

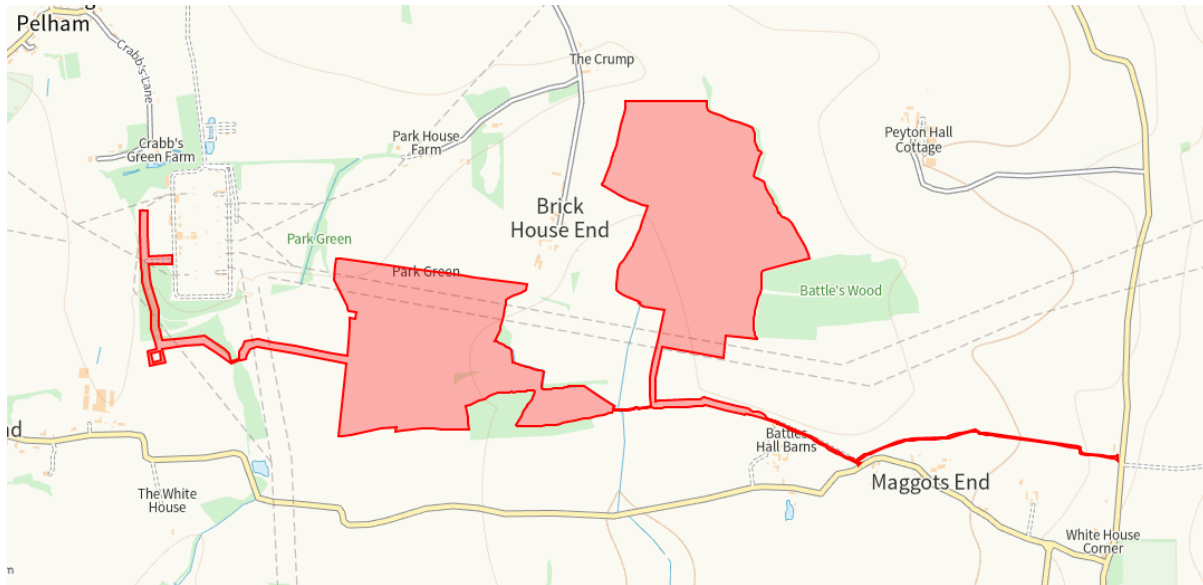
**ITEM NUMBER:** 4

**PLANNING COMMITTEE DATE:** 14 January 2025

**REFERENCE NUMBER:** UTT/25/1224/FUL

**LOCATION:** Land Near Pelham Substation  
Maggots End Road  
Manuden And Berden

## SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: November 2025

**PROPOSAL:** Construction of a solar photovoltaic ("PV") farm with associated infrastructure.

**APPLICANT:** Low Carbon Solar Park 6 Limited

**AGENT:** DWD Ltd

**EXPIRY DATE:** 5 September 2025

**EOT Expiry Date** 18 January 2026

**CASE OFFICER:** Chris Tyler

**NOTATION:** Outside Development Limits, Adjacent Ancient Monuments, Adjacent Listed Buildings, Adjacent Ancient & Important Woodlands, Adjacent Country Wildlife Sites.

**REASON THIS APPLICATION IS ON THE AGENDA:** Major Planning Application.

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## **1. EXECUTIVE SUMMARY**

- 1.1** This application seeks full planning permission for the construction and operation of the Pelham Spring Solar Farm on agricultural land near Pelham Substation, Maggots End Road, Manuden. The proposal comprises ground-mounted solar photovoltaic (PV) arrays and associated infrastructure designed to generate up to 49.9 MW of renewable electricity, sufficient to power approximately 16,500 homes annually and offset around 11,000 tonnes of CO<sub>2</sub> emissions per year. The scheme is proposed for a temporary operational period of 40 years, after which the land will be restored to agricultural use.
- 1.2** The application follows two previous refusals (UTT/21/3356/FUL and S62A/2022/0011) and incorporates significant design changes, including the removal of battery storage, relocation of the substation outside flood risk areas, enhanced landscaping, and strengthened biodiversity measures. The site covers 64.93 hectares, predominantly Best and Most Versatile (BMV) agricultural land, but the applicant has demonstrated through an Alternative Sites

Assessment that no suitable brownfield, non-agricultural, or lower-grade land exists within proximity to the grid connection point.

**1.3** Key considerations include:

- **Landscape and Visual Impact:** Initial moderate adverse effects will reduce to minor adverse as mitigation planting matures. The layout respects existing field patterns and introduces green corridors and woodland belts.
- **Heritage:** The scheme will result in a low to medium level of less than substantial harm to the setting of nearby listed buildings and scheduled monuments. This harm is mitigated by limited intervisibility, reversibility, and archaeological protection measures.
- **Biodiversity:** The proposal delivers significant net gains (34.44% for habitats, 80.37% for hedgerows) and includes measures for protected species.
- **Highways and Flood Risk:** No severe highway impacts are anticipated subject to conditions. The site lies in Flood Zone 1, and sustainable drainage measures are proposed.
- **Planning Balance:** The proposal delivers substantial public benefits, including the generation of up to 49.9 MW of renewable energy, contributing to national and local climate change targets, and providing biodiversity net gains significantly above statutory requirements. These benefits are considered to outweigh the identified residual harms relating to landscape, visual impact, and heritage, which are assessed as low to medium and less than substantial.

**1.4** It is recommended that planning permission be granted subject to the imposition of appropriate planning conditions to secure landscaping, biodiversity, drainage, construction management, and full decommissioning and restoration of the land to agricultural use at the end of the operational period.

**2. RECOMMENDATION**

**2.1** That the Strategic Director of Planning be authorised to GRANT permission for the development subject to those items set out in section 17 of this report :

A) Conditions

**3. SITE LOCATION AND DESCRIPTION:**

- 3.1** The area of land subject to this full planning application relates to the land known as 'Land Near Pelham Substation, Maggots End Road, Manuden, Essex.' The extent of the application site is as shown by the land edged in red on the site location plan submitted in support of this application.
- 3.2** The application site falls within the administrative boundary of Uttlesford District Council.
- 3.3** The site is located on agricultural land located between the villages of Stocking Pelham to the northwest, Berden to the north, and Manuden to the southeast.
- 3.4** The site area is approximately 64.93 hectares in overall size and is made up of several irregular shaped agricultural fields which are used for a mix of crop production and pasture. The site contains undulating slopes throughout with slight variation in levels, but overall, the site generally falls from north to south
- 3.5** The site is bounded by agricultural land to the north beyond Blakings Lane, a mixture of woodland and agricultural land to the east; agricultural land to the south; and a mixture of woodland and agricultural land to the west. The Pelham Spring Electricity Substation is located to the west. The nearest group of dwellings is in the hamlet of Brick House End to the west. Battles Hall and other properties in Maggot's End sit to the southeast of the site, and along Maggot's End Road leading west from Manuden to East End and then Stocking Pelham.
- 3.6** There are no designated heritage assets located within the site. Battle's Hall is a Grade II Listed building with the associated Moated Site at Battle's Manor designated a Scheduled Monument. The neighbouring properties to the north, The Crump and associated former barn are designated as Grade II listed buildings. The adjacent ringwork The Crump is also Scheduled Monument. Several further Grade II Listed Buildings are recorded in the surrounds of the site.
- 3.7** In terms of local designations, the site is adjacent to Battles Wood Ancient Woodland, which lies to the east. There are no County Wildlife Sites or any other local environmental designations nearby. The site is not adjacent to any statutory or non-statutory landscape designations and the Environmental Agency Flood Risk Maps identifies the whole of the site lying within 'Flood Zone 1'.
- 3.8** There are several Public Rights of Way which bisect the site in places or pass in very close proximity, linking Battle's Hall and

Maggot's End Road with Brick House End. Currently, vehicle access is via existing farm tracks from the farm to the east of the site.

#### **4. PROPOSAL**

**4.1** The application seeks full planning permission for the construction, operation, and eventual decommissioning of a ground-mounted solar photovoltaic (PV) farm and associated infrastructure on agricultural land located east of Pelham Substation, near Maggots End and East End. The development, known as Pelham Spring Solar Farm, covers a total area of 64.93 hectares, comprising 62.81 ha within Uttlesford District and approximately 2.12 ha within East Hertfordshire District for the underground cable route.

**4.2** The scheme is designed to generate up to 49.9 megawatts (MW) of renewable electricity, sufficient to power approximately 16,500 homes annually and offset around 11,000 tonnes of CO<sub>2</sub> emissions per year. The operational lifespan sought is 40 years, after which the site would be decommissioned and restored to its previous agricultural condition.

**4.3** Key components of the proposal include:

- Arrays of solar PV panels mounted on frames up to 3m high.
- Containerised inverter cabins and associated transformers.
- A 33–132kV substation compound with DNO and customer switchgear.
- Internal access tracks, perimeter fencing, and security cameras.
- Landscaping and biodiversity enhancements, including hedgerow reinforcement and species-rich grassland.
- Underground cabling to the point of connection at Pelham Substation.

**4.4** The proposal incorporates design changes following previous refusals (UTT/21/3356/FUL and S62A/2022/0011), including:

- Removal of battery storage.
- Relocation of the substation outside areas of surface water flood risk.
- Revised landscaping and ecological mitigation measures.

#### **4.5 Construction, Operation and Decommissioning**

#### **4.6 Construction Phase**

**4.6.1** The solar farm is expected to be constructed over a period of approximately 20 weeks (5 months). Works will include site preparation, installation of temporary access tracks, erection of

perimeter fencing, assembly of solar arrays, installation of inverter cabins, and grid connection works.

- Access: Construction traffic will enter via an improved agricultural access from Manuden Road, with visibility splays and swept path analysis confirmed.
- Working Hours: 08:00–17:00 Monday to Friday and 08:00–13:00 Saturday, with any out-of-hours work subject to prior approval.
- Compound: A temporary construction compound will be established within the site, including welfare facilities, storage areas, and wheel washing to prevent mud on local roads.
- Traffic Management: A Construction Traffic Management Plan (CTMP) will govern routing, timing, and mitigation measures to minimise disruption.

## **4.7 Operational Phase**

**4.7.1** The solar farm will operate for 40 years, generating up to 49.9 MW of renewable electricity—enough to power approximately 16,500 homes annually and offset around 11,000 tonnes of CO<sub>2</sub> emissions per year.

- Maintenance: Routine maintenance will involve approximately one site visit per week by light vehicles.
- Agricultural Use: Sheep grazing will be permitted beneath the panels to maintain agricultural productivity and biodiversity.
- Security: The site will be secured by stock-proof fencing and monitored by inward-facing CCTV cameras to protect privacy.

## **4.8 Decommissioning Phase**

**4.8.1** At the end of the operational period, all infrastructure—including panels, frames, inverters, substation equipment, fencing, and cabling—will be removed.

- 4.9**
- Restoration: The land will be reinstated to its former agricultural condition, supported by an Outline Soil Management Plan.
  - Recycling: Approximately 90% of materials will be recycled, with industry improvements expected to increase this figure.

- Planning Control: A Decommissioning Scheme will be required by condition or legal agreement, detailing:
  - Timetable for removal
  - Soil reinstatement and landscape restoration
  - Transport and traffic management
  - Ecological mitigation measures

#### **4.10 Comparison of Refused and Current Scheme**

**4.11** The current proposal for Pelham Spring Solar Farm represents a significant evolution from the previously refused schemes (UTT/21/3356/FUL and S62A/2022/0011). Key changes include the complete removal of the battery energy storage system (BESS), which substantially reduces visual and noise impacts, and the relocation of the 33–132kV substation compound outside areas of elevated surface water flood risk. The layout has been refined to break up the solar arrays into smaller clusters, introduce green corridors, and maintain the existing field pattern, thereby reducing the monolithic appearance noted in earlier refusals. Enhanced landscaping and biodiversity measures have been incorporated, including double-staggered hedgerows, woodland belts, species-rich grassland, and a 30–50m buffer to Battles Wood, delivering a biodiversity net gain well above statutory requirements.

**4.12** Heritage concerns have been addressed through an updated Heritage Impact Assessment, micro-siting to avoid sensitive archaeological areas, and proposals for interpretation panels and conservation management. Highways and access issues have been resolved via an amended Construction Traffic Management Plan, Stage 1 Road Safety Audit, and coordinated routing strategies. Flood risk mitigation has been strengthened through a comprehensive drainage strategy and soil management plan. Noise impacts have been significantly reduced following the removal of BESS, with updated assessments confirming compliance with relevant standards. Collectively, these changes respond directly to previous reasons for refusal and materially reduce the level of harm, while maintaining the substantial public benefits of renewable energy generation and climate change mitigation.

### **5. ENVIRONMENTAL IMPACT ASSESSMENT**

**5.1** As part of the previous planning applications for this site the Inspector on behalf of the Secretary of State confirmed that based on the information provided, the proposed development has the potential to give rise to significant visual effects and significant cumulative effects



including those on the local landscape through an increase in the amount of electrical infrastructure within the locality. The Inspector concluded that the submission of an Environmental Statement (ES) is required by the Applicant under regulation 12(3) of the EIA regulations.

- 5.2** The application is accompanied by a Environmental Statement (ES) prepared in accordance with the EIA Regulations. The ES addresses all relevant environmental topics, including landscape and visual impact, heritage, biodiversity, flood risk, traffic and transport, and cumulative effects. This ensures that the likely significant environmental impacts of the proposal have been properly assessed and mitigated.

## **6. RELEVANT SITE HISTORY**

### **6.1 UTT/21/3356/FUL**

- 6.1.1** Construction and operation of a solar farm comprising ground mounted solar photovoltaic (PV) arrays and battery storage together with associated development, including inverter cabins, DNO substation, customer switchgear, access, fencing, CCTV cameras and landscaping.

- 6.1.2** The above application was refused for 8 reasons of refusal under delegated powers in January 2022. The reasons of refusal can be summarised as per below:

1. The proposals by reason of its sitting, size and scale would have a harmful impact upon the rural character and appearance of the area.

2. The proposals would result in 'less than substantial' to nearby heritage assets through change in their setting. Furthermore, a lack of information was submitted in the supporting heritage statement and thereby the impact of the proposals could not be accurately assessed as part of this application.

3. The application had not provided appropriate consideration of the impact of the development such as a geophysical assessment and photographic evidence of the area to assess the historic environment.

4. The proposed works by reason of the poor layout and position of solar panels in and around the towers and below the high voltage overhead electricity lines would not enable appropriate access & maintenance of national important infrastructure and may result in harm to safety.

5. Insufficient information has been submitted in support of the

application to demonstrate that there would not be an unacceptable impact to protected and priority species and their habitats.

6. Insufficient information has been provided in support of the proposals to demonstrate that the proposed highway works scheme is acceptable in terms of highway safety, efficiency and accessibility and that the proposed works are indeed deliverable.

7. Due to a lack of information submitted in support of the proposals to demonstrate its acceptance in respect to drainage and flooding, both the flooding authority and the Council are unable to accurately assess the potential impact that the proposals may have to flooding upon the site itself or elsewhere.

8. A lack of a s106a was provided to secure the decommissioning of the solar farm following its 40-year operation.

## **6.2 UTT/22/2624/PINS**

**6.2.1** S62A/2022/0011 –The application was submitted directly to the Secretary of State under Section 62A of the Town and Country Planning Act 1990 following Uttlesford District Council's designation for major applications. It sought permission for the construction and operation of a solar farm comprising ground-mounted PV arrays and battery storage, with associated infrastructure including inverter cabins, substation, fencing, CCTV, and landscaping.

## **6.3 Decision**

**6.3.1** Planning permission was refused on 11 May 2023. While the Inspector acknowledged the significant benefits of renewable energy generation and modest socio-economic and ecological gains, these were outweighed by identified harms, including:

**6.3.2** Significant adverse impact on landscape character and visual amenity.

**6.3.3** Harm to the setting of heritage assets and insufficient archaeological assessment.

- Loss of Best and Most Versatile agricultural land.
- Unresolved issues relating to highway safety,
- biodiversity impacts, and noise.

**6.3.4** The Inspector concluded that the proposal conflicted with the development plan and national policy, and the planning balance fell against the scheme

## **7. PREAPPLICATION ADVICE AND/ OR COMMUNITY CONSULTATION**

- 7.1** A formal pre-application has previously been submitted and with written advice issued by UDC on 27 June 2022. The Council advised that the size and scale of the proposal should be reduced to lessen harm to the countryside and heritage assets, and recommended removal of panels from visually sensitive areas, particularly the northern section of the site. Additional comments included the need for improved landscaping, consideration of legacy woodland planting, and further assessment of archaeological potential.
- 7.2** Highways advice focused on construction access arrangements, visibility splays, and the requirement for a Stage 1 Road Safety Audit. The applicant also consulted Essex County Council Highways on 16 June 2022, agreeing key principles for traffic routing and mitigation measures. These pre-application discussions informed the design evolution of the current proposal, which incorporates layout changes, enhanced planting, and technical updates to address previous concerns.
- 7.3** The applicant undertook a comprehensive pre-application consultation strategy to engage with local communities and stakeholders. This included digital engagement platforms, a dedicated project website, and traditional methods such as postal leaflets and public notices. A virtual public consultation event was held in March 2021, followed by an in-person event in July 2021, allowing residents to view proposals, ask questions, and provide feedback.
- 7.4** Feedback received during these consultations influenced the design evolution of the scheme, leading to changes such as reducing the overall site area, removing panels from visually sensitive locations, and enhancing landscaping proposals. The applicant also engaged with parish councils, local political representatives, and statutory consultees to ensure transparency and address concerns relating to landscape, heritage, and biodiversity.

## **8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

### **8.1 Highway Authority**

- 8.1.1** No objection subject to conditions.

### **8.2 Local Flood Authority**

- 8.2.1** Initial objection, resolved by the agreement of pre- commencement conditions.

### **8.3 National Highways**

8.3.1 No objection.

### **8.4 Natural England**

8.4.1 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes

### **8.5 Historic England**

8.5.1 We recommended that further assessment was needed to establish the impact of the proposals on the significance of heritage assets.

8.5.2 We have concerns in relation to the impact of the scheme on the historic environment and consider it would result in less than substantial harm to the scheduled 'The Crump: a ringwork 600m south of Berden'. There is also potential for less than substantial harm to the scheduled 'Moated site at Battles Manor'. In our view, however, the applicant has not provided sufficient information in relation to the impact upon these assets to be assessed.

### **8.6 Active Travel England**

8.6.1 No comments provided.

### **8.7 Stansted Airport**

8.7.1 No objection

### **8.8 ECC Mineral and Waste**

8.8.1 The Mineral Planning Authority has no comment to make in relation to this application as the area of the proposed development site located within the Essex sand and gravel Mineral Safeguarding Area is below the minimum Minerals Local Plan 2014: Policy S8 threshold of 5ha, and the Essex chalk Mineral Safeguarding Area is below the minimum Minerals Local Plan 2014: Policy S8 threshold of 3ha.

## **9. Manuden Parish Council**

9.1 Manuden Parish Council strongly objects to the proposal for the following reasons:

9.1.1 Key Grounds of Objection

9.1.2 **Conflict with Policy**

**9.1.3** National Planning Policy Framework (NPPF): Requires protection of valued landscapes, biodiversity, and best agricultural land. Renewable energy need does not override local environmental protections.

**9.1.4** In conflict with Uttlesford Local Plan Policy ENV15:

**9.1.5** Environmental & Practical Concerns

- Solar panels largely imported from China – questionable carbon footprint.
- Poor energy efficiency compared to offshore wind; large land take for minimal return.
- Heat generated by panels contributes to warming.
- Reality of solar farms: fenced, security-heavy, barren—not as portrayed in developer brochures.

**9.1.6** Local Impact

- Harm to recreational amenity: popular walking routes around Battles Wood, Brick End, Peyton Hall.
- Construction traffic through Manuden:
- Narrow streets, historic properties (15th–16th century).
- Safety concerns near Manuden Primary School.
- Increased congestion and risk to heritage assets.

## **9.2 Berden Parish Council**

**9.2.1** Berden Parish Council object to the proposals and considers the proposal to be “wrong development in the wrong location”, with cumulative, landscape, heritage, and agricultural impacts outweighing renewable energy benefits. They request refusal consistent with previous decisions and policy.

**9.2.2** Key issues;

- Two earlier applications for similar schemes were refused (UTT/21/3356/FUL and S62A/2022/0011). Inspector acknowledged renewable energy benefits but concluded harm outweighed benefits.
- Parish Council argues there is little material difference from previous refusals.
- Nearby permissions for solar farms (Berden Hall Farm, Wickham Hall) and multiple battery energy storage systems (BESS).

- Combined effect would industrialise the rural landscape, harm heritage settings, and increase noise.
- Site lies in open countryside within a valued landscape (Berden and Farnham Chalk Upland).
- 40-year scheme would cause significant and irreversible harm to rural character.
- Proposed mitigation (hedge planting) ineffective for decades; conflicts with Local Plan Policy S7 and NPPF.
- Proximity to listed buildings and scheduled monuments (e.g., The Crump, Battles Hall).
- Historic England objects, citing erosion of rural character and harm to significance.
- Parish Council considers harm to heritage assets alone warrants refusal.
- 81% of site is Best and Most Versatile (BMV) land (Grades 2 and 3a).
- No sequential test for alternative lower-grade land; permanent loss of productive farmland.
- Narrow rural roads unsuitable for HGVs; cumulative construction traffic risk.
- Construction Traffic Management Plan lacks robust arrangements.
- PROWs would be enclosed by fencing, harming amenity and accessibility.
- Flood Risk & Drainage: Inadequate attenuation; risk of increased runoff.
- Ecology: Insufficient evidence on protected species; biodiversity net gain not justified.
- Noise: Adds to existing complaints from nearby battery storage schemes.
- Lighting & Glare: External lighting and panel glare would harm rural character.
- Future Reinstatement: Requests Section 106 obligations for land restoration after 40 years.

### **9.3      Stocking Pelham Parish Council**

**9.3.1**      Stocking Pelham Parish Council strongly objects to the proposed solar farm for the following reasons:

- Cumulative Impact
- Parish already hosts significant energy infrastructure (Pelham Substation, Statera battery, Berden Hall solar array, Hixham Hall battery).
- Additional solar array would exacerbate visual harm and erode rural character.

- Calls for a masterplan-led approach across districts to address cumulative effects.
- Loss of Best and Most Versatile Agricultural Land
- Site comprises approx. 81% BMV land.
- No sequential test or evidence of alternative sites on lower-grade land or previously developed land, contrary to NPPF and Local Plan policy ENV5.
- Uttlesford and East Hertfordshire have already exceeded contributions toward national solar targets.
- No justification that this site is the most appropriate location.
- Landscape and Visual Impact
- Located within South Suffolk and North Essex Clayland (NCA 86), a sensitive landscape.
- Significant harm to rural character; mitigation measures considered inadequate.
- Heritage Impact
- Adverse effect on setting of multiple listed buildings and scheduled monuments (Battles Hall, The Crump).
- Historic England identifies harm as “less than substantial” but significant.
- Lack of public consultation.
- Previous refusals and appeal dismissal not addressed.
- Financial viability and decommissioning risk due to applicant’s dormant accounts.
- Ecology, flood risk, and traffic impacts remain unresolved.

#### **9.4 Bishops Stortford Town Council**

- 9.4.1** No objections raised subject to the development being in accordance with any imposed conditions.

#### **9.5 Protect the Pelhams**

- 9.5.1** Protect the Pelhams strongly objects to the proposed 49.99 MW solar farm at Maggotts End, Manuden. This is the third application for the same site, previously refused by UDC (2022) and PINS (2023). The group argues that the site is inherently unsuitable and that harms identified in earlier decisions remain unresolved.

#### **9.5.2 Heritage Impacts:**

- Two Scheduled Monuments (The Crump and Battles Hall) and multiple Grade II listed buildings would suffer *less than substantial harm*, contrary to NPPF and Local Plan policies.
- Historic England maintains significant concerns; the rural setting of these assets would be eroded by industrial-scale infrastructure.

- Archaeological potential is high; trial trenching should be undertaken before determination.

### **9.5.3 Landscape & Visual Impact:**

- The proposal would introduce large-scale industrial infrastructure into a tranquil rural landscape, fundamentally altering its character.
- LVIA is considered deficient; mitigation planting would not screen panels on rising slopes.
- Significant adverse effects on Public Rights of Way and residential amenity (Brick House End properties)

### **9.5.3 Cumulative Effects:**

- Seven renewable projects exist nearby; cumulative visual, heritage, and highway impacts have not been properly assessed.
- Sequential views from local footpaths would create a perception of a continuous solar farm landscape.

### **9.5.4**

#### **Use of Best & Most Versatile (BMV) Land:**

- 82% of the site is BMV land (57% Grade 2).
- No compelling evidence that poorer quality or brownfield sites were considered; site selection exercise deemed inadequate.

### **9.5.5**

#### **Ecology:**

- Loss of 11 skylark territories and other species; mitigation is incomplete and lacks enforceable detail.
- No off-site land identified; approach inconsistent with best practice.

### **9.5.6**

#### **Other Concerns:**

- Temporary" 40-year duration should carry no weight; effectively permanent.
- Transport route via Newport and Clavering raises severe highway safety concerns, including cumulative impacts with other schemes.

### **9.5.7**

#### **Policy Conflict:**

The proposal is considered contrary to Uttlesford Local Plan (Policies S7, ENV1, ENV2, ENV4, ENV5, GEN2, GEN7), Emerging Local Plan (Policies 25, 38, 41, 61, 64), and NPPF paragraphs



relating to heritage (207–216), landscape (187), biodiversity (187–188), and agricultural land.

## 9.6 CPRE Essex

9.7 A detailed objection has been received from CPRE Essex, a countryside charity whose remit is the preservation and enhancement of the Essex countryside. Their representation raises the following key concerns:

- **Cumulative Impact:** CPRE highlights the proliferation of large-scale solar farm applications in Uttlesford and East Hertfordshire, particularly around Pelham and Thaxted substations. They argue that clustering of schemes creates an “industrial energy hub” in a sensitive rural landscape, fundamentally altering its character and visual quality. They reference recent permissions at Berden Hall Farm and Wickham Hall and assert that cumulative harm has not been adequately assessed.
- **Landscape and Heritage Harm:** The charity considers the proposed development to cause significant and irreversible harm to the rural character of the area and the setting of numerous heritage assets, including two Scheduled Monuments (The Crump and Battles Hall Moated Site) and several Grade II listed buildings. CPRE cites Historic England’s objection and contends that mitigation measures such as hedge planting cannot compensate for the loss of openness and historic context.
- **Ecology and Wildlife:** CPRE notes the presence of red-listed and amber-listed bird species, including skylark and yellow wagtail, and argues that the proposals would destroy ground-nesting habitats with no effective mitigation.
- **Loss of Best and Most Versatile Agricultural Land:** The objection emphasises that the site comprises predominantly Grade 2 and 3a land. CPRE argues that national policy creates a strong presumption against solar farms on BMV land and that the development would result in the permanent sterilisation of productive farmland for 40 years.
- **Alternative Sites Assessment:** CPRE criticises the applicant’s sequential test as flawed, citing its narrow 5km search radius and exclusion of non-agricultural and brownfield sites. They argue that rooftop solar and other non-BMV options were not properly considered.
- **Policy Conflict:** CPRE contends that the proposal is contrary to the National Planning Policy Framework (paragraphs 174,

180, and 205) and Uttlesford Local Plan policies S7 (countryside protection), ENV2 (heritage), ENV5 (agricultural land), and ENV15 (renewable energy), which limits schemes to “small scale.”

## **9.8**

**Summary Position:** CPRE concludes that the harm to landscape, heritage, ecology, and agricultural land significantly outweighs the benefits of renewable energy generation. They request that the application be refused, consistent with previous decisions on this site and the Planning Inspectorate’s refusal of S62A/2022/0011.

## **10. CONSULTEE RESPONSES**

### **10.1 Cadent Gas**

#### **10.1.1** No objections.

Pre operation noise survey,  
Construction management plan

### **10.2 UDC Environmental Health**

#### **10.2.1** No objection subject to conditions, including:

Noise survey,  
Construction Management Plan,  
Contaminated Land -compliance condition,  
Details of lighting.

### **10.3 UDC Landscape Officer**

#### **10.3.1** Overall impact

This development is acceptable in terms of its overall impact on the landscape and impacts on existing vegetation.

#### **10.3.2** Ancient woodland buffer, the only query I raise is what the width of the buffer to be provided to the Battle’s Wood woodland will be – this is noted as 30-50m in the Planning, Design and Access Statement (point 4.28, page 32, April 2025), however the buffer appears to be less than 30m on various plans.

#### **10.3.3** Visibility

The visibility of this scheme will be contained by existing hedgerows and trees, as well as new planting that will provide new screening as well as reinforce existing perimeter planting. Visual impacts are expected to be further reduced over time as the proposed mitigation screen planting matures.

**10.3.4** It is noted that the solar panels and associated infrastructure would be set within the existing field pattern, with field margins and boundary vegetation retained, and that the boundary fencing will be screened by this boundary vegetation.

**10.3.5** Impacts on existing vegetation  
Important existing trees are retained and protected for their public amenity value, as well as visual screening they provide to help soften the visual impact of the scheme. No significant trees are proposed to be removed as part of this scheme. Sectional removal of low-quality hedgerow is proposed to allow for site access which is considered acceptable.

**10.3.6** Ecological benefits  
Lastly, it is noted the landscaping and planting proposals associated with the proposed scheme bring significant ecological benefit when compared to the present site condition

**10.3.7** While the revised scheme includes enhanced mitigation and biodiversity measures, including increasing the buffer to the Battle's Wood ancient woodland, the Inspector's conclusion (s62A/2022/0011) regarding the rural character and appearance of the area remains a material consideration:

*“the proposal would have a significantly harmful effect on the rural character and appearance of the area through adversely eroding the agricultural landscape and the intrinsic beauty of the countryside” (paragraph 19).*

**10.3.8** The scale and utilitarian nature of the development continue to present challenges in fully addressing the harm to the rural character of the area.

## **10.4 ECC Highway Authority**

**10.4.1** The Highway Authority has assessed the proposal for a solar PV farm at land near Pelham Substation, Maggots End Road, Manuden (UTT/25/1224/FUL) and considers it acceptable subject to conditions. Construction traffic impacts are expected to be short-term and can be managed through a robust Construction Traffic Management Plan, with a preferred looped routing arrangement if other local projects overlap. Conditions include detailed plans for the protection of Public Rights of Way, provision of safe construction and operational access with appropriate visibility splays, a phasing strategy to coordinate with other developments, and pre- and post-

construction highway condition surveys. Overall, no severe highway impact is anticipated provided these measures are implemented.

**10.5 National Grid**

**10.5.1** No objection

**10.6 Essex Fire and Rescue**

**10.6.1** Essex County Fire & Rescue Service has reviewed the application and raised no objection. Their response highlights the need for suitable access for fire appliances in accordance with Essex Act 1987 and NFCC guidance, including minimum road widths, turning circles, and load capacities. They advise that detailed fire safety measures will be addressed at Building Regulation stage and recommend the provision of adequate water supplies for firefighting. The Service strongly encourages consideration of Automatic Water Suppression Systems (AWSS) to reduce risk to life, property, and the environment.

**10.7 Affinity Water**

**10.7.1** No objections or comments raised.

**10.8 Place Services (Ecology)**

**10.8.1** No Objection

**10.9 NATS Safeguarding**

**10.9.1** No Objection.

**10.10. UDC Urban Design Officer**

**10.10.1** The proposals will impact the character and appearance of the site. However, this impact is proposed to be mitigated by a woodland belt and planting that will largely screen the site, and the supplied verified views depict this at 1 year and 15 years. I have limited comments to make on this proposal from a design perspective, as this is a piece of utilitarian infrastructure with limited proposed access, other than planned and occasional maintenance, and the applicants have endeavoured to mitigate visual impact by screening with planting. The benefits of renewable energy generation and uplift in biodiversity net gain are additional factors in the overall consideration of the scheme.

**10.11 UDC Heritage Officer**

**10.11.1** Neither objecting to, or supporting the Planning Application,

- 10.11.2** The proposal for a solar PV farm at Maggots End Road, Manuden (UTT/25/1224/FUL) lies within an agricultural landscape that forms the wider setting of several listed buildings and scheduled monuments, including The Crump, Rose Garth, and Battles Hall. Although the revised Heritage Impact Assessment concludes no harm, the Conservation Officer considers the scheme would still result in a low to medium level of less than substantial harm to the significance of these assets due to changes in their setting and loss of openness, despite a reduced site area and proposed screening strategy. Verified views indicate visibility from elevated positions, and mitigation measures are questioned for their effectiveness. While the development offers public benefits through renewable energy generation and is temporary (40-year lifespan with restoration to agriculture), this harm must be weighed against those benefits in accordance with paragraph 215 of the NPPF. Feedback from Historic England and ECC Archaeology should also be considered.

## **11. REPRESENTATIONS**

- 11.1** Site notice/s were displayed on site and 3 notifications letters were sent to nearby properties. The application was also advertised in the local press.

### **11.2 Summary of Objections**

**11.2.1** Scale of Development

Approximately 196 acres – one of the largest in Essex.  
Industrial character, incompatible with rural setting.

**11.2.2** Loss of Agricultural Land

Majority is Best and Most Versatile (Grade 2/3a).  
Concerns about food security and future crop production.

**11.2.3** Landscape & Visual Impact

Significant harm to open countryside and scenic views.  
Eight Public Rights of Way affected.

**11.2.4** Heritage Impact

Close to listed buildings and Scheduled Monuments.  
Risk of harm to historic setting.

**11.2.5** Ecology & Biodiversity

Presence of red-listed birds, hares, deer, and great crested newts.  
Fencing and herbicide use will damage habitats.

**11.2.6** Traffic & Highway Safety

Narrow rural lanes unsuitable for heavy construction traffic.  
Estimated 922 HGV movements; risk near schools.

- 11.2.7**     Fire Safety  
Concerns about lithium battery storage and firefighting capability.
- 11.2.8**     Community Impact  
No direct local benefits (e.g., cheaper energy).  
Strong opposition in consultations (majority negative).
- 11.2.9**     Cumulative Impact  
Multiple solar and battery schemes near Pelham Substation.  
Risk of creating an industrial energy hub in rural area.
- 11.2.10**   Alternative Sites Suggested  
Brownfield land, industrial rooftops, motorway corridors, disused airfields.

## **12.        MATERIAL CONSIDERATIONS**

- 12.1**        In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 12.2**        Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to
- a) The provisions of the development plan, so far as material to the application,:
  - (a) a post-examination draft neighbourhood development plan, so far as material to the application,
  - b) any local finance considerations, so far as material to the application, and
  - c) any other material considerations.
- 12.3**        Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it
- 12.4**        **The Development Plan**

- 12.4.1** Essex Minerals Local Plan (adopted July 2014)  
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)  
Uttlesford District Local Plan (adopted 2005)  
Felsted Neighbourhood Plan (made 21 February 2020)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Newport and Quendon and Rickling Neighbourhood Plan (made 28 June 2021)  
Thaxted Neighbourhood Plan (made 21 February 2019)  
Stebbing Neighbourhood Plan (made 19 July 2022)  
Saffron Walden Neighbourhood Plan (made 11 October 2022)  
Ashdon Neighbourhood Plan (made 6 December 2022)  
Great and Little Chesterford Neighbourhood Plan (made 2 February 2023)

**13. POLICY**

**13.1 National Policies**

**13.1.1 National Planning Policy Framework (2024)**

- 13.1.2** A new draft NPPF was published for consultation on 16 December. The draft NPPF is not adopted policy. The current adopted NPPF remains the primary national policy for decision-making under section 38(6) of the Planning and Compulsory Purchase Act 2004.

**13.2 Uttlesford District Plan 2005**

- 13.2.1** Policy S7 – The countryside Policy  
Policy GEN1- Access Policy  
Policy GEN2 – Design Policy  
Policy GEN3 -Flood Protection Policy  
Policy GEN4 - Good Neighbourliness Policy  
Policy GEN6 - Infrastructure Provision Policy  
Policy GEN7 - Nature Conservation Policy  
Policy GEN8 - Vehicle Parking Standards Policy  
Policy ENV2 - Development affecting Listed Buildings Policy  
Policy ENV3 - Open Space and Trees, Policy  
Policy ENV4 - Ancient monuments and Sites of Archaeological Importance  
Policy ENV5 - Protection of Agricultural Land Policy  
Policy E4 – Farm Diversification

**13.3 Neighbourhood Plan**

- 13.3.1** It is confirmed a Neighbourhood Plan has not been made.

**13.4 Supplementary Planning Document or Guidance**

- 13.4.1** Uttlesford Local Residential Parking Standards (2013)  
Essex County Council Parking Standards (2009)

Supplementary Planning Document- Accessible homes and play space homes Essex Design Guide  
Uttlesford Interim Climate Change Policy (2021)  
Uttlesford Design Code (2024)

## **14. CONSIDERATIONS AND ASSESSMENT**

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

**14.2 A) Whether the use of the site for the purpose of a solar farm would be appropriate in terms of land use and impacts on the character of the area**

**B) Heritage**

**C) Impact on neighbour's amenity**

**D) Access and highway safety**

**E) Impact on biodiversity**

**F) Whether the development would increase flood risk issues**

**G) Other Material consideration: Section 106 Agreement and Decommissioning.**

**14.3 A) Whether the use of the site for the purpose of a solar farm would be appropriate in terms of land use and impacts on the character of the area**

**14.3.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the planning policies set out in the Adopted Development Plan unless material considerations indicate otherwise. The planning policies contained within the National Planning Policy Framework (the Framework) are also a material planning consideration, particularly where the policies in the Adopted Development Plan are out of date whereby the revised NPPF provides the statutory guidance for determining planning applications at a national level. The adopted development plan for Uttlesford comprises the Uttlesford Local Plan which was adopted in January 2005 and pre-dates both the original NPPF and the latest version (2024) and draft NPPF (2025).

**14.3.2** The current proposal represents a materially different scheme from the previously refused applications (UTT/21/3356/FUL and S62A/2022/0011). Key changes include the complete removal of the battery energy storage system (BESS), significantly reducing the scale and visual impact of the development; relocation of the 33–132kV substation compound outside areas of elevated surface water flood risk; and refinement of the site layout to retain the existing field pattern and integrate additional landscape mitigation.

**14.3.3** A 30–50 metre buffer to Battles Wood is now proposed, alongside reinforced hedgerows and new planting to soften views from Public



Rights of Way. The biodiversity strategy has been strengthened with species-rich grassland and a proposed Farmland Bird Mitigation Strategy to address skylark habitat loss. Highway safety concerns have been addressed through an updated Construction Traffic Management Plan, including a Stage 1 Road Safety Audit and visibility splays. Noise impacts have been reduced following the removal of BESS, and the applicant now commits to decommissioning and full site restoration after 40 years via planning conditions. Collectively, these changes respond directly to the reasons for refusal identified in previous decisions and materially reduce the level of harm associated with the scheme

#### **14.3.4**     Land Use Considerations

The application site comprises agricultural land currently used for arable farming. National and local planning policy strongly supports the principle of renewable energy development, including solar farms, as part of the UK's legally binding commitment to achieve net zero carbon emissions by 2050. Paragraph 168 of the National Planning Policy Framework (NPPF) requires local planning authorities to give significant weight to the benefits of renewable energy generation and its contribution to a net zero future. Similarly, Uttlesford District Council has declared a climate emergency and adopted strategies to increase local renewable energy generation.

- 14.3.5**     The Agricultural Considerations Report submitted with the current planning application details that there is no food security issue with relation to the use of agricultural land for the proposed solar farm. While the site includes Best and Most Versatile (BMV) agricultural land the proposal is for a temporary period, after which the land will be restored to agricultural use. The applicant has committed to securing decommissioning through planning conditions. This reversibility, combined with opportunities for continued low-intensity agricultural use (e.g., sheep grazing), mitigates concerns regarding permanent loss of agricultural land. On balance, the proposed use is considered acceptable in principle, given the urgent national and local need for renewable energy and the temporary nature of the development.

#### **14.3.6**     Alternative Sites

- 14.3.7** The NPPF and Uttlesford Local Plan Policy ENV5 encourage the use of previously developed land or lower quality agricultural land for renewable energy schemes where possible. The NPPF advises where significant development of agricultural land is necessary, areas of poorer quality land should be preferred to those of higher quality. Similarly, Planning Practice Guidance advises that large-scale solar farms should focus on previously developed and non-agricultural land, provided it is not of high environmental value. While there is no statutory requirement to undertake an alternative sites assessment, the applicant has provided a proportionate review to demonstrate that reasonable alternatives have been considered.
- 14.3.8** The assessment applied a sequential approach consistent with national guidance. First, the search area was defined as a 4km radius from Pelham Substation, which is the secured grid connection point. Grid proximity is fundamental to viability, as connection costs and technical constraints make sites beyond this range commercially unfeasible. Within this area, the applicant reviewed the availability of previously developed land, non-agricultural land, and agricultural land, prioritising poorer quality land (Grades 3b, 4, or 5) over Best and Most Versatile (BMV) land (Grades 1, 2, and 3a).
- 14.3.9** The review found no suitable brownfield sites of adequate size within the 4km search area or wider district. The Uttlesford Brownfield Register was examined, and while Carver Barracks was identified as a large site, it is allocated for housing and unavailable. Other sites were too small, generally under one hectare, or in active use. A wider search for sites over 10 hectares also confirmed that no viable brownfield land exists locally.
- 14.3.10** Non-agricultural land was also considered, including areas such as Hatfield Forest, Stansted Airport, and woodland blocks. These were discounted due to environmental constraints, policy conflicts, and their designation for nature conservation or aviation use. No non-agricultural land within the search area was found to be suitable or available for solar development.
- 14.3.11** The assessment examined agricultural land within the search area. All land within the 4km radius is classified as Grade 2 or Grade 3, with no Grade 4 or 5 land present. Limited Grade 3 land is likely to include Grade 3a (BMV) and is fragmented, constrained by flood zones, nature reserves, and settlements. A wider district review confirmed that most land is Grade 2, with no significant areas of lower quality land available. It would be disproportionate and commercially unfeasible to undertake detailed soil surveys of all Grade 3 land, and even these areas are likely to contain BMV land.
- 14.3.12** The assessment demonstrates that there are no reasonable alternative sites within the defined search area or wider district that

could accommodate the proposed development on previously developed, non-agricultural, or lower quality agricultural land. The use of BMV land at the application site is therefore considered necessary and justified. This conclusion should be viewed in the context of the temporary and reversible nature of the proposal, its contribution to renewable energy targets and climate change commitments, and the absence of viable alternatives within proximity to a grid connection point. On this basis, the Council is satisfied that the applicant has adopted a proportionate and diligent approach to site selection, consistent with national and local policy.

**14.3.13** Core Policy 24 of the Emerging Local Plan seeks to support solar energy development where installations are located on previously developed land and avoid the 'best and most versatile' (BMV) agricultural land. It also requires the integration of solar photovoltaics on roofs of suitable development to achieve net zero operational energy balance.

**14.3.14** The application site comprises agricultural land rather than previously developed land. This is contrary to the locational preference expressed in paragraph 9.49. However, the policy is contained within the Emerging Local Plan, which has not yet been adopted, and therefore can only be afforded moderate weight in the decision-making process. Notwithstanding this, the proposal includes measures to deliver renewable energy generation and contributes to wider climate change objectives. These factors weigh positively in the overall planning balance, albeit the conflict with Core Policy 24 reduces the degree of compliance.

**14.3.15** Impact on Character and Appearance

**14.3.16** Core Policy 25: Renewable Energy Infrastructure – Summary

- **Supports renewable and low-carbon energy generation**, including solar farms, wind energy, and associated infrastructure.
- **Encourages community-led schemes** and local energy sharing initiatives.

Proposals should:

- **Avoid Best and Most Versatile (BMV) agricultural land** where possible or justify its use.
- Include **biodiversity enhancements** and landscape mitigation

- Provide a **restoration plan** to return land to its former condition after the operational period.
- Consider **cumulative impacts** on landscape, heritage, and amenity.

Strong weight is given to schemes that contribute to net zero targets and climate emergency commitments.

**14.3.17** The Landscape Officer considers the development acceptable in terms of its overall impact on the landscape, noting that visibility will be contained by existing hedgerows and trees, supplemented by new planting to reinforce boundaries and provide screening. Important existing trees are retained and protected, and only minor removal of low-quality hedgerow is proposed for access. The officer highlights that the landscaping proposals will deliver ecological benefits and that the scheme respects the existing field pattern, with boundary fencing screened by vegetation

**14.3.18** LVIA Findings

**14.3.19** The LVIA identifies that during construction and early operation, visual effects will be significant from certain Public Rights of Way (PRoWs) and nearby receptors. For example:

**14.3.20** Site Context

Rural agricultural land with hedgerows and occasional woodland. Gently undulating topography typical of the countryside. No statutory landscape designations, but contributes to rural character.

**14.3.21** Nature of Change

Introduction of solar arrays and associated infrastructure changes the land use from arable farming to renewable energy generation. Initial visual impact is noticeable, particularly from nearby rights of way and local roads.

**14.3.22** Design and Mitigation

Existing hedgerows retained and reinforced. New planting and woodland belts proposed to soften views and integrate development. Layout broken into smaller clusters to reduce visual massing and respect field patterns.

**14.3.23** Impact Assessment

Short-term effects: Moderate adverse, mainly localised.  
Long-term effects: Reduced to minor adverse as planting matures.  
Harm considered mitigable and confined to the immediate setting.

**14.3.24** Policy Context

Some conflict with countryside protection policies (e.g. Local Plan Policy S7). Aligns with national and emerging local policy supporting renewable energy and climate objectives (NPPF Paragraphs 161, 168, and 174).

**14.3.25** Overall LVIA Conclusion

While the proposal introduces change to rural character, impacts are localised and can be mitigated. Significant weight given to renewable energy benefits and climate change commitments outweighs limited landscape harm. Subject to conditions securing landscape implementation and long-term management, the development is considered acceptable in landscape and visual terms.

**14.3.26** The site comprises medium-scale agricultural fields enclosed by hedgerows and occasional woodland belts, forming part of a gently undulating rural landscape. The surrounding area is predominantly open countryside with scattered farmsteads and small settlements. Existing infrastructure, including the Pelham Substation and overhead lines, introduces some engineered elements into the local character. Landscape receptors are assessed as having medium sensitivity, reflecting the absence of statutory designations but the presence of strong rural qualities.

**14.3.27** The proposal introduces solar arrays, fencing, and associated infrastructure, resulting in a change from open arable land to a managed solar farm landscape. This represents a medium magnitude of change at the site level, leading to moderate adverse effects on landscape character in the short term. Visual effects for near-range receptors (local lanes and PROW users) are assessed as moderate adverse, reducing to minor adverse as mitigation planting matures. The scheme includes retention and reinforcement of hedgerows, new woodland planting, and species-rich grassland, which will help assimilate the development over time.

**14.3.28** The Secretary of State's appointed Inspector refused a similar solar farm proposal at Land East of Pelham Substation, Maggots End, Manuden (Decision date: 11 May 2023-(S62A/2022/0011)) for reasons that included significant harm to rural character and appearance and major adverse landscape and visual effects during construction and operation. Key findings included:

- The proposal would drastically and noticeably alter the open, rural and agrarian character, introducing overtly utilitarian infrastructure perceived as permanent over a 40-year lifespan.

- Even with mitigation, the regimented arrays of dark panels would contrast sharply with the organic pattern of fields, eroding the intrinsic beauty of the countryside and the qualities of the lower rolling farmed and settled undulating slopes.
- Residual effects were assessed as moderate adverse during operation, with major adverse effects during construction from key viewpoints and PROWs.
- The Inspector concluded that the harm conflicted with Policy S7 of the Uttlesford Local Plan 2005 and Paragraph 174 of the NPPF, which require protection of countryside character and valued landscapes.

**14.3.29** These findings are a material consideration and highlight the importance of robust mitigation and careful siting to avoid repeating the identified harms.

**14.3.30** The application site comprises medium-scale agricultural fields enclosed by hedgerows and occasional woodland belts, forming part of a gently undulating rural landscape typical of the district. The surrounding area is predominantly open countryside with scattered farmsteads and small settlements. Existing infrastructure, including the Pelham Substation and overhead lines, introduces some engineered elements into the local character, reducing its sensitivity compared to wholly unspoilt rural areas.

**14.3.31** The previous s62A decision (ref: S62A/2022/0011) for a similar solar farm at Land East of Pelham Substation identified significant harm to rural character and appearance. The Inspector concluded that the earlier scheme would drastically and noticeably alter the open, agrarian character through the introduction of large-scale utilitarian infrastructure. The regimented arrays were considered to contrast sharply with the organic field pattern, creating a perceived permanence over a 40-year lifespan. Even with mitigation, the Inspector found that the development would erode the intrinsic beauty of the countryside and result in major adverse effects during construction and moderate adverse effects during operation, particularly from public rights of way and nearby highways.

**14.3.32** The current proposal has been specifically designed to address these concerns. The layout has been refined to break up the arrays into smaller clusters with intervening green corridors, reducing visual massing and avoiding the monolithic “industrial techscape” effect noted in the previous decision. Existing hedgerows are retained and reinforced with native species, and new woodland belts and copses are introduced to create a layered, organic edge that integrates with the surrounding field pattern. Panels are sited to follow the landform, avoiding prominent ridgelines and reducing

skyline intrusion. Planting is front-loaded in the construction programme, with advanced hedgerow gapping and semi-mature tree planting to accelerate screening. Public rights of way have been considered carefully, with strategic planting and offset distances ensuring filtered views rather than stark exposure, maintaining a sense of rural enclosure and visual continuity.

- 14.3.33** The site contains a number of public right of ways and footpaths, some of which cross the development area. During construction, certain routes will experience temporary significant adverse effects due to proximity to works, although these will be limited to short sections rather than entire routes. Once operational, all PRowWs will be retained in their current alignment with a minimum 10m corridor and new hedgerow planting to avoid a sense of enclosure. While some visual change will occur initially, mitigation planting will mature over time, reducing impacts. The Environmental Statement concludes that the scheme can be integrated without unacceptable long-term harm
- 14.3.34** In landscape terms, the proposal introduces solar infrastructure but in a manner that respects existing field boundaries and enhances ecological connectivity. The magnitude of change is assessed as medium, resulting in moderate adverse effects at Year 1, reducing to minor adverse as mitigation matures. Near-range receptors, including public rights of way users and residents, will experience initial change, but the combination of offset arrays, green corridors, and reinforced planting will significantly reduce visual intrusion over time. Unlike the previous scheme, the design avoids a monolithic block of panels, instead creating a fragmented layout that reads as part of a managed rural landscape rather than an industrial installation.
- 14.3.35** The cumulative assessment considers the potential combined effects of the Pelham Spring Solar Farm alongside other energy-related infrastructure within the local area. The review identified two relevant schemes: the proposed Solar Farm near Stocking Pelham (Land at Berden Hall Farm, Ginns Road, Berden) and the Stocking Pelham Battery Energy Storage System (BESS), both located in proximity to the existing Stocking Pelham Substation and associated high-voltage pylons. These features already exert a strong influence over the local landscape, introducing large-scale infrastructure into an otherwise agricultural setting.
- 14.3.36** The addition of the Pelham Spring Solar Farm would locally reinforce this energy-related character, particularly within the landscape between Stocking Pelham, Berden, and Maggot's End. While the cumulative effect would be highly localised, it is predicted to result in a major significant change to the immediate landscape pattern and perceptual qualities, with the ruralness and sense of openness reduced. Beyond this immediate area, cumulative effects

diminish rapidly due to the compartmentalised nature of the landscape and strong vegetative framework, resulting in moderate to minor adverse effects at a broader scale. Importantly, there is virtually no intervisibility between the Proposed Development and the two cumulative schemes from most public viewpoints, with sequential views limited to certain Public Rights of Way connecting the three settlements.

- 14.3.37** These sequential effects are expected to reduce over time as mitigation planting matures, diminishing to moderate adverse or negligible at Year 5. Overall, the cumulative assessment concludes that significant effects are confined to a small area already influenced by electrical infrastructure and should be weighed against the substantial benefits of renewable energy generation and climate change mitigation.
- 14.3.38** While development in the countryside is generally restricted under Policy S7 of the Uttlesford Local Plan 2005, the proposal demonstrates a sensitive approach to siting and design, mitigating harm and preserving key landscape features. It also aligns with emerging Core Policies CP1, CP6, CP21, CP24 and CP25 which support comprehensive green infrastructure planning, appropriate rural diversification, and renewable energy delivery, subject to mitigation. From considering the previous s62A decision, the current proposal adopts a landscape-led approach that significantly reduces the level of harm identified previously. Residual effects are localised and mitigable, and when weighed against the substantial renewable energy benefits, the proposal is considered acceptable in landscape and visual terms, subject to conditions securing the landscape strategy and long-term management.
- 14.3.39** The NPPF (Dec 2024) places considerable emphasis on supporting the transition to a net zero future through renewable energy development. Paragraph 161 acknowledges the UK's legally binding target of achieving net zero by 2050, reinforcing planning's role in facilitating this objective. Paragraph 168(a) requires that "significant weight" be given to the benefits associated with renewable and low-carbon energy generation and its contribution to net zero, even where localised harm might occur. At the same time, Paragraph 174(b) directs decision-makers to recognise and protect the intrinsic character and beauty of the countryside, and the wider benefits of natural capital such as woodland, hedgerows, and BMV agricultural land.
- 14.3.40** The principle of renewable energy development is strongly supported by national policy. The Government's Powering Up Britain strategy (2023) and the revised suite of Energy National Policy Statements (EN-1 and EN-3, designated January 2024 following publication in November 2023) confirm that there is a 'critical national priority' for low-carbon infrastructure, including



solar. EN-3 specifically states that the Government is committed to sustained growth in solar capacity to ensure the UK remains on a pathway to meet net zero by 2050. Paragraph 168 of the National Planning Policy Framework (2024) further requires local planning authorities to give significant weight to the contribution of renewable energy proposals towards a net zero future. These documents collectively demonstrate the urgent need for renewable energy deployment and provide strong policy support for the proposed development

**14.3.41** In this context, the proposal's substantial contribution to renewable energy generation and lowering carbon emissions warrants significant positive weight, in line with Paragraph 168, while acknowledging that localised and mitigable adverse effects on landscape character must be appropriately assessed under Paragraph 174.

**14.3.42** The LVIA demonstrates that effects will be moderate adverse initially, reducing to minor adverse over time through sensitive siting, retention and reinforcement of existing landscape features, and comprehensive mitigation. Consequently, the proposal aligns with the NPPF's requirement to balance climate action with protection of the countryside: the substantial public benefits in terms of net zero and biodiversity enhancement outweigh the limited, localised harm to rural character.

#### **14.4 B) Heritage**

**14.4.1** Policy ENV2 of the Uttlesford Local Plan (2005) states that where nationally important archaeological remains and their settings are affected by proposed development, there will be a presumption in favour of their physical preservation in situ. It also requires that development affecting a listed building should be in keeping with its scale, character, and surroundings. The policy seeks to ensure that heritage assets are conserved and that proposals respect their setting.

**14.4.2** The 2024 National Planning Policy Framework (NPPF) reaffirms the irreplaceable nature of heritage assets and advises decision-makers in Chapter 16 to give great weight to their conservation (paragraph 212). It confirms that if a proposal causes less than substantial harm, this harm must be weighed against public benefits (paragraph 215). Additionally, paragraph 207 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting

**14.4.3** The application has been accompanied by an Updated Heritage Impact Assessment (Cotswold Archaeology, April 2025), which provides a detailed and proportionate evaluation of the potential effects on designated and non-designated heritage assets. The

assessment concludes that the proposed development would result in no harm to the significance of scheduled monuments or listed buildings, as there is no meaningful intervisibility between the solar farm and these assets. The rural character of the wider setting will remain, and the proposal is considered to lie beyond any location where the heritage significance of these assets is experienced.

- 14.4.4** The scheme has been designed to minimise ground disturbance, with piled foundations and micro-siting to avoid sensitive archaeological areas. This approach, combined with the cessation of ploughing during the operational life of the solar farm, will protect buried archaeological remains and deliver a net heritage benefit. The proposal also includes opportunities for interpretation panels and a conservation management plan for The Crump scheduled monument, which would enhance public understanding and appreciation of local heritage.
- 14.4.5** The development is temporary and reversible, with a 40-year operational lifespan, after which the land will be restored to agricultural use. This reversibility significantly reduces the level of impact compared to permanent development and aligns with Historic England's guidance that change within a setting does not necessarily equate to harm.
- 14.4.6** Historic England identifies that the rural setting of The Crump and Moated Site at Battles Manor contributes positively to their significance. Their advice states that the introduction of solar arrays and associated infrastructure would erode this rural character, resulting in less than substantial harm. They also note the absence of cumulative impact assessment and request additional visualisations from key viewpoints. This concern is echoed in the Planning Inspectorate's previous S62A refusal, which highlighted that the monuments draw considerable significance from their historic landscape setting and that severing this relationship would diminish their experiential value.
- 14.4.7** The applicant's Updated Heritage Impact Assessment concludes that the site makes no meaningful contribution to the significance of these monuments. It argues that there is no intervisibility between the proposed development and the monuments due to vegetation and topography, and that the rural character of the wider setting will remain. The assessment also stresses that the scheme is temporary and reversible, reducing the level of impact compared to permanent development.
- 14.4.8** The UDC Heritage Officer acknowledges improvements in the revised scheme, including reduced site area and screening measures, but considers that the proposal would still result in a low to medium level of less than substantial harm to the setting of nearby Grade II listed buildings (including Battles Hall, Cart Lodge,

Dovecote, and Rose Garth). This harm arises from changes to the openness and character of the surrounding landscape, which currently reinforces the historic and architectural interest of these assets.

**14.4.9** The applicant's assessment, however, finds that the immediate setting of these buildings will remain unchanged and that the solar farm will not be visible from locations where their significance is best experienced. It concludes that the wider rural setting change is not material to their heritage significance.

**14.4.10** The Council has given full regard to the Heritage Assessment prepared by Protect the Pelhams which raises concerns about potential "less than substantial harm" to the setting of scheduled monuments and listed buildings, as well as the archaeological sensitivity of the site. These concerns have been carefully weighed against the updated Heritage Impact Assessment submitted by the applicant and the findings of subsequent archaeological evaluation.

**14.4.11** Heritage Balance

**14.4.12** Historic England and the Council's Principal Conservation Officer have both identified that the proposed development would result in less than substantial harm to the significance of designated heritage assets, primarily through changes to their rural setting. This harm must be given great weight in the planning balance in accordance with paragraph 212 of the NPPF (2024) and Policy ENV2 of the Uttlesford Local Plan.

**14.4.13** However, the harm identified is assessed as low to medium and is mitigated by several factors:

- **Limited visibility and intervisibility:** The Updated Heritage Impact Assessment demonstrates that the solar farm will not be visible from locations where the significance of scheduled monuments (The Crump and Battles Manor) or listed buildings is best experienced.
- **Temporary and reversible nature:** The development is for a 40-year period and will be fully decommissioned, restoring the land to agricultural use.
- **Archaeological protection and enhancement:** Micro-siting and minimal ground disturbance will safeguard buried remains, while cessation of ploughing during operation will prevent further deterioration. Opportunities for interpretation panels and a conservation management plan offer additional public heritage benefits.

- 14.4.14** When weighed against the substantial public benefits of the proposal—including renewable energy generation, biodiversity enhancement, and contribution to climate change mitigation—the identified harm does not justify refusal. In accordance with NPPF paragraph 215, the harm is clearly outweighed by these benefits.
- 14.4.15** The proposal complies with Policy ENV2, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the relevant provisions of the NPPF (2024). It represents a proportionate and well-informed response to heritage considerations. The development is considered acceptable in heritage terms.
- 14.4.16** In relation to archaeology, the applicant has undertaken trial trenching which confirmed the presence of a medieval moated site and associated features. The proposed construction method using limited piling and micro-siting combined with a programme of archaeological mitigation secured by condition, will safeguard these remains. This approach accords with ULP Policy ENV4 and the NPPF, which require the conservation of heritage assets and appropriate investigation where development may affect archaeological interest.

## **14.5 C) Impact on neighbour's amenity**

**14.5.1** The National Planning Policy Framework (NPPF, 2024) requires planning decisions to ensure developments create places that promote health and well-being, with a high standard of amenity for existing and future users (Paragraph 135). and requires that developments mitigate and reduce potential adverse impacts from noise, light, and pollution, and protect tranquil areas valued for their recreational and amenity qualities.

**14.5.2** Relevant Uttlesford Local Plan (2005) policies include:

- GEN4 – Good Neighbourliness: Development should not cause material disturbance or nuisance to occupiers of surrounding properties.
- GEN5 – Light Pollution: Lighting should be the minimum necessary and avoid glare/spillage.
- ENV11 – Noise Generators: Noise should not cause material disturbance.
- Emerging Local Plan policies (Draft Core Policies 42 and 44) reinforce these principles, focusing on health, well-being, and noise impacts.

**14.5.3** The previous application was refused partly due to insufficient assessment of operational noise impacts. The revised submission includes an updated Noise Impact Assessment (Tetra Tech, April 2025), which concludes the scheme will not have any adverse noise

impact on nearby residents in accordance with BS4142. The Environmental Health Officer (EHO) supports this conclusion but recommends robust conditions to ensure compliance, including:

- A manned measured noise survey prior to operation, with results submitted for approval.
- Operational noise limits: rating level must not increase background noise above 25dB LA90 at night and 31dB LA90 during the day at the nearest residential boundary.
- Immediate cessation of plant operation if compliance fails, with mitigation measures (e.g., acoustic screening) implemented before recommencement

**14.5.4** These conditions will ensure that noise impacts remain acceptable throughout the lifetime of the development.

**14.5.5** Visual Amenity

The proposal introduces solar arrays and associated infrastructure into a rural setting. While this will alter the outlook from some nearby properties, mitigation measures include retention and enhancement of boundary hedgerows, additional native planting, and biodiversity buffers. A Glint and Glare Assessment confirm no significant impact on residential receptors due to screening and panel design. Residual visual impacts will be most noticeable during the early years until planting matures but are considered localised and temporary.

**14.5.6** Lighting

No permanent lighting is proposed. The EHO requires that any external illumination details (including luminance and spread) be submitted for approval and comply with the Institute of Lighting Professionals' Guidance Note 01/20. Infrared CCTV will be used to avoid light pollution.

**14.5.7** Privacy and Overbearing Impact

The development is set back from residential properties, with structures limited to single-storey height (maximum 4.1m for the substation and 3m for panels). There will be no direct overlooking or overshadowing. The proposal therefore complies with Policy GEN4.

**14.5.8** Construction Phase

The EHO requires a Construction Environmental Management Plan (CEMP) to address noise, vibration, dust, traffic, and other environmental impacts during construction. This includes hours of operation, traffic management, and complaint handling.

**14.5.9** The proposal, subject to the recommended conditions, is considered to accord with Policies GEN4, GEN5, and ENV11 of the Uttlesford Local Plan (2005) and Draft Core Policies 42 and 44 of the emerging

Local Plan, as well as the relevant provisions of the NPPF (2024). It provides a high standard of amenity for existing and future users and mitigates potential adverse impacts in line with national and local policy requirements.

#### **14.6 D) Access and highway safety**

**14.6.1** The proposed development has been assessed against the adopted Uttlesford Local Plan (Policy GEN1: Access), relevant emerging Local Plan policies (Core Policies 27, 30 and 31), and the formal consultation response from Essex County Council Highways.

**14.6.2** Policy GEN1 (Access) – Adopted Local Plan

**14.6.3** The scheme provides safe and suitable access to the main road network, with visibility splays meeting Essex County Council standards. The design accommodates all users, including pedestrians, cyclists, horse riders, and those with impaired mobility, and encourages movement by means other than the private car. The traffic generated can be safely accommodated on the surrounding network without compromising road safety.

**14.6.4** National Planning Policy Framework  
Paragraphs 115–117 of the NPPF state that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. The submitted Transport Assessment and Construction Traffic Management Plan demonstrate that neither of these thresholds would be breached. The proposal also aligns with NPPF objectives to promote sustainable transport, reduce reliance on private vehicles, and protect public rights of way.

**14.6.5** Access for construction will be via an existing agricultural entrance on Manuden Road, upgraded to a 5.9m width with a 10m junction radius to the north, as recommended by Essex County Council Highways. Visibility splays of 2.4m x 118.33m (south) and 2.4m x 140.37m (north) will be provided in accordance with ECC Development Management Policy DM1 and Uttlesford Local Plan Policy GEN1. Swept path analysis confirms suitability for 16.5m articulated vehicles, and a Stage 1 Road Safety Audit has been completed.

**14.6.6** Core Policy 27 – Assessing the Impact on Transport Infrastructure  
The development demonstrates that:

- It will not result in an unacceptable impact on highway safety or severe residual cumulative impacts on the network.
- Freight and servicing movements during construction will be managed through a Construction Traffic Management Plan

(CTMP), minimising disruption and safeguarding residential amenity.

- Measures to encourage low-emission technologies and sustainable travel are incorporated, including provision for electric vehicle charging.

**14.6.7** Core Policy 30 – Public Rights of Way

**14.6.8** The proposal safeguards existing Public Rights of Way (PRoWs) and includes a requirement for a Public Rights of Way Management Plan to maintain connectivity during construction and operation. ECC Highways has requested further detail on temporary diversions, protection measures, and long-term restoration, which will be secured by condition.

**14.6.9** Highway Authority Comments

**14.6.10** Essex County Council, acting as the Highway Authority, has reviewed the submitted Transport Assessment and Construction Traffic Management Plan (CTMP) in accordance with the National Planning Policy Framework, Uttlesford Local Plan Policy GEN1, and relevant Development Management Policies. The Highway Authority has confirmed that, subject to the implementation of recommended conditions, the proposed development is acceptable from a highway and transportation perspective. While acknowledging a temporary increase in construction traffic, the Authority considers that the robust measures set out in the CTMP—including routing strategies, banksman control, and coordination with other local energy projects—will ensure that the impact on the highway network is not severe.

**14.6.11** Having regard to the adopted Uttlesford Local Plan Policy GEN1 (Access), the relevant emerging Local Plan policies (Core Policy 27: Assessing the Impact of Development on Transport Infrastructure, Core Policy 30: Public Rights of Way) and the National Planning Policy Framework, the proposed development is considered acceptable in terms of access, highway safety, and sustainable transport provision.

**14.7** **E) Impact on biodiversity**

**14.7.1** Policy GEN7 of the Uttlesford Local Plan requires that development proposals protect and enhance biodiversity, ensuring that adverse impacts on habitats and species are avoided or adequately mitigated. The submitted Ecological Impact Assessment (Clarkson & Woods, April 2025) and supporting advice from Essex County Council Place Services confirm that the site primarily comprises arable fields of limited ecological value, but is bounded by hedgerows, ditches, and woodland that support protected and Priority species, including bats, badgers, and farmland birds. The

site also lies adjacent to Battle's Wood Local Wildlife Site and Park Green LoWS, both of which are Priority habitats.

**14.7.2** Surveys identified the presence of great crested newts within 250m of the site, and breeding territories for Skylark and Yellow Wagtail, both Priority species. In accordance with GEN7, the applicant has committed to mitigation measures including:

- Retention and protection of all hedgerows, woodland, and ditches through buffer zones and fencing.
- A Construction Environmental Management Plan (CEMP: Biodiversity) to safeguard habitats during construction.
- Off-site compensation for farmland birds and a District Level Licence for great crested newts.
- Delivery of a Biodiversity Enhancement Strategy and Habitat Management and Monitoring Plan for a minimum of 30 years.

**14.7.3** The proposals also achieve a mandatory Biodiversity Net Gain (BNG) of 34.44% for habitats, 80.37% for hedgerows, and 23.15% for watercourses, exceeding the statutory 10% requirement under Schedule 7A of the Town and Country Planning Act 1990

**14.7.4** Paragraphs 187(d) and 193(d) of the National Planning Policy Framework require developments to secure measurable net gains for biodiversity and to incorporate reasonable enhancements for protected and Priority species. The scheme complies with these requirements through measures such as species-rich grassland creation, 1.7km of new native hedgerow planting, and installation of bat boxes. These enhancements will contribute to nature recovery and strengthen ecological connectivity in line with national policy.

**14.7.5** Subject to conditions securing the mitigation and enhancement measures outlined above, the proposal accords with Policy GEN7 and the relevant provisions of the NPPF. The development will deliver significant biodiversity benefits and is considered acceptable in ecological terms.

## **14.8 F) Whether the development would increase flood risk issues**

**14.8.1** Following consultation, the Lead Local Flood Authority (LLFA) initially raised a holding objection pending clarification on surface water management measures. In response, the applicant has agreed to conditions requiring a detailed surface water drainage strategy, SuDS for compound areas, construction surface water management, maintenance and verification arrangements, and a soil management plan. The LLFA has confirmed that the proposed wording of these conditions is acceptable and would allow the objection to be withdrawn, subject to the submission of a suitable strategy at the discharge of condition stage.



**14.8.2** The applicant states that filter drains between arrays are unnecessary and impractical, citing experience with similar solar farms in Essex and the presence of existing field drains. They note that rainwater will continue to permeate into the soil during the lifetime of the development. The applicant also highlights that the submitted Flood Risk Assessment (FRA) addresses compound drainage and swale locations, with Figures 6-7 and 6-8 showing indicative layouts and confirming that outfalls will be via percolation into the soil. The applicant acknowledges that the soil/grassland management plan remains outstanding but considers this a reasonable matter to secure by condition.

**14.8.3** The FRA demonstrates that the site is located within Flood Zone 1 and is at low risk from all sources of flooding. It proposes permeable surfaces for compounds and access tracks, gravel bases for infrastructure, and shallow swales to manage overland flows. The cessation of intensive agriculture is expected to improve soil structure and reduce runoff. These measures address most of the LLFA's concerns.

**14.8.4** ULP Policy GEN3 of the Uttlesford Local Plan requires that development does not increase flood risk and incorporates appropriate drainage measures. The National Planning Policy Framework (NPPF), particularly Section 14, requires development to be safe for its lifetime, include sustainable drainage systems, and not increase flood risk elsewhere. The proposed approach aligns with these policies by maintaining infiltration, using permeable surfaces, and introducing swales for betterment

**14.8.5** It is therefore considered that the LLFA's comment that imposing conditions their initial objection can be overcome, this ensures compliance with Policy GEN3, the NPPF, and ECC SuDS guidance.

## **14.9 G) Decommissioning and Restoration**

**14.9.1** Emerging Local Plan Policy 25: Renewable Energy Infrastructure supports proposals for renewable and low-carbon energy generation, if they include a clear scheme for restoration when energy production ceases or the equipment reaches the end of its operational life. This requirement ensures that land is returned to an appropriate condition and avoids long-term adverse impacts on the countryside.

**14.9.2** In line with this policy, the applicant has confirmed in their submission that:

- The solar farm is proposed for a temporary operational period of 40 years from the date of first export to the National Grid.

- At the end of this period, all infrastructure will be removed, including panels, frames, inverters, transformers, fencing, and CCTV equipment.
- Recycling and reuse will be prioritised, with the applicant noting that approximately 90% of materials can currently be recycled.
- The land will be restored to its previous agricultural use, with minimal ground disturbance anticipated due to the limited foundations and retention of grassland during operation.
- A Decommissioning Scheme will be submitted prior to the end of the operational period, detailing transport arrangements, ecological mitigation, and landscape restoration measures.
- The applicant has agreed to a planning condition requiring early decommissioning if the site ceases to generate electricity for six consecutive months before the end of the 40-year period.

**14.9.3** This approach is considered consistent with emerging local plan policy 25 and national guidance, ensuring that renewable energy development remains temporary and reversible, and that the land can be returned to productive agricultural use.

## **14.10 H) Environmental Impact Statement**

**14.10.1** An Environmental Statement (ES) has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to assess the likely significant environmental effects of the proposed Pelham Spring Solar Farm. The ES accompanies the planning application and considers the impacts arising during construction, operation, and decommissioning of the development, as well as the measures proposed to avoid, prevent, and mitigate adverse effects. The assessment has been undertaken using established methodologies and professional judgment, with reference to national guidance and relevant planning policy.

**14.10.2** The ES confirms that the proposed development comprises a ground-mounted solar photovoltaic (PV) farm with associated infrastructure, designed to generate up to 49.9 megawatts of renewable electricity. This is sufficient to power approximately 16,500 homes annually and offset around 11,000 tonnes of carbon dioxide per year, contributing significantly to national and local Net

Zero targets. The operational lifespan of the development is 40 years, after which the site will be decommissioned and restored to its previous agricultural use.

**14.10.3** The scope of the ES includes landscape and visual impact, climate change, and cumulative effects, with other technical topics such as biodiversity, heritage, flood risk, noise, and transport addressed through standalone reports. The assessment identifies that some short-term adverse visual effects will occur during construction and early operation, particularly from nearby Public Rights of Way and local viewpoints. However, these effects will diminish over time as mitigation planting establishes, with no significant residual impacts anticipated beyond Year 10. Landscape character effects are localised and reversible, and cumulative impacts with other renewable energy schemes in the area are assessed as minor following mitigation.

**14.10.4** The ES also demonstrates that the proposal will deliver substantial biodiversity enhancements, including species-rich grassland, hedgerow reinforcement, and habitat creation, resulting in a measurable net gain. No unacceptable impacts are predicted in relation to heritage assets, flood risk, noise, or traffic, subject to the implementation of mitigation measures secured by condition. Due consideration has been given to the Environmental Statement in the above assessment of the proposed development, and its findings have informed the planning balance and recommendation. Overall, the Environmental Statement concludes that the development is environmentally acceptable and that its benefits in terms of renewable energy generation and climate change mitigation should be afforded significant weight in the planning balance.

## **14.11 Planning Balance**

**14.11.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan includes the Uttlesford Local Plan (2005) and emerging Local Plan policies, alongside national policy in the NPPF (2024).

**14.11.2** Material Considerations

**14.11.3** Two key considerations weigh heavily:

- The Planning Inspectorate's decision (May 2023) on a similar proposal, which concluded that benefits were outweighed by harms to landscape, heritage, archaeology, BMV land, biodiversity, and highway safety.

- Local representations which argue that the current application remains substantially unchanged and reiterates concerns regarding heritage, landscape, cumulative impacts, and ecology.

**14.11.4** The committee must therefore consider whether changes to the scheme and the evolving policy context justify a different outcome.

**14.11.5** Landscape and Visual Impact

**14.11.6** The LVIA identifies that during construction and Year 1 operation, major adverse visual effects will occur from several Public Rights of Way and local viewpoints, particularly around Brick House End and Maggots End Road. These effects are considered significant in visual terms initially. However, by Year 15, the magnitude of change reduces to low, resulting in moderate or minor adverse effects, as mitigation planting matures and assimilates the development into the landscape.

**14.11.7** The Council's Landscape Officer confirms that the scheme is acceptable in terms of overall landscape impact, noting that visibility will be contained by existing hedgerows and new planting, and that ecological benefits from landscaping are significant.

**14.11.8** Benefits of the Proposal

**14.11.9** The proposal would deliver up to 49.9 MW of renewable energy, sufficient to power approximately 16,500 homes annually and displace around 11,000 tonnes of CO<sub>2</sub> per year. Over its 40-year operational life, this represents a substantial contribution to national and local decarbonisation targets. Paragraph 168a of the NPPF requires that significant weight be given to the contribution of renewable energy generation and a net zero future. This is reinforced by the Government's Clean Power 2030 Action Plan and Uttlesford's own Climate Crisis Strategy.

**14.11.1** Further benefits include:

**0**

**Climate Change Mitigation:** Supports legally binding net zero targets and local climate emergency commitments.

**Biodiversity Net Gain:** Measurable enhancements including species-rich grassland, hedgerow improvements, and ecological features.

**Socio-economic Benefits:** Temporary construction employment and supply chain opportunities, alongside long-term maintenance roles.

**Reversible Land Use:** The proposal is for a fixed 40-year period, after which the land will be restored to agricultural use.

**Design and Mitigation:** Layout respects existing field patterns, retains mature vegetation, and introduces additional planting to soften views.

#### **14.11.8 Assessment of Harm**

**14.11.9** The previous refusal in 2023 identified significant harm arising from the proposal, specifically in relation to landscape character and visual impact, the setting of designated heritage assets, and the loss of Best and Most Versatile (BMV) agricultural land. These impacts remain relevant considerations in the current application and have been carefully reassessed.

**14.11.10** Since that decision, the applicant has introduced a series of amendments aimed at reducing the level of harm. These include the removal of the battery storage compound, which reduces built form and associated visual clutter, enhanced landscaping proposals to improve visual integration, and ecological mitigation measures designed to deliver biodiversity net gain. Collectively, these changes represent a meaningful reduction in the overall level of harm compared to the previous scheme.

**14.11.11** There has also been a material change in the policy context since 2023. The Emerging Local Plan, through Core Policy 25, places strong weight on renewable energy delivery and climate resilience. Similarly, updated provisions within the National Planning Policy Framework (NPPF) highlight the urgent need to transition to low-carbon energy sources and support renewable energy infrastructure where impacts can be acceptably mitigated. This shift significantly influences the planning balance.

**14.11.12** There has also been a material change in the policy context since 2023. The Emerging Local Plan, through Core Policy 25, places strong weight on renewable energy delivery and climate resilience. Similarly, updated provisions within the National Planning Policy Framework (NPPF) highlight the urgent need to transition to low-carbon energy sources and support renewable energy infrastructure where impacts can be acceptably mitigated. This shift significantly influences the planning balance.

**14.11.13** Balanced against these residual harms are the substantial public benefits of the proposal. These include renewable energy generation contributing to national and local decarbonisation targets, climate change mitigation, biodiversity enhancement through habitat creation and ecological improvements, and economic benefits arising from investment and job creation during construction and maintenance phases.

- 14.11.14** When assessed against the NPPF and emerging local policy, these public benefits are considered to outweigh the residual adverse impacts. The long-term reduction in visual harm as landscaping establishes, combined with strong policy support for renewable energy, tips the balance in favour of approval. The proposal represents sustainable development and is therefore recommended for support.

## **15. ADDITIONAL DUTIES**

### **15.1 Public Sector Equalities Duties**

- 15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

- 15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

### **15.2 Human Rights**

- 15.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

## **16. Conclusion**

- 16.1** The proposed Pelham Spring Solar Farm represents a significant opportunity to deliver renewable energy at a scale that will contribute meaningfully to national and local climate change objectives. The scheme has been revised to address previous reasons for refusal, including removal of battery storage, enhanced landscaping, and strengthened biodiversity measures. While the development will

introduce change to the rural landscape and result in a low to medium level of less than substantial harm to the setting of certain heritage assets, this harm is mitigated by the temporary and reversible nature of the proposal, the absence of meaningful intervisibility, and archaeological protection measures.

- 16.2** The applicant has demonstrated that no suitable alternative sites exist within proximity to the grid connection point, and the use of Best and Most Versatile land is justified in this context. When weighed against the substantial public benefits of renewable energy generation, biodiversity net gain, and climate change mitigation, the residual adverse impacts do not warrant refusal. Subject to conditions and a Section 106 agreement securing decommissioning and restoration, the proposal is considered to represent sustainable development in accordance with the NPPF, the Uttlesford Local Plan, and emerging policy.

**16.3 RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO CONDITIONS**

**17. CONDITIONS**

- 1.** The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2.** The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

- 3.** The permission hereby granted shall expire no later than 40 years from the date when electrical power is first exported from the solar panels to the electricity grid network, excluding electricity exported during initial testing and commissioning (hereafter referred to as the 'First Export Date'). Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than one calendar month after the event.

REASON: In the interests of the proper planning of the area and to ensure the development is only retained for a temporary period.

4. Not later than 12 months before the expiry of this permission, or, if before then, within 6 months of the point where the Solar Farm permanently ceases to produce electricity, a decommissioning and site restoration scheme, including a programme of implementation, shall be submitted to the Local Planning Authority for written approval.

The scheme shall make provision for, as a minimum, the removal of the solar panels and the associated above ground equipment and foundations to a depth of at least one metre below finished ground level. The approved scheme shall thereafter be fully implemented in accordance with the approved details.

REASON: To ensure the satisfactory restoration of the site in the interests of the character and appearance of the area and in accordance with ULP Policy S7.

5. Prior to the commencement of development, final details of the layout of the development hereby approved, must be submitted to and approved in writing by the Local Planning Authority. The details submitted shall be in general conformity with the approved indicative Proposed Indicative Site Layout Plan (Drawing LCS032-PLE-05\_rev03), Development Zones Plan (Drawing LCS032-DZ-01\_rev23) and Landscape Strategy (Drawing edp8482\_d002c, 12 sheets). The work shall then only be carried out strictly in accordance with the approved layout plans.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved and in the interests of visual amenity and landscape impact.

6. Prior to the commencement of the development, final plans for site infrastructure (including details of heights, materials and colours) shall be submitted to and approved in writing by the Local Planning Authority. The infrastructure shown on the submitted plans must not exceed (in scale) the dimensions approved on the following:

- LCS-SD-05\_rev01 Cable trench Cross Section
- LCS-SD-13\_rev01 Substation Compound Plan
- LCS-SD-17\_rev01 Panel Cross Section 29.5 Degree Tilt
- LCS-SD-20\_rev01 Meter Kiosk
- LCS-SD-25\_rev01 132kV substation fence
- SD-01.2 rev 01 DNO Substation Elevations and Dimensions
- SD-02.1 rev 02 Customer Substation Elevations and Dimensions
- SD-04.1 rev 02 Security Stock Fence and CCTV Elevation
- SD-06.2 rev 02 Access track
- SD-08 rev 02 Inverter Elevations and Dimensions Plan
- SD-14 rev 01 DNO Substation Floor Plan
- SD-15 rev 01 Customer Substation Floor Plan
- SD-16 rev 01 Inverter Floor Plan



- SD-32 rev 04 Gateway Plan

The development shall be carried out in strict accordance with the approved infrastructure plans.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved and in the interests of visual amenity and landscape impact.

7. Prior to commencement of the development, the construction access arrangements as shown in principle on submitted drawing number P24-0144 Figure 3.1 (dated 01/04/2025) shall be provided, including clear to ground visibility splays with dimensions of 2.4 metres by 118.33 metres to the south and 2.4 by 140.37 metres to the north, as measured from and along the nearside edge of the carriageway. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 17 metres from the back edge of the carriageway. No unbound material shall be used in the surface treatment of the vehicular access within 17 metres of the highway boundary.

The associated vehicular visibility splays shall be retained free of any obstruction at all times thereafter until closure of the access on completion of construction.

REASON: to ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Highway Authority's Development Management Policies and Uttlesford Local Plan Policy GEN1.

8. Prior to commencement of the development, the operational access arrangements as shown in principle on submitted drawing number P24-0144 Figure 3.2 (dated 01/04/2025) shall be provided, including clear to ground visibility splays with dimensions of 2.4 metres by 22.13 metres to the west, as measured 1m from the nearside edge of the carriageway and 2.4 by 69.7 metres to the east, as measured from and along the nearside edge of the carriageway. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 17 metres from the back edge of the carriageway. No unbound material shall be used in the surface treatment of the vehicular access within 17 metres of the highway boundary.

The associated vehicular visibility splays shall be retained free of any obstruction at all times thereafter.

REASON: to ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Highway Authority's Development Management Policies and Uttlesford Local Plan Policy GEN1.

9. No later than six months prior to the commencement of development, a detailed Phasing Strategy shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The Phasing Strategy shall specify details of the construction programme and any overlaps that have been identified with other consented major developments likely to give rise to significant levels of construction traffic on the local highway network. Should any overlaps in construction programme be identified then the phasing strategy shall also specify any alternative construction management measures that will be put in place to manage conflicts that may arise during the period of overlap in construction programme(s). The development shall thereafter be carried out in accordance with the approved Phasing Strategy.

REASON: to ensure construction traffic is managed on the highway network in the interests of highway safety in accordance with Policies DM1 and DM20 of the Highway Authority's Development Management Policies, and to ensure adequate mitigation of associated environmental impacts in accordance with Uttlesford Local Plan Policy GEN1.

10. Prior to the commencement of the development, including any ground works or demolition, a detailed Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The CMP shall generally accord with the revised Construction Traffic Management Plan reference P20-1766 TRO2 dated April 2024 and shall include, but not be limited to, the following:

**Construction Programme and Operations**

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Details of hoarding and site security

## **Traffic and Highway Management**

- e) Details of any other scheduled development and associated construction traffic in the area during the construction programme
- f) Expected traffic levels during the construction period and operational phases, including numbers of HGVs, LGVs, minibuses, cars and their likely distribution
- g) Final proposed construction traffic routing plan, coordinated with cumulative development identified within an approved Phasing Strategy
- h) Temporary traffic management measures, banksmen control, delivery timing restrictions and coordination with nearby planned development
- i) On-site parking and turning arrangements
- j) Loading and unloading of plant and materials
- k) Storage of plant and materials used in constructing the development
- l) Wheel and underbody cleaning facilities for vehicles

## **Environmental Management**

- m) Treatment and protection of public rights of way during construction
- n) Management of traffic to reduce congestion
- o) Control of dust and dirt on the public highway
- p) Details of consultation and complaint management with local businesses and neighbours
- q) Waste management proposals
- r) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour
- s) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures

The development shall thereafter be carried out in full accordance with the approved CMP throughout the construction period.

REASON: To ensure construction traffic is managed on the highway network in the interests of highway safety and to mitigate environmental impacts, in accordance with Policies DM1 and DM20 of the Highway Authority's Development Management Policies and Uttlesford Local Plan Policies GEN1, GEN2, GEN4 and the NPPF.

- 11.** Prior to the commencement of development, a detailed Public Rights of Way Plan shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Highway Authority. The Public Rights of Way Plan shall set out the measures for the protection of the public rights of way affected by the development (within the site and adjacent to it). The Public Rights of Way Plan shall address the treatment

of the public rights of way during construction and operation of the solar farm, and their treatment on decommissioning.

The plan will contain, but shall not be limited, to the following:

- a) details of any temporary diversions required during construction
- b) details of the protection measures for PROW users during construction
- c) a 'before' condition survey of the PROW network within the vicinity of the site
- d) the scope for an 'after' condition survey of the PROW network within the vicinity of the site to be undertaken post-construction
- e) details of the method of protection of the PROW network during the operational phase – ensuring vehicle maintenance routes avoid the network or appropriate crossing points and protection is provided
- f) details of planting and fencing adjacent to public rights of way, ensuring appropriate buffer zones within the site and at the edges of the site
- g) a maintenance regime for any screen planting adjacent to a public right of way
- h) details of historic and cultural information display(s) referring to local heritage assets and their importance for members of the public, and any other signing required
- i) a draft restoration plan for the PROW network
- j) a programme for implementation of the Public Rights of Way Plan.

The approved plan shall be implemented thereafter.

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 of the Development Management Policies as adopted as County Council Supplementary Guidance.

- 12.** No development shall take place until the applicant has undertaken a programme of targeted archaeological trial trenching and evaluation in accordance with a Written Scheme of Investigation (WSI) that has first been submitted to and approved in writing by the Local Planning Authority. The WSI shall:

Identify areas highlighted in the geophysical survey and heritage statement as having archaeological potential, including late prehistoric features, ring ditches, and probable medieval moats. Assess the significance of non-designated heritage assets in line with paragraph 194 of the NPPF.

Include a mitigation strategy for preservation in situ or recording of archaeological deposits.

The development shall thereafter be carried out in full accordance with the approved WSI, and a report of the findings shall be submitted to the Local Planning Authority and deposited with the Historic Environment Record upon completion.

REASON: To ensure that archaeological remains are properly investigated and recorded prior to development, in accordance with the National Planning Policy Framework and local planning policy ENV4.

**13.** Prior to Commencement: Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity)

A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority, the CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

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

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with ULP Policy GEN7.

**14.** Prior to Commencement: Submission of a copy of National England's Mitigation License for Great Crested Newt

Any works which will impact the breeding / resting place of Great Crested Newt shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a GCN District Level Licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations

2017 (as amended) authorizing the specified activity/development to go ahead; or

c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

REASON: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 and in accordance with ULP Policy GEN7.

- 15.** Prior to the commencement of the development hereby approved, a Farmland Bird Compensation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation in nearby agricultural land, prior to commencement.

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

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

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

REASON: To allow the LPA to discharge its duties under the NERC Act 2006 (as amended) and in accordance with ULP Policy GEN7.

- 16.** A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following:

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

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

The LEMP shall include all details of the legal and funding mechanisms by which the long-term implementation of the LEMP will be secured by the developer with the management body(ies) responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, approved and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved LEMP shall be carried out in accordance with the approved details.

REASON: To mitigate against the loss of existing biodiversity and nature habitats, as well as implementation and maintenance of proposed additional landscape planting and in accordance with ULP Policy GEN7 and the NPPF.

- 17.** Prior to the commencement of the development hereby approved aA Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, this shall include:
- a) a non-technical summary;
  - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
  - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
  - e) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
  - f) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 3, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

The Council shall only issue approval of the habitat creation and enhancement works until:

- the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and County Planning Act 1990 that significant on-site habitat is delivered, managed and monitored for a period of at least 30 years from completion of development and in accordance with ULP Policy GEN7.

- 18.** No development shall commence (excluding site investigation, ecological surveys and fencing) until a Detailed Surface Water Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall be prepared by a suitably qualified drainage engineer and shall accord with the Non statutory Technical Standards for Sustainable Drainage Systems, the Essex County Council SuDS Design Guide, the CIRIA SuDS Manual (C753) and BS8582.

The Strategy shall include:

- (a) Scaled plans showing surface water flow directions across the site, the location, size and longitudinal sections of swales, and their outfall arrangements (including geotechnical support for any percolation outfalls);
- (b) Hydraulic calculations for all design storms (including climate change allowances) demonstrating system capacity, attenuation volumes and exceedance routing;
- (c) Specification for permeable surfaces and justification where impermeable surfacing is unavoidable;
- (d) A Construction Surface Water Management Plan (CSWMP) for temporary drainage during construction.

The development shall thereafter be carried out in accordance with the approved Strategy.

REASON : To ensure an appropriate surface water drainage scheme is implemented in accordance with the NPPF and local policy, reducing flood risk on and off site and in accordance with ULP Policy GEN3 and the NPPF.



**19.** Prior to the commencement of works to form any site compounds, access tracks, inverter/transformer hardstandings or other operational hard surfacing, details shall be submitted to and approved in writing by the Local Planning Authority of:

- (i) Compound drainage design (e.g., permeable construction, filter drains, local attenuation, cut off ditches);
- (ii) Measures to mitigate channelisation and slow flows between solar array rows (e.g., intermittent filter drains, micro swales, level spreaders or vegetated strips), with spacing and sections.

The works shall be implemented prior to first use of the respective compound/arrays and retained and maintained for the lifetime of the development.

REASON: To prevent uncontrolled runoff and manage surface water in accordance with sustainable drainage principles and in accordance with ULP Policy GEN3 and the NPPF.

**20** Prior to the commencement of the development hereby approved, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall thereafter be carried out as approved. These details shall include [for example]:-

- proposed finished levels or contours;
- legacy planting proposals
- means of enclosure;
- car parking layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.)

- proposed and existing functional services above and below ground (e.g. drainage power communications cables, pipelines etc. indicating lines, manholes, supports.)

- retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in

accordance with Policies GEN2 and S7 of the Uttlesford Local Plan (adopted 2005).

- 21.** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the ECOLOGICAL IMPACT ASSESSMENT (Clarkson and Woods Ltd., July 2025), shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- Purpose and conservation objectives for the proposed enhancement measures;
- detailed designs or product descriptions to achieve stated objectives;
- locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- persons responsible for implementing the enhancement measures; and
- details of initial aftercare and long-term maintenance (where relevant).

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

REASON: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended) and in accordance with ULP Policy GEN7.

- 22.** No development (including site clearance) shall commence until a Construction Surface Water Management Plan (CSWMP) has been submitted to and approved in writing by the Local Planning Authority. The CSWMP shall set out temporary drainage measures, pollution control, silt management, haul road drainage, storage areas and phased implementation to ensure construction activities do not increase flood risk on or off the site. The CSWMP shall be implemented throughout the construction period.

REASON: To manage surface water during construction and prevent pollution in accordance with best practice and in accordance with ULP Policy GEN3 and the NPPF.

**23.** Prior to any site clearance or commencement, a Soil Management Plan (SMP) shall be submitted to and approved in writing by the Local Planning Authority, prepared by a suitably qualified soils/agriculture expert. The SMP shall include:

- Soil resource survey and mapping;
  - Methods for handling, storage and capping of soils during construction, operation and decommissioning;
  - Interface with the approved SuDS Strategy to maintain infiltration/permeability;
  - Construction compounds and temporary drainage measures affecting soils;
  - Trenching and cable installation (sectionalised approach), jointing pits and reinstatement;
  - Upgrading/constructing tracks and crossings with methods to avoid soil compaction;
  - Borrow pits and restoration;
  - Testing/commissioning phases and final site reinstatement;
  - SMP review at end of project life and measures to restore land to an approved quality;
  - Supervision arrangements and competence.
- The development shall be implemented in accordance with the approved SMP.

REASON: To safeguard soil resources and maintain site permeability in accordance with sustainable drainage principles and ULP Policy GEN3 and the NPPF.

**24.** Prior to the installation of any external lighting, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall: identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

All illumination shall also be designed in accordance with the Institute of Lighting Professionals "Guidance Note 01/20: Guidance notes for the reduction of obtrusive light". All illumination within the site shall be retained in accordance with the approved details

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and to ensure proposed lighting does not result in any harmful impact to amenity in accordance with ULP Policies GEN7 and GEN5.

- 25.** Prior to first operation of the solar farm, a SuDS Maintenance Plan and As Built Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The Maintenance Plan shall identify the owner(s)/ responsible body, access arrangements, inspection frequencies and remedial actions for all SuDS components. The Verification Report shall confirm installed levels, dimensions and materials, include photographic record and provide a GIS layer of SuDS assets for submission to the relevant authority. SuDS shall be maintained in accordance with the approved plan for the lifetime of the development.

REASON: To ensure long term maintenance and functionality of the drainage system in accordance with the ULP Policy GEN3 and the NPPF.

- 26.** Within 6 weeks of the development hereby approved first being brought into operation, a manned measured noise survey shall be carried out and a report of the findings submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate compliance with the following requirements:

Noise Limits:

The combined operation of all plant hereby permitted shall not result in a rating level that exceeds:

- 25 dB LA90 during the night-time period; and
- 31 dB LA90 during the day-time period

when measured at the boundary of the nearest residential premises.

Measurement Parameters:

The survey shall include LA90, LAeq, LMax, and 1:1 frequency analysis, with appropriate corrections applied in accordance with BS4142:2019.

Non-Compliance:

Should the plant fail to comply with this condition at any time, it shall be switched off and not used again until compliance is achieved. The use of the equipment shall not recommence until:

A fully detailed noise survey and report has been submitted to and approved in writing by the Local Planning Authority; and mitigation measures (such as acoustic screening or silencers) have been submitted and approved by the LPA and have been implemented.

**Maintenance:**

The plant shall be serviced in accordance with the manufacturer's instructions and as necessary to ensure ongoing compliance with this condition.

**REASON:** To protect the amenity of nearby residential occupiers by ensuring noise emissions are controlled in accordance with BS4142:2019 and local planning policies GEN2 and GEN4 and the NPPF.

- 27.** Prior to the development being brought into operation a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including legacy planting, shall be submitted to and approved in writing by the local planning authority before development, for its permitted use. The landscape management plan shall be carried out as approved.

**REASON:** In the interests of the appearance of the site and area in accordance with Policies GEN2 and S7 of the Uttlesford Local Plan (adopted 2005).

- 28.** If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, the applicant/developer shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to ensure that the site is made suitable for its end use.

**REASON:** To protect human health and the environment and in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

- 29** During construction, robust measures to be taken to prevent birds being attracted to the site. No pools of water should occur and prevent scavenging of any detritus.

**REASON:** Flight safety - To avoid endangering the safe movement of aircraft and the operation of Stansted Airport through the attraction of species of birds that are hazardous to aircraft and thereby increase in the bird hazard risk by the inclusion of certain species of trees and shrubs on the application site and in accordance with Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

## **APPENDIX 1- HIGHWAY AUTHORITY**

Your Ref: UTT/25/1224/FUL  
Our Ref: HT/SD/RMc/26272  
Date: 16/09/2025



CC (by email): Cllr Gooding

To: Uttlesford District Council  
Assistant Director Planning & Building Control  
Council Offices  
London Road  
Saffron Walden  
Essex  
CB11 4ER

Highways and Transportation  
County Hall  
Chelmsford  
Essex  
CM1 1QH

### **Recommendation - this supersedes the Highway Authority's recommendation dated 24/06/2025**

Application No.	UTT/25/1224/FUL
Applicant	Low Carbon Solar Park 6 Limited C/o Pegasus Planning Group Ltd First Floor, South Wing Equinox North, Great Park Road
Site Location	Land Near Pelham Substation Maggots End Road Manuden
Proposal	Construction, operation and decommissioning of a solar photovoltaic ("PV") farm with associated infrastructure

The Highway Authority has assessed the information which has been submitted with the planning application, including the Construction Traffic Management Plan (April 2025 version TR01). The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2024 and in particular paragraphs 115-117, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures

Further to our response dated 24<sup>th</sup> June 2025, we received additional information from the applicant in regards to the existing access which will be used for maintenance vehicles under this proposal.

This planning application is a resubmission of previously refused applications – UTT/21/3356/FUL and S62A/2022/0011. In the period since refusal of those applications, permission has been granted nearby for:

- a ground mounted solar farm with a generation capacity of up to 49.99MW on Land at Berden Hall Farm, Ginns Road, Berden (planning reference S62A/22/0006)
- a battery energy storage system on Land off Pelham Road, Berden (planning reference UTT/22/1203/FUL)
- a solar photovoltaic farm with supporting infrastructure and battery storage, inverters and transformers on Land at Wickham Hall Estate (planning reference S62A/2024/0045)
- a battery energy storage system on Land off Ginns Road, Stocking Pelham (planning reference 3/24/1953/FUL)
- a 50MW battery energy storage system facility on Land at Greens Farm, Stocking Pelham (planning reference 3/21/0969/FUL)

Furthermore, we are aware of an application in East Hertfordshire that is yet to be determined for:

- a battery energy storage facility on Land at Dellows, Ginns Road, Stocking Pelham (planning reference 3/25/0917/FUL)

As above, the Highway Authority has assessed the Construction Traffic Management Plan submitted with the planning application. While there will be a period of impact on the local highway network during construction, it is for a relatively short period of time and the robust implementation of the CTMP will manage this, therefore the highway authority does not consider the impact on the highway network would be severe.

The CTMP sets out a Construction Traffic Routing Strategy at Chapter 4. This sets out that if the other local energy projects nearby (detailed above) are not in construction at the same time, construction vehicles will access and egress the site from/to the north. Alternatively, if other projects are constructing concurrently, a looped route will be used – accessing from the north and egressing to the south.

We consider that a looped arrangement that allows construction vehicles to travel to and from the site without passing each other would minimise potential conflict along the route, recognising that the applicant has no control over other HGVs using the construction route(s) so opposing HGV movements cannot be eliminated entirely. Our preference is for the looped arrangement, but if this development is the only site in the vicinity to go ahead, we are satisfied that a shared access/egress route could be safely managed.

The submitted information gives some detail as to the impact the proposed development would have on the Public Rights of Way network but we consider further detail is required. We are satisfied that this can be dealt with by pre-commencement condition. The proposals seek to keep the definitive widths of the PROW as existing but introduce a 'meadow buffer strip' and hedging either side. This introduces a maintenance liability and doesn't provide any improvements or enhance to the PROW network. Hedging provides screening of the panels but may impact wider views across the countryside. No details are given as the PROW legacy once the panels are no longer operational. We are broadly satisfied with the crossing mitigation for the PROW during construction (use of banksmen and priority being given to PROW users) however, we have safety concerns relating to the construction vehicle access sharing PROW routes. The applicant should consider a suitable diversion route for walkers during construction if it is not possible to keep them on the footpath with vehicles separate.

**From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions/obligations:**

1. **Public Rights of Way:** prior to the commencement of development, a detailed Public Rights of Way Plan shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Highway Authority. The Public Rights of Way Plan shall set out the measures for the protection of the public rights of way affected by the development (within the site and adjacent to it). The Public Rights of Way Plan shall address the treatment of the public rights of way during construction and operation of the solar farm, and their treatment on decommissioning. The plan will contain, but shall not be limited, to the following:
  - a) details of any temporary diversions required during construction
  - b) details of the protection measures for PROW users during construction
  - c) a 'before' condition survey of the PROW network within the vicinity of the site
  - d) the scope for an 'after' condition survey of the PROW network within the vicinity of the site to be undertaken post-construction
  - e) details of the method of protection of the PROW network during the operational phase – ensuring vehicle maintenance routes avoid the network or appropriate crossing points and protection is provided
  - f) details of planting and fencing adjacent to public rights of way, ensuring appropriate buffer zones within the site and at the edges of the site
  - g) a maintenance regime for any screen planting adjacent to a public right of way
  - h) details of historic and cultural information display(s) referring to local heritage assets and their importance for members of the public, and any other signing required
  - i) a draft restoration plan for the PROW network
  - j) a programme for implementation of the Public Rights of Way Plan.

The approved plan shall be implemented thereafter.

**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 of the Development Management Policies as adopted as County Council Supplementary Guidance



2. **Construction access:** prior to commencement of the development, the construction access arrangements as shown in principle on submitted drawing number P24-0144 Figure 3.1 (dated 01/04/2025) shall be provided, including clear to ground visibility splays with dimensions of 2.4 metres by 118.33 metres to the south and 2.4 by 140.37 metres to the north, as measured from and along the nearside edge of the carriageway. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 17 metres from the back edge of the carriageway. No unbound material shall be used in the surface treatment of the vehicular access within 17 metres of the highway boundary.

The associated vehicular visibility splays shall be retained free of any obstruction at all times thereafter until closure of the access on completion of construction.

**Reason:** to ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Highway Authority's Development Management Policies and Uttlesford Local Plan Policy GEN1.

3. **Operational access:** prior to commencement of the development, the operational access arrangements as shown in principle on submitted drawing number P24-0144 Figure 3.2 (dated 01/04/2025) shall be provided, including clear to ground visibility splays with dimensions of 2.4 metres by 22.13 metres to the west, as measured 1m from the nearside edge of the carriageway and 2.4 by 69.7 metres to the east, as measured from and along the nearside edge of the carriageway. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 17 metres from the back edge of the carriageway. No unbound material shall be used in the surface treatment of the vehicular access within 17 metres of the highway boundary.

The associated vehicular visibility splays shall be retained free of any obstruction at all times thereafter.

**Reason:** to ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Highway Authority's Development Management Policies and Uttlesford Local Plan Policy GEN1.

4. **Phasing:** no later than six months prior to the commencement of development, a detailed Phasing Strategy shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The Phasing Strategy shall specify details of the construction programme and any overlaps that have been identified with other consented major developments likely to give rise to significant levels of construction traffic on the local highway network. Should any overlaps in construction programme be identified then the phasing strategy shall also specify any alternative construction management measures that will be put in place to manage conflicts that may arise during the period of overlap in construction programme(s). The development shall thereafter be carried out in accordance with the approved Phasing Strategy.

**Reason:** to ensure construction traffic is managed on the highway network in the interests of highway safety in accordance with Policies DM1 and DM20 of the Highway Authority's Development Management Policies, and to ensure adequate mitigation of associated environmental impacts in accordance with Uttlesford Local Plan Policy GEN1.

5. **Construction Traffic Management Plan:** prior to the commencement of the development, including any ground works or demolition, a detailed Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The final approved plan shall generally accord with revised Construction Traffic Management Plan reference P20-1766 TRO2 dated April 2024. The detail within the CTMP shall include:



- a) details of any other scheduled development and associated construction traffic in the area during the construction programme
- b) details of the expected traffic levels during the construction period and operational periods of the Development, including numbers of expected HGVs, LGVs, minibuses, cars and their likely distribution across the construction and operational phases of the development
- c) detailed final proposed construction traffic routing plan for construction vehicles which where necessary shall coordinate traffic with cumulative development identified within an approved Phasing Strategy
- d) full details of temporary traffic management/banksman control/mitigation/delivery timing restrictions required in connection with the construction traffic routing and co-ordination between nearby planned development
- e) treatment and protection of public rights of way during construction
- f) on-site parking and turning arrangements
- g) loading and unloading of plant and materials
- h) storage of plant and materials used in constructing the development
- i) wheel and underbody cleaning facilities for vehicles

Thereafter, the approved Construction Traffic Management Plan shall be fully adhered to throughout the construction period.

**Reason:** to ensure construction traffic is managed on the highway network in the interests of highway safety in accordance with Policies DM1 and DM20 of the Highway Authority's Development Management Policies, and to ensure adequate mitigation of associated environmental impacts in accordance with Uttlesford Local Plan Policy GEN1.

6. **Condition survey:** prior to the commencement of any work on the site, an inspection of the route to be used by construction vehicles in connection with the development shall be carried out by the applicant, the scope and methodology of which shall be agreed in advance with the Highway Authority and include appropriate evidence. The route should then be inspected regularly during construction with any damage arising from construction traffic being dealt with expediently. On completion of the development any damage to the highway resulting from construction traffic movements generated by the application site shall be identified in a remediation plan and should be repaired within 3 months of initial detection to an acceptable standard and at no cost to the Highway Authority.

**Reason:** to preserve the integrity and fabric of the highway, in the interests of highway safety in accordance with Policy DM1 of the Highway Authority's Development Management Policies and to ensure adequate mitigation of associated environmental impacts in accordance with Uttlesford Local Plan Policy GEN1.

**The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance, Uttlesford Local Plan Policy GEN1 and the National Planning Policy Framework.**

**Informatives:**

- (i) 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. The applicant should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)
- (ii) Prior to any works taking place in public highway or areas to become public highway, the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, safety audits, site supervision, committed 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) Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway
- (iv) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over all public footpaths and bridleways within and in the vicinity of the site shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- (v) There shall be no discharge of surface water onto the Highway.
- (vi) Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway

## **APPENDIX 2- LEAD LOCAL FLOOD AUTHORITY**

Essex County Council  
**Development and Flood Risk**  
**Waste & Environment**  
C426 County Hall  
Chelmsford  
Essex CM1 1QH



Chris Tyler

Date: 16 July 2025  
Our Ref: SUDS-006637  
Your Ref: UTT/25/1224/FUL

Dear Mr Tyler,

### **Consultation Response – UTT/25/1224/FUL - Land East of Pelham substation, Maggots End, Manuden**

Thank you for your email received on 19 May 2025 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15<sup>th</sup> April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

### **Lead Local Flood Authority position**

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a **holding objection** to the granting of planning permission based on the following:

- Measures are required to mitigate channelisation and slow the channelised flows. Eg) filter drains at intervals between rows of solar array panels.
- Details are required how surface water will be dealt with on the compound areas.
- Provide a robust soil, grass, and/or land management plan to keep land in good condition.
- A plan is required evidencing the direction of flows on the site and where the swales will be located and where they will outfall.

We also have the following advisory comments:



- We strongly recommend looking at the [Solar Array Development | Essex Design Guide](#)
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. planning application with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](#)

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

### **Summary of Flood Risk Responsibilities for your Council**

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

### **INFORMATIVES:**

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to [suds@essex.gov.uk](mailto:suds@essex.gov.uk).
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.

- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15<sup>th</sup> of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

## APPENDIX 3- NATIONAL HIGHWAYS



### **National Highways Planning Response (NHPR 25-01) Formal Recommendation to an Application for Planning Permission**

From: Steven Thulborn (Head of Planning & Development)  
Operations Directorate  
East Region  
National Highways  
[PlanningEE@nationalhighways.co.uk](mailto:PlanningEE@nationalhighways.co.uk)

To: Uttlesford District Council  
[Planning@uttlesford.gov.uk](mailto:Planning@uttlesford.gov.uk)

CC: [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk)  
[spatialplanning@nationalhighways.co.uk](mailto:spatialplanning@nationalhighways.co.uk)

**Council's Reference:** UTT/25/1224/ful

**National Highways Ref:** NH/25/13262

**Location Land Near Pelham Substation Maggots End Road Manuden And Berden**

**Proposal Construction, operation and decommissioning of a solar photovoltaic ("PV") farm with associated infrastructure**

Referring to the consultation on a planning application dated 14 October 25 referenced above, in the vicinity of the M11/A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is as follows:

- a. **No Objection:** see reasons at Annex A.
- b. **Conditional Approval:** National Highways recommends approval of the application, subject to the agreement and implementation of planning conditions and/or obligations as set out in Annex A.
- c. **Deferral:** National Highways is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in Annex A.

National Highways Planning Response (NHPR 25-01) January 2025

~~d. **Refusal:** recommend that the application be refused for the reasons set out in Annex A.~~

Highways Act 1980 Section 175B is not relevant to this application.<sup>1</sup>

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

## **APPENDIX 4- NATURAL ENGLAND**

Dear Sir or Madam,

**Planning consultation:** Construction, operation and decommissioning of a solar photovoltaic ("PV") farm with associated infrastructure

**Location:** Land Near Pelham Substation Maggots End Road Manuden And Berden

Thank you for your consultation on the above dated 19 May 2025 which was received by Natural England on 19 May 2025

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.

### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

#### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites **or landscapes**.

Natural England's generic advice on other natural environment issues is set out at Annex A.

### **Other advice**

#### **Priority habitats and Species**

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found on [Gov.uk](https://www.gov.uk).

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

**Sites of Special Scientific Interest Impact Risk Zones**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).



## **APPENDIX 5- HISTORIC ENGLAND**



Mr Chris Tyler  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
Essex  
CB11 4ER

Direct Dial: [REDACTED]

Our ref: P01592854

12 June 2025

Dear Mr Tyler

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND NEAR PELHAM SUBSTATION , MAGGFOTS END ROAD, MANUDEN,  
ESSEX  
Application No. UTT/25/1224/FUL**

Thank you for your letter of 19 May 2025 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

### **Summary**

This application seeks approval for a renewable-led energy scheme comprising ground mounted solar photovoltaic (PV) arrays and battery storage with ancillary equipment on agricultural land, 76.38 ha in area, located near Pelham Substation, Maggots End, Manuden.

This application forms a resubmission of a previously scheme which was submitted to Uttlesford District Council in November 2021 and refused in January 2022 (ref: UT1/21/3356/FUL). A Section 62 Application for the proposals was refused by PINS in March 2023.

Historic England provided advice to the Local Planning Authority on the previous schemes. We recommended that further assessment was needed to establish the impact of the proposals on the significance of heritage assets.

We note the revised design of the scheme that has been submitted. We have not been consulted on this scheme (resubmission) at the pre-application stage. We are disappointed that the screening opinion from the Local Planning Authority did not identify heritage as a potential issue given our concerns relating to the previous scheme. Consequently, we note there is no specific cultural heritage chapter in the Environment Statement.

We have concerns in relation to the impact of the scheme on the historic environment and consider it would result in less than substantial harm to the scheduled 'The Crump: a ringwork 600m south of Berden'. There is also potential for less than substantial harm to the scheduled 'Moated site at Battles Manor'. In our view, however, the applicant has not provided sufficient information in relation to the impact upon these assets to be assessed.

We recommend that further assessment should be undertaken to establish the impact of the proposals on the significance of heritage assets.

## **Historic England Advice**

### The significance of the historic environment

The application site covers a relatively large area of land to the southwest of Berden and to the east of Stocking Pelham. The development has the potential to impact upon both designated and non-designated heritage assets.

Our primary consideration is the potential impact on the setting of the scheduled monument known as 'The Crump: a ringwork 600m south of Berden' (List Entry Number 1009308) and 'Moated site at Battles Manor' (LEN 1011630).

The Crump, located to the north of the proposed development, is a well-preserved earthwork that includes a raised area of ground which measures 32m in diameter at the base and stands c.3m high. This is surrounded by a moat which has a maximum width of 12m and is about 1.5m deep. The western half of the moat remains waterfilled.

Ringworks are medieval fortifications built and occupied from the late Anglo-Saxon period to the later 12th century. They comprised a small defended area containing buildings which was surrounded or partly surrounded by a substantial ditch and a bank surmounted by a timber palisade or, rarely, a stone wall. They are rare nationally with only 200 recorded examples and, as one of a limited number and very restricted range of Anglo-Saxon and Norman fortifications, ringworks are of particular significance to our understanding of the period.

The scheduled 'Moated site at Battles Manor' is the remains of a medieval moated enclosure, located to the south of the proposed development. The northern and southern moat arms remain visible. The eastern and western arms have been infilled but will survive as buried features. The garden between the two moat arms contains a heavy scatter of tile fragments which indicates a former structure, probably the original house, which is documented as dating from the 14th century.

There is high evidential value in both these heritage assets and archaeological remains will be preserved that provide important information relating to the occupation and development of these sites.

The rural setting of the scheduled monuments makes a strong positive contribution to their significance, and how they are experienced in the landscape. Like other examples of their type in this part of England, the scheduled monuments were constructed in the rural landscape. Whilst field boundaries have changed over time, the fundamental agrarian land use in the vicinity of both the scheduled monuments has remained.

There are also a number of Grade II listed buildings within a 1500m radius (Figure 1 of the Heritage Statement).

We note that a complex range of other non-designated buried archaeological remains are recorded within the development site, including the remains of an intense area of activity to the south of Blakings Lane and south-east of The Crump defined by geophysical survey undertaken to inform this application.

We also note the remains of a moated enclosure within the area of the proposed solar arrays (Section 5.22 of the 2023 Heritage Statement; HER Monument MEX13939). The remains of this enclosure have been also defined as a microtopographic feature via visualised Lidar data (Appendix 8 of the Heritage Statement). A second potential moated site has been defined within the western extent of the site (MEX1036848) (Section 5.26 of the Heritage Statement).

The applicant has provided a *Gazetteer of identified heritage assets* (Appendix 5 of the Heritage Statement, prepared by Pegasus Group, 02 09 2022), and both designated and non-designated heritage assets are discussed in the Heritage Statement.

An LVIA is also provided with the application (prepared by Pegasus Group, August 2022) and this forms Chapter 6 of the Environmental Statement.

#### The proposals and their impact on the historic environment

Our primary concern relates to the impact of the proposed development upon the significance of the scheduled monuments known as 'Moated site at Battles Manor', to the south, and 'The Crump: a ringwork 600m south of Berden', to the north.

We have concerns that the scheme would result in the erosion of the rural character of the scheduled 'Moated site at Battles Manor', to the south. We note Context Baseline Viewpoint 10B in the LVIA, to the north of Battles Manor (Figure 6.5 of ES Chapter 6). This indicates that the edge of the solar modules would be visible over the brow of the



hill, although it is stated in Section 6.23 of the Heritage Statement, *'there is no clear intervisibility between the land within the site and the moated site'*. No photomontage has been submitted for this viewpoint, to enable the visual impact to be assessed.

In terms of the scheduled 'The Crump: a ringwork 600m south of Berden', the development would also, in our view, result in an erosion of the rural character of this designated heritage asset, from an open agricultural environment to a semi-industrial landscape. The introduction of solar arrays and ancillary equipment into this landscape would be intrusive and alien. We consider this change would result in harm to the significance of the scheduled monument

I reject the additional conclusions of the Updated Heritage Impact Assessment that seek to dismiss this concern, because the conclusions are not based on evidence

We are also concerned about the potential cumulative impact of the proposed solar farm to the north-west, known as Solar Farm near Stocking Pelham scheme (Application ref. S62A/22/0006). At present, it is difficult to assess the cumulative level or extent of harm to The Crump scheduled monument given the lack of an appropriate cumulative impact assessment relating to the historic environment (although we note the LVIA cumulative assessment presented in Section 6.5 of ES Chapter 6).

We also note that non-designated archaeological remains have been detected as anomalies by the geophysical survey within the application site (Appendix 9 of the Heritage Statement). These have not been tested by trial-trenched evaluation to assess their significance.

#### The policy context

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development in the planning system (paragraphs 7, 8, 10 and 11) which also identifies protection of the historic environment as an important element of achieving sustainable development. Further policy principles relating to the historic environment are set out in Chapter 16 of the NPPF.

In particular, it emphasises the importance of conserving heritage assets, which are an irreplaceable resource, in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations (NPPF paragraph 202).

Paragraph 207 states that 'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

The level of detail should be proportionate to the assets' importance and no more than

is sufficient to understand the potential impact of the proposal on their significance’.

Paragraph 208 requires the LPA to identify and assess the particular ‘significance’ of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This policy also says that the significance of the heritage assets ‘should be taken into account ‘when considering the impact of a proposal on a heritage asset.

Paragraph 212 requires the planning authorities to place ‘great weight’ on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, ‘this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.

Paragraph 200 States that ‘any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’.

Paragraph 214 states that local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.’

Paragraph 215 states where a development 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 including, where appropriate, securing its optimum viable use.

Paragraph 216 states that ‘the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

Proposals that preserve ‘those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably’ (paragraph 219).

Setting is then defined in the NPPF as *‘the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset and may affect the ability to appreciate that significance or may be neutral’.*

When considering the impact of a proposed development on the significance of a

designated heritage asset, great weight attaches to the asset's conservation; the more important the asset, the greater that weight should be. Significance can be harmed through development within an asset's setting.

Our advice reflects guidance in Historic England's Historic Environment Good Practice Advice in Planning Note 3 (2017) provides detailed information for the assessment of setting of heritage assets: *Historic Environment Good Practice Advice in Planning Note 3, The Setting of Heritage Assets*.

This guidance indicates that setting embraces all of the surroundings from which an asset can be experienced or that can be experienced from or within the asset. Setting does not have a fixed boundary and cannot be defined, in perpetuity, as a spatially bounded area or as lying within a set distance of a heritage asset.

#### Historic England's position

We do not have an in principle objection to development of this type and we recognise that there is likely to be a clear public benefit. We acknowledge that, as set out in paragraph 215 of the NPPF, it is for the LPA to weigh the balance between benefits and the impact and harm to the historic environment.

We welcome the removal of the solar modules in the areas to the south of The Crump and to the north Battles Manor in this resubmission. This reduces the impact of the scheme to some degree on the scheduled monuments. We do still have some concerns, however, about the impact of the proposed development on these monuments.

We are also concerned that insufficient information has been provided with the application to enable the effect of the proposed development to be fully assessed and for the balance to be weighed proportionally by the LPA.

We recommend that an additional visualisation is presented and assessed from Viewpoint 10B, to allow the impact to be fully assessed for the scheduled 'Moated site at Battles Manor' and in order to satisfy paragraph 194 of the NPPF.

We have concerns that this development would result in a change from an agricultural landscape to a semi-industrial landscape and would result in an erosion of the rural setting of the scheduled 'The Crump: a ringwork 600m south of Berden'.

We consider the application site does contribute to the significance of The Crump and we believe the photomontage from Viewpoint 8, the proxy viewpoint for this heritage asset, indicates that the proposed development would be visible, both in Year 1 and Year 5 (Figure 6.6 of ES Chapter 6). We consider this would result in less than substantial harm to the significance of the scheduled monument. This is contra Section



6.53 of the 2003 Heritage Statement (and the updated Heritage Impact Assessment) that states the proposed development *'is considered to result in no harm to the heritage significance of the Scheduled The Crump'*.

In our view, the experience of the scheduled monument, from the proximal location, would be adversely altered by the erection of solar panels in what is currently, and historically, an open agrarian landscape.

We consider the agrarian and undeveloped nature of this landscape contributes to the significance of the scheduled monument. The presence of this asset in the rural landscape is a rare survival, and the monument draws a considerable amount of significance from how it is experienced in the historic landscape setting.

We also note that no cumulative impact assessment has been carried out in terms of the historic environment. We would recommend that an adequate assessment is undertaken of the cumulative impact of the proposed development together with the proposed solar farm to the north-west (Solar Farm near Stocking Pelham scheme, Application ref. S62A/22/0006) in terms of the scheduled 'The Crump: a ringwork 600m south of Berden'.

We note the presence of non-designated archaeological remains defined by geophysical survey within the application site, and we welcome the removal of panels from two areas of these remains - along the northern extent of the site and to the north of the moated enclosure (Section 5.47 of the Heritage Statement).

The Local Planning Authority's historic environment adviser, ECC Place Services takes the lead in advising on the identification, assessment and scope for mitigation on non-designated buried archaeological remains and we note their advice of 20 February 2023 regarding the proposals. We note their concerns about the lack of, and need for, targeted trial-trenching evaluation in advance of the planning decision, in order to assess the nature and complexity of non-designated archaeological remains within the application site.

We consider it is best practice in terms of the assessment of archaeological remains to identify whether any important remains are present that could preclude or modify the proposed development. This approach is proportionate and justified in accordance with NPPF paragraphs 207 and 208 and this is consistent with our advice relating to the previous application (dated 26 November 2021).

Archaeological work at this stage helps to ensure that an application is well-informed and appropriately designed. It also significantly reduces the risk of additional unexpected costs and delays at a later stage. Such a strategy will enable greater ability of archaeological contractors to more accurately cost the mitigation scheme.

With regards to the case for public benefit for the historic environment, we consider this could be delivered by a conservation management plan (a programme of capital works and on-going maintenance of the scheduled monument) for The Clump scheduled monument.

We would also suggest that public benefit for the historic environment could be provided by the provision of interpretation panels in suitable, publicly accessible locations (both 'The Crump: a ringwork 600m south of Berden' and 'Moated site at Battles Manor' are located close to PROWs) to improve public perception and understanding of these scheduled monuments.

We would recommend these are secured by a condition attached to any planning permission (if granted) or via a developer contribution. Along with a conservation management plan for The Clump, this would, in our opinion, help to offset the harm that we have identified to the historic environment from the development.

### **Recommendation**

Historic England has concerns about the application on heritage grounds as currently submitted. We consider the application does not meet the requirements of the NPPF, in particular paragraph numbers 207, 212 and 213.

We have concerns in relation to the impact of the scheme on the historic environment and consider it would result in harm to a scheduled monument. We consider this should be given great weight in the planning balance required under paragraph 215 of the NPPF.

In our view, however, the applicant has not provided sufficient information in relation to the impact upon the heritage assets to weigh the harm against the public benefits of the proposal, as required by paragraph 202. Consequently, we consider the application fails paragraph 207 of the NPPF in that regard.

We consider further information is a prerequisite in order to assess the heritage assets prior to consent being granted.

We consider that the issues and safeguards outlined in our advice need to be addressed to ensure the application meets the requirements of the NPPF paragraphs set out above.

We recommend these representations are taken into account and amendments, safeguards or further information sought as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, and send us a copy of your report at the earliest opportunity.



## **APPENDIX 6- ACTIVE TRAVEL**

**LPA Reference:** UTT/25/1224/FUL

**ATE Reference:** ATE/25/00720/FULL

**Site Address:** LAND NEAR PELHAM SUBSTATION, MAGGOTS END ROAD, MANUDEN, CM23 1BJ

**Proposal:** Construction, operation and decommissioning of a solar photovoltaic ("PV") farm with associated infrastructure

**No comment**

Dear Sir/Madam,

Thank you for your email

In relation to the above planning consultation and based on the information available, Active Travel England does not wish to make any comments at this time. The views of the local highway authority should be appropriately considered prior to determining this application.

Regards,

## **APPENDIX 7- STANSTED AIRPORT**

<b>STANSTED AIRPORT AERODROME SAFEGUARDING AUTHORITY PLANNING APPLICATION CONSULTATION RESPONSE – under Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002</b>				
Planning Authority:	UDC		Application No: UTT/25/1224/FUL	
Development Proposal:	Construction, operation and decommissioning of a solar photovoltaic ("PV") farm with associated infrastructure			
Location:	Land Near Pelham Substation Maggots End Road Manuden			
OS Co-ordinates (Eastings/Northings):	547459-228245			
Our Reference:	STN 2025-110			
No Objection	Informatives	Need to engage with MAG Safeguarding	Request Conditions	Objection
X	X		X	

### **Consultation Response:**

Black – Conditions

Green – Informatives

The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. We have no objection subject to the following:

#### Height

No comments

#### Lighting

No comments

#### Wildlife

-During construction, robust measures to be taken to prevent birds being attracted to the site. No pools of water should occur and prevent scavenging of any detritus.

Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.

#### Communication, Navigation, and Surveillance systems

No comments

#### Materials

No comments

Tall Equipment

The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

Construction Management

-Due to the location of the proposals within proximity to flight paths associated with Manchester Airport. Care should be taken to prevent excessive dust and smoke emissions resultant from construction works. Dust and smoke can present a visual hazard to pilots and air traffic control, and if ingested can cause aircraft damage.

Other Comments

It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

**ECC MINERAL AND WASTE**

Dear Planning team

The Mineral Planning Authority has no comment to make in relation to this application as the area of the proposed development site located within the Essex sand and gravel Mineral Safeguarding Area is below the minimum Minerals Local Plan 2014: Policy S8 threshold of 5ha, and the Essex chalk Mineral Safeguarding Area is below the minimum Minerals Local Plan 2014: Policy S8 threshold of 3ha.

Many thanks

Emma

Emma Robinson  
Planning Technician

Planning Service  
Essex County Council