and exception test as required by national policy and as made clear by the Environment Agency. The Council did not refer to flood risk in its reasons for refusal but raised the question with the Appellant in email correspondence prior to the deadline for the submission of Statements of Case.

Reason 1

6.2. The first reason for refusal is detailed in the decision notice (see CCC Appendix 1).

6.3. Evidence will be provided which supports the Council's approach and methodology to determine that the applicant has not demonstrated that the harm to the Green Belt, by reason of inappropriateness, and the other harm which arises, is clearly outweighed by the very special circumstances. The proposed development by reason of its siting and scale would result in the creation of a large-scale, man-made, urban character development that would lead to visual and spatial loss of openness. The very special circumstances put forward by the applicants have been considered, but the applicant has not demonstrated that the harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by the very special circumstances.

6.4. This evidence as to other harm will include heritage harm. The Council agrees with the heritage assessment that there is a low level of less than substantial heritage harm but this harm, nevertheless, must be given great weight (paragraph 205 of the NPPF). The Council considers also that there would be a low level of harm to the setting of the Toby Carvery. Further, the Council considers that there would be a moderate level of harm to the non-designated heritage assets. A judgment, pursuant to section 209 of the NPPF, will be required.

6.5. The Inspector will have to determine if that the less than substantial heritage harm is outweighed by the public benefits (paragraph 208). The Council considers, however, that the benefits of the proposal do outweigh that level of harm and does not intend, therefore, to call heritage evidence. It considers, however, that plainly the heritage harm has to be taken into account as “other harm”, along with the landscape harm, for the purposes of considering whether very special circumstances exist.

Reason 2

6.6. The second reason for refusal is detailed in the decision notice (see CCC Appendix 1).

6.7. Landscape evidence will be provided which supports the Council’s approach and methodology to determine that the application would cause unacceptable harm to visual amenity, natural environment, intrinsic character and beauty of the countryside and provided insufficient assessment of landscape impact contrary to the policies set out above.

6.8. The Council considers that the proposed development by reason of its siting and scale would result in the creation of a large-scale, man-made, urban character development. It would be significantly detrimental to the landscape character of the area and would be harmful to visual amenity. The predicted landscape affects arising from the proposed development are not able to be overcome by the proposed mitigation. The proposal would cause an unacceptable and adverse effect upon the natural environment which in turn would fail to protect the intrinsic character and beauty of the countryside. Further, the applicant’s proposal contains insufficient assessment of landscape impacts.

6.9. In support of the Council’s case reference is likely to be made to the following landscape documents which are part of the evidence base for the Chelmsford Local Plan: The Braintree, Brentwood, Chelmsford, Maldon and Uttlesford landscape Character Assessment and the Chelmsford City Council Landscape Sensitivity and Capacity Assessment Report.

EA request for Sequential and Exception testing

6.10. Flood Risk Assessment and drainage strategy was submitted which outlined how surface water will be managed during operational phases of the development and provided an overview maintenance plan for the key SuDS features proposed. The Environment Agency provided a consultation response to the Flood Risk Assessment explaining that because the proposal is an ‘essential infrastructure’ development, as defined in Annex 3: Flood Vulnerability classification of the Planning Practice Guidance, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site-specific Flood Risk Assessment (FRA). This

has not been demonstrated despite the Council raising the issue with the Appellant in email correspondence prior to the submission of this Statement of Case. Accordingly it has not been shown the proposal would not have a harmful impact on flood risk contrary to the Chelmsford Local Plan, Solar Farm SPD, the NPPF or the NPPG.

7. The Planning Balance and Very Special Circumstances

7.1. The applicant states that the following comprise very special circumstances:

- Renewable energy generation
- The temporary and reversible nature of the development
- Biodiversity net-gain
- Lack of alternative sites
- Best available technology
- Good design
- Improvements to green infrastructure
- Farm diversification
- Soil regeneration

7.2. The tackling of the effects of climate change is a key government policy. The NPPF at paragraph 163(a) recognises that all renewable energy schemes can make a valuable contribution to reducing greenhouse gas emissions.

7.3. This proposal could produce up to 49.9 MW per annum of electricity – although this is the maximum, and the applicant has indicated that this may not be fully achieved by the current proposals. Nonetheless, this is a significant amount of renewable energy reduction and is given significant weight in favour of granting planning permission for this proposal.

7.4. However, as required by paragraph 153 of the NPPF, the benefits of the scheme in respect of the reduction in greenhouse gas emission and maximisation of renewable energy and other benefits has to be balanced against the harm to the Green Belt by virtue of the proposal being inappropriate development, the harmful to openness, the other harm to heritage assets and the landscape harm. The Appellant has to demonstrate that the benefits clearly outweigh the harms, the Council considers that they do not.

7.5. Whilst it is reasonable to weigh the environmental benefits strongly individually and cumulatively, the impact of the proposals on, for example, the openness and permanence of the Green Belt is also substantial. Support for sustainable and renewable energy generation does not mean the purpose or character of the Green Belt should be a less significant consideration.

7.6. Further, and importantly, the proposal does also not fully address flood risk considerations as there appears to be no evidence of sequential or exception testing. Any evidence put forward by the Appellant will be considered in the Council's evidence to consider if the Appellant can, in fact, demonstrate that the development meets those tests. If it cannot, it should be refused.

7.7. The Council will also consider the Appellant's purported benefits in its evidence and will identify if there is any double counting in those benefits. Further, it does not consider, for example, that best available technology should be given additional weight (see, for example, APP/M1595/W/23/3328712 at paragraph 64).

7.8. The effects upon heritage, openness, landscape character and visual amenity are also given significant weight and these increase the weight of consideration against the proposal. In this case, it is considered that the harms are not outweighed by the benefits that the proposal would have, including in delivering a renewable form of energy.

8. Comments on Appellant's Appeal

8.1. The Council's Case on the Appellant's appeal is set out in Section five of this statement. The Council will rebut the appellant's case within its Proofs of Evidence (it intends to call landscape and planning evidence). The main matters of dispute between the two parties will be set out in the Statement of Common Ground.

9. Summary/Conclusion

9.1. It is considered the proposal is inappropriate development in the Green Belt and that it is contrary to the development plan when read as a whole (and material considerations do not indicate a decision other than in accordance with the development plan). The proposal is considered to create unacceptable landscape harm and the methodology of the Landscape Visual Methodology submitted with the application was considered inadequate. There is also harm to designated and non-designated heritage assets. It is considered that very special circumstances are not sufficient to override relevant policy and landscape harm. It is the Council's case that the development does not meet the NPPF requirements for sustainable development, is not in accordance with the Council's Development Plan, is contrary to national policy and the appeal should be dismissed.

10. List of Documents that may be referred to at the appeal

10.1. These are listed in the attached appendix. The Council intends to agree a list of Core Documents with the appellant in advance of the Inquiry and it is expected that the documents listed will be Core Documents.

10.2. The Council reserves the right to refer to other documents in response to the appellant's case and in the light of emerging evidence base, government guidance, appeal decisions and suchlike.

11. Conditions

11.1. The Council will liaise with the appellant relating to relevant conditions in advance of and, if needs be, during the appeal.

12. Appendix List:

CCC Appendix 1- Decision notice

CCC Appendix 2- Officer report

CCC Appendix 3 - Environment agency consultation response

CCC Appendix 4 - The Braintree, Brentwood, Chelmsford, Maldon and Uttlesford landscape Character Assessment

CCC Appendix 5- The Chelmsford City Council Landscape Sensitivity and Capacity Assessment Report

CCC Appendix 6 – Chelmsford City Council Solar Farm Development SPD

CCC Appendix 7 – Solar Farm SPD adoption statement

CCC Appendix 8 – SEA/HRA Screening Report

CCC1



And

Rochford District Council

(Under Section 101 Local Government Act 1972 and Section 9EA Local Government Act 2000 together with Regulation 5 of the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2012)

TOWN AND COUNTRY PLANNING ACT 1990

Agent:

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GL7 6JJ

Applicant:

Enso Green Holdings J Limited
C/o Agent

REFUSAL OF PLANNING PERMISSION

LOCATION:	Land South Of Southlands Cottages Runwell Road Runwell Wickford Essex
PROPOSAL:	Installation of a solar farm with battery storage and associated infrastructure
APPLICATION NO:	23/00532/FUL
DATE RECEIVED:	6 April 2023
DRAWING NO(s):	Southlands Solar Farm Flood Risk Assessment Addendum; Winter Bird Survey 2022-2023; Appeal Decision APP/W1525/W/22/3300222; Report to Inform a Habitats Regulation Assessment; RC3-02-P17 4/4; RC3-02-P17 3/4; RC3-02-P17 2/4; RC3-02-P17 1/4; P22-1918_EN_OO3/E; Outline Skylark Mitigation Strategy; Road Safety Audit Stage 1; Proposed Temporary Signage Locations for Construction Traffic; Designers Response to Stage 1 Road Safety Audit; RC3-02-P01 4/4/02; SK04; SK03; RC3-02-P01 1/4/02; RC3-02-P01 2/4/02; RC3-02-P01 3/4/02; RC3-02-P02/04; RC3-02-P03; RC3-02-P04; RC3-02-P05; RC3-02-P06; RC3-02-P07; RC3-02-P08; RC3-02-P09; RC3-02-P10; RC3-02-P11; RC3-02-P13; RC3-02-P14; P22-1918_EN_OO3/C; TX1402_RAY 3_T_01; TX1402_RAY 3_T_02; TX1402_RAY 3_T_03; TX1402_RAY 3_T_04; TX1402_RAY 3_T_05; TX1402_RAY 3_T_06; Design and Access Statement; Heritage Statement; Planning Statement; RC3-02-P12; Ecological Appraisal Report; Flood Risk Assessment and Outline Drainage Strategy; Glint and Glare Assessment; Noise Impact Assessment; Construction Traffic Management Plan; Statement of Community Involvement; Landscape and Visual Impact Assessment; Arboricultural Impact Assessment; Agricultural Land Classification Report;

The Council has given consideration to the application and plans as specified above, and hereby gives notice of its decision to **REFUSE PLANNING PERMISSION** for the following reasons: -

Reason 1

Paragraph 147 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 151 of the NPPF states that when located in the Green Belt, elements of many renewable energy project will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to precede. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. Policy DM6 and DM10 of the Adopted Chelmsford Local Plan and the Adopted Solar Farm Development SPD reiterate the NPPF.

Policy DM19 - Renewable and low carbon energy of the Adopted Chelmsford Local Plan relates to proposals for renewable and low carbon energy. It states that planning permission will be granted for renewable and low carbon development provided they:

- i. Do not cause demonstratable harm to residential living environment; and
- ii. Avoid or minimise impacts on the historic environment; and
- iii. Can demonstrate no adverse effect on the natural environment including designated sites; and
- iv. Do not have an unacceptable visual impact which would be harmful to the character of the area; and
- v. will not have a detrimental impact on highway safety.

When located within the Green Belt, renewable or low carbon energy developments will also need to demonstrate very special circumstances in order to be approved.

The development would result in an unacceptable form of development within the Green Belt outside the exceptions listed within the NPPF or Policies DM6 or DM10 of the Adopted Chelmsford Local Plan. The proposal would be for an inappropriate form of development that would lead to loss of openness.

The proposed development by reason of its siting and scale would result in the creation of a large-scale, man-made, urban character development that would lead to visual and spatial loss of openness.

The very special circumstances put forward by the applicants have been considered, but the applicant has not demonstrated that the harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by the very special circumstances.

The proposal is therefore contrary to Policies DM6, DM10 and DM19 of the Adopted Chelmsford Local Plan, the Adopted Chelmsford Solar Farm Development SPD and the objectives of the NPPF.

Reason 2

The National Planning Policy Framework (NPPF) states that all planning proposals and decisions should contribute to and enhance the natural and local environment. Paragraphs 174a and 174b require 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.

Policy DM6 and DM10 of the Adopted Chelmsford Local Plan and the Adopted Solar Farm Development SPD reiterate the NPPF.

Policy DM19 - Renewable and low carbon energy of the Adopted Chelmsford Local Plan states that planning permission will be granted for renewable and low carbon development provided they:

- i. Do not cause demonstratable harm to residential living environment; and
- ii. Avoid or minimise impacts on the historic environment; and
- iii. Can demonstrate no adverse effect on the natural environment including designated sites; and
- iv. Do not have an unacceptable visual impact which would be harmful to the character of the area; and
- v. will not have a detrimental impact on highway safety.

The proposed development by reason of its siting and scale would result in the creation of a large-scale, man-made, urban character development. It would be significantly detrimental to the landscape character of the area and would be harmful to visual amenity. The predicted landscape effects arising from the proposed development are not able to be overcome by the proposed mitigation.

The proposal would cause an unacceptable and adverse effect upon the natural environment which in turn would fail to protect the intrinsic character and beauty of the countryside.

Further, the applicant's proposal contains insufficient assessment of landscape impacts.

The proposal is therefore contrary to Policies DM6, DM10 and DM19 of the Adopted Chelmsford Local Plan, the Adopted Chelmsford Solar Farm Development SPD and the objectives of the NPPF.

Date: 19 April 2024

Signed:

Keith Holmes

KEITH HOLMES

Planning Development Services Manager

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

NOTICE TO APPLICANT WHERE PERMISSION IS REFUSED

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions then you can appeal to the Secretary of State for the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
- For householder and minor commercial applications you must appeal within **12 weeks** of the Council's decision. For other application types you must appeal within six months of the Council's decision.
- **However if the development as described in your application is the same or substantially the same as development that is currently the subject of an enforcement notice then you must appeal within 28 days of the date of the service of this decision notice.**
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Notification of Appeals

- You must send a copy of your appeal to the local authority. In accordance with appeal procedures, when forwarding copies of appeal forms and additional information, plans or drawings direct to the local authority, please send electronic copies to planning.appeals@chelmsford.gov.uk or address to the Director of Sustainable Communities, Chelmsford City Council, P.O. Box 7544, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1XP.
- If you intend to submit an appeal that you would like examined by public inquiry you must notify the local authority as above and the Planning Inspectorate at inquiryappeals@planninginspectorate.gov.uk at least **10 days before** submitting the appeal.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Department for Communities and Local Government grant permission to develop land subject to conditions, the owner can claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter I of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.
- These circumstances are set out in Section 114 and related to provisions of the Town and Country Planning Act 1990.

CCC2



Planning Committee
5th December 2023

Application No	:	23/00532/FUL Full Application
Location	:	Land South Of Southlands Cottages Runwell Road Runwell Wickford Essex
Proposal	:	Installation of a solar farm with battery storage and associated infrastructure
Applicant	:	Enso Green Holdings J Limited
Agent	:	Mr Richard Moore
Date Valid	:	6th April 2023

1. Executive summary

- 1.1. This planning application seeks consent for the installation of a large solar farm, with associated development, on an area of land measuring 66.1 hectares in the Green Belt.
- 1.2. The proposal has capacity to generate up to 49.9 MW of renewable energy. The applicant states that this equates to power generation for 6,098 homes and would displace about 5,130 tonnes of CO2 per annum.
- 1.3. The proposed solar farm seeks a form of development within the Green Belt which is not an exception listed in the National Planning Policy Framework. The proposal is therefore inappropriate development in the Green Belt in principle and the harm that arises must be considered in the context of 'very special circumstances' which must clearly outweigh inappropriateness and any other harm resulting from the proposal. The proposed solar farm would have a substantial impact on the spatial and visual openness of the Green Belt, as well as represent physical and visual encroachment in the countryside.
- 1.4. As assessed, the proposed solar farm would have a substantial adverse landscape and visual impact, harming the rural character and thus visual amenity of the area. This must also be weighed in the consideration of very special circumstances as it is a harm arising from the proposal.
- 1.5. Very special circumstances have been advanced by the applicant, including that the proposal meets a need for renewable energy, lack of alternative sites, biodiversity net gain, farm diversification and improvements to green infrastructure (amongst others). Whilst the importance of renewable energy schemes is acknowledged and does form a very special circumstance, and there are other aspects of the proposal which contribute towards very special circumstances, it is the officer conclusion that the benefits associated with the development do not outweigh the

harm caused to the openness of the Green Belt and the harm caused to landscape character and visual amenity.

- 1.6. Officers conclude that the proposed solar farm, on balance, is contrary to both local and national planning policy and it is recommended that the application be refused.

2. Description of site

- 2.1. The solar farm site comprises land totalling 66.1 hectares. It would be connected through an underground cable route to the point of connection at National Grid Rayleigh Substation, which means the application crosses into the neighbouring Rochford District.
- 2.2. The site and surrounding area consist of open fields interspersed with marginal vegetation with a sloping topography towards the River Crouch to the south, with river estuary to the east. The landscape is predominantly composed of rural character elements with localised man-made influences and features. These include the 132kV overhead transmission lines and pylons that cross the site; the A130 and associated interchange with the A132; the railway line to the south-east of the site; agricultural buildings with access tracks; and residential dwellings. The site is currently accessed via an existing access road from Runwell Road (A132). Development along this part of the A132 is mostly a mix of sporadic to linear residential, commercial and agricultural development fronting onto the roadside.
- 2.3. The site is located on the western side of the A130. The A130 is the main route between Chelmsford to the north and Basildon/Southend on Sea to the south.
- 2.4. The field network within the site is characterised by irregularly shaped fields with well-established hedgerows and significant tree presence within and surrounding the site. The site boundaries, in the most part, contain mature trees and hedgerows. Tree and hedgerow planting can also be found within the site defining field boundaries. A Public Right of Way (PROW 231-8) intersects the site in an east-west orientation and connects with PROW 229-23 within the site, which provides a link between Runwell Road and the village of Battlesbridge.
- 2.5. The site is primarily Flood Zone 1. Minor areas of the site are within Flood Zones 2 and 3. These are along the southern site boundary close to the River Crouch and following a drainage channel which is connected to balancing ponds to the north of the A132.
- 2.6. There is a Tree Preservation Order TPO/2001/078 in the northeast corner of the site covering the road interchange area.
- 2.7. There are no designated heritage assets within the site. The closest listed buildings are sited over 500 m away and include Bear Hall (grade II), St Marys Church (grade I) and the Old Rectory (Grade II) to the west and within Battlesbridge village to the East. There are also listed buildings to the south of the site at Shot Farm within Basildon District.
- 2.8. Agricultural Land Classification (ALC) for the site is classed as subgrade 3a and 3b (moderate agricultural quality).
- 2.9. The district boundary with Basildon District Council extends along the southern boundary of the site.
- 2.10. The application site is wholly located within the Metropolitan Green Belt.

3. Details of the proposal

- 3.1. The application seeks full planning permission for the construction of a solar farm with export capacity of up to 49.9 megawatts.
- 3.2. Temporary timeframe of 40 years.
- 3.3. Panels would be laid out in straight arrays north-south. The panels would be mounted onto a metal stand fixed into the ground. The solar panels would have a maximum height of about 3 metres and utilise a tracker system, meaning that the panels would tilt to track the movement of the sun.
- 3.4. Inverter/transformer stations would be located at several positions across the solar farm within containers finished in green. These have the appearance of shipping containers with a height of 2.9 metres.
- 3.5. 24no. battery storage containers finished in green with associated equipment would be located towards the north-east corner of the site. These have the appearance of shipping containers with a height of 2.9 metres, surrounded by welded steel wire mesh fencing with a height of 2.4 metres.
- 3.6. An on-site substation and switchgear compound would be co-located with the battery plant. This would consist of two buildings with a height of 3.9 metres, surrounded by welded steel wire mesh fencing of up to 2.4 metres. Also located in this compound would be 2no. spare parts containers, having the appearance of shipping containers with a height of 2.9 metres.
- 3.7. Underground cabling would connect the panels and inverter/transformer stations to the proposed on-site substation and control rooms. An underground cable would link from the proposed solar substation to the National Grid Rayleigh substation.
- 3.8. 2 metre high perimeter fencing (loose metal mesh between wooden posts) with CCTV cameras mounted on poles of between 2.5 – 3 metres would be installed to maintain security. There would also be at least one 3 metre high pole-mounted weather station.
- 3.9. Landscape planting, biodiversity enhancements and surface water attenuation measures would form part of the proposal.

4. Other relevant applications

Applications of note include other solar farm and housing development approvals/allowed appeals in the local area, as follows:

- 4.1. 21/00394/FUL – Land east and west of A130 and north and south of Canon Barns Road, East Hanningfield – Appeal Allowed 6th December 2022

Installation of a solar photovoltaic (pv) park generating up to 49.9 Mw of electricity spread over three sites (sited either side of the A130/Canon Barns Road), comprising of ground-mounted photovoltaic solar arrays, battery-based electricity storage containers, and one point of connection (POC) mast of up to 35m in height on Church Road (junction with Link House Farm), together with inverters/transformer stations, distribution network operator (DNO) substation, access and cable connection to POC mast to connect to 132 kV power line, customer substation/switchgear and meter kiosk, batteries, internal buried cabling and grid connection

cables, internal access tracks, security fencing and gates and CCTV cameras, other ancillary infrastructure, landscaping and biodiversity enhancements.

4.2. 21/00555/FUL – Land west of Hill Farm, Pan Lane, East Hanningfield – Approved 7th July 2022

Installation of a solar photovoltaic (PV) park generating up to 8 MW of electricity, comprising of ground-mounted photovoltaic solar arrays, substation, internal access tracks, transformers/inverters, fencing and gates, CCTV cameras, temporary construction compound, underground cable and connection to end user and other ancillary infrastructure, landscaping and biodiversity enhancements.

4.3. 21/00502/FUL – Land east of A130 south of Canon Barns Road, East Hanningfield – Approved 31st January 2022

Installation of a solar photovoltaic (PV) park generating up to 41.8 MW of electricity to the land West of Hill Farm Pan Lane, comprising of ground-mounted photovoltaic solar arrays, battery-based electricity storage containers, together with inverters/transformer stations, Distribution Network Operator (DNO) Substation, customer substation/switchgear and meter kiosk, internal buried cabling and grid connection cables, internal access tracks, security fencing and gates and CCTV cameras, upgraded existing site access, other ancillary infrastructure, landscaping and biodiversity enhancements.

4.4. 12/01480/OUT – Former Runwell Hospital Site, Runwell Chase – Approved 2nd January 2013

Currently nearing completion, this is a housing scheme of circa 600 new homes within the site of a former hospital. This application was considered on grounds of previously developed land.

5. Summary of consultations

Basildon District Council: Objection. Concerns raised include:

- Impact on the Green Belt.
- Highly visible from Runwell Road.
- Impact view from PROW network.
- Introduce man-made features into the rural landscape, detrimental to landscape character.

Runwell Parish Council: Objection. Raised the following comments:

- Object to inappropriate development in the Green Belt.
- Glint and glare issues.
- Safety of PROW users.
- Devaluation of material assets.
- Health implications of living nearby solar farm.
- Loss of visual amenity.
- Loss of agricultural land.

Essex County Council Highways: The proposal is acceptable to the Highway Authority subject to conditions.

South Essex Parking Partnership: No response.

Public Health & Protection Services: No comments provided the recommended mitigation is employed as outlined in the acoustic report.

Environment Agency: No objection.

ECC Minerals & Waste: No objection, and no requirement for a Minerals Resource Assessment, provided the land is returned to its former state after 40 years.

Ramblers Association: No objection but request that the PROW shall remain open throughout lifetime of development, and this should be conditioned.

ECC Historic Environment Branch: the proposed development site is in an area with a high potential to contain archaeological remains. Two important archaeological excavations have previously been undertaken in close proximity to the proposed development. Recommend that conditions are attached to any consent.

Natural England: No objection.

UK Power Networks (Network Planner): No response.

H.S.E East Anglia Area: No objection.

Economic Development & Implementation: No response.

Anglian Water Services Ltd: No objection.

Essex County Fire & Rescue Service: Comments.

- More detailed observations on access and facilities for Fire Services will be considered at Building Regulation stage.
- Reference to compliance with Building Regulations.
- Notes additional water supplies for firefighting may be necessary for the development.
- Preference for sprinkler systems.

Essex and Suffolk Water: No response.

Police - Designing Out Crime: Comments.

- Other parts of the country have seen an exponential rise in crime in relation to solar farms with everything from solar panels to cabling, batteries and ancillary equipment being targeted.
- Would like to see greater consideration given to the security of the site.

Rochford District Council: Substantive response given cross-boundary application and devolution of powers given to CCC. Comments raised:

- Impact to Green Belt.
- Landscape and visual impact.
- Built heritage, including nearby listed buildings.
- Agricultural land classification.
- Highway safety.
- Flooding.
- Residential amenity.

Rettendon Parish Council: No response.

Network Rail: No objection but raise precautionary comments regarding proximity to train line.

Historic England: Not offering advice.

Local residents: 15 letters of objection received. Concerns raised:

- Significant harm to PROW.
- Impact on local wildlife.
- Not environmentally friendly.
- Views from residential properties will be impacted.
- Traffic, light and noise pollution.
- Potential health implications.
- Health and safety risks.
- Safety and security issues – rise in crime.
- Detrimental impact to local horses.
- Loss of agricultural land.
- Inappropriate development in the Green Belt.
- Benefits of renewable energy should not be at expense of beautiful countryside.
- Devaluation of local properties.
- Potential fire hazards.

6. Planning considerations

Main Issues

6.1. The main issues for this proposal are:

- The Principle of Development
- Landscape Character and Visual Amenity
- Natural Environment
- Residential Living Environment
- Traffic and Highway Safety
- Flooding and Drainage
- Very Special Circumstances

Planning Policy

6.2. Renewables now account for over one third of all UK electricity generation, 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.

6.3. The Government expects future low cost, net zero consistent electricity to be made up of 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.

6.4. The principle of solar development is supported in the National Planning Policy Framework (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.

- 6.5. The UK is committed to meeting a target of net-zero by or before 2050. This means that across the UK, emissions of greenhouse 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.
- 6.6. On 16th July 2019, Chelmsford City Council declared a Climate and Ecological emergency. The declaration represented a commitment to take appropriate action to make the Council's activities carbon net-zero by 2030.
- 6.7. Proposals for development of solar farms are assessed against national and local planning policies including National Policy Statements (NPS), National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the statutory Development Plan for Chelmsford City Council area.

National Planning Policy

- 6.8. The overarching National Policy Statement for Energy (NPS EN-1) and National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) set out national policy for the delivery of nationally significant energy infrastructure, including renewable energy, although neither explicitly covers solar powered electricity generation or battery storage. The NPS' set out assessment principles for judging impacts of energy projects and are material considerations when considering development proposals.
- 6.9. The Environment Bill has put the 25-year Environment Plan into law and has created a statutory framework for environment principles. The Bill includes ambitious legislative measures to take direct action to address environmental policy including biodiversity net gain, restoration and enhancement of nature, improvement of air quality, tackling climate change, waste and resource efficiently and water resource management to enable the Government to reach its commitment to reach net zero emissions by 2050.
- 6.10. The NPPF talks generally about renewables within the context of planning for climate change and makes no specific reference to solar farms. It favours sustainable energy systems as long as any impacts are (or can be) made acceptable, and that local planning authorities should approach these as part of a positive strategy for tackling climate change.
- 6.11. Paragraph 158 of the NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should:
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
 - b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.
- 6.12. The application site is located within the Metropolitan Green Belt (Green Belt). Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 6.13. Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 6.14. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 6.15. Paragraph 151 states that when located within the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
- 6.16. All planning proposals and decisions should contribute to and enhance the natural and local environment. The NPPF paragraphs 174a and 174b require 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.
- 6.17. The National Planning Practice Guidance (NPPG): Renewable and low carbon energy paragraph 007 states criteria for considering proposals for renewable energy technologies, stating that it is important to be clear that:
- the need for renewable or low carbon energy does not automatically override environmental protections;
 - cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
 - local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;
 - 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;
 - proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
 - protecting local amenity is an important consideration which should be given proper weight in planning decisions.
- 6.18. The NPPG: Renewable and low carbon energy paragraph 013 outlines guidance on the specific planning considerations that relate to large scale ground-mounted solar PV farms. These particular factors include:

- encouraging 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;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- 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. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

Local Planning Policies

6.19. Strategic Policy S2 - Addressing climate change and flood risk, sets out the Council's strategic policy requirements for mitigating and adapting to climate change. In addressing the move to a lower carbon future for Chelmsford, it states that the Council will, amongst other considerations, encourage new development that provides opportunities for renewable and low carbon energy technologies and schemes and provides opportunities for green infrastructure including city greening, and new habitat creation.

6.20. Policy DM19 - Renewable and low carbon energy sets out the criterion that renewable and low carbon planning application proposals will be considered against. It states that planning permission will be granted for renewable and low carbon development provided they:

- Do not cause demonstratable harm to residential living environment; and
- Avoid or minimise impacts on the historic environment; and
- Can demonstrate no adverse effect on the natural environment including designated sites; and
- Do not have an unacceptable visual impact which would be harmful to the character of the area; and
- will not have a detrimental impact on highway safety.

6.21. Several other local plan policies are relevant to the consideration of proposals including:

- Strategic Priority 5 - Delivering New and Improved Strategic Infrastructure
- Strategic Policy S1 - Spatial Principles.
- Strategic Policy S3 - Conserving and Enhancing the Historic Environment,

- Strategic Policy S4 - Conserving and Enhancing the Natural Environment,
- Strategic Policy S11 - The role of the countryside,
- Policy DM6 - New buildings and structures in the Green Belt,
- Policy DM10 - Change of use (Land and buildings) and Engineering operations.
- Policy DM13 - Designated heritage assets,
- Policy DM14 - Non designated heritage assets,
- Policy DM15 - Archaeology,
- Policy DM16 - Ecology and biodiversity,
- Policy DM17 - Trees, Woodland and landscape features,
- Policy DM18 - Flooding / SUDs
- Policy DM23 - High quality and inclusive design,
- Policy DM27 - Parking standards,
- Policy DM29 - Protecting living and working conditions,
- Policy DM30 - Contamination and pollution.

- 6.22. In May 2021, the Council published its draft Solar Farm Development Supplementary Planning Document (SPD) Consultation Document. The SPD was Adopted by the Council's Cabinet on 16th November 2021. The SPD contains local guidance on preparing and submitting proposals for solar farms. It gives guidance on how planning applications should be considered in light of national and local requirements, and inter alia stresses the importance of adequate Landscape and Visual Impact Assessment
- 6.23. There are a number of other studies, policies and publications relating to renewable energy proposals and climate change that have been published by other Government departments, bodies and interested stakeholders. Discussions were held during the COP26 summit which concluded with nearly 200 countries agreeing the Glasgow Climate Pact to aim to manage global temperature rise to 1.5 C. Other outcomes included the ratification of outstanding elements of the 'Paris Agreement'.
- 6.24. For the purposes of this planning application, consideration is based upon those documents that form part of National Planning Guidance and the Local Plan. This is in accordance with planning law that requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Principle of Development

- 6.25. The starting point for consideration is whether the proposal is acceptable within the Green Belt. The NPPF and local planning policies set out that solar farms do not fall within any of the exceptions for development in the Green Belt and therefore is inappropriate development.
- 6.26. The NPPF and local planning policies confirm that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development and, in such cases, the developer will need to demonstrate very special circumstances if proposals in those locations are to proceed.
- 6.27. The applicant states that the key environmental benefit is that the proposal has capacity to generate up to 49.9 MW of renewable energy. Such a contribution is significant in the face of meeting national and local targets to reduce CO2 emissions. The applicant argues that this amounts to very special circumstances.

- 6.28. Further, the applicant maintains that the proposed development would also provide tree and species rich hedgerow planting, including 'gapping up' (reinforcement) of existing hedging and the introduction of new planting bands and hedgerows. Wild green grassland and planting corridors would be provided around the margins of the proposed perimeter fence. The scheme proposes to enhance the landscape qualities of the area, and together with bird and bat boxes, the applicant is seeking to provide new and improved wildlife habitats.
- 6.29. The key environmental benefit (renewable energy production), alongside other very special circumstances so far as they exist, must be weighed against the inappropriate nature of the development. This takes place in a balancing exercise, but substantial weight must be given to any harm to the Green Belt. The balancing exercise is a matter of planning judgement.

Openness

- 6.30. Openness is not defined in the NPPF but is commonly understood to refer to an absence of development. The Court of Appeal has confirmed that Green Belt openness can have a spatial as well as a visual impact.
- 6.31. The site is currently in agricultural use and consists of open fields interspersed with mature field-edge planting giving the site in general a well-vegetated character. Trees and hedgerows border the site boundaries, in large part, and would be all retained.
- 6.32. The development would be located across a series of agricultural fields with a gently sloping gradient. The fields within the site are delineated and divided by existing hedgerows and trees. The site itself is open, but the wider area contains a varied pattern of undulating landform, creating areas of low-lying land and elevated ridges. Despite the existing vegetation bounding the site, areas of the land are clearly visible from local visual receptors. Due to the landform and topography, exposed, uninterrupted views of the site are easily achieved from sections of the A130, the A132, Rettendon Turnpike and properties along Runwell Road. This heightens the prominence of the site within the wider rural, arable landscape and the impact of the proposals is greater due to the sites elevated position.
- 6.33. The site is located within the Northern Thames Basin National Character Area (Natural England National Character Area Profile No. 111 refers). Locally, the Braintree, Brentwood, Chelmsford, Maldon, and Uttlesford Landscape Character Assessment (CBA 2006) locates it within LCA F11 - South Hanningfield Wooded Farmland (LCA). Key characteristics of the land include:
- Undulating mature wooded farmland
 - Vast expanse of Hanningfield reservoir
 - Mixed woodland and a patchwork of diverse habitats surrounding the reservoir.
 - Small scale linear settlement pattern,
 - Medium to large scale arable fields with hedged and treed field boundaries.
 - Views to wooded horizons both within the character area and within adjacent character areas
 - Network of quiet, narrow rural lanes traverse the area.
- 6.34. The indicative site layout is shown on drawing RC3-02-P02 Revision 04. This shows that the proposal would retain the original field pattern in situ. Between the arrays would be a series of internal access tracks. Mitigation, in the form of additional planting, primarily along the site boundaries, is proposed. The existing hedgerows would be augmented and retained.

Spatial impact

- 6.35. The site itself is large, measuring around 59 hectares in main site area, 66.1 overall which includes the connection to National Grid Rayleigh substation. The extensive solar farm and associated features such as the plant containers and buildings, site access and access tracks, and fencing would all serve to diminish the degree to which, in terms of spatial extent, the site remains free and open, i.e undeveloped.
- 6.36. The immediate contextual area is agricultural in nature and contains only a sporadic array of smaller scale buildings including dwellings and farmsteads. The features would have a large physical mass and footprint, with development spread across a substantial area.
- 6.37. The surrounding existing pylons and adjacent highway (A130, A132 and Rettendon Turnpike) detract from the rurality of the area, but they do not diminish it. They are typical features commonly found across all types of landscapes, including Green Belt.
- 6.38. The geographical extent of the solar arrays and associated infrastructure are new features that are not present within the existing landscape. Due to their mass, scale and geographical area, the resulting change of use and urbanisation of the land arising from the proposal would result in a significant change of spatial character that would result in a loss of openness to the Green Belt. The change in spatial character would harm the principle of Green Belt protections as the land would no longer be open nor of rural character. How this landscape is thereafter appreciated and understood by the public would be fundamentally changed and this runs contrary to the planning policies put in place to protect the Green Belt for its own sake. This harm is unacceptable and significant.
- 6.39. The consideration of very special circumstances is undertaken on wider balance, see 'Very Special Circumstances' section of report.

Visual Impact

- 6.40. This visual loss to the character and appearance of the area, and the effects on the character and appearance of the surrounding area more generally, are addressed in the applicant's Landscape and Visual Assessment (LVA).
- 6.41. The LVA identifies several locations (visual receptor viewpoints) from which the site can be viewed. It also identifies steps that would be taken to mitigate against harm that would be likely to arise from the implementation of the development. Proposed areas of additional vegetation are shown on the indicative landscape design layout, Drawing No. P22-1918-EN-003 (E).
- 6.42. The LVA has been reviewed by the Council's external landscaping consultants, Essex County Council's Place Services (Place Services) who raise concerns with both the methodology employed by the LVA and the significant impacts to landscape character and visual amenity that would result from the solar farm proposals. Further comment on the LVA is made under Landscape Character and Visual Amenity section of this report.
- 6.43. Given the topography of the site and the patchwork of woodland, hedgerows and trees, the proposal would be prominent along PROW-231-8 and PROW 229-23. It is common understanding that PROW receptors have high sensitivity to change. Users of the PROWs would experience a significant change in experience with views of rows of man-made solar arrays and associated infrastructure highly visible, which would replace the current undeveloped agricultural fields that are notable for their absence of development.

- 6.44. The sensitivity to change of users of neighbouring highways A130, Rettendon Turnpike and the A132 would be lesser. However, due to the exposed and elevated position of the landform, uninterrupted views of the site would be achieved from sections along the local highway network, even considering the proposed mitigation planting. These views are material.
- 6.45. For key visual receptors from the PROWs as well as occupants of residential properties in the locality, and users of the local highway network, there would be an impact to views which despite the proposed landscaping and mitigation, would not diminish over time. The proposal would thereby lead to a significant loss of visual openness of the Green Belt.
- 6.46. Although most Planning Inspectors consider 40 years to be “temporary” in the context of solar farms, it would have a ‘generational’ impact on the landscape for nearly half a century. Considering that the proposal would lead to a significant loss of visual openness, the 40-year lifetime of the development would not be inconsequential for regular users or anyone coming into contact with the landscape and the identified harm to openness would persist throughout this period.
- 6.47. Whilst the visual loss of openness would be localised, this would still have a wide-felt impact on the local area and would represent a significant adverse physical and visual encroachment into the Green Belt reducing its openness in both visual and spatial terms. This harm is unacceptable and significant. The consideration of very special circumstances is undertaken on wider balance, see ‘Very Special Circumstances’ section of report.

Conclusion – Principle of Development

- 6.48. By reason of the sheer physical mass, scale and geographical extent of the proposal, it would lead to significant spatial and visual harm to the Green Belt. The impact of visual and spatial harm would result in a significant adverse impact upon openness of the Green Belt. This must be afforded substantial weight in the planning assessment.
- 6.49. Whilst for a temporary period, the operational period of the development, at 40 years, still represents a significant period of time during which the proposal would have a harmful presence within the Green Belt and for the area in general for everyone experiencing that harmful presence for any part of that 40 year period or for the entirety of that term. The harm at point of exposure would amount to the same harmful experience.
- 6.50. The development is concluded to be unacceptable unless very special circumstance, on balance, clearly outweigh those impacts. The consideration of very special circumstances is undertaken on wider balance, see ‘Very Special Circumstances’ section of report.

Landscape Character and Visual Amenity

- 6.51. The proposed solar farm would consist of fenced arrays and other facilities set within the respective fields. Landscape features such as hedgerows and trees will predominately remain and/or are being enhanced through the proposals. This approach, whilst reducing harm to existing landscape features, does not mean that the development will not have an adverse impact on the landscape character of the site. The impact on landscape character must also consider the potential cumulative landscape and visual impacts created by this and other solar energy farm schemes in the local area.

- 6.52. The application has been submitted with a Landscape and Visual Assessment (LVA) undertaken by Pegasus Group. Generally, the LVA has been carried out in accordance with the principles set out within the 'Guidelines for Landscape and Visual Impact Assessment' Third Edition (GLVIA3) prepared by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA).
- 6.53. The LVA (Para 2.10), confirms the fieldwork and photography used to inform the assessment were undertaken in August (late-Summer) during full leaf cover. For a development of this scale and in such a prominent location, the site visits and photography would also need to have been undertaken over December-February (Winter) to ensure that a 'worst-case scenario' (i.e. when leaf cover is at its minimum) is being appraised. This is the only way to appreciate fully the impact of development across all seasons to enable adequate assessment.
- 6.54. The assessment includes a desktop study, a review of the landscape and visual baseline, an assessment of landscape and visual receptors, and a summary and conclusion. The sites characteristics are reasonably described and the range of views that are available have been appropriately summarized. However, the LVA itself underestimates the likely effects of the proposed development on landscape character and visual amenity.
- 6.55. From the point of view of landscape and visual assessment, there are two aspects of the proposal that have potential to cause an effect on visual amenity and landscape character. Considered below under Landscape Character, these are the activities and elements of the proposal that would affect the fabric of the site landscape, and the activities and visual characteristics of the elements that would be visible from the surrounding locality.

Landscape Character

- 6.56. The site is located within South Hanningfield Wooded Farmland (F11) in LCA (LCA). This documents forms part of the evidence base for the Chelmsford Local Plan. This has been identified as having high sensitivity to change, with key characteristics such as undulating farmland, medium to large-scale-arable fields, with hedged field boundaries and views to a wooded horizon both within the character area and adjacent character areas.
- 6.57. The site sits on the southern edge of the LCA across a large expanse of medium to large fields with hedgerows and trees lining the boundaries. The pattern and landform vary, creating areas of low-lying land and elevated ridges. Views of the wooded skyline are present, along with views of the rising land. The varying topography of this landscape relating to this site means the proposals would be a prominent feature of the wider landscape character.
- 6.58. There would be no significant adverse effects on landscape fabric during the construction phase as there would be limited removal of hedgerows at key entrance points and crossings, with no other loss of landscape components such as trees. As arable fields, there would also be minimal loss of ground vegetation as a result of the solar arrays, new tracks, medium voltage power stations, substations and cable trenches. Close to the end of the construction phase, the proposed mitigation proposals would be commenced.
- 6.59. The main effects on the landscape character of the site would occur during the operational phase because of the presence of solar panels and related works.
- 6.60. The local landscape character areas in which the site is located are deemed to be of medium landscape value and medium landscape sensitivity within the LVA. It is not clear however, within the LVA how the judgement of susceptibility has been reached nor what the judgement

values mean. Similarly, to judgements of susceptibility, the LVA also fails to provide definitions for the judgements of value. The assessments made are not clearly defined in the LVA and are therefore baseless. Due to this, the conclusion reached is that the assessment provided underestimates the likely effects of the proposal on landscape character and visual amenity.

- 6.61. The proposal would replace arable land with an urban-characterised landscape which would have a significant adverse effect on existing landscape character. As a result, the proposal would bring about a significant change to the character of the local landscape and would have an impact on the appearance of the environment within which it would be situated.
- 6.62. During the operational phase, the solar arrays, site tracks, fencing, CCTV, and the associated single storey containers and buildings would contrast starkly with the existing agricultural character. The nature of these features, together with the overall size and large geographical extent of the site mean that the proposal would lead to a material change in the character of the landscape from natural and agricultural character to a man-made urbanised landscape. This would result in a significant adverse effect on the landscape character.
- 6.63. Although the nature of the development means that landscape features such as trees and hedgerows would remain on site, this does not mean that the siting of a solar farm would not have an adverse impact upon the character of the area and sense of place. The solar farm would still be highly visible and prominent, which would detract from identified landscape character. Due to landscape topography, there is no amount of screening that could be introduced to adequately mitigate the harms to landscape character which would arise.
- 6.64. A key characteristic of the area is its rurality. The LCA guidelines consider that this is a feature that should be conserved. This is a very rural and agricultural landscape where natural features such as agricultural fields, the presence of hedgerows and trees and other perceptual elements of the landscape contribute to a wider appreciation of the character of the area.
- 6.65. The LVA has judged that the significance of effect would be minor adverse after 5 years. This position is not accepted. It stands to reason that over time the proposed landscaping will reach maturity and provide some screening function, but as explained, the topography of the site would mean it is not possible to meaningfully screen the proposals to the wider area and even with mitigation, where it is effective, the proposals would still amount to a significant change in landscape character bearing in mind the nature of those receptors which would experience the site more closely, which includes local residential properties and PROWs.
- 6.66. The change in appearance would lead to the erosion of the open and undeveloped character of the site, which is notable for its absence of physical features and man-made structures. This would result in a high magnitude of change and in turn a significant adverse effect. This is the conclusion of assessment, which stands in contrast to the applicant's LVA assessment.
- 6.67. The development would appear a stark contrast within the rural, agricultural landscape, where it would result in the substantial loss of the rurality of the area, a key characteristic of landscape character. The proposal would be visible in parts across the rural landscape and due to its size, scale and mass of contrasting character, would undermine and disrupt the wider rural landscape mosaic which is unacceptable in the context of arising harm to landscape character.
- 6.68. Once operational, it is accepted that the development would involve very little associated activity that could risk disrupting the tranquillity of the landscape. This does not overcome the harm identified above.

Visual Amenity

- 6.69. The proposal has been supported by Zone of Theoretical Visibility (ZTV) mapping as part of the LVA, which show that the solar farm has potential to be visible from the north, northwest, south and west. In addition, the effect of the development from 23 viewpoints has been considered.
- 6.70. As part of the planning assessment the submitted information has been reviewed and conclusion reached that the LVA fails to provide a sufficient evaluation of the visual effects in terms of their size or scale, geographic extent and duration and reversibility as required for judging the magnitude of visual effects. The LVA assesses impacts on a three-point scale: short term (under 5 years), medium term (between 1 and 5 years) and long term (over 5 years). This methodology is not considered sufficient as the judgements as to the magnitude of change do not currently reflect the construction, operational and decommissioning phases of the proposed development over its lifetime (i.e. 40 years).
- 6.71. From a landscape and visual perspective, the site is set across a large expanse of medium to large fields with hedgerows and trees lining the boundaries. The pattern and landform vary, creating areas of low-lying land and elevated ridges. Views of the wooded skyline are present, along with views across the rising land.
- 6.72. During the operational phase, aspects that are likely to give significant effects on landscape character and amenity are the solar arrays, site tracks, fencing, CCTV, and the associated single storey containers and buildings, the highest of which would not exceed 4 metres.
- 6.73. In general terms, the visibility of the proposed solar farm would be confined to an area relatively local to the proposed site. This is due to the single storey height of the development itself, the nature of local topography and levels of existing vegetation. Boundary screening is proposed and the mitigation proposes additional planting along the site boundaries to screen the development. However, due to the sloping gradient and topography, the mitigation planting would not completely screen the solar farm; as views would still be achievable from local visual receptors.
- 6.74. The panels would be seen within the existing field pattern and enclosing vegetation. Given the topography of the site and patchwork of woodland hedgerows and trees, the visual impact of the proposed development is primarily limited to high sensitivity visual receptors (local residents and PROW users) – but that does not mean that wider local impact is not present or harmful as described already in this report. From close quarters, the proposal would result in a significant change.
- 6.75. In relation to the effect that the proposal would have upon local residents' amenity; as the panels are single storey, the presence of intervening boundary treatment and vegetation would screen them from ground floor views. In cases where boundary treatment is limited/open, the arrays are sited an acceptable distance from residential boundaries so to not be overbearing. At first floor level, it would be possible to see the arrays across an expansive viewpoint. It is acknowledged there would be expansive views of the panels but given their single storey nature and level of separation from neighbouring properties, the effect would not be harmful nor overbearing such that it would warrant a specific reason for refusal on residential amenity grounds. Further consideration to this matter is given in the section on Residential Living Environment below.
- 6.76. The views available on the PROW network would be more extensive, especially as they are used recreationally by walkers, cyclists and horse riders. Given the purpose of their journey and the

slower speed at which they would pass through the landscape, PROW users would be more sensitive to the visual impact of the development.

- 6.77. From PROW visual receptors (PROW-231-8 and PROW 229-23), the proposed solar farm would lead to a marked adverse impact that, despite the proposed landscaping, would not diminish over time.
- 6.78. Although the site is not visible in its entirety as one entity, given the intervening hedgerows and tree belts, users of the PROWs would experience a significant change as they would experience sequential adverse visual impacts, with views of man-made solar arrays rather than the agricultural countryside and given the scale of development area this impact would not be fleeting but sustained over a significant distance/length of the PROW. From viewpoints along the PROW network, the harm arising from this change would be substantial.
- 6.79. Whilst receptors using the A130 and A132 may be moving more quickly, with drivers in particular having their attention focused ahead, owing to the proximity of Rettendon Turnpike there is greater likelihood of motorists frequenting the area more often and slowing or stopping at the turnpike itself, thus having a stronger familiarity with the local surroundings. Motorists on fast-moving roads are not typically regarded as sensitive to landscape impact as the view they would gain would be short lived, but the existence and proximity of the turnpike does introduce a material consideration in terms of receptor viewpaths for this proposal. For people commonly or frequently experiencing this landscape, whether by foot, cycle, car, etc., the sensitivity to impact on visual amenity of the landscape would be higher and so this impact is material. As described above, the impact on the visual amenity of landscape is substantial.

Cumulative Impacts

- 6.80. The LVA has not conducted any assessment of the cumulative impacts of the proposed solar farm development in combination with other allocations/planning applications within proximity of the site. Applications for solar farms and other major developments within the local area include [but not limited to]:
- Land West of Hill Farm (Ref. 21/00555/FUL);
 - Land East And West Of A130, North And South Of Canon Barns (Ref. 21/00394/FUL);
 - Land East Of A130 South Of Canon Barns Road (Ref. 21/00502/FUL);
 - Land At Former Runwell Hospital (Ref. 12/01480/OUT).
- 6.81. Owing to the relationship, nature and close proximity of these proposals all within the A130 corridor, the proposals could have additional effects or increase the magnitude of change and therefore should have been included within a cumulative assessment.
- 6.82. In the absence of a detailed assessment, significant effects on the South Hanningfield Wooded Farmland LCA (Chelmsford Landscape Character Assessment) which are likely to occur if the subject solar farm proposal in combination with other developments were to be constructed, has not been appropriately assessed. There will also be adverse sequential cumulative effects on the local network of PROWs should the above developments be constructed together.
- 6.83. In the absence of a detailed assessment of the cumulative impact of the now numerous schemes in this area a precautionary approach should be taken.

Conclusion

- 6.84. The applicant considers the impact of the solar farm on the landscape character and visual amenity would result in localised landscape and visual affects but would not cause substantial harm to the openness of the Green Belt in landscape and visual terms. The Council's assessment does not accept this conclusion.
- 6.85. The application fails to recognise the adverse effect the development would have on landscape character, with many of the receptors being judged by the applicant's LVA as having minimal adverse effect. The adverse effects arising from this proposal are assessed to be greater and the proposed mitigation would be insufficient to moderate, to any reasonable extent, the level of ill effect.
- 6.86. The proposal would result in a large-scale, man-made, urban-characterised development that would have a significant adverse impact on both landscape character and visual amenity. The proposed development would be significantly detrimental to the landscape character of the area, and it is concluded that the proposal would have an unacceptable, substantial adverse impact on the surrounding landscape. The predicted landscape affects arising from the proposed development are not able to be overcome by the proposed mitigation.
- 6.87. In consideration of very special circumstances, the wider adverse impact of the proposals must also be factored in where appropriate.

Natural Environment

Biodiversity

- 6.88. The likely effects of the proposed development on nature conservation and biodiversity have been fully assessed by the application. The baseline for the Ecological Assessment Report (EAR) has been established through a combination of desk study and field surveys.
- 6.89. There are no statutory or non-statutory nature conservation sites within the site. There are four nationally designated statutory sites within a 5km radius of the site, consisting of two Sites of Special Scientific Interest (SSSI) and two Local Nature Reserves (LNR). There are six internationally designated sites consisting of three Special Protection Areas (SPA), two Ramsar sites and one Special Area of Conservation (SAC) within a 10km radius of the Site. The closest of these sites are the Essex Estuaries SAC and the Crouch and Roach Estuaries (Mid-Essex Coast Phase 3) SPA and Ramsar Site, which are all approximately 1.51 km to the east.
- 6.90. A number of ecological studies have been undertaken and accompany the application. The studies include an Ecological Assessment Report (EAR), Breeding Bird Survey, Great Crested Newt eDNA Survey, Biodiversity Management Plan and Biodiversity Net Gain (BNG) assessment. Natural England has been consulted as part of the application process with there being no objections given to the proposal on ecological grounds.
- 6.91. In relation to wintering birds, the site is known to be used by skylarks. A skylark mitigation strategy has been submitted by the applicants. This confirms that the scheme has been designed to minimise the direct impact on skylarks.
- 6.92. Significant biodiversity enhancements would be created through planting and appropriate management of wildlife friendly habitats including the provision of large planting belts. The enhancement forms part of a suite of proposed ecological improvements that could be secured

by a Landscape and Ecological Management Plan (LEMP) which would control the development for the duration of the project.

- 6.93. The enhancement includes the conversion of the arable fields into a neutral grassland and modified grasslands. Native species rich hedgerows would be both created and enhanced. A Biodiversity Net Gain (BNG) assessment has been completed in accordance with the DEFRA 3.0 metric. The metric has been prepared by the applicant's ecologists to assess the pre and post development units on habitats. This shows that the proposal would deliver 138% gain in habitat units and 85% in hedgerows.
- 6.94. Had the application been recommended for approval, the ecological mitigation arrangements would be acceptable subject to conditions relating to the submission of a Landscape and Ecological Management Plan, the submission of details relating to hard and soft landscaping, boundary treatment and CCTV and lighting, wintering and breeding birds, including skylarks.

Trees

- 6.95. The trees and hedgerows bordering each field within the site contribute to the character and appearance of the area. There are no protected trees within the site and the site is not within a conservation area. That said, they are important natural landscape features.
- 6.96. The proposed development does not seek to remove any trees and only 3 small sections of hedgerows would be removed, with the remainder of trees and hedgerows to be retained. There are two sections of category B2 hedges and one section of a C2 hedge, therefore the impact to the amenity value would be limited.
- 6.97. The proposed works follow the guidelines set out BS 5837: 2012 trees in relation design, demolition and construction – recommendations, by implementing protective fencing where needed. The Arboricultural Impact Assessment recommends the submission of an Arboricultural Method Statement and suggests 'heads of terms' for the method statement. It is considered a control mechanism, such as arboricultural method statement to be agreed by condition, would ensure protection of retained trees during construction.
- 6.98. Had the application been recommended for approval, the impact on trees would be acceptable subject to agreement of an Arboricultural Method Statement and other conditions to define the scope of works which may have an impact on trees such as surfacing, service runs, etc.

Loss of Agricultural Land

- 6.99. The NPPF at paragraph 174(b) states that planning policies and decisions should contribute to and enhance the natural environment by recognising 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.
- 6.100. Annex 2: Glossary of the NPPF defines Best and Most Versatile (BMV) agricultural land as land in Grade's 1, 2 and 3a of the Agricultural Land Classification.
- 6.101. The need to protect BMV land is reiterated within the Council's Solar Farm Development SPD which states that land of such quality is an important area for food protection and reducing the agricultural land available increases the reliance on the importation of food, with subsequent impacts such as increased carbon emissions. The SPD advises that developments in the first

instance should consider sites on previously developed land, brownfield or contaminated land, industrial land or land of grades 3b, 4 or 5.

- 6.102. The applicant has submitted an Agricultural Land Classification Report (ALC) report. The site area surveyed by the report was 68.6 hectares of land. The site was found to comprise land limited to 3b (50.6 hectares) and 3a (18.2 hectares).
- 6.103. Natural England has been consulted on the proposal and state that it is unlikely to lead to significant permanent loss of BMV agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards.
- 6.104. The removal of arable production is a material consideration, but this must be balanced against the benefit of the proposal in reducing greenhouse gas emissions through renewable and low carbon energy and associated infrastructure.
- 6.105. Planning conditions can be used to ensure that the installation is removed when no longer in use and that the land is restored to its previous use and condition.

Historic Environment

- 6.106. The site contains no designated or non-designated built heritage assets.
- 6.107. The heritage assessment submitted with the application scopes out 24 listed buildings within 3km of the site on the basis of distance, screening and lack of historic association. The conclusion of this scoping out process is agreed.
- 6.108. The heritage assessment considers three designated heritage assets in more detail; St Mary's Church Runwell (grade I listed), All Saints Church Rettendon (grade I listed) and the granary at Rettendon Place (grade II listed). It finds no harm to the setting of St Marys Church, on the basis that there is no ground level inter visibility and a small change to its wider setting. This assessment is accepted. It finds no harm to the setting of All Saints Church on the basis that there is a small change to its wider setting. However, the site would feature in views from the churchyard, where the wider rural settings is relevant and would also impact on views of the church tower from PROW 231-8 to the east of the site. This would impact on key views which contributes to the significance of the listed building and erode part of the wide rural setting. This would amount to less than substantial harm, given that only part of the wider setting is impacted upon, it would be a low level of harm. This harm is nonetheless a matter of great weight. The granary has its strongest association with the immediate rural setting and no harm to its significance is agreed.
- 6.109. The heritage assessment does not include assessment of built non designated heritage assets. There are two pillboxes within the western part of the site, one adjacent the railway line and within the east-west field boundary separating the western field. They are part of a series of features forming the GHQ defence line constructed in 1940, to slow a possible German invasion. Both are FW3/24 types made of concrete and brick. They form part of a group of defences on the western side of an anti-tank ditch now filled in, although there are other pillboxes to the northeast and southeast, now separated by the A130. The inter visibility between the pillboxes, lines of fire and landscape setting are important to the setting of the pillboxes and contributes

to their significance. This would be eroded by the solar installation, adversely affecting their setting. This would be a moderate level of harm, taking account of other changes in the setting.

- 6.110. To the north there is the Toby Carvery, a former mid nineteenth century small county house, which due to its architectural and historic interest should be considered as a non-designated heritage asset. The rural setting contributes to its significance. The northeast part of the site contributes to its setting, even though it is severed by Runwell Road and screened, there would be a low level of harm to its setting.
- 6.111. The NPPF, at paragraph 202 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Paragraph 203 states the effect of an application on a non-designated heritage asset should be taken into account in determining the application.
- 6.112. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. The harm caused would be a low level of less than substantial harm for the purposes of the NPPF. This should be balanced in against any public benefit delivered by the proposals in accordance with paragraph 196 of the NPPF.
- 6.113. In this regard, the proposal provides renewable energy benefits resulting in the creation of renewable energy from solar. The benefit of the proposal outweighs the level of harm on heritage conservation.
- 6.114. There is potential for archaeological remains across the whole of this development area, but there would be no unacceptable archaeological implications arising from the proposal, subject to a condition for evaluation and recording work were the application to be approved.

Residential Living Environment

- 6.115. With the exception of Southlands Cottages and Southlands Farmhouse, there are few residential properties sited along the operational boundaries. These properties are sited about 50 metres from the nearest arrays. The site also adjoins the busy A130 and the A132 which would further reduce the perceived noise impact from either on-site plant or construction noise.
- 6.116. The Council's Public Health and Protection Service raise no objections to the proposal, and it is not considered that the proposal would lead to material adverse impacts on noise.
- 6.117. It is acknowledged that during the construction phases, there would be periods when works are likely to be audible to nearby receptors. The submission of a Construction Management Plan/Statement could be conditioned to help minimise these temporary impacts.
- 6.118. As discussed earlier in the report, there are not considered to be ground floor intervisibility between local residential properties and the proposals. The impact of residential first floor views would offer a more expansive viewpoint of the proposals but this would not give rise to specific loss of residential amenity.
- 6.119. The solar panels are not considered to harmfully affect nearby residential amenity by way of adverse glint or glare to warrant a reason for refusal on this ground.

- 6.120. Precise details of CCTV and fencing could be secured by condition so that it does not lead to loss of privacy and/or be visually intrusive or overbearing on local residents.

Traffic and Highway Safety

- 6.121. A Construction Traffic Management Plan has been prepared and accompanies the application, which assesses all traffic and transport matters providing detailed access designs to be used for construction and operational vehicle access to the site from Runwell Road (A132). The access is considered suitable with the relevant visibility splays achieved.
- 6.122. The proposed construction vehicle route requires all construction vehicles to arrive from the east via the A130, which connects to the A12 to the north and A127 to the south. Both the A12 and A127 connect to the M25. A scheme of traffic management signage would be installed by the applicant in the event planning permission was achieved.
- 6.123. During the construction period, which is approximately 6 months, it is anticipated that there would be approximately 1,081 HGV deliveries (including a 10% buffer) to the site for all equipment and materials forming the solar farm and 105 forming the battery storage facility. This equates to 9 deliveries a day.
- 6.124. Once operational, maintenance vehicle visits (typically transit van or similar) would be limited in number and visiting the site approximately 10-20 times per year. These would therefore have a negligible impact on the local highway network.
- 6.125. PROWs within the site would remain open and available at all times during construction, operation and decommissioning. There will be no impact on offsite PROWs.
- 6.126. The Highway Authority have been consulted on the proposals and have reviewed the information provided. They have considered the safety of the site access, the impact of the construction phase and also risks posed by Glint and Glare (Glint and Glare Assessment submitted with the application).
- 6.127. The Highway Authority raises no objections to the proposed access arrangement subject to appropriate planning conditions relating to attributes of the proposals and construction management.
- 6.128. The Highways Authority conclude that the proposal as submitted is not considered detrimental to highway safety, capacity or efficiency.

Flooding and Drainage

- 6.129. As most of the development is solar panels which are supported on piled struts, the surface area of the site is comparatively small in comparison to the overall development site area. The application is supported by a Flood Risk Assessment and Drainage Strategy.
- 6.130. This FRA and drainage strategy outlines how surface water will be managed during operational phases of the development and provides an overview maintenance plan for the key SuDS features proposed.
- 6.131. No critical infrastructure has been placed within the mapped flood zones. Some PV panels are located within the mapped flood zones; however, this is considered acceptable and in line with current NPPF guidance for Essential Infrastructure. New landscaping would provide some

improvement by intercepting runoff and promoting sedimentation, filtration and infiltration which is appropriate mitigation in the context of very minimal impact on flooding.

- 6.132. The proposed solar panels and tracks will not lead to any significant increase in run-off. However, as a precautionary measure, swales are proposed to store run-off from the steepest areas of the site and filter strips are provided for the remainder of the site. Ancillary buildings will be surrounded by a crushed stone apron consisting of clean 40-70mm clean stone and the larger substation will be served by a soakaway which has been sized to accommodate the 6hr 100yr + 40% climate change rainfall event.
- 6.133. The outline drainage scheme proposed ensures the proposed development will not increase flood risk away from the application site.

Very Special Circumstances

- 6.134. The NPPF at paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 6.135. Paragraph 148 states that when considering any planning application, local authorities should ensure that substantial weight is given to any harm in the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, or any other harm arising from the proposal, is clearly outweighed by other considerations.
- 6.136. Paragraph 151 states that when located within the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production from renewable sources.
- 6.137. The applicant states that the following comprise very special circumstances:
- Renewable energy generation
 - The temporary and reversible nature of the development
 - Biodiversity net-gain
 - Lack of alternative sites
 - Best available technology
 - Good design
 - Improvements to green infrastructure
 - Farm diversification
 - Soil regeneration
- 6.138. The matters referred to by the applicant are addressed as appropriate below:

Renewable Energy Generation, climate status and energy security

- 6.139. The tackling of the effects of climate change is a key government policy. The NPPF at paragraph 158(a) recognises that all renewable energy schemes can make a valuable contribution to reducing greenhouse gas emissions.

- 6.140. This proposal could produce up to 49.9 MW per annum of electricity – although this is the maximum and the applicant has indicated that this may not be fully achieved by the current proposals. Nonetheless, this is a significant amount of renewable energy reduction and is given significant weight in favour of granting planning permission for this proposal.
- 6.141. However, as required by paragraph 151 of the NPPF, the benefits of the scheme in respect of the reduction in greenhouse gas emission and maximisation of renewable energy has to be balanced against the harm to the Green Belt by virtue of the proposal being inappropriate development.
- 6.142. Whilst it is reasonable to weigh the environmental benefits strongly individually and cumulatively, the impact of the proposals on the Green Belt character of openness and permanence is also substantial. Support for sustainable and renewable energy generation does not mean the purpose or character of the Green Belt should be a less significant consideration.
- 6.143. The effects upon openness, landscape character and visual amenity are also given significant weight as described within this report and these increase the weight of consideration against the proposal. In this case, it is considered that the harm by reason of loss of openness and harm to landscape character is greater than the benefits that the proposal would have in delivering a renewable form of energy.

Temporary and Reversible

- 6.144. The application is for a forty-year timeframe which by its very nature would represent a considerable period of time during which the adverse impacts of the proposal would be experienced; such that the reversibility of the land is a matter given substantially less weight as a very special circumstance. The forty-year timeframe would not be perceived by those who frequent the area as being temporary. There is nothing special or exceptional about the proposal in this regard other than it not being proposed for a period longer than 40 years.

Biodiversity net-gain

- 6.145. It is acknowledged that the proposal would result in biodiversity net gain resulting in the creation of 138% gain in habitat units and 85% in hedgerows. Biodiversity net gain is not in itself a very special circumstance as it is now an expectation of development, as set out within NPPF and the Chelmsford Local Plan. This is more generally reflected also within the NPPF and Chelmsford Local Plan requirement for development to conserve or enhance the natural environment. Whilst the betterment is more generally weighed in the planning balance of these proposals, and uplift is therefore apportioned some positive weight, there is nothing special or exceptional about the proposal in this regard.

Lack of Alternative Sites

- 6.146. The contents of the applicant's consideration of alternative sites are noted.
- 6.147. Planning law is clear that applications must be assessed on their merits against the relevant development plan and any other material considerations that may apply. Whilst the need for renewable energy generation is accepted, there is no requirement that points to it needing to be generated on this site specifically.
- 6.148. Given the economic need for these types of developments to be within 3km of a substation, the proximity of this proposal to the Rayleigh substation is not considered to be wholly unique or

‘very special’ and whilst the applicant asserts that substantial weight should be afforded to this issue in the planning balance, it can only be afforded weight that reflects the attributes of that case. On balance, the proposals are significantly harmful and there is no overwhelming evidence that suggests that no other sites would be available locally or indeed that an additional solar farm would need to be plugged into National Grid Rayleigh Substation rather than another substation. This also takes into account the existence of other already approved solar farms in this area.

Best Available Technology

- 6.149. The applicant contends that the use of best available technology has been employed to maximise the productivity of the solar farm. This very special circumstance can only be given very limited weight in consideration of this application and would not clearly outweigh the harms as identified.

Good Design

- 6.150. Good design has been cited as a very special circumstance. In contrast, the Council’s case is that the solar farm would be harmful in terms of its urbanising impacts. The Council attaches no significant weight to good design as a very special circumstance in this case individually and cumulatively.

Green Infrastructure Improvements

- 6.151. Whilst the proposal would result in some landscape enhancements and, as discussed, a biodiversity net gain of 138% gain in habitat units and 85% in hedgerows, there is nothing particularly special or uncommon about this outcome. Mitigation is proposed within most planning applications as a matter of course. There is nothing special or exceptional about the proposal in this regard.

Farm Diversification

- 6.152. The applicant contends that the proposed development would generate additional income to support the farming business. Whilst farm diversification is supported by local and national planning policy, there are other, less harmful ways of diversifying a farm holding which are often utilised by farmers to secure greater viability in their business. This is afforded limited weight in the planning balance and does not clearly outweigh, individually or cumulatively considered with other very special circumstances, the harms arising from the proposal.

Soil Regeneration

- 6.153. The applicant cites that moderate weight should be attached to soil regeneration and states that there is evidence that conversion of land from arable to grassland which is uncultivated increases soil organic matter and soil organic carbon. Whilst the Local Planning Authority holds no evidence to refute these claims, it is common practice and a tactic used by farmers to let their land lie fallow for an extended period of time to improve cultivation – as such the proposals are not needed to allow for this approach to be taken on the land. Very limited weight is attached to this in the planning balance.

Very Special Circumstances: Conclusion

- 6.154. It is accepted by both the applicant and the Council that the proposal is inappropriate development.
- 6.155. Due to its size, visual massing and scale, the proposal would clearly have a significant effect upon the openness of the Green Belt.
- 6.156. It is acknowledged that the proposal could deliver up to 49.9MW of solar energy. This is a significant amount of renewable energy reduction and is given significant weight in favour of granting planning permission for this proposal.
- 6.157. Yet, having considered the planning balance along with very special circumstances proposed above singularly and cumulatively, it is clear that the proposal, which it is concluded would result in visual and spatial loss of openness and would adversely affect landscape character and visual amenity, cannot be clearly outweighed by other considerations (very special circumstances). The identified harm is significant in impact and carries substantial weight. The effect cannot be appropriately mitigated, and the overall considerations and benefits (very special circumstances) do not amount to outcomes which clearly outweigh Green Belt and other harms.
- 6.158. The nature of planning is that it is often a balancing exercise between a number of different elements. In this case, it is considered that the harm by reason of loss of openness and harm to landscape character is greater than the benefits that the proposal would have in delivering a renewable form of energy.
- 6.159. The very special circumstances have been assessed and are not accepted as overriding considerations.

Sustainability

- 6.160. The NPPF considers that achieving sustainable development means that the planning system has three overarching objectives which are independent and need to be pursued in mutually supportive ways so that opportunities can be undertaken to secure net gains across economic, social and environmental objectives. Officers have considered this as an overarching consideration of this application proposal and in relation to the applicant's very special circumstances – environmental benefits.
- 6.161. The proposal is a renewable energy project which, provided that it does not comprise inappropriate development in the Green Belt, is supported by national and local planning policies due to the benefits it would deliver in reducing greenhouse gas emissions. It would also deliver moderate social and employment benefits by providing employment in the construction and operational phase and generally contributing to sustaining jobs in the wider solar power industry. However, the loss of agricultural land could lead to the loss of agricultural jobs. This would somewhat be offset by the Government's commitment to promote renewable energy proposals.
- 6.162. There would be habitat and biodiversity net gains associated with the development.
- 6.163. The proposal would lead to loss of openness within the Green Belt that cannot be overcome by very special circumstances. It would also cause unacceptable harm to landscape character that cannot be appropriately mitigated to reduce the level of harm. This effect is given significant and great weight but does not warrant a specific reason for refusal on sustainability grounds.

- 6.164. Based on the consideration given above, whilst it is concluded that the proposal is a form of sustainable development and would meet sustainable development objectives, the development would give rise to unacceptable harm which would run contrary, on balance, to planning policy.

Conclusion

- 6.165. There is a recognised need and support for renewable energy technology through National and Local Planning policy and this development would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply for renewable sources.
- 6.166. The assessment of renewable energy proposals requires the impacts to be considered in the context of the strong "in principle" policy support given the Government's conclusion that there is a pressing need to deliver renewable energy generation.
- 6.167. The scheme would be for an inappropriate form of development in the Green Belt that would lead to a loss of openness and visual harms. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.
- 6.168. The very special circumstances put forward by the applicant has been considered, but these do not outweigh the substantial harm by reason of inappropriateness and loss of openness, that the proposal would have on the Green Belt.
- 6.169. The proposal would give rise to a substantial level of harm to landscape character and visual amenity that cannot be appropriately mitigated to reduce the level of harm.
- 6.170. The proposal would not have a harmful adverse impact on ecology, residential amenity, highway safety or flood risk, subject to controls recommended by planning conditions.
- 6.171. The main benefit arising of the scheme is the contribution to the production of renewable energy and consequential reduction in CO2 emissions. These benefits are afforded substantial weight.
- 6.172. The benefits associated from the development do not outweigh the harm caused to the openness of the Green Belt and the harm caused to landscape character and visual amenity and do not amount to very special circumstances.
- 6.173. It is concluded that the proposal is unacceptable and does not comply with the Chelmsford Local Plan, Solar Farm SPD, the NPPF or the NPPG.

7. Community Infrastructure Levy (CIL)

- 7.1. The application is not CIL liable.

RECOMMENDATION

The Application be REFUSED for the following reasons:-

Reason 1

Paragraph 147 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 151 of the NPPF states that when located in the Green Belt, elements of many renewable energy project will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to precede. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. Policy DM6 and DM10 of the Adopted Chelmsford Local Plan and the Adopted Solar Farm Development SPD reiterate the NPPF.

Policy DM19 - Renewable and low carbon energy of the Adopted Chelmsford Local Plan relates to proposals for renewable and low carbon energy. It states that planning permission will be granted for renewable and low carbon development provided they:

- i. Do not cause demonstratable harm to residential living environment; and
- ii. Avoid or minimise impacts on the historic environment; and
- iii. Can demonstrate no adverse effect on the natural environment including designated sites; and
- iv. Do not have an unacceptable visual impact which would be harmful to the character of the area; and
- v. will not have a detrimental impact on highway safety.

When located within the Green Belt, renewable or low carbon energy developments will also need to demonstrate very special circumstances in order to be approved.

The development would result in an unacceptable form of development within the Green Belt outside the exceptions listed within the NPPF or Policies DM6 or DM10 of the Adopted Chelmsford Local Plan. The proposal would be for an inappropriate form of development that would lead to loss of openness.

The proposed development by reason of its siting and scale would result in the creation of a large-scale, man-made, urban character development that would lead to visual and spatial loss of openness.

The very special circumstances put forward by the applicants have been considered, but the applicant has not demonstrated that the harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by the very special circumstances.

The proposal is therefore contrary to Policies DM6, DM10 and DM19 of the Adopted Chelmsford Local Plan, the Adopted Chelmsford Solar Farm Development SPD and the objectives of the NPPF.

Reason 2

The National Planning Policy Framework (NPPF) states that all planning proposals and decisions should contribute to and enhance the natural and local environment. Paragraphs 174a and 174b require 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.

Policy DM6 and DM10 of the Adopted Chelmsford Local Plan and the Adopted Solar Farm Development SPD reiterate the NPPF.

Policy DM19 - Renewable and low carbon energy of the Adopted Chelmsford Local Plan states that planning permission will be granted for renewable and low carbon development provided they:

- i. Do not cause demonstratable harm to residential living environment; and
- ii. Avoid or minimise impacts on the historic environment; and
- iii. Can demonstrate no adverse effect on the natural environment including designated sites; and
- iv. Do not have an unacceptable visual impact which would be harmful to the character of the area; and
- v. will not have a detrimental impact on highway safety.

The proposed development by reason of its siting and scale would result in the creation of a large-scale, man-made, urban character development. It would be significantly detrimental to the landscape character of the area and would be harmful to visual amenity. The predicted landscape effects arising from the proposed development are not able to be overcome by the proposed mitigation.

The proposal would cause an unacceptable and adverse effect upon the natural environment which in turn would fail to protect the intrinsic character and beauty of the countryside.

Further, the applicant's proposal contains insufficient assessment of landscape impacts.

The proposal is therefore contrary to Policies DM6, DM10 and DM19 of the Adopted Chelmsford Local Plan, the Adopted Chelmsford Solar Farm Development SPD and the objectives of the NPPF.

Background Papers

Case File

Basildon District Council

Comments
<p>18.04.2023 - Thank you for your consultation in respect of the above planning application.</p> <p>I would like to make the following comments on behalf of Basildon Council which borders the application site to part of the western boundary.</p> <p>The impact on the Green Belt will need to be balanced alongside the benefit of renewable energy as outlined in the NPPF 2021.</p> <p>It is noted that the site is highly visible particularly when viewed from Runwell Road adjacent to 2 Southlands Cottages where the land steeply rises and also those parts closest to Runwell Road (i.e. the far north-eastern parcel).</p> <p>There is concern that the proposal will spoil the view from the public right of way network which run in an east-west direction to the north of the River Crouch (Runwell 8 and Rettendon 23 public footpaths) and will be detrimental to the enjoyment and experience of members of the public which use these footpaths and benefit from the currently open landscaped setting. Erecting fencing either side of the public footpaths will introduce a man-made industrial feature into the natural landscape, detrimental to the landscape character. We would ask that Place Services Landscaping are consulted if they haven't been already and that views from the Wickford Memorial Park are taken into consideration.</p> <p>Please can these comments be passed onto the relevant case officer.</p>

Runwell Parish Council

Comments
<p>17.05.2023 - Runwell Parish Council have a policy to object to inappropriate development of the greenbelt. Residents and Councillors have raised the following comments: 1. Glare and glint effects on livestock in adjoining fields; 2. Issues with the Public Right of Way which crosses through the proposal ' safety of the walkers using the path (consider a safer diversion); 3. Re-instatement of surfaces following completion of the installations; 4. Drainage ' ways of improving natural drainage; 5. Concerns about chemical release when washing the solar panels; 6. Devaluation of material assets (homes) of neighbouring properties; 7. Untested health implications to those living in close proximity to the solar farm and loss/impairment of Health & Well-being due to the visual amenity being lost (majority of native trees and hedges are deciduous and do not obscure the view all year round); 8 loss of agricultural land (sheep have never been grazed on this land previously uncertainty of suitability); 9 A review of similar renewable energy project applications, it is noted that under very special circumstances similar projects have been approved as there is a benefit for local residents.</p>

Essex County Council Highways

Comments
<p>03.11.2023 - Your Ref: 23/00532/FUL</p> <p>Our Ref: CO/EGD/SD/RM/CHL/23/532/56301</p> <p>Date:- 3rd November 2023</p> <p>Recommendation Issue 2.</p> <p>The Highway Authority has reconsidered the Glint & Glare Impact Assessment and amended the conditions accordingly:</p> <p>' The Solar Panels used in this proposal, would have a tracking capability, to track the sun's path across the sky.</p> <p>' The existing established vegetation adjacent to A130 and the A132 Runwell Road together with the additional planting proposed would mitigate the impact of the proposal.</p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:</p> <p>1. The additional planting shown, shall be provided and planted clear of the highway boundary extent as shown in the:</p> <p>i. Proposed Site Plan, drawing no. RC3-02-P02, Revision 04.</p> <p>ii. Southlands Farm- Detailed Landscape Plan, drawing no. P22-1918_EN_003C.</p> <p>Reason: In the interest of highway safety and to protect the integrity of the highway in accordance with policy DM1.</p>

2. The submitted Construction Traffic Management Plan (CTMP), October 2022 shall be adhered to throughout the construction period. The CTMP provides for in particular;

- i. vehicle routing,
- ii. construction access restricted to left in left out vehicle access and turning movements,
- iii. the parking of vehicles of site operatives and visitors,
- iv. loading and unloading of plant and materials,
- v. storage of plant and materials used in constructing the development,
- vi. Turning facility for articulated 18.55 metre in length heavy goods vehicles,
- vii. wheel and underbody washing facilities.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner, to ensure that vehicles can enter and leave the highway in a forward gear, to ensure that on-street parking of these vehicles in the adjoining roads does not occur, to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1 and DM19 and to avoid inappropriate HGV movements through the built up areas.

3. A before and after condition survey (Highways Dilapidation Survey), to identify defects to highway in the vicinity of each of the vehicular access in 4 below, and where necessary ensure that repairs are undertaken at the developer expense, where the damage is caused by the developer to the satisfaction and, at no cost of the Highway Authority.

Reason: To preserve the integrity of the highway, in the interests of highway safety and Policy DM1.

4. Prior to commencement, the Solar Farm Vehicular Access, which would be used for the Construction and future Maintenance, shown in principle the Proposed Site Plan, drawing no. RC3-02-P02, Revision 04 and detail design and construction shown in the submitted Construction Traffic Management Plan (CTMP), October 2022 3 above, shall be constructed as shown in principle at Appendix A, Proposed Site Access Arrangement On A132 at Existing Field Access, drawing no. SK01, Revision A. with subsequently submitted Heavy Goods Vehicle 18.55 metres long Swept Path drawing number SK03 2201-018 and SK04 2201-018. The vehicular access shall be provided with an appropriate vehicular crossing of the highway verge to accommodate all vehicle movements for the construction phase, details to be agreed in writing with the Local Planning Authority and the Highway Authority .

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

5. The visibility splays in both directions to the highway vehicular access shown in principle the Proposed Site Plan, drawing no. RC3-02-P02, Revision 04, pass over highway land. The applicant shall ensure that the foliage within the verge is cleared and to Maintain these visibility splays in perpetuity, as measured from and along the nearside edge of the carriageway.

Reason: To provide adequate inter-visibility between vehicles using the road junctions/accesses and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

6. No unbound material shall be used in the surface treatment for each of the three vehicular accesses in 5 above, within 20 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

7. There shall be no discharge of surface water from the development onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

8. The gates provided at the vehicular accesses in 4 above, shall be inward opening only and shall be set back a minimum of 20 metres from the back edge the carriageway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway/cycleway/carriageway in the interest of highway safety in accordance with policy DM1.

9. The public's rights and ease of passage over public right of way; footpath, 8 (Runwell Parish 231), shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11.

10. If it deemed necessary for public footpath 8 (Runwell Parish 231), to be closed for safety reasons, during the construction phase or to be diverted, no development shall be permitted to commence on site until such time as a Legal Order(s) have been obtained, by agreement with the Essex County Council Public Rights of Way Team (see the Informatives below), securing the diversion of the existing definitive right of way, be it temporary or permanent, to a route to be agreed with the Local Planning Authority. The new route(s) must be constructed to the satisfaction of the Local Planning Authority. Hedges other vegetation or foliage must not encroach upon the width of footpath 8. This responsibility lies with the applicant and it is not the responsibility of the Highway Authority to maintain the hedges other vegetation or foliage clear of footpath 8.

Reason: To ensure the continued safe passage of pedestrians on the public right of way and accessibility in accordance with Policies DM1 and DM11.

General

I. Prior to any works taking place in public highway the developer shall enter into an appropriate agreement with the Highway Authority to regulate construction works. This will include the submission of detailed engineering drawings for approval with the submitted Stage 1 Road Safety Audit with designer's responses for vehicular access in 4 above. The designers' responses will be reviewed by the Highway Authority Engineers and where deemed necessary; the applicant may be required to make additional considerations with follow up actions to make the use of the vehicular access safe from a highway and transportation perspective.

II. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

III. The above to be provided at no cost to the Highway Authority.

IV. The above to be imposed on the planning permission (if granted) by planning obligation or condition, as

necessary.

Please include the Informative:

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

i. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org:

ii. The Essex County Council Public Rights of Way team by email at highway.status@essexhighways.org

South Essex Parking Partnership

Comments
No response received

Public Health & Protection Services

Comments
18.04.2023 - Provided the recommended mitigation is employed as outlined in the acoustic report, it appears that the noise levels from the operation of the development will be satisfactory.

Environment Agency

Comments
20.07.2023 - INSTALLATION OF A SOLAR FARM WITH BATTERY STORAGE AND ASSOCIATED INFRASTRUCTURE LAND SOUTH OF NATIONAL GRID CHELMSFORD ROAD, RAWRETH, ESSEX Thank you for your consultation dated 29 June 2023. We have reviewed the application as submitted and are able to remove our holding objection, detailed in our letter, referenced AE/2023/128277, dated 12 May 2023. We now have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below. Flood Risk Our maps show the site lies within fluvial Flood Zone 3a defined by the 'Planning Practice Guidance: Flood

Risk and Coastal Change' as having a high probability of flooding, although the majority of the site does fall within flood zone 1. The proposal is for the installation of a solar farm with battery storage and associated infrastructure land south of national grid, which is classified as an 'essential infrastructure' development, as defined in Annex 3:Flood Vulnerability classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site-specific Flood Risk Assessment (FRA).

Flood Risk Assessment To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA Addendum, referenced P23_174 and dated 23 June 2023, version 1.0, are:

- o The site lies within the flood extent for a 1% (1 in 100) annual probability event, including an allowance for climate change.

- o It is proposed that the panel stowage height shall be at 2m, which is above the 1% (1 in 100) annual probability flood level including climate change of 0.15m AOD and therefore dry in this event. The panels will also be above the 0.1% (1 in 1000) annual probability flood level of 1.35m AOD.

Other advice: Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

We trust this information is useful.

CHECK - ECC Minerals & Waste

Comments
No response received

Ramblers Association

Comments
18.04.2023 - Thank you for advising the Ramblers of this planning application. On behalf of the Ramblers Association we wish to make the following comments:- The Design and Access Statement (paragraph 2.6) refers to PRoW 231_8, running in an east-west orientation, but NOT to PRoW 229_23, which continues the PRoW up to and beyond the A130. These should BOTH be fully annotated within the relevant submitted documentation, including the Location Plans and Landscape Proposals. The Design and Access Statement (paragraph 11.6) confirms that the existing PRoWs within the site will remain open and available at all times during construction, operation and decommissioning. This should be Conditioned in any Town Planning approval.

ECC Historic Environment Branch

Comments
<p>20.04.2023 - Dear Sir/Madam,</p> <p>RE: 23/00532/FUL - Installation of a solar farm with battery storage and associated infrastructure</p> <p>Land South Of Southlands Cottages, Runwell Road, Runwell, Wickford</p> <p>The above application has been identified on the weekly list by the Historic Environment Advisor to Chelmsford City Council as having archaeological implications.</p> <p>As attested by the submitted Heritage Statement and the Essex Historic Environment Record (EHER), the proposed development site is in an area with a high potential to contain archaeological remains. Two important archaeological excavations have previously been undertaken in close proximity to the proposed development. Beachamps Farm, located 350m to the south of the development, exposed an extensive multi-period settlement site, ranging in date from the Late Bronze Age to the Medieval period. An Iron Age settlement and associated cemetery, a Roman military camp (possibly a fort), a later Roman villa and evidence of Saxon occupation were all uncovered during the excavations (EHERs 7532-7540). 600m to the north of the proposed development, another multi-phase settlement site was uncovered during excavations at the former Runwell Hospital. This site uncovered evidence of Late Neolithic occupation, an Iron Age settlement enclosure ditch and a medieval roadside working area (EHER 15657).</p> <p>This office agrees with the Heritage Statement's conclusions of the archaeological potential of the site. The undertaken geophysical survey has not identified areas of any intensive occupation, but extramural activity related to the settlement areas identified nearby is likely to extend into the proposed development site, and more ephemeral prehistoric activity is also likely to be present.</p> <p>Given the above, this office recommends that the following conditions are placed on any consent, in line with the National Planning Policy Framework, paragraph 205:</p> <p>RECOMMENDATION: Archaeological trial-trenching and excavation</p> <ol style="list-style-type: none">1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved in writing by the local planning authority.2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological trial-trenching evaluation identified in the Written Scheme of Investigation defined in Part 1 and confirmed by the local planning authorities archaeological advisors.3. A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the local planning authority following the completion of the archaeological evaluation.4. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the local planning authority.5. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The work should be carried out by an accredited archaeological contractor and will initially comprise an archaeological trial-trenching evaluation of the proposed development site. This evaluation should ensure to target the anomalies identified by the geophysical survey. Depending on the results of this evaluation, it may be followed by a further scheme of archaeological open-area excavation and/or archaeological monitoring, or in situ preservation of remains, as appropriate.

An archaeological brief will be produced from this office detailing the work required, on request, and should be acquired prior to the submission of a Written Scheme of Investigation.

If you have any questions please do not hesitate to contact me.

Natural England

Comments
No objection

UK Power Networks (Network Planner)

Comments
No response received

Environment Agency

Comments
No objection

H.S.E East Anglia Area

Comments
25.04.2023 - Advice : HSL-230420110954-46 Does Not Cross Any Consultation Zones Your Ref: 23/00532/FUL Development Name: Land South Of Southlands Cottages Runwell Road Runwell Wickford Essex Comments: The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period. This advice report has been generated using information supplied by Alex Sadowsky at Chelmsford District

(B) on 20 April 2023.

Economic Development & Implementation

Comments

No response received

Anglian Water Services Ltd

Comments

17.04.2023 - Good afternoon,

Thank you for your email consultation on the planning application for 23/00532/FUL.

The Planning & Capacity Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, 500sqm or greater. However, if there are specific drainage issues you would like us to respond to, please contact us outlining the details.

The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout. They can do this by accessing our infrastructure maps on Digdat. Please see our website for further information:

<https://www.anglianwater.co.uk/developers/development-services/locating-our-assets/>

Please note that if diverting or crossing over any of our assets permission will be required. Please see our website for further information:

<https://www.anglianwater.co.uk/developers/drainage-services/building-over-or-near-our-assets/>

Kind regards

Essex County Fire & Rescue Service

Comments

26.04.2023 - Dear Sir

Whilst Essex County Fire and Rescue Service (ECFRS) is not a statutory consultee in relation to the project at this stage, we will work and engage with the developer as this project develops to ensure it complies with statutory requirements that will be enforceable when they fall under our authority.

Approved Document B Volume 2: Buildings other than dwellings - Regulation 38: Fire Safety Information states:

"ensure that the person responsible for the building has sufficient information relating to fire safety to

enable them to manage the building effectively"

ECFRS advises that the developer produces fire safety and risk reduction strategies as the responsible person for the scheme. We would also propose that safety measures and risk mitigation are developed in collaboration with the Service.

The strategies should cover the construction, operational and decommissioning phases of the project.

During the construction phase the number of daily vehicle movements in the local area will significantly increase. The Service would like to view the transport strategy to minimise this impact and prevent an increase in the number of road traffic incidents. Any development should not negatively impact on the Service's ability to respond to an incident in the local area.

ECFRS recognise the use of batteries (including lithium-ion) as Energy Storage Systems (ESS) is a new and emerging practice in the global renewable energy sector. As with all new and emerging practices within UK industry the Service would like to work with the developers to better understand any risks that may be posed and develop strategies and procedures to mitigate these risks.

The developer must ensure the risk of fire is minimised by:

Procuring components and using construction techniques which comply with all relevant legislation.

Including automatic fire detection systems in the development design.

Including automatic fire suppression systems in the development design. Various types of suppression systems are available, but the Service's preferred system would be a water drenching system as fires involving Lithium-ion batteries have the potential for thermal runaway. Other systems would be less effective in preventing reignition.

Including redundancy in the design to provide multiple layers of protection.

Designing the development to contain and restrict the spread of fire using fire-resistant materials and adequate separation between elements of the BESS.

Developing an emergency response plan with ECFRS to minimise the impact of an incident during construction, operation and decommissioning of the facility.

Ensuring the BESS is located away from residential areas. Prevailing wind directions should be factored into the location of the BESS to minimise the impact of a fire involving lithium-ion batteries due to the toxic fumes produced.

The emergency response plan should include details of the hazards associated with lithium-ion batteries, isolation of electrical sources to enable firefighting activities, measures to extinguish or cool batteries involved in fire, management of toxic or flammable gases, minimise the environmental impact of an incident, containment of fire water run-off, handling and responsibility for disposal of damaged batteries, establishment of regular onsite training exercises.

The emergency response plan should be maintained and regularly reviewed by the occupier and any material changes notified to ECFRS.

Environmental impact should include the prevention of ground contamination, water course pollution, and the release of toxic gases.

The BESS facilities should be designed to provide:

Adequate separation between containers.

Provide adequate thermal barriers between switch gear and batteries,

Install adequate ventilation or an air conditioning system to control the temperature. Ventilation is important since batteries will continue to generate flammable gas as long as they are hot. Also, carbon monoxide will be generated until the batteries are completely cooled through to their core.

Install a very early warning fire detection system, such as aspirating smoke detection/air sampling.

Install carbon monoxide (CO) detection within the BESS containers.

Install sprinkler protection within BESS containers. The sprinkler system should be designed to adequately contain and extinguish a fire.

Ensure that sufficient water is available for manual firefighting. An external fire hydrant should be located in close proximity to the BESS containers. The water supply should be able to provide a minimum of 1,900 l/min for at least 2 hours. Further hydrants should be strategically located across the development. These should be tested and regularly serviced by the operator. If the site is remote from a pressure fed water supply, an Emergency Water Supply (EWS) meeting the above standard should be incorporated into the design of the site e.g. an open water source and/or tank(s). If above ground EWS tanks are installed, these should include facilities for the FRS to discharge (140/100mm RT outlet) and refill the tank.

The site design should include a safe access route for fire appliances to manoeuvre within the curtilage (including turning circles). An alternative access point and approach route should be provided and maintained to enable appliances to approach from an upwind direction.

A Premises Information Box (PIB) should be located at the designated 'main' access point, to hold the Emergency Response Plan, to include water supplies for firefighting, drainage plans highlighting any Pollution Control Devices (PCDs) / Penstocks etc for the FRS.

Ideally, an Automatic Fire Alarm (AFA) slave/repeater panel presented as a MIMIC panel should also be located here.

As large-scale BESS facilities are a relatively new technology, associated risks may or may not be captured in current guidance such as the Building Regulations 2010 (as amended) and fall outside of the auspices of the Regulatory Reform (Fire Safety) Order 2005. For this reason, we strongly recommend applying the National Fire Protection Association (NFPA) 855 Standard for the Installation of Stationary Energy Storage Systems.

NFPA 855: Standard for the Installation of Stationary Energy Storage Systems

Yours sincerely

Susan Askew

Protection

Essex County Fire and Rescue Service

Essex and Suffolk Water

Comments
No response received

Police - Designing Out Crime

Comments
<p>25.04.2023 - Essex Police comments pursuant of the National Planning Policy Framework 2019 (NPPF) and Chelmsford City Council policies.</p> <p>NPPF section 8 "Promoting Healthy and Safe Communities" paragraph 91(b), and section 12 "Achieving Well Designed Places" paragraph 127(c) address creating places that are safe. Chelmsford Local Plan DM23 & DM24 addresses security through "High Quality Design" and "Place Shaping" with a reasoned justification 9.6 - "The layout and design of a development are important in creating a safe environment where people are comfortable to live, work and visit".</p> <p>We welcome the considerations given to crime within the Design and Access Statement however we would dispute the impact of Solar Farm crime. It should be noted that other parts of the country have seen an expediential rise in crime in relation to solar farms with everything from solar panels to cabling, batteries and ancillary equipment being targeted. To comment further we would require the finer detail such as any proposed lighting, compound access control and physical security measures.</p> <p>We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with these policies.</p>

ECC Minerals & Waste Planning

Comments
<p>25.04.2023 - Dear Sir / Madam</p> <p>Nature of Response: To address minerals and waste safeguarding implications arising through Application 23/00532/FUL.</p> <p>Proposal: Installation of a solar farm with battery storage and associated infrastructure.</p> <p>Location: Land South Of Southlands Cottages, Runwell Road, Runwell, Wickford, Essex.</p> <p>Thank you for your email received 13th April 2023 consulting the Mineral and Waste Planning Authority (MWPA) on the above proposals.</p> <p>The 'project area' forms the basis for the minerals and waste safeguarding assessment set out below.</p> <p>This response deals with mineral policy matters and waste policy matters in turn. A spatial representation of the project area and the matters discussed can be found in Appendix One.</p> <p>Mineral Matters</p> <p>Safeguarding Mineral Resources</p> <p>Part of the project area is located within land which is designated as a Mineral Safeguarding Area (MSA) and therefore the application is subject to Policy S8 of the Essex Minerals Local Plan 2014 (MLP). The MLP can</p>

be viewed on the County Council's website via the following link:

<https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan>

Policy S8 of the MLP requires that a non-mineral proposal located within an MSA which exceeds defined thresholds must be supported by a Minerals Resource Assessment to establish the existence, or otherwise, of a mineral resource capable of having economic importance. This will ascertain whether there is an opportunity for the prior extraction of that mineral to avoid the sterilisation of the resource, as required by the National Planning Policy Framework (Paragraph 210). The same paragraph encourages the prior extraction of mineral where it is practical and environmentally feasible.

It is however noted that the proposal is for a solar farm and that there would not be any significantly intrusive ground works required to establish the development. It is further noted that the Planning Statement dated March 2023 states at Paragraph 3.1 that the proposed development is temporary in nature. The MWPA has no objection, providing that the proposed development site will be returned to its 'former use' upon expiration of permission, concluding that the mineral subject to the MSA is not at risk from permanent sterilisation.

If this is not the case, then a Minerals Resource Assessment (MRA) is required to establish the practicality and environmental feasibility of the prior extraction of mineral such that the resource is not sterilised where this can be avoided. If found to be practical and environmentally feasible, prior extraction is expected to take place ahead of sterilisation by non-mineral development.

Mineral Infrastructure Matters

With regard to Mineral Consultation Areas, Policy S8 of the MLP seeks to ensure that existing and allocated mineral sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy S8 of the MLP defines Mineral Consultation Areas as extending up to 250m from the boundary of an infrastructure site or allocation for the same.

The application site does not pass through a Mineral Consultation Area (MCA) and therefore, a Mineral Infrastructure Impact Assessment (MIIA) would not be required as part of a planning application on this site.

Waste Matters

Safeguarding Waste Infrastructure

Policy 2 of the WLP seeks to ensure that existing and allocated waste sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy 2 defines Waste Consultation Areas as extending up to 250m from the boundary of existing or allocated waste infrastructure, unless they are Water Recycling Centres, where the distance increases to 400m.

The WLP can be viewed on the County Council's website via the following link:

<https://www.essex.gov.uk/minerals-waste-planning-policy/waste-local-plan>

The application site does not pass through a Waste Consultation Area (WCA) and therefore, a Waste Infrastructure Impact Assessment (WIIA) is not required as part of the planning application.

Rochford District Council

Comments
No response received

Rettendon Parish Council

Comments
No response received

Network Rail

Comments
<p>05.05.2023 - Dear Sir/Madam,</p> <p>Thank you for consulting Network Rail (NR) regarding the above planning application.</p> <p>Please see below the informative suggested by our Asset protection Team (ASPRO)</p> <p>Item 1. - Environmental pollution (Dust, noise etc.) on operational railway.</p> <p>Reasons/Mitigations:</p> <p>The design and siting of installations should take into account possible effects of noise, vibration and generation of airborne dust in regard to the operational railway. Contractors are expected to use the 'best practical means' for controlling pollution and environmental nuisance complying all current standards and regulations. The design and construction methodologies should consider mitigation measures to minimise the generation of airborne dust, noise and vibration in regard to the operational railway. Demolition work shall be carried out behind hoardings and dust suppression systems are to be employed to risk to the operational line.</p> <p>Item 2 Collapse of lifting equipment adjacent to the NR boundary fence/line.</p> <p>Reasons/Mitigations:</p> <p>Operation of mobile cranes should comply with CPA Good Practice Guide 'Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail'. Operation of Tower Crane should also comply with CPA Good Practice Guide 'Requirements for Tower Cranes Alongside Railways Controlled by Network Rail'. Operation of Piling Rig should comply with Network Rail standard NR/L3/CIV/0063 - 'Piling, Drilling, Crane, MEWP and SMPT operations adjacent to the Railway' Collapse radius of the cranes should not fall within 4m from the railway boundary unless possession and isolation on NR lines have been arranged or agreed with Network Rail.</p> <p>Item 3 - Potential impact on the adjacent railway infrastructure from the construction activities</p> <p>Reasons/Mitigations:</p> <p>The OP shall provide all construction methodologies relating to the works that may import risks onto the operational railway and potential disruption to railway services, the assets and the infrastructure for acceptance prior to commencing the works. All works must also be risk assessed to avoid disruptions to the operational railway. Existing railway infrastructures including embankment and bridges should not be loaded with additional surcharge from the proposed development unless the agreement is reached with Network Rail. Increased surcharge on railway embankment imports a risk of instability of the ground which can cause the settlement on Network Rail infrastructure (Overhead Line Equipment/gantries, track,</p>

embankment, boundary fence, etc) All works, both temporary and permanent, should be designed and constructed, so that they will have no influence on the stability of NR's existing.

Item 4 - Collapse of temporary work

Reason/Mitigations:

Where, in the temporary condition, structural collapse of any temporary works which may be constructed which would include scaffolding and access towers could result in any element falling within 4m of the railway boundary or a NR asset.

Item 5 - Effect of artificial lighting and human factor effects from glare on Train Drivers

Reasons/Mitigations:

Any lighting associated with the proposed work must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Item 6 - Structural stability and movement of Network Rail Assets which will affect the Track

Support Zone.

Reasons/Mitigations:

Please also note that the 'track support zone' is defined in Network Rail standard 'NR/L2/CIV/177

- Monitoring track over or adjacent to Construction Works' and any proposal which may require works to be conducted within this zone must be identified by the outside party and subsequent consultation with Network Rail must take place. Should criteria be met within this standard, a track monitoring plan will have to be agreed with Network Rail to ensure that movement, settlement, cant, twist, vibration etc are mitigated the risk to the operational railway

Item 7 - Piling adjacent to the railway infrastructure (if any). with ground movement affecting the track geometry and surrounding ground and structure stability.

Reasons/Mitigations:

The developer must ensure that any piling work near or adjacent to the railway does not cause an operational hazard to Network Rail's infrastructure. Impact/Driven piling scheme for a development near or adjacent to Network Rail's operational infrastructure needs to be avoided, due to the risk of a major track fault occurring. No vibro-compaction/displacement piling plant shall be used in development.

Item 8 - Proximity of the development to the Network Rail infrastructure and boundary fence and adequate space for future maintenance of the development.

Reasons/Mitigations:

It is recommended that all works be situated at least 3 metres from NR boundary fence, to allow construction and any future maintenance work to be carried out without involving entry or encroachment onto Network Rail's land. Where trees exist on Network Rail land, design of any foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

Item 9 - Proximity of OLE Risk/Catenary cables (if any) to proposed work.

Reasons/Mitigations:

No works may be carried out where there is a risk of any plant or element, temporary or permanent, coming within 3.5m of the Overhead Live Electricity (if any). The proximity of the development to the 25kV high voltage Overhead live cables (and the associated steel stanchion supports), will require an electromagnetic compatibility (EMC) assessment to be undertaken by the OP to assess the potential impact on the residents, the level of electrical interference or emissions of electromagnetic fields (EMF) due to the railway equipment. EMF reduces at an exponential rate over distance, so the measured values will drop significantly at 7 meters below any buildings limit as set out by the UK or EU Standards.

Item 10. - Construction activities at height.

Reasons/Mitigations:

Any works at height or within 3.0 metres of the OLE infrastructure will require isolation of the overhead lines and possessions. The use of scaffolding within the close proximity to NR assets introduces high risk to individual when the railway is in operation and the overhead line is energised

Item 11- Stability of railway infrastructure and potential impact on the services.

Reasons/Mitigations:

Existing railway infrastructures including embankment should not be loaded with additional surcharge from the proposed development unless the agreement is reached with Network Rail. Increased surcharge on railway embankment imports a risk of instability of the ground which can cause the settlement on Network Rail infrastructure (Overhead Line Equipment / gantries, track, embankment etc.). Any works within the railway boundary shall be carried out following Network Rail standard 'NR/L2/MTC/089 - Arrangements for the exchange of asset data and the continuing

maintenance of assets undergoing change'.

Item 12.- Trespasses and unauthorised access through an insecure or damaged boundary fence.

Reasons/Mitigations:

Where required, the developer should provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. Network Rail's existing fencing/wall must not be removed until it is agreed with Network Rail.

Network Rail strongly recommends the developer contacts the Asset Protection Team

AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site, and

also to agree an Asset Protection Agreement with us to enable approval of detailed

works. More information can also be obtained from our website

<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/assetprotection-and-optimisation/>

I trust the above clearly sets out Network Rail's position on the planning application. Should you require any more information from Network Rail, please do not hesitate to contact me.

Historic England

Comments

27.04.2023 - T&CP (Development Management Procedure) (England) Order 2015

& Planning (Listed Buildings & Conservation Areas) Regulations 1990

LAND SOUTH OF SOUTHLANDS COTTAGES, RUNWELL ROAD, RUNWELL, WICKFORD, ESSEX SS11 7QH

Application No. 23/00532/FUL

Thank you for your letter of 13 April 2023 regarding the above application for planning permission.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Yours sincerely

Rosa Teira Paz

Inspector of Historic Buildings and Areas

E-mail: rosa.teirapaz@historicengland.org.uk

Local Residents

Comments

15 letters of objection received. Concerns raised:

- Significant harm to PROW.
- Impact on local wildlife.
- Not environmentally friendly.
- Views from residential properties will be impacted.
- Traffic, light and noise pollution.
- Potential health implications.
- Health and safety risks.
- Safety and security issues – rise in crime.
- Detrimental impact to local horses.
- Loss of agricultural land.
- Inappropriate development in the Green Belt.
- Benefits of renewable energy should not be at expense of beautiful countryside.
- Devaluation of local properties.
- Potential fire hazards.

CCC3



Our ref: AE/2023/128277/02-L01

Your ref: 23/00285/FUL

Date: 19 July 2023

Dear [REDACTED]

**INSTALLATION OF A SOLAR FARM WITH BATTERY STORAGE AND
ASSOCIATED INFRASTRUCTURE**

LAND SOUTH OF NATIONAL GRID CHELMSFORD ROAD, RAWRETH, ESSEX

Thank you for your consultation dated 29 June 2023. We have reviewed the application as submitted and are able to remove our holding objection, detailed in our letter, referenced AE/2023/128277, dated 12 May 2023.

We now have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below.

Flood Risk

Our maps show the site lies within fluvial Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding, although the majority of the site does fall within flood zone 1. The proposal is for the installation of a solar farm with battery storage and associated infrastructure land south of national grid, which is classified as an 'essential infrastructure' development, as defined in [Annex 3:Flood Vulnerability classification](#) of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site-specific Flood Risk Assessment (FRA).

Flood Risk Assessment

To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA Addendum, referenced P23_174 and dated 23 June 2023, version 1.0, are:

- The site lies within the flood extent for a 1% (1 in 100) annual probability event, including an allowance for climate change.
- It is proposed that the panel stowage height shall be at 2m, which is above the 1% (1 in 100) annual probability flood level including climate change of 0.15m AOD and therefore dry in this event. The panels will also be above the 0.1% (1 in 1000) annual probability flood level of 1.35m AOD.

Other advice: Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

We trust this information is useful.

Yours Sincerely

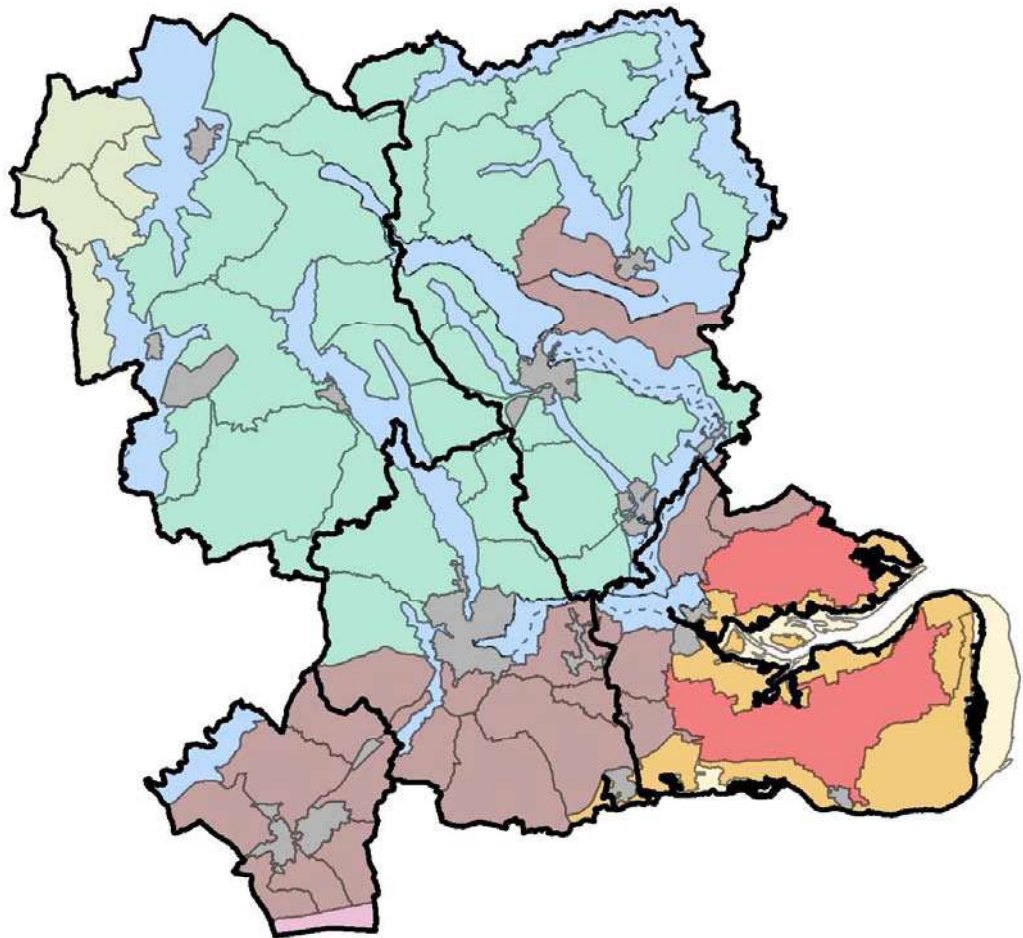


Planning Advisor



CCC4

**BRAINTREE, BRENTWOOD, CHELMSFORD,
MALDON AND UTTLESFORD
LANDSCAPE CHARACTER ASSESSMENTS**

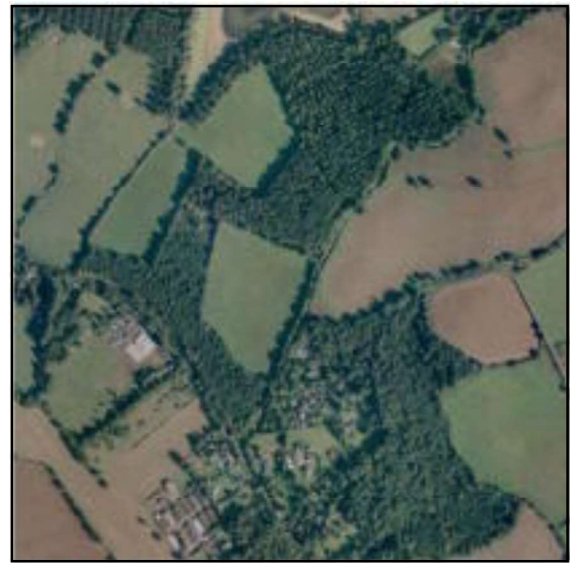
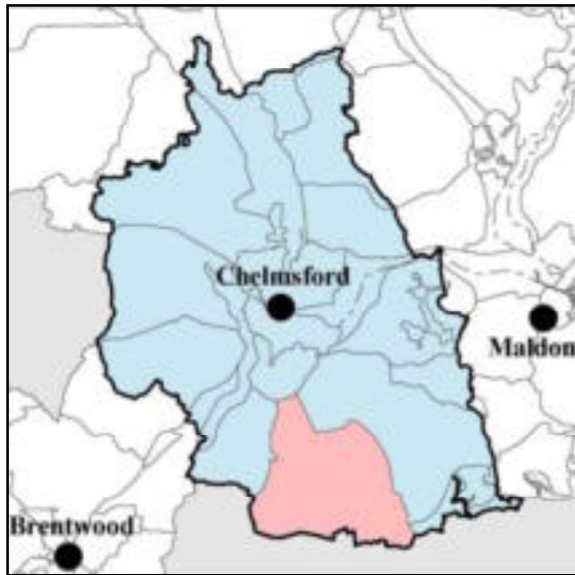


September 2006

CHRIS BLANDFORD ASSOCIATES

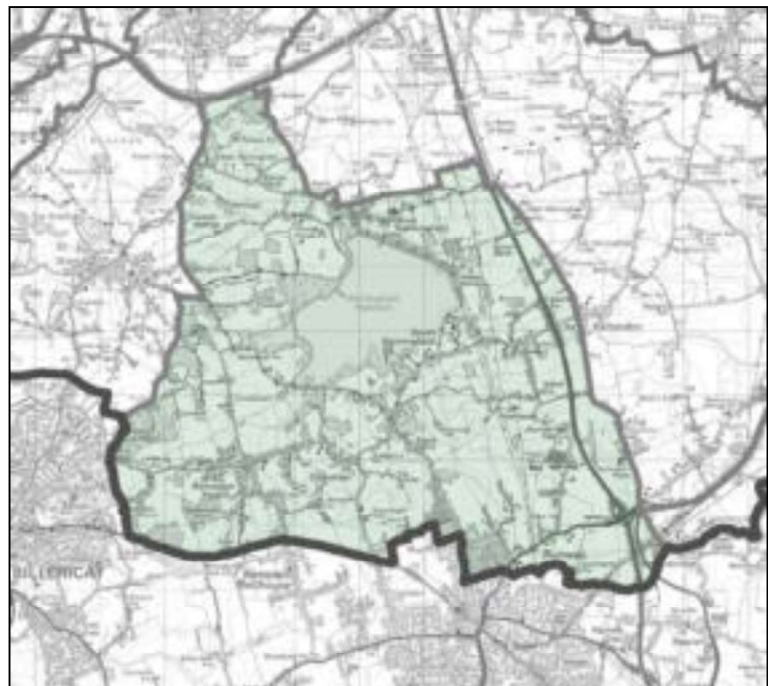
Environment Landscape Planning

F11 SOUTH HANNINGFIELD WOODED FARMLAND



Key Characteristics

- Undulating mature wooded farmland.
- Vast expanse of Hanningfield reservoir.
- Mixed woodland and a patchwork of diverse habitats surrounding the reservoir.
- Small-scale linear settlement pattern.
- Medium to large-scale arable fields with hedged and treed field boundaries.
- Views to wooded horizons both within the character area and within adjacent character areas.
- Network of quiet, narrow rural lanes traverse the area.



Overall Character

This character area is situated to the south of Chelmsford and north of Billericay and Wickford (to the south of the Study Area). Undulating arable wooded farmland (delineated by mature hedgerows with several hedgerow trees) covers the area. The area slopes (relatively steeply in places) downwards from north to south, affording spectacular views across the Thames valley in places. At the centre of the area, character is dominated by the vast expanse of Hanningfield reservoir. The large body of water is surrounded by a mixed woodland reserve (including Peninsula Wood, Well Wood, Chestnut Wood and Hawks Wood, a visitors centre and nature reserve) and contains diverse habitats for wildlife (especially wildfowl). Flocks of swifts, swallows and martins swooping onto the reservoir during the summer, provide a visually interesting and dynamic character. The uniform and engineered concrete edges of the reservoir exert a strong human influence upon the surrounding landscape, whilst certain stretches of the reservoir exhibit more natural shorelines and have well-developed marginal vegetation. Settlement pattern consists of several small linear hamlets and villages (including South and West Hanningfield

and Ramsden Heath). Church towers within these villages are visible landmarks from the surrounding landscape. There is some sense of enclosure and tranquillity within woodland clearings and away from settlements. A network of quiet, rural and often tree-lined lanes also crosses the character area.

Visual Characteristics

- Open and framed views to wooded horizons, both within the character area and also within adjacent LCA.
- Spectacular panoramic views into the Thames valley from certain locations.
- Open, panoramic views across Hanningfield reservoir dramatically influenced by changing weather and colours of the sky.

Historic Land Use

Evidence of historic land use within the Character Area is dominated by irregular fields mixed, with the predominant co-axial fields of ancient origin. The commons were mostly enclosed by the 19th century, but part of their extent can be seen in the surviving field boundary pattern. Historically, the settlement pattern was dispersed, some of it being focussed on commons. There were also scattered farmsteads. This pattern has survived with more recent nucleations of settlement at East Hanningfield and Rettendon.

Ecological Features

This Character Area is dominated by widespread arable agriculture and pasture with frequent woodland. The area contains Hanningfield Reservoir SSSI (c. 400 ha) and 32 CWSs, comprising ancient and semi-natural woodland, unimproved grassland and wetland habitats.

Key Planning and Land Management Issues

- Pressure of increased traffic on rural, minor lanes.
- Potential future expansion of Hanningfield reservoir.
- Potential for fertiliser and pesticide run-off from adjacent agricultural farmland to pollute Hanningfield reservoir and affect water quality and habitats.
- Potential for visually intrusive development at the fringes of small villages and also Wickford and Billericay.
- Noise and visual intrusion associated with A127 road corridor.
- Potential major road improvements to the A127.
- Potential visually intrusive development of new farm buildings.
- Deterioration and eventual loss of mature woodland, single trees and hedgerows.

Sensitivities to Change

Sensitive key characteristics and landscape elements within this character area include mature hedged and treed field boundaries and a patchwork of diverse woodland and other habitats surrounding Hanningfield reservoir (which are sensitive to changes in land management). The overall sense of tranquillity within parts of the character area (away from main road corridors) and the network of narrow tree-lined lanes is also sensitive to change and potential new development, or increases in traffic flow associated with such development. Open views to wooded horizons are sensitive to potential new development, which may interrupt or block such views. There is a sense of historic integrity, resulting from a dispersed historic settlement pattern and the presence of several areas of co-axial fields (of ancient origin). There are also several important wildlife habitats consisting of 22 areas of ancient woodland. Overall, this character area has relatively high sensitivity to change.

Proposed Landscape Strategy Objectives

Conserve - seek to protect and enhance positive features that are essential in contributing to local distinctiveness and sense of place through effective planning and positive land management measures.

Enhance - seek to improve the integrity of the landscape, and reinforce its character, by introducing new and/or enhanced elements where distinctive features or characteristics are absent.

Suggested Landscape Planning Guidelines

- Conserve and enhance the landscape settings of small settlements within the character area and also Wickford and Billericay.
- Ensure that any appropriate new development responds to historic settlement pattern and uses materials, which are appropriate to local landscape character. Such development should be well integrated with the surrounding landscape.
- Conserve the mostly rural character of the area.
- Conserve existing views across the area and to adjacent Landscape Character Areas.
- Seek to screen visual detractors (such as A127 road corridor, for example with planted shelter belts).
- Conserve the open, undeveloped character and valuable wetland habitats associated with Hanningfield Reservoir.

Suggested Land Management Guidelines

- Conserve and manage the existing mature hedgerow network.
- Conserve, manage and enhance patches of woodland (consider the use of traditional methods, such as coppicing and pollarding where appropriate to locality and local landscape character).
- Conserve historic lanes and unimproved roadside verges.
- Plant half-standard trees within field hedgerow boundaries to succeed over mature trees.
- Introduce arable field margins as a means of ensuring that mature trees within hedgerows are not disturbed by ploughing.
- Conserve and enhance areas of semi-natural and ancient woodland as important heritage, nature conservation and landscape features.
- Seek to minimise potential impacts from agricultural practices (such as run off) on valuable habitats within and fringing Hanningfield Reservoir.

CCC5

Chelmsford City Council

Landscape Sensitivity and Capacity Assessment

Report



March 2017

Amec Foster Wheeler Environment
& Infrastructure UK Limited

13. Rettendon Place

13.1 Local landscape character context

This Study Site is located to the north and east of the small village of Rettendon Place. The entire area lies within the south-western edge of the East Hanningfield Wooded Farmland Landscape Character Area (F12) as described by the Chelmsford LCA 2006 (Chelmsford LCA).

Figure 13.1 illustrates the landscape and visual context of the Study Site. This Study Site has been sub-divided into 4 Land Parcels.

East Hanningfield Wooded Farmland Landscape Character Area (F12)

Key characteristics of relevance to this Study Site and the Land Parcels described below, are:

- ▶ Gently rolling/undulating wooded farmland overlooking the Crouch River channel to the south.
- ▶ Predominantly large arable fields, delineated with very mature treed field 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.
- ▶ Views to wooded horizons and across the Crouch River channel.

The Chelmsford LCA describes this as a gently rolling/ undulating wooded farmland. Field boundaries are noted to be predominantly well stocked with mature trees, although it cites a presence of simple wooden post fences and evidence of boundary loss and hedgerow gapping. Whilst it describes a sense of enclosure associated with the network of tree-lined lanes and patches of mature deciduous/mixed woodland, it does also note the presence of open views across the Crouch River valley (and drained estuarine marsh) that provide a sense of place, open and framed views to wooded horizons (including those within adjoining LCAs), and open views to the urban edges of South Woodham Ferrers. It further describes the sense of tranquillity as being disturbed to the south of the area by activity associated with the A130/A132 road corridors and nearby town of South Woodham Ferrers.

The Chelmsford LCA describes the following planning and land management issues of relevance to the Study Site:

- ▶ Pressure of increased traffic on rural, minor lanes.
- ▶ Potential for visually intrusive development at the fringes of small villages and also South Woodham Ferrers.
- ▶ Noise and visual intrusion associated with the A132 and A130 road corridors.
- ▶ Potential for major road improvements to the A132 and A130.
- ▶ Potential visually intrusive development of new farm buildings.
- ▶ Deterioration and eventual loss of mature woodland, single trees and hedgerows.

The Chelmsford LCA sets out the following sensitivities to change of relevance to the Study Site:

- ▶ Very mature treed field boundaries, ditches and patches of mature deciduous and mixed woodland which are sensitive to changes in land management.
- ▶ Overall sense of tranquillity within parts of the character area (away from main road corridors) and network of narrow lanes are sensitive to change, new development and increased traffic flows.
- ▶ Open views to wooded horizons and also panoramic views across the drained estuarine marsh to the south are sensitive to potential new development interrupting or blocking views.
- ▶ Strong sense of historic integrity resulting from a dispersed historic settlement pattern and presence of several areas of co-axial fields (or ancient origin).

The Chelmsford LCA Landscape Strategy Guidelines sets out to conserve and enhance the landscape through seeking to:

- ▶ Protect and enhance positive features that are essential in contributing to local distinctiveness and sense of place through effective planning and positive land management measures; and
- ▶ Improve the integrity of the landscape and reinforce its character by introducing new/and or enhanced elements where distinctive features or characteristics are absent.

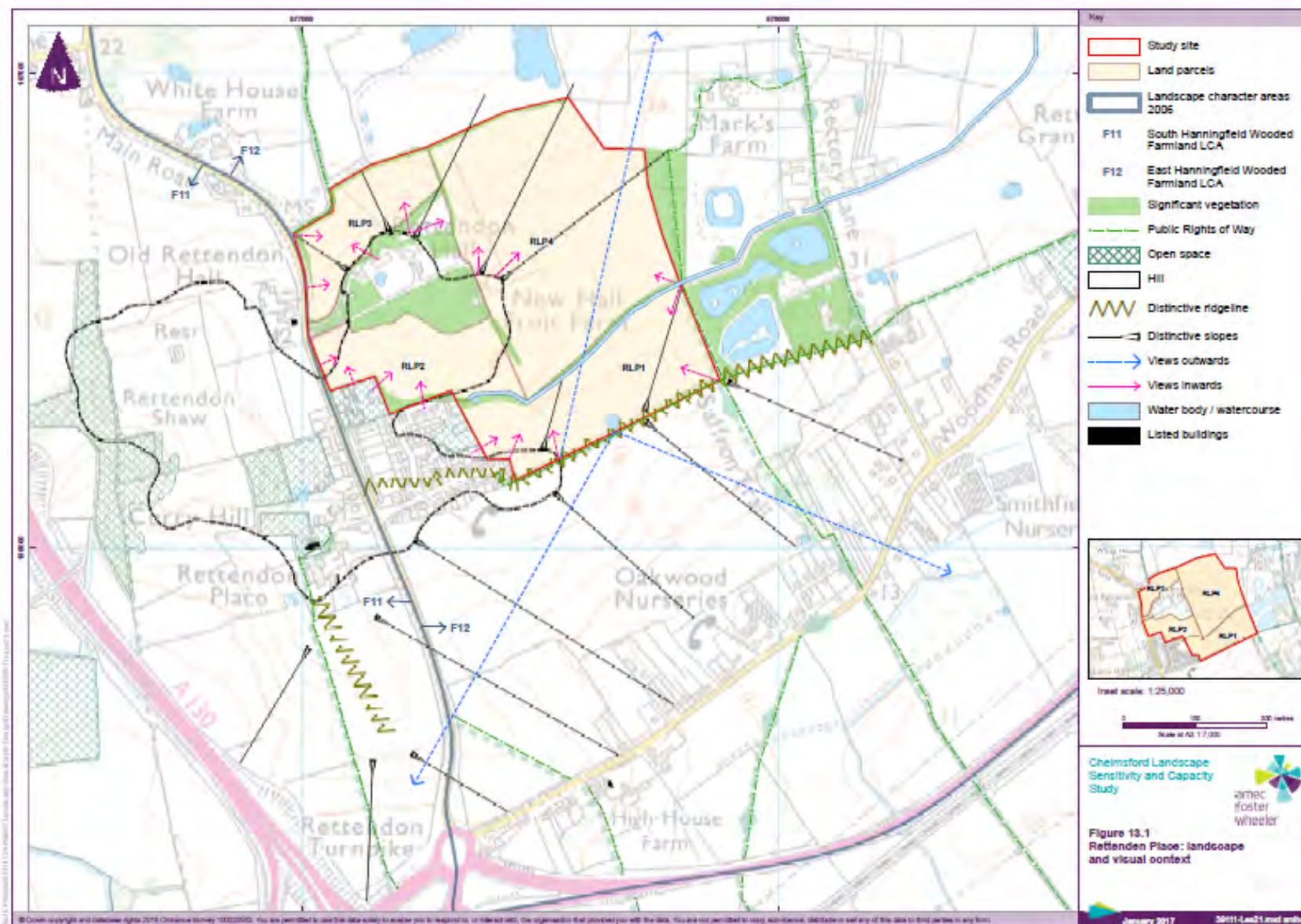
Suggested Planning Guidelines of the Chelmsford LCA of relevance include:

- ▶ Conserve and enhance the landscape settings of small settlements and South Woodham Ferrers.
- ▶ Ensure any appropriate new development responds to historic settlement pattern and uses materials that are appropriate to local landscape character. Such development should be well integrated with the surrounding landscape.
- ▶ Conserve the mostly rural character of the area.
- ▶ Conserve open views across the areas and to adjacent LCAs and open views across the Crouch River channel.
- ▶ Seek to screen visual detractors (such as the A130 and A132 road corridors with shelterbelts).
- ▶ Seek to minimise the impact of visually intrusive new development on the wooded slopes.

Suggested Land Management Guidelines of relevance include:

- ▶ Conserve and manage the existing mature hedgerow network.
- ▶ Conserve, manage and enhance woodland (semi-natural and ancient) and patches of woodland (consider use of traditional methods i.e. coppicing and pollarding).
- ▶ Conserve historic lanes.
- ▶ Plant half-standard trees within field boundaries to succeed over mature trees.

Figure 13.1 Rettendon Place Landscape and Visual Context



13.2 Land Parcel RPLP1

Land Parcel Location

Land Parcel RPLP1 is located immediately to the east of Rettendon Place with open countryside to the north, east and south.



Local Landscape Character Description

The area forms a part of the East Hanningfield Wooded Farmland Landscape Character Area (F12), as defined by the Chelmsford LCA. It consists of an elevated large scale arable field that has some characteristics in common with the host LCA such as large arable fields, rolling landform and open views to wooded horizons and across the River Crouch estuary. It is located on a ridgeline that extends eastwards from the existing settlement edge and Curry Hill. The highest part of the ridgeline is located within the southern edge of the area, with landform gently sloping to the north and east and falling away sharply in the north-eastern corner.

Visual Context and Characteristics

The land is predominantly very open due to its elevated location and has a strong visual relationship with the wider countryside to the north, north-east and south (including views across the River Crouch estuary). Only the north-eastern part is visually contained (occupying lower lying landform and adjoining woodland) but this is confined to a small area that is remote from the settlement. Overall the area is highly visible from PROWs within and adjoining the parcel (including the Saffron Trail), the existing settlement edge (residential properties and POS) within the immediate vicinity and from a large number of properties located within the wider settled countryside.

Landscape Sensitivity to Development

As noted above, this area contains elements/ features that are typical of character. Whilst it has a recognisable and intact character, modern development has a detractive influence across the western parts of the area and there is some evidence of decline/ degradation. The area adjoins a settlement edge

consisting of rear garden fencing, sheds and occasional shrubs and do not form a clearly defined boundary feature and have a detractive influence (decreasing eastwards). Semi-natural habitats are limited to a small pond and hedgerows although these elements are declining in condition (fragmented, unmanaged and removed hedgerows and remnant hedgerow trees). The land parcel is judged to be of low to moderate landscape character sensitivity.

Visual Sensitivity to Development

Due to its elevated and sloping landform the area is very open with high levels of inter-visibility. High numbers of public and private views are likely to be available from both the immediate vicinity and wider area to the north, north-east and south.

Despite openness and high visibility, the strong detractive influence of the existing hard/ poor quality built edge of the existing settlement moderates the degree of visual sensitivity within the western part of this rectilinear field. It is judged that development within the western edge of the area would be visible but would not lead to unacceptable visual intrusion with the implementation of a positive new settlement edge (softened and well integrated into the countryside). However, whilst sensitivity is reduced within the western edge of the area, the influence of the existing settlement edge reduces further east (i.e. within the central and eastern parts of the area). Here development would be uncharacteristically conspicuous within the predominantly open and elevated farmed landscape and could not be successfully mitigated (i.e. would undermine landscape character). The land parcel is judged to be of high visual sensitivity.

Landscape Value

The land parcel is judged to be of moderate value. This is an area of ordinary non-designated landscape with an intact and recognisable character (with evidence of decline/ degradation) and moderate or ordinary aesthetic appeal (with attractive views across the wider countryside including the River Crouch estuary, and detractive influence of settlement edge to the west). There are few nature conservation interests (associated with hedgerows, mature hedgerow trees) and moderate recreational value associated with PROWs within and adjoining the parcel.

Table 13.1 Overall Sensitivity and Value Summary Table for Land Parcel RPLP1

Landscape Character Sensitivity	
1 Representativeness of character	Moderate – contains some landscape elements/ features that are representative of typical character including open panoramic views across the River Crouch estuary.
2 Condition of elements and features	Low – elements/ features (hedgerows) are in declining/ degraded condition.
3 Nature and complexity of landform	Moderate – rolling/ gently undulating and simple natural landform.
4 Scale and pattern of landscape	Moderate – medium to large scale landscape with simple patterns.
5 Historic features and sense of time-depth	Low to Moderate – limited presence of historic landscape elements/ features (hedgerow trees and adjoining woodland) and limited sense of time-depth (undermined by fragmentation/removal of hedgerows, and the influence of modern development).
6 Presence of natural elements	Low to Moderate – limited presence of semi-natural habitats associated with hedgerow network and small pond.
7 Type of existing development	Low to Moderate – modern development has a strong detractive influence across western parts of the area (settlement edge); reducing eastwards.
8 Relationship to settlement edge	Low – adjoins hard built edge of the settlement.

Visual Sensitivity	
1 Openness and inter-visibility	High – predominantly very open due to its elevated location and has a strong visual relationship with the wider countryside to the north, north-east and south (including views across the River Crouch estuary). Only the north-eastern part is visually contained (occupying lower lying landform and adjoining woodland) but this is confined to a small area that is remote from the settlement.
2 Views available	High – the area is highly visible from PRoWs (including the Saffron Trail), the existing settlement edge (residential properties and POS) within the immediate vicinity and from a large number of people located within the wider settled countryside.
3 Potential for mitigation	Moderate to High – within the central and eastern parts development would be uncharacteristically conspicuous and could not be successfully mitigated (i.e. would undermine landscape character). Within the western edge, the strong detractive influence of the existing hard/ poor quality built edge of the existing settlement moderates the degree of visual sensitivity. Here development would be visible but would not lead to unacceptable visual intrusion with the implementation of a positive new settlement edge (softened and well integrated into the countryside).
Landscape Value	
1 Distinctiveness of character	Moderate – contains landscape/ features that are typical of character but not particularly valued or supported through designation.
2 Quality and condition of elements and features	Moderate – recognisable and intact character (dominated by distinctive landform); hedgerows are declining (i.e. fragmented, unmanaged and removed). The Chelmsford LCA aims for conservation and enhancement.
3 Scenic value and aesthetic appeal	Moderate – moderate or 'ordinary' aesthetic appeal associated with attractive elevated panoramic views across open countryside and the River Crouch valley; aesthetic appeal and scenic qualities are slightly undermined by the detractive influence of the settlement edge to the west and views of pylons.
4 Presence of cultural, historic or nature conservation associations	Low - few nature conservation features (hedgerows and small pond).
5 Recreational opportunities	Moderate – PRoWs on the southern and eastern edges (including the Saffron Trail long distance recreational route).
6 Levels of tranquillity	Low to Moderate – some interruption/infringement; visual intrusion/ impingement by the hard settlement edge (decreasing eastwards) and views of pylons.

Conclusions on Overall Landscape Sensitivity and Landscape Capacity

The area is judged to be of low to moderate overall landscape sensitivity and moderate value with low to medium landscape capacity to accommodate low rise residential and employment development. Studies have identified potential for limited amount of built development within the western edge of the area due to the strong influence of existing hard/ poor quality built edge of the existing settlement which moderates sensitivity. Within this western edge, capacity is subject to careful siting/ design of development and the implementation of a positive new eastern settlement edge and landscape framework consisting of hedgerows, hedgerow trees and woodland in keeping with the character of the landscape. Key characteristics / qualities to be safeguarded, recommendations for mitigation and guidelines are:

- Avoid built development within the central and eastern parts of the area.
- Residential properties on the settlement edge – implement physical and green buffers to minimise impact on views and visual character of these properties.

- Implement a positive new eastern settlement edge (softened and well integrated into the countryside).
- Retain and strengthen existing boundary hedgerows to the north with new hedgerows and tree planting (hedgerow trees/ copses).
- Public Rights of Way – retain and implement physical and green buffers to minimise impacts on views and visual character.

Table 13.2 Summary Table for Land Parcel RPLP1

Land Parcel	Landscape Character Sensitivity	Visual Sensitivity	Overall Landscape Sensitivity	Landscape Value	Overall Landscape Capacity
RPLP1	L – M	H	H	M	L - M

13.3 Land Parcel RPLP2

Land Parcel Location

Land Parcel RPLP2 is located immediately to the north of Rettendon Place and to the east of Main Road²⁰.



Local Landscape Character Description

The area forms a part of the East Hanningfield Wooded Farmland Landscape Character Area (F12), as defined by the Chelmsford LCA. It consists of a single elevated large scale arable field. It has some characteristics in common with the host LCA such as large arable fields, rolling/ gently undulating landform and views towards wooded horizons. It forms a part of an elevated area that extends north-eastwards from the settlement and the Curry Hill landform; with landform rising eastwards to a high point located within the eastern part of the area.

Visual Context and Characteristics

This area is predominantly visually well-contained by hedgerows, trees, shrubs providing a degree of visual enclosure to the north, west and south. Although there is a more open aspect to the east associated with rising landform within the area and limited vegetation on the eastern boundary.

The area is visible from the existing settlement edge (residential properties and school to the south), residential properties associated with Rettendon Hall and New Hall Fruit Farm (to the north), Main Road (to the west) within the immediate vicinity and PRoWs (including the Saffron Trail) to the east. Views of the elevated parts of the area may be possible from properties located within the wider settled countryside.

²⁰ There is no public access to this land and observations were made from surrounding roads/PRoW

Landscape Sensitivity to Development

As noted above, the area has some elements/ features that are typical of character; and its character is intact and recognisable. This area adjoins the northern edge of the settlement with hedgerows, fencing and buildings associated with the school forming an inconsistent boundary and detractive influence. Semi-natural habitats are limited to a small pond, vegetation along a small valley feature and boundary hedgerows; these are in moderate condition with evidence of decline (under managed and thinning hedgerows and unused part of field). There is a limited presence of historic landscape elements/ features (hedgerows, pond and valley) and some sense of time-depth (undermined by the presence of modern development and busy road). The land parcel is judged to be of moderate landscape character sensitivity.

Visual Sensitivity to Development

Due to a combination of elevation/ plateauing hill formation and the intermittent presence of vegetation (to the west, north and south); the area is partially open with moderate degrees of inter-visibility. There are a low to moderate number of public and private views. Development would be reasonably conspicuous although could be successfully mitigated (through careful siting/ design of development to avoid elevated areas and the implementation/ enhancement of hedgerows and woodland in keeping with the character of the adjoining landscape. The land parcel is judged to be of moderate visual sensitivity.

Landscape Value

The land parcel is judged to be of low value. This is an area of ordinary non-designated landscape with an intact and recognisable character and moderate or ordinary aesthetic appeal. However there are some detractive influences associated with the school to the south and the decline in landscape condition, there are few nature conservation interests (associated with a small pond, vegetation along a small valley feature and boundary hedgerows) and no public access.

Table 13.3 Overall Sensitivity and Value Summary Table for Land Parcel RPLP2

Landscape Character Sensitivity	
1 Representativeness of character	Moderate – contains some landscape elements/ features that are representative of typical character.
2 Condition of elements and features	Low to Moderate – elements/ features are in declining/ degraded condition (under managed and thinning hedgerows and unused part of field).
3 Nature and complexity of landform	Moderate – gently undulating and simple natural landform.
4 Scale and pattern of landscape	Moderate – medium to large scale landscape with simple patterns.
5 Historic features and sense of time-depth	Low to Moderate – limited presence of historic landscape elements/ features (hedgerows, pond and valley) and limited sense of time-depth (undermined by fragmentation/ removal of hedgerows, and the influence of modern development).
6 Presence of natural elements	Low to Moderate – limited presence of semi-natural habitats associated with hedgerow network and small pond.
7 Type of existing development	Low to Moderate – modern development has a strong detractive influence across western parts of the area; reducing eastwards.
8 Relationship to settlement edge	Low – adjoins hard built edge of the settlement.

Visual Sensitivity	
1 Openness and inter-visibility	Moderate – the area is partially open with moderate degrees of inter-visibility. Hedgerows, trees, shrubs providing a degree of visual enclosure to the north, west and south. Although there is a more open aspect to the east associated with rising landform within the area and limited vegetation on the eastern boundary.
2 Views available	Moderate – there are a low to moderate number of public and private views within the immediate vicinity (from the existing settlement edge (residential properties and school), residential properties associated with Rettendon Hall and New Hall Fruit Farm, Main Road and PRowS (including the Saffron Trail)). Views of the elevated parts of the area may be possible from the wider countryside.
3 Potential for mitigation	Moderate - development would be reasonably conspicuous although could be successfully mitigated (through careful siting/ design of development to avoid elevated areas and the implementation/ enhancement of hedgerows and tree cover in keeping with the character of the adjoining landscape.
Landscape Value	
1 Distinctiveness of character	Moderate – contains landscape/ features that are typical of character but not particularly valued or supported through designation.
2 Quality and condition of elements and features	Low to Moderate – recognisable and intact character evidence of decline (under managed and thinning hedgerows and unused part of field). The Chelmsford LCA aims for conservation and enhancement.
3 Scenic value and aesthetic appeal	Low to Moderate – moderate or ‘ordinary’ aesthetic appeal (reasonably attractive views across open field); aesthetic appeal and scenic qualities are slightly undermined by detractive influences associated with the school / modern residential development to the south/ east and the decline in landscape condition.
4 Presence of cultural, historic or nature conservation associations	Low - few nature conservation features (hedgerows and small pond).
5 Recreational opportunities	Low – no public access.
6 Levels of tranquillity	Low to Moderate – visual intrusion/ impingement by the hard settlement edge (school and modern residential properties); and noise levels associated with Main Road.

Conclusions on Overall Landscape Sensitivity and Landscape Capacity

The area is judged to be of moderate overall landscape sensitivity and low value with a medium to high landscape capacity to accommodate low rise residential and employment development due to its relationship with the settlement edge and the degree of visual enclosure (provided by vegetation and landform across the majority of the area). Here capacity is subject to careful siting/ design of development and the retention/ implementation/ enhancement of hedgerows, hedgerow trees and woodland in keeping with the character of the landscape and village edge. Key characteristics / qualities to be safeguarded, recommendations for mitigation and guidelines are

- Implement design that responds to the sensitivities associated with the more elevated eastern parts of the area and avoids visual intrusion of built development in the surrounding area.
- Retain and strengthen existing boundary hedgerows with new hedgerow and tree planting (hedgerow trees / small woods / copses).

- Existing settlement edge (residential properties and school) - implement physical and green buffers to minimise impact on views.
- Main Road - retain existing hedgerow and hedgerow trees to minimise impact on rural qualities of the road on its approach into the settlement.
- Provide a positive new northern and eastern settlement edge (softened and well integrated into the countryside).

Table 13.4 Summary Table for Land Parcel RPLP2

Land Parcel	Landscape Character Sensitivity	Visual Sensitivity	Overall Landscape Sensitivity	Landscape Value	Overall Landscape Capacity
RPLP2	M	M	M	L	M - H

13.4 Land Parcel RPLP3

Land Parcel Location

Land Parcel RPLP3 is located to the east of Main Road and north of Rettendon Hall²¹.



Local Landscape Character Description

The area forms a part of the East Hanningfield Wooded Farmland Landscape Character Area (F12), as defined by the Chelmsford LCA. It consists of two small to medium scale fields (comprising a formal/ amenity grassed area and an area of rough grassland assumed to be pasture/paddock) and is located on steeply sloping landform associated with Curry Hill. It has few characteristics in common with the host LCA such as pockets of pasture/ paddocks, rolling landform, mature treed field boundaries and views to wooded horizons.

Visual Context and Characteristics

Located on north facing slopes of Curry Hill, this area is predominantly very open to views from the wider countryside to the north and north-east, with hedgerows and tree cover on its boundaries and within the immediate vicinity restricting views of the lower parts of the area.

²¹ There is no public access to this land and observations were made from surrounding roads/PRoW

Within the immediate vicinity, public and private views are available from Main Road on its elevated approach into the settlement (where it forms a noticeable landscape feature), a PRow to the north; and a number of isolated/ groups of residential properties associated with Rettendon Hall and along Main Road. Due to its elevation there is a high potential for views from the wider settled countryside to the north

Landscape Sensitivity to Development

As noted above, this area has some elements/ features in common with typical character. Its character is intact and recognisable with its landform forming a distinctive feature to the north of Rettendon Hall. It is detached from the settlement edge and development within the immediate vicinity (associated with Rettendon Hall) is both typical of, and make a positive contribution to character. Semi-natural habitats are limited to boundary hedgerows/ trees; these are in moderate condition with some evidence of decline (undermanaged and thinning hedgerows). There is a limited presence of historic landscape elements/ features (hedgerows) and a strong sense of time-depth associated with adjoining Workhouse Lane and Rettendon Hall. The land parcel is judged to be of moderate to high landscape character sensitivity.

Visual Sensitivity to Development

Whilst there is a degree of visual enclosure within the lower lying part of the area; the majority of the area is steeply sloping and elevated. Overall the area is very open with high levels of inter-visibility. There are moderate to high numbers of public views which reflects the potential for views from the wider settled countryside to the north. Development would be uncharacteristically conspicuous within the predominantly open and elevated farmed landscape and could not be successfully mitigated (i.e. would undermine landscape character and distinctive features associated with the settlement). Overall this land parcel is judged to be of high visual sensitivity.

Landscape Value

The land parcel is judged to be of moderate value. This is an area of ordinary non-designated landscape with an intact and recognisable character (with evidence of decline/degradation) and moderate or ordinary aesthetic appeal (with reasonably attractive views across the wider countryside). There are few nature conservation interests (associated with boundary hedgerows/ trees) and no public access.

Table 13.5 Overall Sensitivity and Value Summary Table for Land Parcel RPLP3

Landscape Character Sensitivity	
1 Representativeness of character	High – contains some landscape elements/ features that are representative of typical character.
2 Condition of elements and features	Low to Moderate – elements/ features are in moderate condition with some evidence of decline (undermanaged and thinning hedgerows).
3 Nature and complexity of landform	High – steeply sloping but natural landform.
4 Scale and pattern of landscape	Moderate – medium scale landscape with simple patterns.
5 Historic features and sense of time-depth	Moderate to High – presence of historic landscape elements/features (hedgerows) and strong sense of time-depth (associated with adjoining Workhouse Lane and Rettendon Hall).
6 Presence of natural elements	Moderate – limited presence of semi-natural habitats associated with hedgerows/ hedgerow trees.
7 Type of existing development	High – development within the immediate vicinity is typical of character and make a positive contribution to character.
8 Relationship to settlement edge	High – remote from the settlement.

Visual Sensitivity	
1 Openness and inter-visibility	High – predominantly very open with high levels of inter-visibility; degree of visual enclosure within the lower lying part of the area.
2 Views available	Moderate to High – moderate to high numbers of public and private views which reflects the potential for views from the wider settled countryside to the north.
3 Potential for mitigation	High - development would be uncharacteristically conspicuous within the predominantly open and elevated farmed landscape and could not be successfully mitigated (i.e. would undermine landscape character and distinctive features associated with the settlement).
Landscape Value	
1 Distinctiveness of character	Moderate – contains landscape/ features that are typical of character but not particularly valued or supported through designation.
2 Quality and condition of elements and features	Moderate – recognisable and intact character evidence of decline (under managed and thinning hedgerows). The Chelmsford LCA aims for conservation and enhancement.
3 Scenic value and aesthetic appeal	Moderate – moderate or 'ordinary' aesthetic appeal (attractive views across wider settled countryside).
4 Presence of cultural, historic or nature conservation associations	Moderate – limited nature conservation features (hedgerows and hedgerow trees).
5 Recreational opportunities	Low – no public access.
6 Levels of tranquillity	Moderate – some interruption by noise levels associated with Main Road.

Conclusions on Overall Landscape Sensitivity and Landscape Capacity

The area is judged to be of high overall landscape sensitivity and moderate value with a low to medium landscape capacity to accommodate low rise residential and employment development. It is judged that development would be less appropriate/ difficult to accommodate without undermining landscape character.

Table 13.6 Summary table for Land Parcel RPLP3

Land Parcel	Landscape Character Sensitivity	Visual Sensitivity	Overall Landscape Sensitivity	Landscape Value	Overall Landscape Capacity
RPLP3	M - H	H	H	M	L - M

13.5 Land Parcel RPLP4

Land Parcel Location

Land Parcel RPLP4 is located to the east of Rettendon Hall, to the north of RPLP1 and within area of open countryside²².



Local Landscape Character Description

The area forms a part of the East Hanningfield Wooded Farmland Landscape Character Area (F12), as defined by the Chelmsford LCA. It consists of a single very large arable field (with an area of unused/ set-aside land) that occupies the north-eastern/ eastern slopes of the Curry Hill landform. It has some characteristics in common with the host LCA such as rolling/ gently undulating landform, large arable field and views to wooded horizons.

Visual Context and Characteristics

Located on the north-eastern/ eastern slopes of the Curry Hill landform, this area is predominantly very open with potential for views from the wider countryside to the north and north-east. Only the eastern part is visually contained, occupying lower lying landform and at times adjoining woodland. However this is confined to a small area that is remote from the settlement.

Public access within the area adjoining is limited although due to its elevated and sloping landform there is potential for views from the wider settled countryside to the north and north east. Private views are likely to be available to residential properties associated with Rettendon Hall and also from within the wider area.

Landscape Sensitivity to Development

As noted above, the area has some elements/ features in common with typical character; and its character is recognisable and largely intact with some evidence of decline. It is remote from the settlement edge and development within the immediate vicinity is typical of character. Semi-natural habitats are limited to hedgerows and remnant hedgerow trees. These elements are declining in condition; with fragmented,

²² There is no public access to this land and observations were made from surrounding roads/PRoW

unmanaged and removed hedgerows, remnant hedgerow trees and an area of unused/ set-aside field). There is a limited presence of historic landscape elements/ features (hedgerows) and some sense of time-depth (associated with adjoining Rettendon Hall and woodland). The land parcel is judged to be of moderate landscape character sensitivity.

Visual Sensitivity to Development

Due to sloping landform, the large scale of the field and the absence of screening vegetation; this area is very open with high levels of inter-visibility. The area has potential to be visible to the wider settled countryside. Development would be uncharacteristically conspicuous within the predominantly open and elevated farmed landscape and could not be successfully mitigated (i.e. would undermine landscape character). The land parcel is judged to be of high visual sensitivity.

Landscape Value

Overall the landscape is judged to be of moderate value. This is an area of ordinary non-designated landscape with an intact and recognisable character (with evidence of decline/ degradation) and moderate or ordinary aesthetic appeal (with reasonably attractive views across the wider countryside). There are few nature conservation interests (associated with hedgerows and hedgerow trees) and moderate recreational value with adjoining PRow.

Table 13.7 Overall Sensitivity and Value Summary Table for Land Parcel RPLP4

Landscape Character Sensitivity	
1 Representativeness of character	Moderate – contains some landscape elements/ features that are representative of typical character.
2 Condition of elements and features	Low to Moderate – elements/features (hedgerows/ unused part of field) are in declining/ degraded condition.
3 Nature and complexity of landform	Moderate – rolling/ gently undulating and simple natural landform.
4 Scale and pattern of landscape	Moderate – medium to large scale landscape with simple patterns.
5 Historic features and sense of time-depth	Moderate – limited presence of historic landscape elements/features (hedgerow trees and adjoining Rettendon Hall and woodland) and limited sense of time-depth (undermined by fragmentation/ removal of hedgerows, and the influence of modern development).
6 Presence of natural elements	Moderate – limited presence of semi-natural habitats associated with hedgerow network; adjoining woodland.
7 Type of existing development	Moderate – development present/adjoining is typical of character (farm/ hall)
8 Relationship to settlement edge	High – area is remote from the settlement edge.
Visual Sensitivity	
1 Openness and inter-visibility	High – this area is predominantly very open with potential for views from the wider countryside to the north and north-east; with the eastern part visually contained (occupying lower lying landform and at times adjoining woodland).
2 Views available	High – the area has potential to be highly visible from the wider settled countryside.

3 Potential for mitigation	High – Development would be uncharacteristically conspicuous within the predominantly open and elevated farmed landscape and could not be successfully mitigated (i.e. would undermine landscape character).
Landscape Value	
1 Distinctiveness of character	Moderate – contains landscape/ features that are typical of character but not particularly valued or supported through designation.
2 Quality and condition of elements and features	Moderate – recognisable and intact character (dominated by landform); with evidence of decline (evidence of fragmented, unmanaged and removed hedgerows and remnant hedgerow trees) and area of unused field. The Chelmsford LCA aims for conservation and enhancement.
3 Scenic value and aesthetic appeal	Moderate – moderate or 'ordinary' aesthetic appeal associated with attractive elevated views across open countryside.
4 Presence of cultural, historic or nature conservation associations	Low to Moderate – limited nature conservation features (hedgerows and hedgerow trees).
5 Recreational opportunities	Low – no public access.
6 Levels of tranquillity	High – high degree of remoteness/ peacefulness associated with this area (part of wider settled countryside).

Conclusions on Overall Landscape Sensitivity and Landscape Capacity

The area is judged to be of high overall landscape sensitivity and moderate value with a low to medium landscape capacity to accommodate low rise residential and employment development.

Table 13.8 Summary table for Land Parcel RPLP4

Land Parcel	Landscape Character Sensitivity	Visual Sensitivity	Overall Landscape Sensitivity	Landscape Value	Overall Landscape Capacity
RPLP4	M	H	H	M	L - M

Figure 13.2 Rettendon Place: Landscape Sensitivity

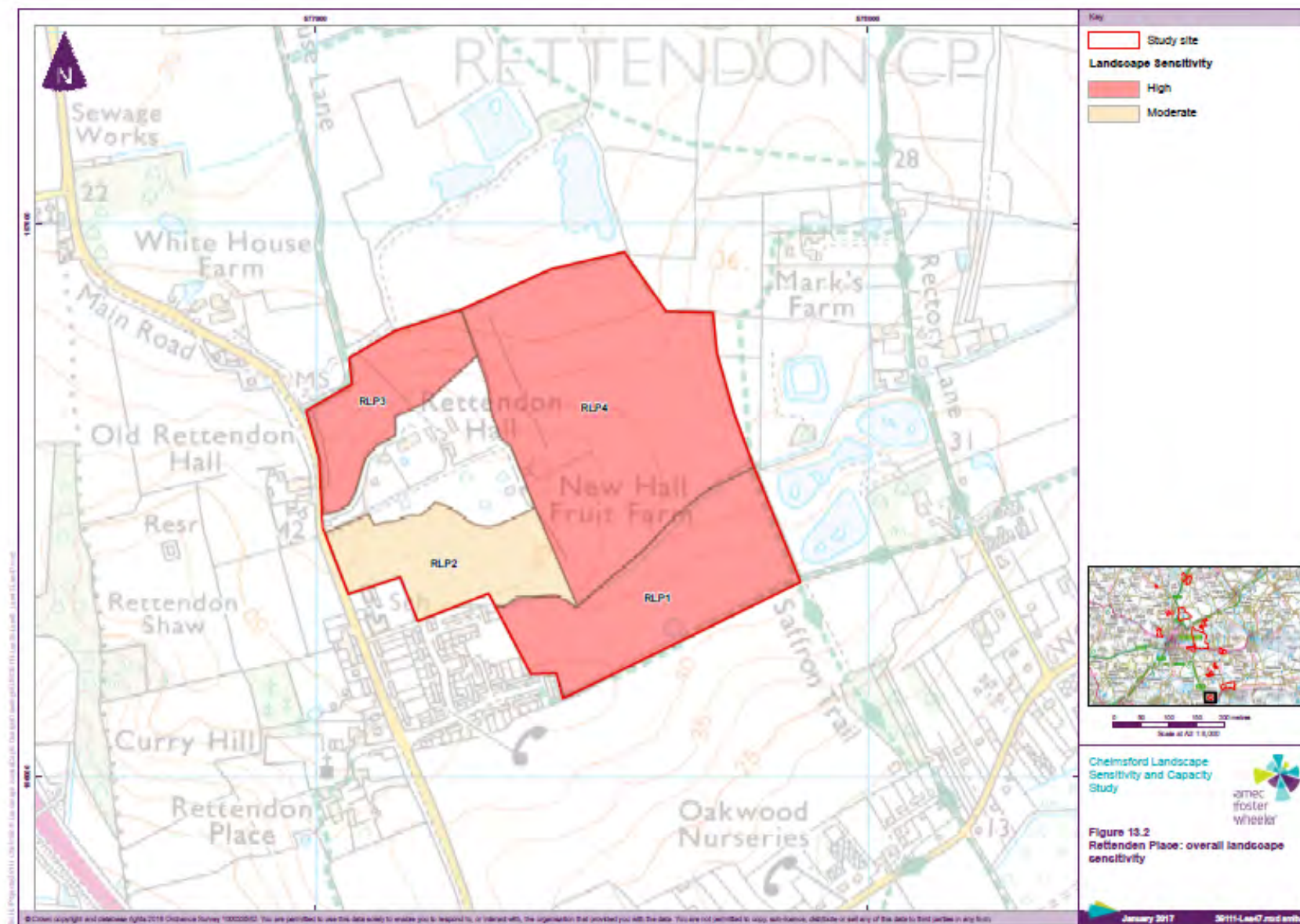
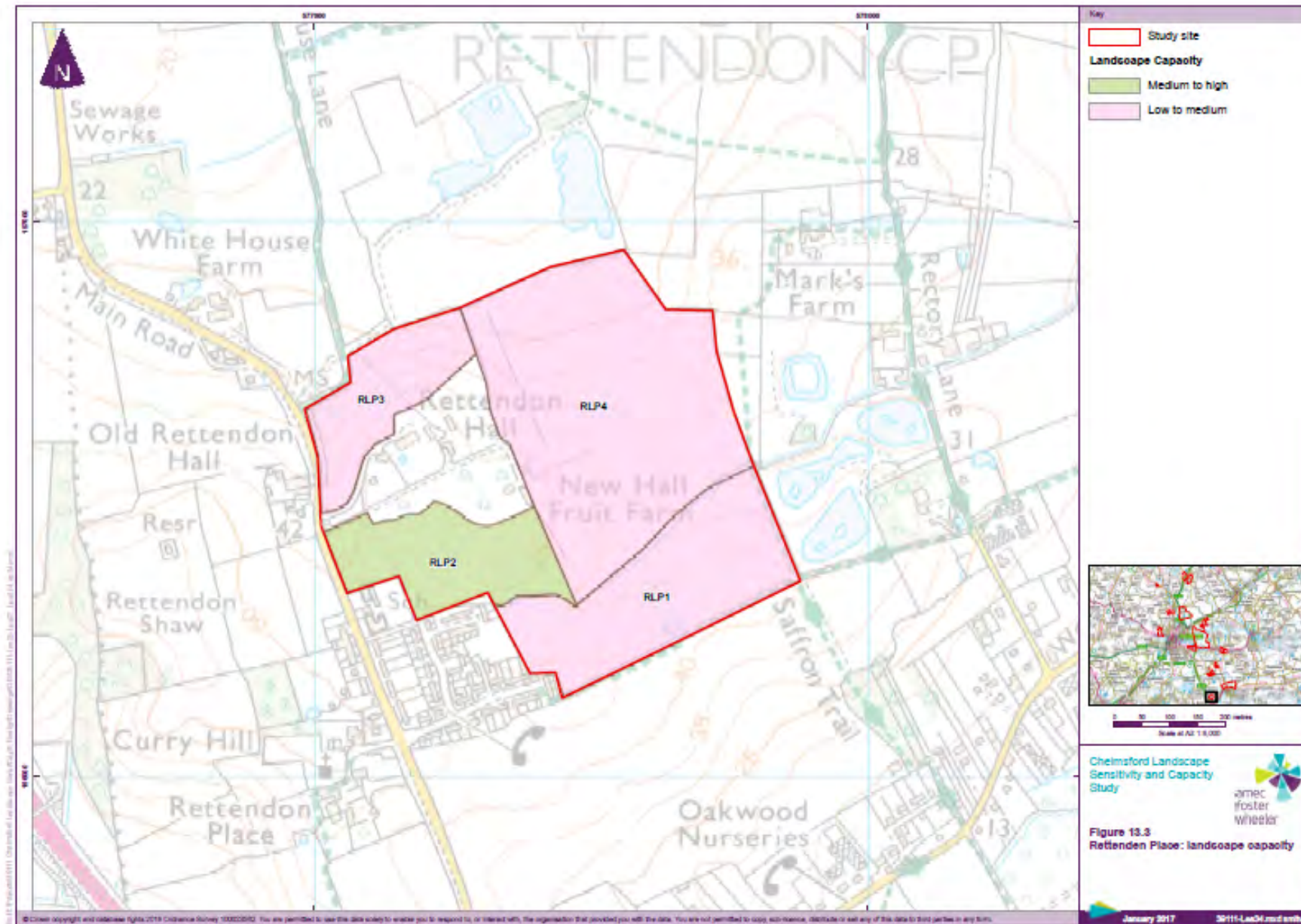


Figure 13.3 Rettendon Place: Landscape Capacity



CCC6

A stylized graphic of a tree with a grey trunk and branches, and several green leaves with white outlines, positioned on the left side of the page.

Chelmsford Local Plan Solar Farm Development Supplementary Planning Document

November 2021



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I - Introduction

I.1 Renewables now account for over one third of UK electricity generation, up from seven 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 the increased use of clean electricity replacing gas for heating. The Government have also committed to closing all coal fired power stations no later than 2025. As a result, electricity could provide more than half of final energy demand in 2050, up from 17% in 2019. This would require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of the Government's target to cut greenhouse gas emissions (compared to 1990 levels) in the UK by 100% by 2050 ⁽¹⁾.

I.2 The Government expects future low-cost, net zero consistent electricity to be made up of predominantly onshore 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, including nuclear, clean hydrogen and long-duration storage ⁽²⁾. The Government's 'Energy White Paper – Powering our Net Zero Future' published in December 2020 states that sustained growth in the capacity of solar and onshore and offshore wind will be needed in the next decade to ensure the country is on the path to a low-cost, clean electricity system by 2050.

I.3 The Climate Change Committee, the UK Government's independent advisor on emissions targets and climate change, published their 'The Sixth Carbon Budget: The UK's path to Net Zero' in December 2020. This sets out the actions the UK will need to take to achieve net-zero emissions by 2050. The report highlights that a portfolio of zero and low-carbon energy generating technologies will be needed to meet future electricity demands including expanding new solar generating technology capacity by 3,000MW on average every year to 2030 and beyond.

1 Energy White Paper – Powering our Net Zero Future, HM Government December 2020

2 Energy White Paper – Powering our Net Zero Future, HM Government December 2020



2- Principle of Major Solar Energy

2.1 The Council's Climate and Ecological Emergency Declaration in July 2019 seeks to focus attention on reducing carbon and greenhouse gas emissions in the area and to plan for a more sustainable future. CCC recognises that solar energy development can help meet targets for reducing carbon emissions, reduce reliance on fossil fuels and provide local energy security. They can also contribute to sustainable agriculture providing an income stream for farmers and landowners, provide benefits to local ecosystems and wildlife and support local employment opportunities. CCC supports the principle of solar energy development provided the environmental impacts can be appropriately managed through the planning application process.

Figure 1 Mounted Solar Panels (Source: Ulrich Dregler from Pixabay)





3- Purpose of this Supplementary Planning Document

3.1 This Supplementary Planning Document (SPD) provides guidance on:

- National planning policy and guidance and local planning policy relevant to major stand-alone ground mounted solar PV modules (or “solar farm”) developments
- Local guidance on preparing and submitting planning proposals for solar farm proposals and how planning applications will be considered in light of national and local policy requirements
- How solar farm developments should be assessed including issues such as landscape sensitivity, heritage, glint and glare, residential amenity, traffic, and biodiversity, and how impacts should be mitigated
- An overview of the standards required for solar farm developments proposed in Chelmsford to help ensure that the local area and communities are able to benefit as much as possible from solar farm development in Chelmsford
- Advice on Environmental Impact Assessments (EIA) and undertaking community consultation
- Practical information on studies and supporting information to be submitted alongside planning proposals, and
- An overview of locations considered to be preferred areas of search for solar farm proposals and the locations considered to be unsuitable or highly sensitive for solar farm development in Chelmsford.

3.2 Major solar farm proposals are those with a site area of 1 hectare or above, as defined in the Town and Country Planning (Development Management Procedure) England Order 2010. All solar farm planning applications of less than 50MW in CCC’s administrative area would be determined by the Council. Larger scale solar farms of 50MW or greater are considered as a ‘Nationally Significant Infrastructure Project’ and are determined by the Secretary of State for Business, Energy & Industrial Strategy through a Development Consent Order once the Planning Inspectorate has conducted an examination and made a recommendation.

3.3 By law, planning applications must be determined in accordance with the development plan unless there are material considerations that indicate otherwise (section 38(6) of the Planning and Compulsory Purchase Act 2002). Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved. This SPD builds upon and provides more detailed advice or guidance on relevant policies in the Local Plan and is a material consideration in the determination of solar farm planning applications in the Council’s area. It is intended to be used by, among others, solar farm applicants, Council planners, local stakeholders, and communities. The Council is consulted by the Planning Inspectorate on Nationally Significant Infrastructure Projects (NSIP) in its area and will use this SPD to help determine its response. This SPD also supports the implementation of renewable energy policies in the Chelmsford Local Plan 2013-2036 and the Council’s Climate and Ecological Emergency Action Plan, published in January 2020.



3.4 This guidance does not identify any preferred sites for solar farm development or cover planning advice for smaller building mounted solar energy systems which is provided in the Making Places SPD.

3.5 Chelmsford City Council (CCC) strongly encourages applicants to engage early with the Council and to seek pre-application advice ahead of submitting a planning application or Development Consent Order for a solar farm. Further information on how to access pre-application advice can be found at [Request planning advice - Chelmsford City Council](#). The Council will seek a Planning Performance Agreement (PPA) with the applicants of Nationally Significant Infrastructure solar farm projects to enable it to provide effective and timely planning advice throughout the Development Consent Order process. In appropriate cases, a PPA may be sought as part of a planning application. Details will be confirmed with the applicant as part of the pre-application process.

3.6 Pre-application advice should also be sought from Essex County Council (ECC) statutory roles as highway and transport authority; Minerals and Waste Planning Authority (MWPA); Lead Local Flood Authority (LLFA); and lead advisors on public health. ECC also provides pre-application advice on other community infrastructure matters, including education. Further information, including charges is available at [Planning Advice Guidance \(essex.gov.uk\)](#). In addition, ECC has produced a model PPA to outline the offer and to assist partners in this process. Charges for community infrastructure enquiries are also detailed in the ECC Developer's Guide to Infrastructure Contributions.



4- Status

4.1 A draft of this Solar Farm Development SPD was published for four weeks public consultation from 18 May to 15 June 2021. Feedback received was used to inform this final adopted version of the SPD.

Figure 2 View of Solar Arrays (Source: AB27 from Pixabay)





5- Policy Context

5.1 Proposals for the development of solar farms will be assessed against relevant national and local planning policies, including National Planning Policy Statements (NPS), National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the statutory Development Plans for CCC's area.

5.2 The emerging Environment Bill is expected to put the 25-year Environment Plan into law and create a statutory framework for environmental principles. The Bill is expected to include ambitious legislative measures to take direct action to address environmental priorities including biodiversity net gain, restoration and enhancement of nature, improving air quality, tackling climate change, waste and resource efficiency, and water resource management to enable the government to be taking account on its commitment to reach net zero emissions by 2050.

National Policy

5.3 The overarching National Policy Statement for Energy (NPS EN-1) and National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) set out national policy for the delivery of nationally significant energy infrastructure, including renewable energy although neither explicitly covers solar powered electricity generation or battery storage. The NPS's set out assessment principles for judging impacts of energy projects and are material considerations when considering development proposals. The National Policy Statement for Electricity Networks Infrastructure (NPS EN-5) may also be relevant where new overhead electricity lines and associated infrastructure are proposed.

5.4 The NPPF talks generally about renewables within the context of planning for climate change and makes no specific reference to solar farms. It favours sustainable energy systems as long as any impacts are (or can be) made acceptable, and that local planning authorities should approach these as part of a positive strategy for tackling climate change. The NPPF, paragraph 158 states that when determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.



5.5 The NPPF, paragraph 151 outlines that many renewable energy projects will comprise inappropriate development in the Green Belt. As such, applicants of solar farms in the Green Belt would need to demonstrate very special circumstances in order to be approved. The NPPF states that such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

5.6 The NPPG outlines guidance on the specific planning considerations that relate to large scale ground-mounted solar PV farms. It states that one consideration amongst others should be whether land is being used effectively; recommending that large scale solar farms are focused on previously developed and non-agricultural land.

Local Planning Policy

5.7 When assessing a planning application for a solar farm the Council will also assess the proposal against relevant adopted local planning policies and guidance. These include:

- Chelmsford Local Plan 2013-2036, May 2020
- Essex County Council and Southend-on-Sea Waste Local Plan, 2017
- Essex County Council Minerals Local Plan, July 2014
- Neighbourhood Plans that have passed referendum
- Making Places Supplementary Planning Document (SPD), January 2021
- Planning Obligations SPD, January 2021
- Draft South East Inshore Marine Plan, 2020

5.8 This SPD provides guidance on the implementation for the following policies in the Chelmsford Local Plan:

- Strategic Policy S2 – Addressing climate change and flood risk

5.9 This sets out policy requirements for mitigating and adapting to climate change. In addressing the move to a lower carbon future for Chelmsford, the Council will, amongst other considerations, encourage new development that provides opportunities for renewable and low carbon energy technologies and schemes and provides opportunities for green infrastructure including city greening, and new habitat creation.

- Policy DM19 – Renewable and low carbon energy

5.10 This sets out policy requirements for renewable or low carbon energy developments. The Council will support renewable or low carbon energy developments that do not cause demonstrable harm to residential living environment; avoid or minimise impacts on the historic environment; can demonstrate no adverse effect on the natural environment including designated sites; do not have an unacceptable visual impact which would be harmful to the character of the area; and will not have a detrimental impact on highway safety. Where located within the Green Belt, renewable or low carbon energy developments will also need to demonstrate very special circumstances in order to be approved.

5.11 It is also relevant to a number of other local plans policies including:

- Strategic Policy S3 – Conserving and Enhancing the Historic Environment
- Strategic Policy S4 – Conserving and Enhancing the Natural Environment
- Strategic Policy S11 – The Role of the Countryside
- Policy DM7 – New buildings and structures in the green wedge
- Policy DM16 – Ecology and biodiversity

5.12 The Essex County Council and Southend-on-Sea Waste Local Plan (WLP) and Essex County Council Minerals Local Plan (MLP) set out the policy framework within which minerals and waste planning applications are assessed. They also contain policies which safeguard known mineral bearing land from sterilisation (Policy S8) through mineral safeguarded areas on all sites of 5ha or more for sand and gravel, 3ha or more for chalk and greater than 1 dwelling for brickearth or brick clay. The WLP and MLP also establish consultation areas within 250 metres of existing, permitted and allocated mineral and waste infrastructure to ensure the authority is consulted upon regarding any nearby development which may compromise their operation (Policy S8 and Policy S2 respectively).



6- Environmental Impact Assessment (EIA)

6.1 Solar farms and their associated development fall under Schedule 2 to the Environmental Impact Assessment (EIA) Regulations 1999 and apply to sites over 0.5 hectares. Applicants are advised to apply to CCC for an EIA Screening Opinion Request before submitting a planning application. If a development is considered to require an EIA, further advice can be requested by submitting an EIA Scoping Opinion. In the case of a Development Consent Order applications, Screening and Scoping Opinions should be requested from the Planning Inspectorate.

Figure 3 Solar Arrays (Source: ThePictureBox from Pixabay)



7- Guidance on Submitting Planning Applications

7.1 The following key planning considerations should be taken into account by applicants when preparing, designing and submitting development proposals for a solar farm development within Chelmsford. This includes associated infrastructure and buildings, such as substations, transformers, battery storage facilities, power cables, fencing, access tracks, construction compounds, and connection to the National Grid. It also provides details of studies and supporting information to be submitted alongside planning proposals. The exact content and form of the supporting documents will depend on the specific proposal which can be agreed at the pre-application stage as encouraged in paragraph 3.5.

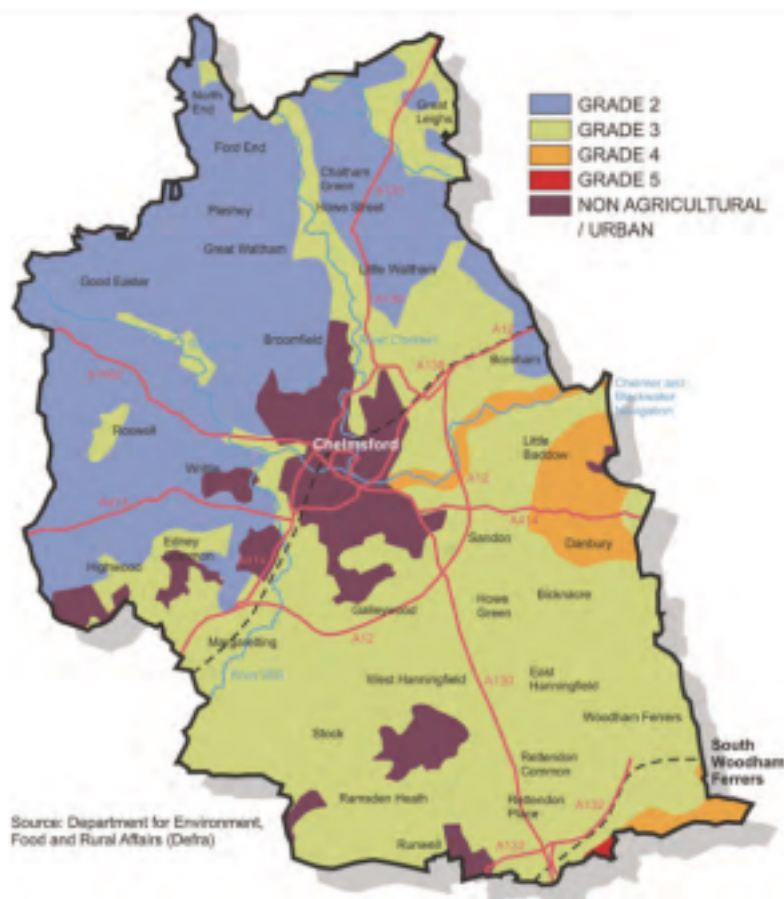
Agricultural Land Classification (ALC)

7.2 Applicants of solar farm developments should in the first instance seek to consider sites on previously developed land, brownfield or contaminated land, industrial land or land of Grades 3b, 4 or 5. As such, solar farm development proposals should avoid the best quality agricultural land (Grades 1, 2 and 3a under the Agricultural Land Classification) as per the NPPF, Annex 2, the NPPG and Policy S4 of the Chelmsford Local Plan. CCC considers that land of such quality is an important area for food production and reducing the agricultural land available could increase the reliance on the importation of food, with potential for subsequent environmental impacts such as increased carbon emissions.

7.3 A detailed Agricultural Land Classification survey must be undertaken on site to guide the site selection and site design process and be submitted as part of any planning application. Where development is proposed on higher grade agricultural land, justification must be provided of why the development cannot be sited on land of a lesser agricultural classification within the area. An assessment should also be provided on the impact of the development on the local supply of higher-grade agricultural land, the viability of the agricultural holding and any proposals for continued agricultural use where applicable around the arrays.

7.4 It should be noted that the majority of agricultural land with CCC's Administrative Area falls within Grades 2 or 3. Figure 4 provides an indicative map of the Agricultural land classification within the Chelmsford area. More detailed maps can be viewed on the Natural England website at [Natural England Access to Evidence - Regional Agricultural Land Classification Maps](#). If the site is Grade 3, the Agricultural Land Classification survey will need to be specifically assess whether the land meets the criteria for Grade 3a or 3b. Such surveys will need to be carried out by suitably qualified independent practitioners in accordance with up-to-date industry best practice.

Figure 4 Agricultural Land Classification



Landscape and Visual Impact

7.5 The NPPG states that deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. It also states that the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. This should be informed by an appropriate assessment in the form of either a Landscape and Visual Impact Assessment (LVIA) or a Landscape and Visual Assessment (LVA). The exact form of the assessment, the methodology and contents will need to be agreed in writing with the Local Planning Authority prior to commissioning. Any assessment should typically identify the specific effects of the proposed development on views and on the landscape, the capacity of the site and landscape to accommodate the solar farm development, level of impact of change and mitigation needs. The assessment should assess the wider landscape context and identify key receptors likely to be affected within a wider study area. It should consider the potential impact on landscape characteristics, special qualities of landscape designations and potential impact on key views. The assessment will also need to consider the impact of the overall scale, density, massing, height, layout, and materials used in relation to neighbouring buildings and the local area.



7.6 The City's Green Wedge is a local landscape designation that recognises the crucial role of the main river valleys in providing important open green networks for wildlife, flood storage capacity, leisure and recreation and sustainable means of transport (Policy SI I). Any solar farm proposals will need to demonstrate that they do not materially harm the role, function and intrinsic character and beauty of the Green Wedge.

7.7 The Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessment (2006) provides a high-level comprehensive Borough/District-wide assessment of landscape character within the Study Area and provides a useful reference in assessing the potential landscape and visual impacts of individual proposals: [Landscape Character Assessment \(2006\)](#). The Landscape Character types identified in the Landscape Character Assessment Landscape in Chelmsford are River Valley, Farmland Plateau, Drained Estuarine Marsh and Wooded Farmland, each of these have their own characteristics which are outlined in the Landscape Character Assessment profiles. These profiles set out key features and characteristic of the location and sensitivity to change. Of the areas identified, the Fambridge Drained Estuarine Marsh character area and the Wooded Farmland character areas are shown to have high sensitivity to change. The River Valleys (Lower and Upper Chelmer River Valley and the Can and Wid River Valley) have a moderately to highly sensitivity to change or new development. The five farmland plateau character areas have a low to moderate sensitivity to change.

7.8 In addition to its Landscape Character Assessments, the Council will use its Historic Landscape Characterisation Study, Sensitivity and Capacity Assessments, alongside any other appropriate and relevant evidence which could include that being prepared to support a Neighbourhood Plan, to assess the character of the area and its sensitivity to change.

7.9 Any associated buildings and development on site including, but not limited to, substations, transformers, battery storage facilities, power cables, fencing, access tracks and construction compound must also minimise their landscape and visual impact and be designed to be appropriate to the context and character of the local area.

7.10 As part of the assessment, a detailed visual and landscape mitigation plan will be required to identify measures to avoid, reduce or remedy visual and landscape impact of the solar farm and its associated development. These may include landscape enhancements such as buffer areas and the use of natural features to screen the development such as hedges and trees including mass tree planting in line with the Council's 'Tree and Woodland Planting 10-year Programme'.

7.11 If the development proposes that the solar PVs follow the daily movement of the sun this must be made clear and all assessments undertaken having regard to this type of installation.

Biodiversity and Nature Conservation

7.12 Proposals for solar farms will need to be well-located and well-designed where the biodiversity and nature conservation impacts are or can be made acceptable. Solar farm proposals should seek to conserve and enhance designated sites and species, including their habitat or not result in the loss or deterioration of irreplaceable habitats in accordance with Policy S4 and DM16 of the Local Plan. Proposals will be expected to consider the multifunctional network of green infrastructure, and seek to protect, enhance and wherever possible restore ecosystems, securing a net gain in biodiversity. Ecologically important sites, including Sites of Special Scientific Interest (SSSI), Local Nature Reserves and County Wildlife Sites should be avoided. Where a development is considered likely to have a significant effect on the conservation objectives of a designated 'European Site' an Appropriate Assessment will be required under the Habitats Directive.

7.13 A detailed ecological survey must be undertaken to guide the site selection and site design process. This should also identify any ecological site mitigation measures and opportunities for ecological enhancement. When considering proposals, including their layout and design impact on any protected species and their habitats e.g. bats, badgers, and reptiles should be avoided, or where it cannot be avoided (through locating on an alternative site with less harmful impacts), it must be adequately mitigated or, as a last resort, compensated for. A pre-biodiversity and post-biodiversity assessment of the development proposals must also be undertaken and to deliver biodiversity net gain in accordance with Policy S4 and DM16. It is strongly recommended that development seeks to achieve a minimum of 10% biodiversity net gain in accordance with the emerging Environmental Bill. This must assess the potential negative effects on any loss of land and show how the mitigation hierarchy has been followed to measurably and quantifiably demonstrate that development proposals leave biodiversity in a better state than before.

7.14 A site management plan should be prepared and which must demonstrate how the land around the panels will be managed including providing a net gain in biodiversity. This could include enabling some low intensity animal grazing, the continued agricultural use of the site or the creation of new habitats to improve on-site ecology. An ecological monitoring programme will be required to monitor any impacts upon on-site flora and upon any particular features likely to support species (e.g. bats, birds, reptiles, amphibians) and to inform any changes that may be needed to the other particular habitats and species (e.g. bats) recorded on or adjacent to the site and to inform any necessary changes to the site management arrangements. The site management plan should include maintenance and stewardship arrangements for the site including landscape and ecology matters. This will ensure appropriate management and maintenance arrangements and funding mechanisms have been identified at an early stage and will be implemented. The BRE National Solar Centre Biodiversity Guidance for Solar Developments provides further guidance on how to support biodiversity on solar farms: [NSC - Biodiversity Guidance \(bre.co.uk\)](https://www.bre.co.uk/nsc-biodiversity-guidance)



7.15 The energy sector has the potential to make a significant contribution to the protection, improvement and creation of existing and new green infrastructure. The Essex Green Infrastructure Strategy (2020) is available at <https://www.placeservices.co.uk/resources/built-environment/essex-gi-strategy/> and provides additional guidance for applicants on how this can be achieved.

7.16 Trees and woodland also provide vital benefits to the environment, including filtering air pollution, reducing noise, and creating and connecting wildlife habitats. Proposals are encouraged to provide additional tree and woodland planting in line with the City Council's Climate and Ecological Emergency declaration and Action Plan, and 'Tree and Woodland Planting 10 year Programme' in order to increase the woodland cover significantly in the Chelmsford District. Further information is available online at [Climate emergency declaration and action plan - Chelmsford City Council](#)

Flood Risk and Drainage

7.17 Applications are required to provide a Flood Risk Assessment (FRA) to demonstrate how the proposal will avoid or manage flood risk on-site and will not exacerbate or create any degree of flood risk elsewhere. The proposal will be required to demonstrate that the site is safe from all types of flooding for its lifetime in accordance with the NPPF, paragraph 164 and Local Plan Policies S1, S2, S11 and DM18. Applications are required to consider the guidance on surface water drainage in the Essex Sustainable Drainage Systems (SuDS) Design Guide (2020), in terms of design quality, and the benefits to the local community and the environment. Applications should also refer to the standards and guidance for SuDS schemes as recommended by CIRIA at www.ciria.org/ notably the SuDS Manual C753 which covers the planning, design, implementation and maintenance of SuDS.

7.18 Where access tracks need to be provided, permeable tracks should be used, and localised SUDS, such as swales, should be used to control any run-off where recommended.

Pollution, Glint and Glare and Safety

7.19 In line with Local Plan Policy DM29, any proposals will be required to safeguard the living environment of the occupiers of any nearby residential property, not result in excessive noise, activity or vehicle movements and be compatible with neighbouring or existing uses in the vicinity of the development by avoiding unacceptable levels of polluting emissions by reason of noise, light, smell, fumes, vibrations or other issues which have a damaging effect on the environment and the local resident's and public's enjoyment, health or amenity, unless appropriate mitigation measures can be put in place and permanently maintained at the expense of the applicant.

7.20 A noise and vibration assessment will be required covering the construction, operation and decommissioning phases of the proposal in order to identify any potential impacts and necessary mitigation requirements.

7.21 A Glint and Glare Assessment is likely to be required as part of a planning application to consider the potential impact of glint and glare from the solar panels on landscape/visual amenity, aircraft, rail and road safety, local residents and users of public rights of way. When developing their proposals applicants should undertake early engagement with airport, rail and the local highway authority and Highways England to agree the scope of the assessment where the development has the potential to affect such infrastructure.

7.22 Where a battery energy storage is proposed on the development site, a management plan will be required to demonstrate how this facility will be constructed and operated safely.

Soil stripping, storage and replacement

7.23 Large scale solar farms are likely to require a degree of soil excavation to provide for site compounds, access roads and cable trenching etc. Details of the proposed approach for soil stripping, storage and replacement and site levelling will be required to be submitted alongside a planning application.

7.24 ECC would seek a Construction Resource Management Plan (equivalent to a Site Waste Management Plan) to be prepared outlining how waste materials will be disposed of to appropriate recycling facilities or appropriately licensed landfills. A high-level outline management plan with a commitment to sustainable construction and waste management principles should be submitted with the planning application. Additional, more detailed information will then be required to be submitted as part of a condition should permission be granted. This should quantify the volumes of waste re-used on site and leaving the site, as well as demonstrate how the amount of waste forecasted to leave the site has been proactively minimised at construction, operation and deconstruction stages by incorporating sustainable working practices, including a consideration of the material used and their procurement. Waste arising from the site should be assessed in light of the available capacity to manage it where such an assessment can be made.

Security fencing and lighting

7.25 Any proposal will be required to minimise the use and height of artificial fencing seeking to make use of any natural site features such as field hedges and trees, where possible. Planning applications should include details of all site security measures and features such as perimeter fencing, CCTV cameras and lighting with significant consideration given to mitigating their impact on wildlife and ecology. Planning applications will be required to outline arrangements and specifications of site lighting with an appropriate assessment of how any impact on landscape, ecology and nearby communities will be minimised. Where fencing is proposed, these should include suitable open sections at the bottom to allow small mammals identified in the area to pass through. Any fencing should ensure it does not pose an increased safety risk to all the PROW users, including equestrians and cyclists.



7.26 Proposals should seek to preserve open site lines across the countryside wherever possible and where stronger boundary treatments are not compatible combining deer type fencing with suitable monitored CCTV, Perimeter Intrusion Detection System (PIDS), 24 hour response, and enhanced building and compound security may provide a compromise solution. Where due to increased risk this is not possible a black or green weld-mesh fence can be less obtrusive. Attention is drawn to the following documents that suggest risk commensurate measures to mitigate the crime risk -www.bre.co.uk/filelibrary/pdf/other_pdfs/KN5524_Planning_Guidance_reduced.pdf

www.nfmutual.co.uk/farming/farm-safety/loss-prevention-guidance-farming/

Figure 5 Solar Lighting and Fencing (Source: Succo from Pixabay)





Traffic and Transport

7.27 Proposals will be required to demonstrate that the local and strategic highway network will be able to accommodate the type and number of vehicle movements during the construction and operation phases of the site. In addition, proposals will need to demonstrate that both the site access and vehicle movements to and from the site will have no detrimental adverse impacts on highway safety, including cyclists, pedestrians and equestrians. The site should also be located to enable trips to be made by walking, cycling and public transport, particularly during the construction period. As such, there may be a need for off-site mitigation to be required to improve the highway network in order to accommodate trips by cycling, walking and public transport, and to ensure the highway network is suitable for the expected level of construction traffic. Applications should be accompanied by a detailed Transport Assessment and Construction Environmental Management Plan (CEMP). A Travel Plan will also be required to promote the use of sustainable modes and need to monitor the effectiveness of the Travel Plan, its measures and incentives. Applicants are also encouraged to engage with Essex Highways as part of their pre-application discussions.

7.28 Any proposal requiring temporary construction compounds will be required to include details of their size, location, forecast traffic movements and their proposed restoration post construction phase. Any proposed temporary construction compound should be carefully located in order to minimise environmental or amenity impact. Site access tracks to the solar farm should be minimised to better enable the site to be restored at the end of the project.

Public Rights of Way (PROW)

7.29 PROW are important amenities for local communities, which can help to improve their mental and physical health and wellbeing. This importance should be recognised, protected and enhanced through any proposal by providing necessary mitigation and enhancement measures, such as consequential improvements to the PROW network through improving connectivity or the installation of interpretation boards or visitor facilities that give benefit to users of PROW.

7.30 Applicants will need to demonstrate to the highway authority that all PROW impacted upon by a proposal will remain accessible to the general public and convenient for their use. Any PROW through the site should remain usable, retain their recreational amenity and character, and be integrated as part of the proposal. In the event that any proposal affects a PROW details of all works necessary to ensure its continued availability during and post construction will be required. If PROWs have to be temporarily or permanently diverted then no development should commence on site until an Order securing the diversion of the existing definitive right of way to a route has been agreed and has been confirmed with ECC and CCC, and the new route has been constructed. Applicants are encouraged to engage with ECC as part of their pre-application discussions if there is to be any impact on a PROW, as well as exploring opportunities to enhance PROW or provide 'missing links' in the PROW network. Engagement with other user groups is also encouraged. The British Horse Society has specific guidance (www.bhs.org.uk/accessadvice) to assist solar farm development to ensure development does not cause obstructions to horse riders.

Historic Environment

7.31 In line with Chelmsford Local Plan Policies S3, S9, DM13 and DM14 any development should conserve and where appropriate enhance the historic environment recognising the positive contribution it makes to the character and distinctiveness of Chelmsford through the diversity and quality of heritage assets and their settings. Depending on their scale, design and prominence, a large-scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset, which will need to be justified in accordance with the requirements of Policy DM13 and DM14.

7.32 A detailed heritage survey should be undertaken to guide the site selection and site design process. This should identify listed buildings, Scheduled Ancient Monuments (SAM), Registered Parks and Gardens, historic landscapes, Conservation Areas or any other heritage assets located within, immediately adjacent or in the wider setting of the site. The assessment should include a search area of a minimum of 1km radius from the site boundary, in certain cases a larger area, for instance where there may be an impact on long distance views. The assessment should identify the extent and contribution of setting, define the impacts of development and where appropriate suggest mitigation or enhancement measures.

7.33 In line with Local Plan Policy DM15 a desk based archaeological assessment should be undertaken to identify any possible archaeological remains of historical importance, by referencing the Historic Environment Record, and propose further investigation, recording and mitigation as necessary. This may include the necessary preservation of archaeological interest in situ or through record.

7.34 An assessment to evaluate the impact on a historic landscape may also be required, to define historic boundaries, ponds, hedgerows, historic and ancient woodland, and other landscape features which contribute to the significance of a historic landscape. An assessment to evaluate the impact on Historic Land Characterisation should also be provided.

7.35 Further guidance on undertaking historic environment assessments is contained within the Council's Making Places SPD. Further advice on historic environment issues relating to different types of commercial renewable energy development proposals, including solar photovoltaics (PV) is also available from Historic England

at: <https://historicengland.org.uk/images-books/publications/commercial-renewable-energy-development-historic-environment-advice-note-15/heag302-commercial-renewable-energy-development-historic-environment/>

Socio-Economic Impacts and Community Gain

7.36 An assessment will be required to be submitted alongside development proposals to assess any social and economic effects of the proposal such as on tourism, human health, land-use, telecommunications, waste and utilities, recreation and employment, opportunities and benefits to the local economy, and any required mitigation.



7.37 It is important that local communities can realise the benefits associated with the project throughout its lifetime. As such, opportunities for community benefit and a positive community legacy from the development should be explored although these will not be relevant to the determination of a planning application. Opportunities could include providing jobs to local people both during construction and operation, promoting cycling, equestrian, and walking routes through the site, providing free or discounted energy to local public buildings, establishing a local Environmental Trust, installing information boards panels around the site and providing visitor/education facilities to raise awareness about renewable and low carbon energy. Further guidance is contained in [BRE NSC \(2015\) Community Engagement Good Practice Guidance for Solar Farms](#)

7.38 From 2021, as a result of the recommendations made from the Essex Climate Action Commission (pending adoption by ECC), it is expected that all large-scale renewable energy developments in Essex should include the offer of an element of community ownership.

Health Impact Assessment (HIA)

7.39 The Council may require schemes, particularly Nationally Significant Infrastructure Projects (NSIPs), to undertake a HIA of their proposal. The applicant should engage with CCC to establish if a HIA is required and the scope of any HIA at pre-application stage. It is recommended that any HIA is consistent with the requirements outlined in the Essex Design Guide (2018) and the Essex Planning Officers Association (EPOA) document 'Essex Healthy Places - Advice notes for planners, developers and designers'. This document provides guidance on what needs to be considered when looking at health, wellbeing and the environmental sustainability. The type of HIA required will be advised by the Council with advice from health partners as required, including ECC. It is expected that schemes will consider Sport England's Active Design Principles and in particular the creation of a network of multifunctional open space supporting SuDS, wildlife habitat and productive landscapes. Further information is available at [Health Impact Assessment Supplementary Guidance \(www.essexdesignguide.co.uk\)](http://www.essexdesignguide.co.uk)

Cumulative Impacts

7.40 CCC expects applicants to assess the cumulative impacts and opportunities as part of their proposal in accordance with the NPPF. This includes the consideration of cumulative impacts relating to highways, landscape and visual impacts, flood risk, pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Cumulative impacts with any other existing or approved developments should also be considered. The applicant should engage with CCC to scope the potential cumulative impacts at pre-application stage. Cumulative impacts will also be considered as part of any EIA screening to the application.

Technological Requirements

7.41 Applicants should provide information on any technical considerations to support the siting and size of the proposed solar farm and demonstrate that a suitable grid connection will be possible. Underground cabling systems will be encouraged over the use of overhead powerlines to connect to the national grid. Details on the electricity generating potential and profile of the solar farm should also be provided. This should include information to demonstrate that the proposed panel layout maximises coverage on the plot, and optimises performance of the panels from both an orientation and angle of panel perspective.

Carbon Emissions

7.42 Information should be provided alongside development proposals regarding the solar PV technology to be used and the net reduction in CO² (Greenhouse Gas Emissions) emissions per annum and over the course of the proposed development.

7.43 Information on the potential benefits of the development such as the average numbers of homes and electric cars that could be powered per year and visualisations of the solar farm in place would also provide useful background information.

7.44 Proposals should also seek to ensure associated emission sources and the overall carbon footprint of the development is minimised. Details of how this will be achieved would be useful background information. An understanding of any battery storage facility and the expected lifespan and disposal of any batteries is expected to be included in such information.

Community Engagement

7.45 Solar farm developers will be required to demonstrate that they have undertaken a high standard of public pre-application activity in line with the Council's Statement of Community Involvement, 2020 (SCI) and the developer's Statement of Community Consultation (SOCC) in the case of Development Consent Order submissions. Effective pre-application engagement allows local communities and others to gain a better understanding of the project and its potential impacts. It also allows local communities to make suggestions which the developer can consider when developing and finalising their planning proposals. Local knowledge of the area can help developers to omit unsuitable options and minimise impacts on the local community where possible. Community engagement will also be strongly encouraged during the construction period and operational life of the solar farm to develop strong local relationships between the operator and the local community.

7.46 Developers of NSIPs are legally required to carry out pre application consultation on proposed developments and to submit a Consultation Report as part of their DCO application setting out how they have complied with the statutory pre-application consultation requirements, and that they have had regard to the responses. PINS will consider the Consultation Report, alongside any adequacy of consultation representation made by a local authority and the other application documents, before deciding whether or not to accept the application for examination.

7.47 The Council can provide general advice on who, when and how to engage with the local community. Further guidance is also contained in [BRE NSC \(2015\) Community Engagement Good Practice Guidance for Solar Farms](#)

After Use/Restoration

7.48 Applications need to include outline proposals for the timely restoration of the land to its previous use at the end of the solar farm operational life, retaining any landscape or biodiversity enhancements and community benefits. Restoration should be completed as soon as practicably possible. Applicants should also show provision for the restoration of the site at the end of operation, for example, by providing a financial bond which they would pay into during the life of the solar farm.

Duration of Planning Permission

7.49 Although solar farms may be in operation for many decades they are regarded as a temporary use of land and planning permissions will limit the duration for which the solar farm can remain in place. Proposals to extend the life of the development would require separate planning consent.

Minerals and Waste

7.50 The adopted Essex Minerals Local Plan (MLP) and the Essex and Southend-on-Sea Waste Local Plan (WLP), or successor documents, include policies to safeguard mineral reserves and mineral and waste facilities and infrastructure, including Water Recycling Centres, from non-mineral and waste development. Where proposals exceed the defined safeguarding thresholds or are located in minerals and waste consultation areas as outlined in the MLP and the WLP, a Minerals Resource Assessment or Minerals/ Waste Infrastructure Impact Assessment will be required to be submitted as part of a planning application.

7.51 Although temporary structures, solar farms may be sensitive to the impacts of proximal mineral and/or waste working and therefore they are considered to be 'included development' for the purposes of safeguarding policy as they are typically intended to remain in-situ for longer than five years. However, following a consideration of the current spatial and mineral contexts, some of the requirements of safeguarding policy can potentially be set aside for solar farm applications provided that:

- the application is clear that the proposed scheme is temporary in nature, and
- appropriate conditions are applied to the grant of any planning permission which ensure that the land is returned to its current use upon cessation of the permission granting the use of the land for a solar farm and/or ancillary uses.

7.52 It is required that promoters contact the Minerals and Waste Planning Authority to confirm the requirement for, and scope, for such assessments as part of pre-application advice or where any conditions are to be removed or modified.

Planning Obligations

7.53 CCC's Planning Obligations SPD sets out the City Council's approach towards seeking planning obligations which are needed to make development proposals acceptable in planning terms.

7.54 Some cases may require financial contributions, other cases may require the details of mitigation measures to be included in an agreement so that a robust legal mechanism is in place to ensure appropriate mitigation is carried out.

7.55 Other matters may be more appropriate to be covered by conditions. Each site will be considered on its own merits and engagement will be had with the relevant applicant/ stakeholders to identify such cases.

Supporting documents to be submitted with a planning application

7.56 The Government sets out which documents must be provided with every planning application. These are the National Validation Requirements. The Council needs additional information to fully assess your application. These are the Local Validation Requirements. Applicants must comply with both national and local requirements when submitting a solar farm planning application. More information is available at [Local Validation Requirements - Chelmsford City Council](#)

7.57 In addition to the usual site location plan, completed application form and planning application fee the following documents are likely to be required for a solar farm planning application:

- Planning statement
- Design and access statement
- Details of connection to electrical grid
- Agricultural Land Classification reports/evidence including Arboricultural Impact Assessment
- Minerals Resource Assessment
- Landscape and Visual Impact Assessment (LVIA)
- Detailed landscape mitigation plan
- Ecological Impact Assessment
- Biodiversity Net Gain Assessment
- Landscape and Ecology Management Plan
- On-going site management strategy
- Flood Risk Assessment
- Assessments of Noise, Vibration, Glint and Glare
- Battery Energy Storage Management Plan
- Transport Assessment
- Construction Environment Management Plan (CEMP) including details of any compound and how construction traffic will be managed
- Site Waste Management Plan including methodology for soil stripping, storage and replacement



- Options Report demonstrating Connection to the National Grid including environmental constraints; type of connection – substation or circuit; capacity of network; cost of connection etc
- Health Impact Assessment
- Heritage survey and any necessary heritage assessments
- Archaeological desk-based study
- Statement of Socio-Economic Impacts and Community Gain
- Statement of cumulative impacts
- Statement of community involvement
- Statement of after use/restoration
- Planning Performance Agreement
- Enhancement and Mitigation Strategy.

7.58 The following are also considered to be useful background information:

- Electricity generating potential statement
- Statement of efficiency of proposed solar power development.

7.59 Depending on the specific application details further documents not listed above may be required.

7.60 Applicants of NSIP solar farm developments are advised to consult with The Planning Inspectorate on validation requirements for DCO submissions.



8- Locational Principles

8.1 When assessing a planning proposal for a solar farm the Council will consider the proposal alongside a range of policies, guidance and material planning considerations as described in this SPD. The following section provides information on locational principles for solar farm development within Chelmsford which are likely to have the least negative impact. It also outlines areas which are likely to be unsuitable or highly sensitive meaning that they would require a greater level of mitigation in order to make them acceptable for solar farm development. It does not identify any preferred sites for solar farm development.

8.2 Solar farm development proposals should demonstrate that they:

- do not adversely harm the role and purpose of the Green Belt and demonstrate very special circumstances in order to be approved (Policy S11)
- do not materially harm the role, function and intrinsic character and beauty of the Green Wedge (Policy S11)
- do not adversely impact on the identified character and beauty of the Rural Area (the countryside outside of the Urban Areas, Defined Settlements and Green Belt)
- avoid the best quality agricultural land defined as Grade 1, 2 and 3a under the Agricultural Land Classification (Strategic Policy S4)
- avoid areas of identified medium-high landscape quality and/or sensitivity unless the negative impacts can be adequately mitigated
- do not result in harm to protected species or their habitats or in the loss or deterioration of irreplaceable habitats (Policy DM16)
- avoid ecologically important sites, including Sites of Special Scientific Interest (SSSI), Local Nature Reserves and County Wildlife Sites (Policy DM16)
- avoid or minimise harm to the historic environment or total loss of significance to a designated or non-designated heritage asset or its setting (Strategic Policy S3)
- avoid harmful cumulative impacts in combination with any other existing or approved development including nearby solar farms, and
- can facilitate safe and convenient access to the highway network, and ensure the proposals provide no adverse impact on the capacity and safety of that highway network during all stages of development.

9- Solar Energy UK

9.1 Solar Energy UK works for and represents the solar energy sector. It has produced a list of 10 commitments of best practice guidance that solar farm developers should comply with. These are supported by CCC and include many of the considerations set out within this SPD. The 10 commitments are outlined below:

1. We will focus on non-agricultural land or land which is of lower agricultural quality.
2. We will be sensitive to nationally and locally protected landscapes and nature conservation areas, and we welcome opportunities to enhance the ecological value of the land.
3. We will minimise visual impact where possible and maintain appropriate screening throughout the lifetime of the project managed through a Land Management and/or Ecology plan.
4. We will engage with the community in advance of submitting a planning application.
5. We will encourage land diversification by proposing continued agricultural use or incorporating biodiversity measures within our projects.
6. We will do as much buying and employing locally as possible.
7. We will act considerately during construction, and demonstrate 'solar stewardship' of the land for the lifetime of the project.
8. We will seek the support of the local community and listen to their views and suggestions.
9. We commit to using the solar farm as an educational opportunity, where appropriate.
10. At the end of the project life we will return the land to its former use.

Figure 6 Photovoltaic Panels (Source: LCEC from Pixabay)





This publication is available in alternative formats including large print, audio and other languages

Please call 01245 606330

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CCC7

CHELMSFORD CITY COUNCIL ADOPTION STATEMENT

Notice of the adoption of the following document:

Solar Farm Development Supplementary Planning Document

in accordance with

**The Town and Country Planning Act (Local Planning) (England)
Regulations 2012 (as amended)**

and

The Planning and Compulsory Purchase Act 2004 (as amended)

Notice is hereby given that (in accordance with above-mentioned legislation) Chelmsford City Council formally adopted the Solar Farm Development Supplementary Planning Document (SPD) on **16 November 2021**.

The SPD provides guidance on preparing, submitting and assessing planning proposals for solar farm proposals and guidance on where solar farms may be most suitable. It considers and applies the requirements of national planning policy and guidance, local planning policies and other relevant strategies and provides practical advice intended to be used by solar farm applicants, Council planners, local stakeholders and communities in the consideration of solar farm proposals.

Modifications to Draft documents

The Council has undertaken a four-week consultation on Draft version of the SPD. This consultation was undertaken in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council made modifications pursuant to section 23(1) of the Planning and Compulsory Purchase Act 2004 following the consultation. The modifications made to the document are summarised as follows:

- Clarification/wording changes to assist in clarifying where elements of the guidance are encouraged but not a mandatory policy requirement
- Changes to ensure greater clarity or to reflect the latest guidance or policy position
- The inclusion of some further best practice examples
- The inclusion of the need to clarify the quality or efficiency of the system to ensure quality panels are installed
- Minor typographic and editorial changes
- The removal of preferred locations for solar farm development being identified as this goes beyond the existing Local Plan policy requirements in Policies S2 and DM19.

Full details of the comments received at the consultation stage and how the Council considered them, as well as the detailed modifications made are presented in a separate Feedback Report and Schedule of Changes for the SPD, available on the

Council's website: <https://www.chelmsford.gov.uk/your-council/councillors-committees-and-decision-making/calendar-of-meetings/?id=a6bce954-e82d-4d7e-a062-d0460fb20416>

Period of Challenge

Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision.

Any such application to the High Court must be made not later than the end of the period of three months beginning with the day after the date on which the Solar Farm Development SPD was adopted (i.e. three months from 17 November 2021 – being the day after adoption).

Availability of Documents

In accordance with Regulation 35 of the 2012 Regulations the following documents have been made available:

- i. the Solar farm Development SPD;
- ii. this Adoption Statement.

These documents can be viewed on the Council's website at:

<https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-local-plan/supplementary-planning-documents-and-planning-advice-notes/>

Paper copies of these documents will be made available as soon as practicable in the following location. Please note the following location may currently have reduced opening hours and may be subject to change in line with the latest government advice regarding Coronavirus. You are advised to check the weblinks below to see the latest status regarding opening hours.

- Chelmsford City Council Customer Service Centre, Civic Centre, Duke Street, Chelmsford, CM1 1JE. For latest opening restrictions please visit <https://www.chelmsford.gov.uk/coronavirus/>

Paper copies will be available to purchase on request. A reasonable charge may be made to cover costs.

A copy of this Adoption Statement will be sent to all parties who have asked to be notified of the adoption of the SPDs.

Further information:

Council website: www.chelmsford.gov.uk/new-local-plan

Telephone: 01245 606330

E-mail: planning.policy@chelmsford.gov.uk

David Green
Director of Sustainable Communities
17.11.2021

CCC8

**STRATEGIC ENVIRONMENTAL ASSESSMENT and HABITAT REGULATIONS
ASSESSMENT**

SCREENING REPORT

SOLAR FARM DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT

Chelmsford City Council
18 May 2021, Version 2 (FINAL)

1 Introduction

- 1.1 This draft screening report is designed to determine whether the Solar Farm Development Supplementary Planning document (SPD) requires a full Strategic Environmental Assessment (SEA) and/or Habitats Regulations Assessment (HRA).
- 1.2 The purpose of the Solar Farm Development SPD is to provide guidance for the implementation and interpretation of adopted Chelmsford Local Plan policies related to renewable energy developments, in particular:
 - STRATEGIC POLICY S2 – ADDRESSING CLIMATE CHANGE AND FLOOD RISK – *sets out policy requirements for mitigating and adapting to climate change including encouraging new development that provides opportunities for renewable and low carbon energy technologies.*
 - POLICY DM19 – RENEWABLE AND LOW CARBON ENERGY – *sets out policy requirements for renewable or low carbon energy developments, and how the Council will support proposals provided that the impacts are (or can be made) acceptable.*
- 1.3 It is intended to be used by all members of the community, as well as those directly involved in the solar farm development industry to understand the City Council's approach to solar farm development and therefore help to achieve proposals that are policy compliant and are high quality, suitable in scale and location, have least impact and address any harm caused, and provide benefits to the local area and communities.
- 1.4 An SEA evaluates the environmental effects of a plan before it is made. The SEA requirements are in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.5 An HRA identifies whether a plan is likely to have any significant effects on a European site, either alone or in combination with other plans or projects. European sites are designated under the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations').
- 1.6 In some limited circumstances, an SPD can have significant environmental effects. The purpose of the document is to undertake a screening assessment of the Solar Farm Development SPD to determine whether a full SEA is needed.
- 1.7 Chelmsford City Council (CCC) has the responsibility to ensure that the SEA/HRA requirements have been met and has therefore carried out an SEA/HRA screening opinion.
- 1.8 To do this, CCC has:
 - a) Taken into account the criteria specified in the European Directives; and
 - b) Consulted the consultation bodies.

- 1.9 The consultation bodies are defined in section 4 of the SEA Regulations. As the responsible authority, CCC has sought the opinions of the statutory consultation bodies - Historic England, the Environment Agency and Natural England. Consultation on the SEA and HRA Screening Report took place in April/May 2021.

2 Legislative background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive [2001/42/EC](#) 'on the assessment of the effects of certain plans and programmes on the Environment'. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.
- 2.2 The SEA Regulations include a definition of 'plans and programmes' to which the regulations apply, and which programmes are required by legislative, regulatory or administrative provisions.
- 2.3 The basis for HRA is Article 6 (3) and (4) of the EU Habitats Directive and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).
- 2.4 The Planning and Compulsory Purchase Act 2004 requires Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on Strategic Environmental Assessment (SEA). However, the Town & Country Planning (Local Planning) (England) Regulations 2012 removes the requirement to carry out SA upon SPDs as they do not introduce new policies or modify plans which have already been subject to SA at a higher level. The Council's adopted Chelmsford Local Plan was subject to its own full SA/SEA.
- 2.5 Although SPDs do not require a SA they may in exceptional circumstances require a SEA if they are likely to have significant environmental effects that have not already have been assessed. This screening report determines whether a full SEA is needed for the Solar Farm Development SPD by assessing the environmental impact of the document against the criteria set out in Annex II of SEA Directive 2001/42/EC.

3 SEA – Criteria

- 3.1 The criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:
1. The characteristics of plans and programmes, having regard, in particular, to:
 - The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.
 - The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.

- The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.
- Environmental problems relevant to the plan or programme.
- The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

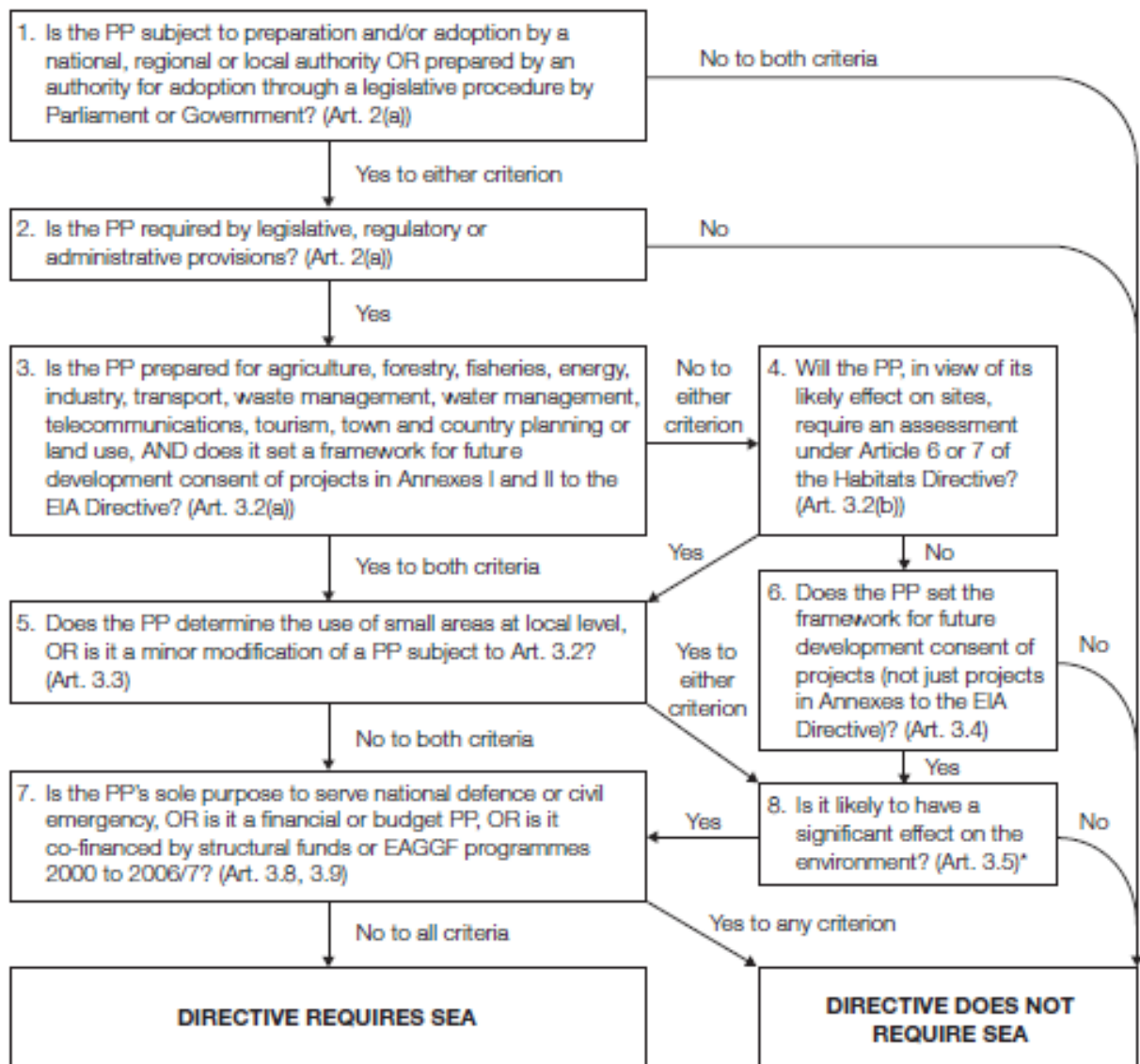
- The probability, duration, frequency and reversibility of the effects.
- The cumulative nature of the effects.
- The trans boundary nature of the effects.
- The risks to human health or the environment (e.g. due to accidents).
- The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage;
 - exceeded environmental quality standards or limit values;
 - intensive land-use; and
 - the effects on areas or landscapes which have a recognised national, community or international protection status.

4 SEA – Screening Assessment

- 4.1 The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.

Figure 2 – Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

Source: *A Practical Guide to the Strategic Environmental Assessment Directive (2005)*

4.2 The following assessment applies the questions from the diagram above. The answers determine whether the SPD will require a full Strategic Environmental Assessment.

Table 1 - Determining if SEA is required

Question	Response
1) Is the plan or programme subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes. The preparation and adoption of the SPD will be undertaken by CCC.
2) Is the plan or programme required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes. The SPD would be considered as falling within the category of an 'administrative provision'. It is considered that the SPD is required to provide clarity to the provisions set out in the adopted Chelmsford Local Plan.
3) Is the plan or programme prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	<p>No. The SPD is for town and country planning purposes but does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive.</p> <p>The SPD will provide guidance against which planning applications will be assessed throughout the City Council's area, but it does not allocate any land for development.</p>
4) Will the plan or programme, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	<p>No. The SPD is not likely to have an effect, particularly given that it does not allocate sites for development and therefore is unlikely to have an impact on habitats.</p> <p>The adopted Chelmsford Local Plan has been tested through continuous and iterative HRA. The full consultation process and assessment summary are contained within the HRA Adoption Note, published in May 2020.</p>
5) Does the plan or programme determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes. The SPD can be considered to affect the determination of planning applications for the use of small areas at a local level. However, it does not constitute a modification of any plan.
6) Does the plan or programme set the framework for future development	Yes. The SPD does not have Development Plan status, but it will be accorded weight as a material planning consideration in the

consent of projects (not just projects in annexes to the EIA Directive)? (Art 3(4))	determination of planning applications for solar farm development proposals.
7) Is the plan or programme's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	No, not applicable.
8) Is it likely to have a significant effect on the environment? (Art. 3(5))	No. See table 2.

4.3 The following assessment looks at the identified effects of the SPD in line with the criteria for assessing effects as per Article 3(5) of Directive 2001/42/EC (the SEA Directive). Crucially, it determines whether there are any likely significant effects on the environment.

4.4 The following assessment considers the likelihood of the SPD to have any likely significant effects on the environment as per Article 3(5) of Directive 2001/42/EC (the SEA Directive).

Table 2 – Assessment of Likely Significant Effects on the Environment

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Is there a likely significant environmental effect?	Justification
The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	The SPD sits at the lowest tier of the development plan system and does not set a framework for other projects and activities. The SPD offers guidance to supplement the adopted Chelmsford Local Plan policies which have been subject to full SA and HRA.
The degree to which the SPD influences other plans and programmes including those in the hierarchy.	No	The SPD sits at the lowest tier of the development plan system and does influence other plans and programmes. The SPD provides greater detail and clarity on the implementation of adopted Chelmsford Local Plan policies which would continue to take priority for decision making.

The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The SPD promotes sustainable development in accordance with the adopted Chelmsford local Plan. However it will not provide environmental policy in its own right so does not have a significant environmental effect on environmental considerations.
Environmental problems relevant to the SPD.	No	There are no environmental problems relevant to the SPD. The SPD will not prepare policy but will support the implementation of the adopted Chelmsford Local Plan policies. The SPD is not to be put in place to deal with any particular environmental problems.
The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The content of the SPD is not in conflict with those relevant planning documents within the wider City Council or County Council area for example, plans related to waste management or water protection.
The probability, duration, frequency and reversibility of the effects of the SPD	No	<p>The SPD will not set policy or identify sites for solar farm development. It proposes a case by case assessment of solar farm development proposals.</p> <p>The SPD will promote positive environmental impacts and minimise negative environmental impacts from solar farm developments in accordance with the adopted Chelmsford Local Plan. Positive impacts may include a net gain in biodiversity and local community benefits such as delivering genuine carbon reductions to help reduce climate change. Negative impacts may include on landscape, heritage, human health and climatic factors. All impacts will vary according to the nature, type, scale and location of proposals.</p>
The cumulative nature of the effects of the SPD	No	As the SPD only provides guidance on the considerations to be taken by the

		City Council in determining planning applications for solar farm developments as set out within relevant policies of the adopted Chelmsford Local Plan.
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5 HRA – Screening Assessment

- 5.1 The Conservation of Habitats and Species Regulations 2017 set out the requirement for neighbourhood plans to assess implications for European Sites (Regulation 106).
- 5.2 Chelmsford Local Plan includes policy requirements for renewable or low carbon energy developments proposals but does not allocate land for new solar farm developments.
- 5.3 The Local Plan has been subject to continuous and iterative HRA screening and has been found sound following an independent examination. The full consultation process and assessment summary are contained within the HRA Adoption Note published in May 2020.
- 5.4 The Solar Farm Development SPD does not set new policy over and above that contained within the adopted Chelmsford Local Plan or allocate sites for solar farm developments.
- 5.5 The Solar Farm Development SPD sets out how proposals should be assessed including on issues such as landscape sensitivity, visual impact, residential amenity and biodiversity, and how impacts should be mitigated. It is considered that this guidance would prevent any additional risks of a significant effect on the identified European sites.
- 5.6 The Solar Farm Development SPD will not take the place of the duties of the City Council under the Habitats Regulations and Habitats Directive. In particular, it will not replace screening or appropriate assessment which may be required of proposals considered likely to have a significant effect on the conservation objectives of a designated 'European Site'. Some solar farm development schemes, particularly those located close to a Habitats site boundary or large-scale developments may need to provide mitigation measures to avoid likely significant effects from the development. This would need to be assessed and, where appropriate, mitigated through a project-level HRA (including AA where necessary). The City Council, in consultation with Natural England, would advise on applicable cases.

6 SEA and HRA – Consultation

- 6.1 CCC consulted the consultation bodies (see 1.9) in April/May 2021. The consultation responses are attached to this report (Appendix 1).
- 6.2 In summary:

- Environment Agency – advise that they do not provide comments at the screening stage;
- Historic England – agree with the Council’s conclusion that neither a full Strategic Environmental Assessment (SEA) or further stages of appropriate assessment are required in this instance;
- Natural England – advise that they have no comments to make on the Draft SEA/HRA Screening for Draft Solar Farm Development Supplementary Planning Document (SPD).

7 SEA and HRA - Conclusion

- 7.1 As a result of the assessment in Section 4, and the responses from the consultation bodies, CCC has concluded that there are not likely to be significant environmental effects arising directly from the guidance in the Solar Farm Development SPD. Therefore, a full Strategic Environmental Assessment will not be necessary to accompany the Solar Farm Development SPD.
- 7.2 Furthermore, given that the Chelmsford Local Plan has been subject to continuous and iterative HRA screening, and the conclusion that the proposed guidance in the draft SPD would not create any significant effects on the identified European Sites, CCC has concluded that further stages of appropriate assessment for the Solar Farm Development SPD are not required. Therefore, a Habitats Regulations Assessment will not be necessary to accompany the Solar Farm Development SPD.

8 Next steps

- 8.1 This statement is published on Chelmsford City Council’s website: [Planning policy consultations - Chelmsford City Council](#)

Appendix 1

Historic England Response

Ms Claire Stuckey
Chelmsford City Council
Planning Policy Team, Spatial Planning Services
Civic Centre, Duke Street
Chelmsford
Essex
CM1 1XP

Our ref: PL00747642

6 May 2021

Dear Ms Stuckey

Re: SEA / HRA Screening Assessment for the Chelmsford City Council draft Solar Farm Development Supplementary Planning Document (SPD), April 2021

Thank you for consulting Historic England on the SEA / HRA Screening Assessment for the draft Solar Farm Development Supplementary Planning Document (SPD), April 2021. As the Government's adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. We have reviewed the screening report and agree with the Council's conclusion that neither a full Strategic Environmental Assessment (SEA) or further stages of appropriate assessment are required in this instance.

Conclusion

We look forward to engaging with you as these proposals progress over the coming months. Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that these would have an adverse impact upon the historic environment.

If you have any queries about any of the matters raised above or would like to discuss anything further, please do not hesitate to contact me. I would be grateful if you could confirm receipt of this email.

Yours sincerely,



Andrew Marsh
Historic Environment Planning Adviser, Planning Group

Natural England Response

From: SM-NE-Consultations (NE)

Sent: 20 April 2021 12:30

To: Claire STUCKEY

Subject: SEA / HRA Screening Assessment for the draft Solar Farm Development Supplementary Planning Document Consultation Response

Dear Claire Stuckey,

Our Ref: 348842

Chelmsford Local Plan - Draft SEA/HRA Screening for Draft Solar Farm Development Supplementary Planning Document (SPD)

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has no comments to make on the Draft SEA/HRA Screening for Draft Solar Farm Development Supplementary Planning Document (SPD)

The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.

Should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

Yours sincerely,



Dominic Rogers

Consultations Team

Natural England

Hornbeam House, Electra Way

Crewe, Cheshire, CW1 6GJ

Enquiries line:

Email:

Environment Agency Response

From: Allsop, Gemma

Sent: 19 April 2021 14:41

To: Claire STUCKEY

Subject: RE: SEA / HRA Screening Assessment for the draft Solar Farm Development Supplementary Planning Document (SPD), April 2021 - Notice of 5 week consultation

Dear Claire

We do not provide bespoke comments at the screening stage.

Please consult us at Scoping.

Kind regards

Gemma

Gemma Allsop

Sustainable Places - Planning Advisor

Please note I am part time Mon-Thurs 10-3

