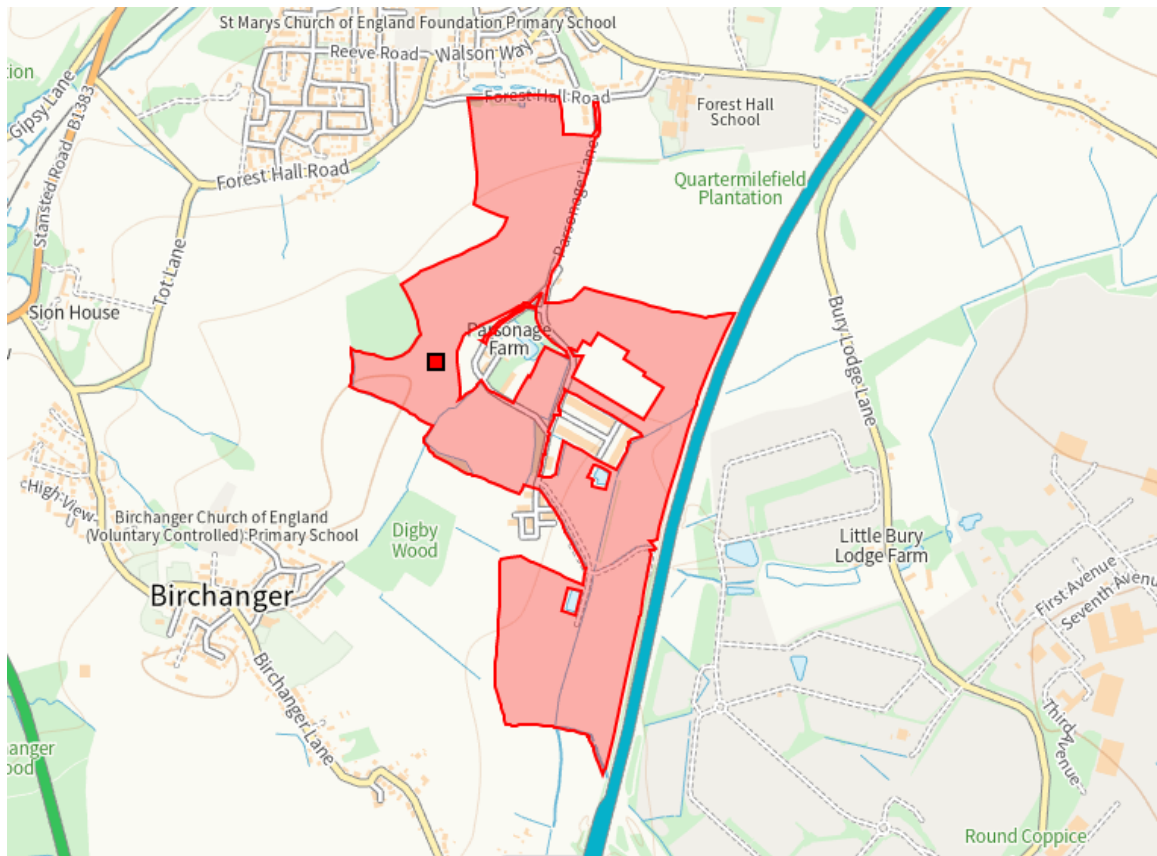


<b>ITEM NUMBER:</b>	<b>5</b>
<b>PLANNING COMMITTEE DATE:</b>	<b>14 January 2026</b>
<b>REFERENCE NUMBER:</b>	<b>UTT/25/1742/FUL</b>
<b>LOCATION:</b>	<b>Land At Parsonage Farm, Forest Hall Road</b>

## SITE LOCATION PLAN



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Organisation: Uttlesford District Council      Date: 22 December 2025

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

**APPLICANT:** Trilogy Logistics REIT Limited

**AGENT:** Montagu-Evans

**EXPIRY DATE:** 22.10.2025

**EOT EXPIRY DATE:** 31.01.2026

**CASE OFFICER:** Genna Henry

**NOTATION:**

- Within the Green Belt
- Poor Air quality area
- Nearby TPOs
- Historical Contaminated Land Use area
- Adjacent to M11 (within 67m)
- Within 2km of SSSI
- Within 6km of Airport
- Nearby Watercourse (Great Hallingbury)
- Near Public Rights of Way
- Within Mineral Safeguarding Area
- Within 100m of Local Wildlife Site/Ancient Woodland (Parsonage Spring/Digby Wood)

**REASON THIS APPLICATION IS ON THE AGENDA:** Major Development.

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## **1. EXECUTIVE SUMMARY**

**1.1** The proposal seeks permission for a solar farm along with associated works that will primarily serve the nearby industrial and logistics development at Northside / BOX: STN. The M11 abuts the eastern boundary of the site and along the other side of the M11 lies Stansted Airport and industrial and logistics developments.

- 1.2 The application site is located within the Metropolitan Green Belt, but has been classed as Grey Belt land. Nonetheless, para. 160 of the Framework stipulates that many renewable energy projects any constitute inappropriate development. In addition, para. 168 of the Framework requires Local Planning Authorities are required to given significant weight to the benefits associated with renewable and low carbon energy generation.
- 1.3 Notwithstanding the above, due to nature, scale and site area of development it is inevitable harms will arise. However, the harms identified within this report have been appropriately mitigated either through the landscaping mitigation and enhancement measures or other means which can be secured by planning condition in the event the application is approved.
- 1.4 Comments have been received from the local community and Birchanger and Stanstead Mountfitchet Parish Councils stating that the development does not offer any direct benefits to the community since the proposals will solely meet the energy demands of the associated Northside development. Officers have considered these comments in the assessment below.
- 1.5 While Officers consider the proposals constitute inappropriate development, it has been concluded that Very Special Circumstances exist to clearly outweigh the harm to the Green Belt and any other harms identified.

## 2. **RECOMMENDATION**

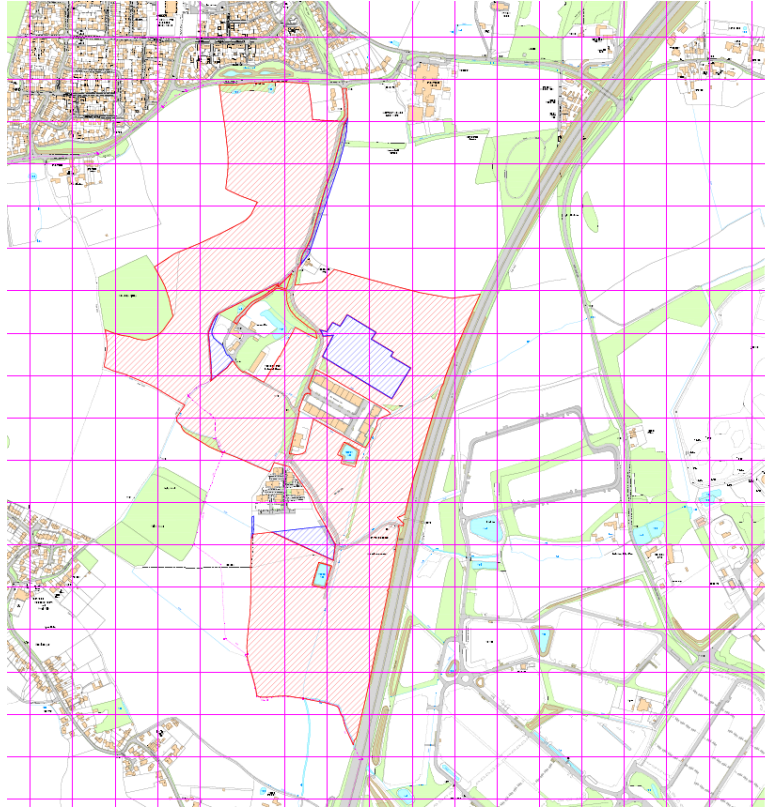
That the Strategic Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report –

A) Conditions

## 3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The application site is an irregular shaped plot with an area of 48ha. The site is wholly within the Metropolitan Green Belt.
- 3.2 The application site boundary is extracted below;

**3.3**



- 3.4** The application site extends over 9 agricultural fields and is bound by the settlement of Stanstead Mountfitchet to the north, agricultural land to the south and west and abuts the M11 motorway to the east. Vehicle access to the site will be obtained from Forest Hall Road to the north onto Parsonage Lane which extends south towards Parsonage Farm and surrounds listed buildings at Parsonage Farmhouse (grade II listed), Barn to the west of Parsonage Farmhouse (grade II listed) and Granary to the west Parsonage Farmhouse (grade II listed). Parsonage Farm is outside of the application site.
- 3.5** Along the eastern side of Parsonage Lane lies an area reserved for a recently approved football pitched (ref: UTT/24/1333/FUL) for Elsenham Youth Football Club but is outside the application site. The eastern limb of Parsonage Lane extends further south and passes the northern M11 Business Links units to the east. Further south and to the east lies more light industrial/business units and where Parsonage Lane eventually ends lies the second area of the M11 Business Links (Office Units). Again, these areas are outside of the application site.
- 3.6** The eastern boundary of the application is directly adjacent to the M11 with the Great Hallingbury Brook intersecting the eastern portion of the application. The western portion of the site partially surrounds Parsonage Spring ancient woodlands, and the south western portion of the site is a short distance from Digby ancient woodland. The south and western boundary of the application site is approximately 0.4km from the village of Birchanger. The site is south of Stansted Mountfitchet.

- 3.7** The public footpath network comprises of a public bridleway 27\_45 and footpath 28\_45 intersect both the western and eastern portions of the site application site. On the western side of Parsonage Spring ancient woodland lies a further footpath 4\_6 and to the south of the application site lies a bridleway 18\_6. A further bridleway 5\_6 leads from Wood Lane from Birchanger to the south and extends northwards connecting to bridleway 27\_45 which extends up along Parsonage Lane and towards Forest Hall Road to the north. Footpath 7\_6 lies south of Digby Wood (ancient woodland) and connects bridleway 5\_6 to footpath 28\_45.
- 3.8** The application site is mostly within Flood Risk Zone 1, with some areas within Flood Risk Zone 2 and 3 and the applicant has calculated this equates to 7% of the total site area and is mostly associated with eastern boundary where the Great Hallingbury Brook is situated.
- 3.9** *Stansted Airport is approximately 1.3km from the application site but on the eastern side of the M11. The recently approved BOX: STN development (ref UTT/22/0434/OP) is a business, logistics and technology development and situated between Stansted airport car parks and the airport runway. The application site would be within close proximity from the BOX: STN albeit on the opposite side of the M11.*
- 3.10** *The proposed development and the application site boundary is strategically situated in close proximity to BOX: STN as the development will generate renewable energy to support the associated site.*

#### **4. PROPOSAL**

- 4.1** The proposed solar farm development will comprise of 41,500 solar panels generating 30MW of energy per annum which will primarily serve the associated development at BOX:STN (i.e. Northside development). Evidently proposed development will be a purpose-built renewable energy development for the associated business, logistics and technology park and will be located in relatively close proximity to the host site.
- 4.2** The applicants Planning Statement and Design and Access Statement outlines how applicant envisages energy generation to be utilised by BOX:STN logistics park which will require a demand of 92MW per annum. It is anticipated that approximately 38MW of energy will be used by the business by the proposed solar farm development and rooftops solar panels on site. As a result, it is proposed to meet circa 40% of BOX:STN energy needs through renewable and low carbon means. The remaining 60% will supplied from the grid.
- 4.3** The developable site area, i.e. land to be occupied by photovoltaic (PV) panel arrays and associated infrastructure equates to 30ha. The associated developments include the following:
- battery storage.
  - inverter cabins

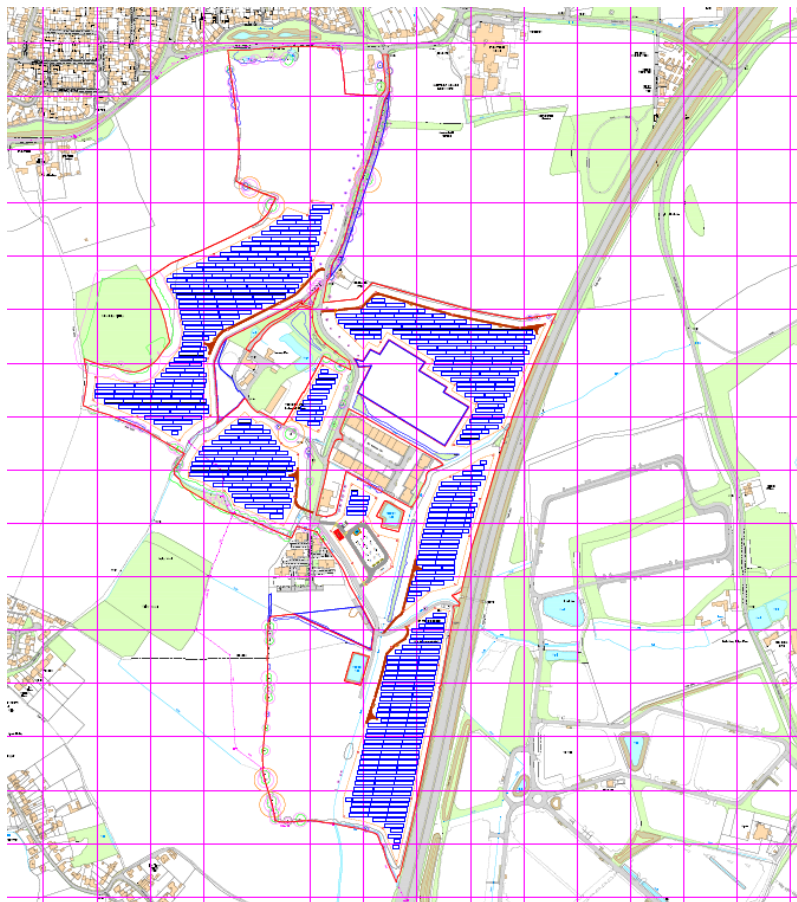
- substations
- customer switchgear
- fencing
- CCTV
- landscaping

**4.4** The battery storage will enable the storage of excess energy to maximise the on-site consumption of generation.

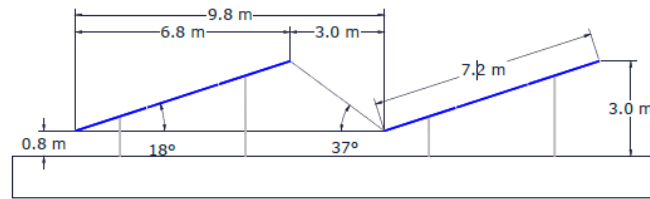
**4.5** In terms of the overall layout of the scheme, the solar panels will be arranged with a 15m landscape buffer around the periphery of the development along with associated landscaping enhancements. No solar panels will be stationed on the parcel of land directly south of Forest Hall Road. Panels will be stationed along the eastern boundary adjacent to the M11 along the western boundary adjoining the woodland at Parsonage Spring and land around Parsonage Farm.

**4.6** Internal tracks will be created to provide access to each portion parcel with PV panels stationed.

**4.7** The proposed site layout is extracted below;



The cross sections below provide an illustration of how the PV panels will be stationed and angled on site.



- 4.8** The overall the proposed heights will be at the most 3 metres. A heavy track will be installed which will surround the battery storage area to accommodate 12 battery storage units with high security fencing around the heavy goods track and battery storage area. The high security fencing is proposed will be a maximum of 2.4m. The solar array fencing will be up to maximum height of 2m and will be stationed around each parcel of land containing PV solar panels and will also have CCTV cameras around each area.
- 4.9** A portion of land with an area of 11.4ha has been reserved for onsite Skylark Mitigation and on-site Biodiversity Net Gain which equates to an increase of 50.01% BNG for habitat units and 55.13% BNG for hedgerow units.
- 4.10** The location of the associated infrastructure and heavy goods track will be stationed between the M11 Business Link industrial units and offices units.

## **5. ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1** The development constitutes 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 5.2** An Environmental Statement has been submitted and scoped-in the following EIA topics;
- Glint and Glare;
  - Land Take and Soils\*
  - Ecology and Biodiversity\*
  - Built Heritage;
  - Archaeology
  - Climate Change and Greenhouse Gases\*
  - Landscape and Visual\*

\*Deemed to have significant adverse / beneficial effects



## 6. RELEVANT SITE HISTORY

### 6.1

Reference	Proposal	Decision
UTT/25/2814/DOV	Request to vary 106 agreement date 8th August 2023 relating to UTT/22/0434/OP -to change the "Restricted Vehicle Numbers" set out within Schedule 5 Part 2 of Section 106 related to Outline Planning Permission UTT/22/0434/OP concerning the "Vehicle Cap" obligation	Pending consideration
UTT/25/2625/DOD	Application to discharge S106 Obligation - Local Employment Training Scheme -Schedule 3: Clause 7: Paragraph 7.1. of agreement dated 8th August 2023 related to UTT/22/0434/OP	Obligation discharged
UTT/25/1769/DOD	Elsenham Youth Football Club Relocation Scheme Revision 3 - July-2025 pursuant to S106 Obligation Schedule 3; Clause 2::Paragraph 2.1: Sub Paragraph 2.1.1. of 106 agreement dated 8 August 2023 relating to UTT/22/0434/OP	Pending consideration
UTT/24/3144/DFO	Reserved matters comprising external appearance, layout, scale and landscaping for Phase 1B of Land to the North of Stansted pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, with supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f), amenity area, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access) ,50 (Glint and Glare), 54 (Wind Shear), 78 (BNG) and 79 (Landscape and Ecological Management Plan) pursuant to Outline Planning permission ref: UTT/22/0434/OP	Approved
UTT/24/1333/FUL	Change of use from agricultural	Approved

	field to 3 no. football pitches, car parking, site access, a storage container, associated works and landscaping.	
UTT/24/0906/DFO	Reserved matters comprising external appearance, layout, scale and landscaping for Option 2 of Phase 2 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access) 38 (Drainage), 78 (BNG) and 79 (Landscape and Ecological Management Plan) pursuant to Outline Planning permission ref: UTT/22/0434/OP	Approved
UTT/24/0904/DFO	Reserved matters comprising external appearance, layout, scale and landscaping for Option 1 of Phase 2 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access) 38 (Drainage), 78 (BNG) and 79 (Landscape and Ecological Management Plan) pursuant to Outline Planning permission ref: UTT/22/0434/OP	Approved
UTT/24/0902/DFO	Reserved matters comprising external appearance, layout, scale and landscaping for Option 3 of Phase 2 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class	Approved

	B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access) 38 (Drainage), 78 (BNG) and 79 (Landscape and Ecological Management Plan) pursuant to Outline Planning permission ref: UTT/22/0434/OP	
UTT/24/0897/DFO	Reserved matters comprising external appearance, layout, scale and landscaping for Option 4 of Phase 2 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access), and 38 (Drainage) pursuant to Outline Planning permission ref: UTT/22/0434/OP	Approved
UTT/23/2187/DFO	Reserved matters comprising external appearance, layout, scale and landscaping for Phase 1 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising 22,637sqm (GEA) commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works	Approved
UTT/22/0434/OP	Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated	Approved

	access/highway works, substation, strategic landscaping and cycle route and other associated works with matters of layout, scale, appearance and other landscaping reserved	
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## **7. PREAPPLICATION ADVICE AND COMMUNITY CONSULTATION**

**7.1** The applicant has undertaken pre-application advice in 2024 and has since engaged with UDC officers on the merits and scope of their proposals.

**7.2** The applicant has entered into a Planning Performance Agreement (PPA) with the Council and various meetings have been had with technical consultees. Presentations have been made to Members of Planning Committee and Officers on the scope of the proposals. Further presentations have also been made to Stanstead Mountfitchet parish Council and Birchanger Parish Council.

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

### **8.1 Active Travel**

**8.1.1** No comment.

### **8.2 ECC Highways**

**8.2.1** No objections but concerns with the Construction Management Plan.

### **8.3 National Highways**

**8.3.1** No objection, subject to conditions, as outlined in annex A of their response, extracted below;

**8.3.2** National Highways has reviewed the submitted Updated Glint and Glare Assessment (August 20205) and our technical consultant's subsequent review. The assessment is considered to provide an appropriate and worst-case review of potential impacts on the Strategic Road Network (SRN).

**8.3.3** The recommendations identified in AECOM's review are not considered material to the assessment conclusions and therefore do not preclude National Highways from confirming no objection.

**8.3.4** However, National Highways expects the applicant to address the identified clarifications, including verification of vegetation screening, clarification of receptor heights, confirmation of anti-glare coating, and landscaping assumptions, as the scheme progresses through detailed design and prior to operation of the site.

**8.3.5** These matters can be secured through appropriate planning conditions or information as required by the Local Planning Authority.

#### **8.4 Lead Local Flood Authority**

**8.4.1** No objection, subject to conditions

#### **8.5 Environment Agency (EA)**

**8.5.1** Early holding objections have been removed relating to Flood Risk, Water Voles and Otters.

**8.5.2** The EA has retained their holding objection as they are not satisfied the applicant has adequately enhanced this watercourse to the extent required by the Uttlesford's emerging Local Plan.

**8.5.3** An extract of the EA's most recent comments are below extracted below:

**8.5.3.1** *Core Policy 34 (page 186) in the emerging Uttlesford Local Plan stipulates that developments 'must demonstrate how they contribute positively towards achieving 'good' status under the Water Framework Directive for surface and ground waterbodies'.*

**8.5.3.2** Given that almost 1km of the river runs through the development site, we would expect to see the proposal contribute to improving the ecological status of this water body. We note that the BNG metric states that the river will be enhanced by the change of land use from agricultural to grassland, moving the condition from 'Poor' to 'Poor' in watercourse reference 1 and from 'Poor' to 'Fairly Poor' in watercourse references 3 & 4.

**8.5.3.3** Please note that we do not consider this to be adequate enhancement to comply with this Core Policy of the emerging Uttlesford Local Plan. We would expect enhancements to be more specific to the watercourse in question, and to deliver more tangibly against WFD objectives....

**8.5.3.4** *We cannot see that the applicant has added plans for any such activity, despite it being suggested in our initial objection. We therefore consider this proposal to be in breach of the Uttlesford Core Policy 34, and that Uttlesford Council would need to consider their responsibility to have regard for the Water Framework Directive when determining this application. As a result, we object to this proposal.'*

**8.5.3.5** Notwithstanding the above holding objection, the applicant has sought to addressing matters by agreeing to enhancement measures of the Great Hallingbury Brook. The applicant sought to address matters by an appropriately worded planning condition. As a result, Officers have liaised with the EA on matters maintained and have subsequently their objection has been removed subject to conditions.

#### **8.6 Natural England**

**8.6.1** No objection, subject to advisory comments in annex A extracted below;

**8.7 Manchester Airport Group Services (MAGS)**

**8.7.1** No objection subject to conditions and informatives.

**8.8 National Air Traffic Services (NATS)**

**8.8.1** No objection

**8.9 Historic England**

**8.9.1** No advice given.

**9. PARISH COUNCIL COMMENTS**

**9.1 Stansted Mountfitchet Parish Council**

**9.1.1** Objections raised due to impacts on the following:

- a. Green Belt.
- b. Agricultural land.
- c. Site comprises of grade 2 agricultural land and conflicts with prioritising openness and permanence of green belt;
- d. No evidence on non-green belt land considered
- e. Impact to grade II listed buildings.
- f. Road and infrastructure could create a 'grey belt'
- g. Government guidance encourages solar farms on previously developed land or non-agricultural land not high-quality farmland
- h. Grade listed buildings at Parsonage Farm will be surrounded by solar panels, harming their setting without providing any benefit to residents or local business
- i. Objections raised from the Environment Agency
- j. Development at BOX:STN/Northside will still require demand from the grid
- k. No assessment of helicopter flight paths
- l. Police high risks of theft
- m. Need for proper lighting
- n. Fire safety plan required, and maintenance plan required
- o. Issues with HGC access routes particularly at Forest Hall Road / Stanstead Road Junction
- p. Parish requests a holding area for delivery and measures to protect pedestrians and bus stops
- q. No meaningful community benefit

**9.1.2** In relation to the environment, the parish echoes comments from the Environment Agency with particular regard to the Great Hallingbury Brook.

**9.1.** The community benefit comments have been extracted below;

**9.1.3.1** *'The applicant states that:*

- *the vast majority of the electricity demand at the site is forecast to come from HGV and fleet charging facilities, with 'total annual electricity demand forecast to be in the region of 92,000 megawatt hours (MWh) per year';*
- *by 'maximising rooftop solar PV on the units within the BOX:STN development, it is estimated that 15,000 MWh of energy can be generated each year';*

**9.1.3.2** *However, the proposal to provide c.41,500 solar panels generating c.30,000 MWh of electricity per annum to primarily serve BOX:STN leaves a shortfall in the energy requirements versus the energy supply, as stated by the applicant: 'the Proposed Development provides the opportunity to generate c.40% of the power required by BOX:STN in the form of clean energy.*

**9.1.3.2** *Despite the provision of a battery storage system alongside solar array to store excess energy to maximise the on-site consumption of the generation, there is still a need for supply from the National Grid. The applicants' claim that this installation will lift the strain on the National Grid is unsound. There are numerous other national green energy generation sites being built in the UK which will produce much more power....*

**9.1.3.3** *.... This application would not offer any direct benefit to the local communities. The application does not demonstrate community benefits, for example a grid connection offer, such as how the M11 Link business users could connect to the supply at a future date, for the lifetime of the solar farm and how the residents and businesses within the communities of Stansted and Birchanger will benefit.*

**9.1.3.4** *There is no evidence that alternative sites, which are not on the Green Belt, have been explored...'.*

**9.1.4** Birchanger Parish Council

**9.1.4.1** Objections raised in relation due to the following:

- a. Impacts to the green belt
- b. Resulting in encroachment into the countryside
- c. Merging of Birchanger and Stansted Mountfitchet
- d. Use of grade 2 agricultural land (very good quality)
- e. Conflicts with national food security priorities DEFRA UK Food Strategy
- f. Disagree the site comprises grey belt
- g. Development would harm flora and fauna with minimal mitigation
- h. Site includes Great Halling Brook, a main river, flowing into the globally rare River Stort chalk river

- i. Increased construction and maintenance traffic including routes passing Forest Hall School
- j. Negative impacts to Public Rights of Way
- k. Potential for noise pollution
- l. Glint and glare impacts from solar panels to aircrafts and bird strike risks
- m. Essex Police highlight inadequate fencing
- n. Set a precedent after the lifespan of the development
- o. No very special circumstances to justify the development

## **10. CONSULTEE RESPONSES**

### **10.1 UDC Conservation**

**10.1.1** The proposed development will result in a low to medium level of less than substantial harm to the significance of Parsonage Farmhouse, Barn to the west of Parsonage Farmhouse and Granary to the west of Parsonage Farmhouse, north of Barn. This harm arises through changes to their setting. In line with the NPPF (2024), paragraph 215, this level of harm must be weighed against the public benefits of the proposal.

**10.1.2** In my view, the proposed development does not result in harm to the significance of either Duck End Farmhouse or the Church of St Mary the Virgin.

### **10.2 UDC Environmental Health**

**10.2.1** No objection subject to conditions relating to operational noise, construction impacts, external lighting and contaminated land.

**10.2.2** An informative also advised in relation to constructions works.

### **10.3 UDC Landscape Officer**

**10.3.1** No objections, comments provided relating to the Arboricultural Impact Statement.

**10.3.2** In terms of visual impacts, the mitigation measures have been highlighted as;

- the retained planting to the perimeter of site;
- limiting the height of the solar panels above ground level;
- new native hedgerow planting along PROWs to screen views of the development.

**10.3.3** Visual impacts are expected to be further reduced over time as the proposed planting matures (as shown by the visualisations provided in the LVIA submitted).

### **10.4 UDC Urban Design**



- 10.4.1** 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.

**10.5 Place Services (Archaeology)**

- 10.5.1** Given the archaeological assets identified by the geophysical survey within the proposed development site, I recommend that the results of a targeted programme of archaeological evaluation should be submitted in support of this application. The applicant should be required to conduct an archaeological evaluation to establish the nature and complexity of the surviving archaeological assets. This should be undertaken prior to a planning decision being made. This work would enable due consideration to be given to the historic environment implications and would help inform the layout of the solar park, lead to proposals for preservation in situ and/or identify the need for further investigation.

**10.6 Place Services (Ecology)**

- 10.6.1** No objection subject to conditions, relating to ecological mitigation measures, CEMP biodiversity, a Great Crest Newt Licence, Farmland Bird Compensation Strategy, Biodiversity Enhancement Strategy, Wildlife Sensitive Lighting Design, Landscape and Ecology Management Plan and Biodiversity Net Gain related conditions.

**10.7 ECC Minerals and Waste**

- 10.7.1** Part of the site is within the Mineral Safeguarding Area (MSA) however due to the nature of the non-intrusive groundworks the minerals are not at risk from permanent sterilisation and, therefore, a Mineral Resource Assessment is not required.
- 10.7.2** The site does not pass through a Mineral Consultation Area (MCA) and, therefore, a Mineral Infrastructure Impact Assessment (MIIA) not required.
- 10.7.3** The application does not pass through a Waste Consultation Area (WCA) and, therefore, a Waste Infrastructure Impact Assessment (WIIA) not required.

**10.8 Essex County Fire and Rescue Service**

- 10.8.1** Advisory comments

**10.9 Essex Police (Crime Prevention)**

**10.9.1** Advisory comments made.

**10.10 Essex Police (Secured by Design)**

- The proposed deer fencing will not be sufficient in deterring criminals.
- A palisade fence where palings are fixed through the rails are far more secure. E.g. LPS1175 Issue 8 standard.
- Recommend the creation of hedgerows are integrated into the security of the site for perimeter protection.
- Details of ditches around the site which may be combined with bunds to provide an improved perimeter protection to repel vehicle intrusion into the solar park
- CCTV quality recommended with audio integration to challenge intruders
- Developer encouraged to engage with Essex Police Designing Out Crime Office to discuss a robust security design for the site.

**10.11 Cadent Gas**

**10.11.1** No objection, subject to informatives.

**11. REPRESENTATIONS**

**11.1** The application has been advertised by way of site / press notices including EIA notices and neighbour letters. The overall consultation period expired 25.11.2025.

**11.1.1** The following comments neighbour representations been received;

**11.2 Support**

**11.2.1** No comments of support received.

**11.3 Object**

- Loss of green belt land
- Loss of agricultural land and good quality land for food production
- Harms to wildlife inc. owls, red kites, bats, foxes, rabbits, skylarks and local fauna and flora
- Glint and glint harms to aircrafts and M11
- Environmental harms resulting from being stationed on land for 40 years
- The energy generated will be supply areas outside the district
- No community benefit
- Close to the airport / aviation safety concerns
- Interference with traffic control at Stansted
- Bird Strike/Attraction (creating a 'lake effect' and attracted birds that will mistake the panels for water, further concerns to aviation safety

- Development is inconsistent with Aerodrome Safeguarding guidelines which states 'According to Civil Aviation Authority (CAA) safeguarding criteria, any development near airports must not compromise the safety, efficiency, or regularity of air operations'
- Most solar farms are built on low grade land adjacent to motorways
- This development will be between two historic beautiful villages (Birchanger and Stansted Mountfitchet)
- The land is part of the local community and used regularly for dog walking to the ancient woodlands and benefits to mental/physical health
- Harms from electromagnetic fields
- Helicopters will have a different flight path to planes and would need to fly over the solar farm when leaving Stanstead\*
- Government encourages energy developments on previously developed land and non-agricultural land
- Harms from noise and construction traffic
- Objections from MAGS airport and the Environment Agency
- EA objections to impacts on groundwater and potential to pollution caused by Battery Energy Storage Systems (BESS)\*
- Concerns from Essex Police
- Harms to the historic environment
- The development will likely amount to brownfield land and invite residential developments in the future
- No Very Special Circumstances to justify the development
- Close proximity to residential dwellings the harms from electromagnetic fields\*
- The loss of land would create strain on NHS and residents would need to direct to find accessible local space
- Visual impacts of the development
- Noise from transformer and generators
- Harms to ancient woodlands
- Impact to users of the public footpaths and bridleways especially during constructions and conditions be added to ensure users of the PROW network are not impact during construction and operation
- Existing trees, hedges and ground cover ought to be preserved
- All fencing proposed should not be obtrusive and not spike palisade fencing
- Inverters should be sites away from the PROWs
- The applicant should be required to make financial contributions to maintain and enhance the PROW network
- Loss of views from residential dwellings and create an eye sore
- Harms to skylark and yellow hammer
- As per ULP Policy ENV5 this is not a small scale development
- The swept path analysis undertaken on a desk based basis and not accounted for residents parking on Forest Hall Road
- Application site falls within flood risk zones 1, 2 and 3
- The application does not adequately account for Great Hallingbury Brook being a statutory main river and no mention of preventing

contamination or achieving 'good' status under the Water Framework Directive for surface water and ground water bodies

- Contrary to Policies ENV5, ENV8 and ENV12
- Little or no supply of electricity to the National Grid therefore not important to the countryside infrastructure – the energy generated will be use by HGVs and fleet charging facilities that are part of the industrial development at Stansted Northside
- Harm to grade II listed buildings
- Site used by deer for food and shelter
- If allowed development will have a greater impact on net zero
- Fire and toxic fumes to the local residents
- The development will circle six homes in all directions
- Loss of amenity to local residents
- Stort Canal would be negatively impacted
- More suitable locations, this is not an appropriate site
- The development only provides 40% of the power required for the Northside/BOX:STN development which will still require energy supply from National Grid, so the applicants view this will lift strain from the grid is unsound

#### **11.4 Comment**

**11.4.1** A number of comments have been received in relation to the safety of the site in terms increasing rates of crime given the comments from Essex Polic. Ultimately no objections have been raised, but officers consider that a further condition could be added to ensure fencing and the site is maintained securely.

**11.4.2** Comments have been received that the helicopter flight path will pass over application site and create potential glint and glare concerns and safety implications, however, officers do not have any evidence or comments from consultees that this will be cause for concern.

**11.4.3** A number of residents have raised questions concerning the community benefits of the proposal as the energy generated from the proposed solar farm will be used to fuel the associated logistics park at BOX:STN / Northside. Officers have noted this comment and will address matters in the assessment of the development as a whole.

**11.4.4** It has also been stated that as the temporary nature of the development will likely invite further development in the future for residential development. Officers are unable to fully comment on this as Officers have to assess the application as submitted to the Council. In any case, the proposed development that has been submitted is for a temporary solar farm where the land will be returned to its previous agricultural status. For these reasons, Officers have no further comment.

**11.4.5** There are also objections raised with regards to the location of the panels and the development being situated between two historic villages.

However, the development is a temporary development and will not create structures to the landscape.

## **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:
  - (aza) 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) and 72(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 possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

## **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 February 2020)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)  
Thaxted Neighbourhood Plan (made February 2019)  
Stebbing Neighbourhood Plan (made July 2022)  
Saffron Walden Neighbourhood Plan (made October 2022)  
Ashdon Neighbourhood Plan (made December 2022)  
Great & Little Chesterford Neighbourhood Plan (made February 2023)

## **13. POLICY**

### **13.1 National Policies**

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

- Achieving sustainable development
- Promoting healthy and safe communities
- Promoting sustainable transport
- Achieving well-designed and beautiful places
- Conserving and enhancing the historic environment
- Conserving and enhancing the natural environment
- Making effective use of land
- Meeting the challenges of climate change, flooding and coastal change

#### **13.1.2 Planning Practice Guidance**

- Design: process and tools
- Effective use of land
- Historic Environment
- Renewable and low carbon energy

#### **13.1.3 The UK Renewable Strategy**

**13.1.3.1** Proposals for development of solar farms are assessed against national and local planning policies (and guidance) including National Planning Policy Statements (NPS), National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the statutory Development Plan for Uttlesford District Council.

**13.1.3.2** The principle for solar development is generally supported in the Framework which states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.

**13.1.3.3** The Government expects future low cost, net zero consistent electricity to be made up of predominantly on shore and offshore wind and solar, complemented by technologies which provide power or reduce demand when the wind is not blowing, or the sun does not shine.

**13.1.3.4** Under the current Labour Government a Research Briefing was published (26 September 2024) titled 'The UK's plans and progress to reach net zero by 2050'. In addition, the UK has also committed to a 68% reduction in emissions by 2030, as part of its Nationally Determined Contribution towards the Paris Agreement.

- 13.1.3.5** In addition, the Council's own policies are also geared towards tackling climate change. In August 2019, Uttlesford District Council declared a Climate and Ecological emergency. The declaration represented a commitment to take appropriate action to make the Council's activities net-zero carbon by 2030. Also, more recently the emerging Local Plan

## **13.2 Uttlesford District Local Plan 2005**

<b>13.2.1</b>	<b>S6</b>	<b>Metropolitan Green Belt</b>
	GEN1	Access
	GEN2	Design
	GEN3	Flood Protection
	GEN4	Good Neighbourliness
	GEN5	Light Pollution
	GEN6	Infrastructure Provision
	GEN7	Nature Conservation
	GEN8	Vehicle Parking Standards
	<b>E4</b>	<b>Farm diversification: alternative use of farmland</b>
	ENV2	Development affecting Listed Building
	ENV3	Open Space and Trees
	ENV4	Ancient Monuments and Sites of Archaeological Importance
	<b>ENV5</b>	<b>Protection of Agricultural Land</b>
	ENV7	The protection of the natural environment designated sites
	ENV8	Other landscape elements of importance for nature
	ENV9	Historic Landscape
	ENV10	Noise Sensitive Development
	ENV11	Noise Generators
	ENV12	Groundwater protection
	ENV13	Exposure to Poor Air Quality
	ENV14	Contaminated Land
	ENV15	Renewable Energy

## **13.3 Neighbourhood Plan**

- 13.3.1** There is not 'made' Neighbourhood Plan for the area.

## **13.4 Supplementary Planning Document or Guidance**

Uttlesford Local Residential Parking Standards (2013)  
 Essex County Council Parking Standards (2009)  
 Supplementary Planning Document – Accessible homes and playspace  
 Supplementary Planning Document – Developer's contributions  
 Essex Design Guide  
 Uttlesford Interim Climate Change Policy (2021)

## **14. CONSIDERATIONS AND ASSESSMENT**

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

- 14.2**
- A) Principle of development and the Impact on the Green Belt**
  - B) Landscape and Visual Impact**
  - C) Ecology and Biodiversity**
  - D) Heritage Implications**
  - E) Archaeology**
  - F) Farm diversification**
  - G) Loss of Agricultural Land**
  - H) Highways, Access and Transport**
  - I) Flood Risk, Site Drainage and Groundwater**
  - J) Climate Change**
  - K) Construction and considerations for site restoration**
  - L) Neighbouring Amenity and Glint and Glare**
  - M) Other Matters**

**14.3 A) Principle of development and the impact on the Green Belt**

**14.3.1** There is a need for energy production in the UK, and this is supported within planning policies to secure production, including energy from varied and low carbon sources. Paragraph 161 of the Framework states *‘The planning system should support the transition to net zero by 2050 and take full account of all climate impacts...should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions...and support renewable and low carbon energy and associated infrastructure’.*

**14.3.2** Paragraph 167 also states ‘Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).

**14.3.3** Paragraph 168 of the Framework goes on to maintain that Local Planning Authorities should not require applicants to demonstrate the overall need for renewable and low carbon energy and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposals contribution to a net zero future.

**14.3.4** Uttlesford Local Plan (2005) Policy ENV15 supports small scale renewable energy development schemes to meet local needs will be permitted if they do not adversely affect the character of sensitive landscapes, nature conservation interests or residential recreational amenity.

**14.3.5** The proposed development will comprise of 41,500 solar panels, an area of 48ha and a power generation of 30MW and Officers are of the view that the proposed development cannot be regarded as small scale. Nonetheless the Council’s commitment to addressing climate change is demonstrated by the approval of a non-statutory development management guidance an Interim Climate Change Planning Policy. This policy aims to ensure that development contributes to climate change



mitigation and adaptation, however, it mainly refers to guidance in the green and intelligent design section of possible sources of renewable energy which could be upscaled for local housing developments and not specific to renewable energy schemes.

**14.3.6** Also, as the emerging Local Plan gains more momentum Officers are now affording moderate weight to the policies contained within. Of relevance is Core Policy 25 (Renewable Energy Infrastructure) which is supportive of proposals for renewable and low carbon energy generation and distribution networks and does state 'particular encouragement will be given to community-led schemes with evidence of community support...' CP25 also goes on to state that planning applications for renewable energy development will be encouraged provided that any adverse impacts can be satisfactorily including cumulative impacts on a range of criteria.

**14.3.7** Under the heading of the impact to the proposals on the Green Belt, it is necessary to refer to the following key questions;

1. Whether the proposals constitute inappropriate development in the Green Belt and whether Grey Belt applies; and
2. The effect of the proposals on the open nature of the Green Belt and the purposes including land within it; and
3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to very special circumstances necessary to justify inappropriate development.

**14.3.8** 1. Whether the proposals constitute inappropriate development in the Green Belt and whether Grey Belt applies

**14.3.9** The application site is located within the Metropolitan Green Belt as defined by Uttlesford Local Plan. Chapter 13 of the Framework considers Green Belt Land and in relation to development proposals.

**14.3.10** The Framework identifies at para. 142 that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open. When considering any planning application, substantial weight is given to any harm to the Green Belt including harm to its openness (para. 153<sup>1</sup>). ULP Policy S6, amongst other matters, maintains that the Council will carefully manage the Green Belt in accordance with any national policy. In this regard the Council's local plan policies broadly consistent with the Framework. Core Policy 59 (The Metropolitan Green Belt) states that development proposals will be assessed in accordance with government policies contained within the NPPF and other relevant Development Plan Policies.

**14.3.11** Paragraph 143 of the Framework identifies five purposes that the Green Belt serves as listed below;

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<sup>1</sup> However, footnote 55 for para. 153 states 'Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.'

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

**14.3.12** Paragraph 153 stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

**14.3.13** Since the revision to the National Planning Policy Framework in December 2024, the Green Belt appropriateness test now introduces on paragraphs 154 and 155. Although the exceptions under paragraph 154 of the Framework are not entirely relevant to the solar scheme but there will be limited built form proposed albeit temporary<sup>2</sup>. At paragraph 154 g) limited infilling or the partial or complete redevelopment of previously developed land (PDL) (including a material change of use to residential or mixed use including residential), which would not cause substantial harm to the openness of the Green Belt.

**14.3.14** The Glossary of the Framework defines PDL as land which has been lawfully developed and its occupied by a permanent structure and any fixed surface infrastructure associated with it. The Framework definition of PDL goes on to clarify that it excludes land that is occupied by agricultural buildings.

**14.3.15** The application site appears to agricultural in use. The site thereby not PDL in terms of the Framework and therefore this proposal would fail to satisfy this requirement of paragraph 154(g).

**14.3.16** Paragraph 155 of the Framework states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed<sup>56</sup>;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework<sup>57</sup>; and
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

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<sup>2</sup> For approximately 40 years.

- 14.3.17** In respect of para 155(a), the Framework defines grey belt as land in the Green Belt comprising PDL and/or any other land that, in either case, does not strongly contribute to any purposes (a), (b), or (d) from paragraph 143. For the purposes of this proposal the test involves consideration of whether the proposed site ‘strongly’ contributes to the purposes of the Green Belt.
- 14.3.18** The assessment of whether the site ‘strongly contributes to the purposes is accepted as a matter of planning judgement. This is addressed below:
- a) to check the unrestricted sprawl of large built-up areas;*
- 14.3.19** Planning Practice Guidance defines areas of which contribute strongly are likely to be free of existing development and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include the following features:
- be adjacent or near to a large built-up area
  - if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)
- 14.3.20** Case law states that large built-up areas are defined as towns and not small villages.
- 14.3.21** The application site lies south of Forest Hall Road, and the northern boundary of the application site lies south of the village of Stansted Mountfitchet. The eastern portion of the application site directly abuts the M11 whereas the north western, western and north eastern portions of the site will be surrounded by open arable land. The south western portion of the site would be approximately 340m from the village of Birchanger. While the population of Stansted Mountfitchet is a larger village than Birchanger<sup>3</sup> and in terms of large built-up areas the former covers a greater spatial area.
- 14.3.22** Notwithstanding to the above, both settlements are considered as villages and with regards to the purpose (a) of paragraph 143 of the Framework there would be no unrestricted sprawl of large-built up areas as both nearby settlements do not comprise of large built-up area. Thus, the proposal would not represent unrestricted sprawl of a built-up area.
- b) to prevent neighbouring towns merging into one another;*
- 14.3.23** Planning Practice Guidance defines areas of which contribute strongly are likely to be free of existing development and include all of the following features:
- forming a substantial part of a gap between towns

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<sup>3</sup> Stansted Mountfitchet has a population of approximately 8,600 while Birchanger has a population of approximately 1,400 as of 2021.

- the development of which would be likely to result in the loss of visual separation of towns

**14.3.24** The development site is outside the development limits of the Stansted Mountfitchet and Birchanger, as noted above, these are both villages. Thus, proposals would not result in towns merging or reducing the visual separation.

d) to preserve the setting and special character of historic towns; and

**14.3.25** Planning Practice Guidance defines areas of which contribute strongly are likely be free of existing development and to include all of the following features:

- form part of the setting of the historic town
- make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town.

**14.3.26** Stansted Mountfitchet Conservation Area is situated centrally within the village, but there is approximately a 0.8km distance between the application site with considerable residential development separating the distance from development site boundary. Nonetheless, the proposals would neither result in significant harm to the setting or visual importance of historic aspects of the village.

**14.3.27** In light of the evidence relating to the purposes of the Green Belt outlined and taken account of the particular site features, i.e. location adjacent to road infrastructure/M11 and employment sites and Stansted Airport, the Local Planning Authority find that this development would not fundamentally undermine the purposes when taken together.

**14.3.28** ‘Grey Belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. In this case, the application would be sited adjacent to Parsonage Farm, which contains three grade II listed buildings and could potentially trigger footnote 7. However, the UDC Conservation Officer has assessed the development and deemed that less than substantial harm (low-moderate level) has been afforded to the adjacent heritage assets. Thus, Officers do not consider this to provide a strong reason for refusal. For clarity the development does not; development would not affect any other assets in Footnote 7 of the Framework. On this basis, the LPA consider that the site does comprise of Grey Belt land.

**14.3.29** Moving on to the requirements of Paragraph 155(b) of the Framework, as outlined in government policy, Written Ministerial Statements and recent revisions to National Policy Statements the demand for renewable energy is evident. While the ULP (2005) Policy ENV15 relates to small-scale

renewable energy schemes the Local Plan nonetheless reflects a sentiment that supports renewable energy developments. Furthermore, as outlined above, other Council policies including the 'Uttlesford Interim Climate Change Policy (2021)' and the emerging Local Plan Policies<sup>4</sup> also support of renewable low carbon energy generation and distribution. Thus, the Council does not dispute there is a demonstrable unmet need for the type of development proposed, this approach is broadly consistent with recent appeal decisions for solar developments within the Green Belt<sup>5</sup>.

**14.3.30** The requirements of para. 155(c) is not entirely relevant to this scheme as the former is in relation sustainable location criteria and the proposal is not considered to generated significant highways impacts; generate severe traffic impacts save for slight increases in traffic during the operational phases of development. With regards to para. 155(d) and the 'Golden Rules' again these are not entirely relevant since these mostly address housing developments. Again, this assessment is consistent with recent appeal applications for solar development<sup>6</sup>.

**14.3.31** Notwithstanding the above assessment of Grey Belt, due to the nature of the development comprising of renewable energy projects para. 160 of the Framework is also of relevance which states the following:

*'When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.'*

**14.3.32** Notwithstanding the Grey Belt considerations above, para. 153 states the following;

**13.4.32.1** *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness<sup>7</sup>. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'*

**13.4.32.2** Clearly within footnote 55 of the Framework maintains that Grey Belt is not inappropriate development with no requirement to assess openness nor very special circumstances. However, as noted above, as the proposal is a solar development under paragraph 160 of the Framework

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<sup>4</sup> See Core Policy 25 (Renewable Energy Infrastructure)

<sup>5</sup> See paragraph 13 of appeal decision at Land to the south of Birmingham (January 2025), PINS ref: APP/T3725/W/24/3347315

<sup>6</sup> See above footnote

<sup>7</sup> See footnote 1 above, footnote 55 of para. 153 of the Framework.

maintains renewal energy projects will amount to inappropriate development. Thus, Officers consider it appropriate to review the impact to openness and any subsequent harms.

**14.3.33**      2. The effect of the proposals on the open nature of the Green Belt and the purposes including land within it; and

**14.3.34**      It is acknowledged paragraph 153 of the Framework maintains substantial weight is afforded to any harm to the Green Belt and its openness and that paragraph 55 effectively states that where development is considered PDL land or Grey Belt these developments are 'not inappropriate'. This means, PDL and Grey Belts, any harm identified to the Green Belt is not afforded substantial weight, however, in this case the development is not appropriate development.

**14.3.35**      Therefore, having established that the proposals are inappropriate development, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether there is any other harm to the Green Belt and the purposes of including land therein.

**14.3.36**      As noted above, paragraph 142 of the Framework states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt being described as their openness and their permanence. The proposals would comprise a substantial amount of new development in an area which is currently open. Consequently, there would be harm to the spatial dimension of openness. Advice published in PPG addresses the role of the Green Belt in the planning system and, with reference to openness, cites the following matters to be taken into account when assessing impact;

- Openness is capable of having both spatial and visual aspects;
- The duration of the development, and its remediability; and
- The degree of activity to be generated, such as traffic generation.

**14.3.37**      In terms of the bullets points above, openness in a spatial sense would be affected by the proposals which comprise a large development on what is presently openness Green Belt Land. In terms of visual aspects of openness, due to the nature of the site the visual effects would be limited as there would be limited vantage points whereby the proposals would be viewable in its entirety. Although, it is acknowledged the proposals would be viewable in passing from the M11 to the east and the two public footpaths that intersect the site. The site would also be viewable from the footpath to the west (FP 4\_6) and bridleway BR 18\_6 to the south of the site. Again, the development would not be viewable in their entirety from these public vantage points. Furthermore, the height of the solar panels would be approximately 3 metres in height and the new substation, and BESS infrastructure would be situated within the context of the existing industrial / office buildings. Therefore, the visual impact to the Green Belt

would be limited due to the heights of the equipment to be installed, locational context and the limited footprint of the overall scheme. Thus, the impacts would be localised to aspects of the public right of way network and parts of the highway.

**14.3.38** The duration of the proposals is temporary for a period of 40 years operation. The site would then be returned to its present 'open' state. Although 40 years is a considerable period of time, the proposals would not have the same impact as erecting buildings across the entirety of the site and subsequently the development cannot be said to harm the permanence character of the Green Belt as the land would eventually be returned to Green Belt land. Although it is acknowledged that the substation and BESS equipment and access tracks proposed within the site, however, these are a small proportion of the site and located within the existing industrial / office context and thus which is a minimal proportion of the site area.

**14.3.39** The degree of activity to be generated by the development would differ through the construction and operations phases. There would be some traffic generation during the construction, which is likely to take approximately 12-18 months. However, this equates to 32 HGV movements a day (64 two-way movements) but these will be managed so that these HGV movements will be during off-peak periods. Conversely the scheme is operational, there would be minimal vehicle movements associated with the site. During the lifetime of the development, the vehicle movements would be primarily focused towards the proposed substation and battery storage area which already experiences a level of vehicle activity due to the existing M11 Business Link Industrial Estate. At the operational phases, vehicle access would also be diverted towards each parcel contain PV panels which will be served by a vehicle access leading to each area. Therefore, it is not considered that the proposals would not have a significant impact to openness in terms of activity generated, especially when the lifetime of the proposal is taken into account. Furthermore, the applicant maintains that views of the vehicle movements during the operational phases of development would be largely screened by boundary vegetation which will be retained and enhanced with additional hedgerow and tree planting.

**14.3.40** Paragraph 143 of the Framework sets out the five purposes which the Green Belt serves as follows;

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns merging into one another;
- c. to assist in safeguarding the countryside from encroachment;
- d. to preserve the setting and special character of historic towns; and
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In relation to purposes a), b) and d) these have been assessed above and there is no conflicts with these purposes. Thus, for purposes c) and e) these are assessed accordingly;

**14.3.41** c. to assist in safeguarding the countryside from encroachment

**14.3.42** With regard to the third purpose of Green Belt, the proposal would involve built development on parts pf the site which are currently open and free of any built form. The term “countryside” can conceivably include different landscape characteristics (e.g. farmland, woodland, marshland etc) and there can be no dispute that the site comprises “countryside” for the purpose of applying the NPPF policy test. The proposal would lead to a developable area of 30ha being covered by mostly by PV panels along with associated infrastructure. The PV panels would be approximately 3m in height.

**14.3.43** The applicant has submitted a Green Belt Assessment which references the Uttlesford Green Belt Review (2016) which identifies the site comprises part of General Area 8<sup>8</sup>. The applicants Green Belt Assessment maintains the site contributes a relatively strong contribution to purpose c, but it is maintained that the are some significantly urbanising effects within the immediate context, such as, the M11 adjacent eastern boundary, the M11 Business Industrial and Office Estates along Parsonage Lane, which inevitably create an urbanising influence visible from the site and immediate context. Therefore, it is the applicants view that along with landscaping measures the effects if the development could be further mitigated.

**14.3.44** Evidently, the level of development proposed would encroach upon the countryside in this location and would constitute material harm to the openness and rural character of the Green Belt. However, it is the applicants view that the development represents a minor encroachment into the countryside but maintains this will have some degree with conflict with purpose c. This purpose (c) conflict, it is argued that it will be reduced by the proximity to BOX:STN Northside, the temporary nature and the low heights of the scheme. Officers do acknowledge the urbanising context of the site, but in terms of the purposes of the green belt Officers consider that by introducing development over a 30ha area within the Green Belt will ultimately lead to encroachment in the countryside and subsequently conflicts with purpose c.

**14.3.45** e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

**14.3.46** In general terms, the development could occur in the urban area, but there is a spatial imperative why Green Belt Land is required to accommodate the proposals. For a solar farm development requiring 48ha of land it cannot be reasonable to expect urban land to accommodate such

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<sup>8</sup> The applicant states the application site comprises 15% of General Area 8



proposals. Moreover, this specific development will be supporting the energy needs of the BOX:STN development situated on the opposite side of the M11 to the east. This specific development requires a countryside, green belt location to accommodate the needs of the associated enterprise.

**14.3.47** In light of the above analysis, it is considered that the proposals would clearly be harmful to openness and would be contrary to the purpose (c) of the above listed purposes of including land in the Green Belt. Substantial weight has been afforded to these factors.

**14.3.48** 3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to very special circumstances necessary to justify inappropriate development.

**14.3.49** Neither the Framework nor the adopted Uttlesford Local Plan provide guidance as to what can comprises 'very special circumstances' (VSC), either singly or in combination. However, some interpretation of VSC has been provided by the Courts. The rarity or the uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as converse of 'commonplace'. However, the demonstration of VSCs is a 'high test' and the circumstances which are relied upon must be genuinely 'very special'. When considering whether VSCs exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites could be used on different sites leading to a decrease in the openness of the Green Belt. The provision of VSCs which are specific and not easily replicable may help to reduce the impact of a proposal are generally not capable of being VSCs. Ultimately, whether any particular combination of factors amounts to VSC will be a matter of planning judgement for the decision-taker.

**14.3.50** With regards to the NPPF, paragraph 153 states that '*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*'. Paragraph 153 goes on to state that, when considering any planning application, local planning authorities "should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, clearly outweighed by other consideration".

**14.3.51** The Planning Statement sets out the applicants VSC case which is listed and then assessed below:

- a. The need to generate renewable energy
- b. The generation of renewable energy and storage capacity contribute to both local and national objectives in meeting Climate Emergency targets

- c. Suitable location for the development and the opportunity to be a nationwide leader in the production of renewable energy to directly serve a new industrial and logistics scheme
- d. Battery storage provision
- e. Biodiversity Net Gain
- f. Economic benefits including jobs and energy prices

(a) Need to generate renewable energy; and

(b) Generation of renewable energy and storage capacity

**14.3.52** The applicant maintains that the development will generate approximately 30MW of energy within the first year of operation which represents approximately 40% of the total energy required by the BOX:STN development. Thus the applicant advocates that the contribution towards meeting renewable energy needs amounts to substantial weight.

**14.3.53** *Comments*

**14.3.54** The applicant has separated the need and generation for renewable energy as separate VSCs within their Planning Statement. However, Officers do not consider this is necessary or appropriate given that the energy generated will be primarily serving associated development at Northside. This is also a matter local residents have raised as they do not consider the proposed development will generate little direct benefits to local community. Officers have been mindful of this and have explicitly asked the agents how much of the energy generated (including from battery storage) will be of benefit to the local community but there have not been any tangible benefits that Officers could realistically consider.

**14.3.55** The applicant also makes the case the development will represent an opportunity for the applicant to be a nationwide leader in the production to directly serve a new industrial / logistics scheme. While these ambitions are noted but given national and local policies Officers consider there is sufficient factors that could weigh in favour of the development. Ambitions of the applicant cannot be afforded much weight in VSC, but Officers agree the locational context of the site is an appropriate factor for consideration.

**14.3.56** Nonetheless, the proposal is for a renewable source of energy generation, and National Policy Statement for Energy (EN-1) indicates that the government is committed to meeting a legally binding target to cut greenhouse gas emission by at least 80% by 2050 compared to 1990 levels. Evidently, there is a clear need to move away from fossil fuel and towards renewable sources of energy production as this will also facilitate the government broader ambitions of energy security and cutting greenhouse gases.

**14.3.57** Therefore, national policy clearly supports renewable energy projects due to the benefits of reducing greenhouse gases and given the increasing energy demands required by BOX:STN, Officers consider the proposed

development will assist with local and national climate change policies. Furthermore, Uttlesford Council had declared a Climate and Ecological Emergency in 2019 which seeks to achieve net-zero carbon status by 2030 and protecting / enhancing biodiversity.

- 14.3.58** Also, as noted above, Thus, very significant weight is afforded to these factor(s).<sup>9</sup>

(c) Suitable location for the development

- 14.3.59** The applicant maintains there is a lack of brownfield sites or sites outside the Green Belt that are capable of accommodating the development within Uttlesford. Moreover, the location of the solar farm has been strategically situated near the primary end users, and the application site is within the applicants' ownership which will enable the development to come forward more efficiently.

- 14.3.60** Also, at para. 3.6 of the Planning Statement the applicant has secured 25MW of power from Bishops Stortford Primary sub-station which is sufficient to meet the evolving needs of occupiers for their day-to-day operation needs. The further maintain that *'with increasing levels of automation and technology, a move from gas heating systems and the growing demand for electric vehicles for staff the power demands continue to increase. As such, the Applicant has sought to maximise the use of rooftop solar PV panels at the BOX.STN development and is now exploring additional renewable energy opportunities such as the Proposed Development.'*

- 14.3.61** *Comments*

- 14.3.62** Evidently, the demands of the business have driven the proposed development and given the relatively proximity to the host site and the recipients of the energy generated from the solar farm, Officers agree that the location of the development is appropriate in terms of proximity.

- 14.3.63** Also, when considering that the development will contribute to meeting 40% of the host sites energy demand, along with rooftop solar panels on-site, this will also alleviate demand from National Grid. When considered together, the proximity of the solar farm to the Northside will weigh in favour of the development. Furthermore, the location of the site already experiences a degree of urbanisation being situated adjacent to the M11 Motorway, M11 Business Link Industrial/Offices sites and more significantly Stansted Airport.

- 14.3.64** Thus, the locational context of the site is afforded moderate weight.

(d) Battery Storage

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<sup>9</sup> Very significant weight afforded to both (i) significant national policy support for renewable energy and (ii) benefits in assisting with greenhouse gases reductions

- 14.3.65** The applicant references the governments support for battery storage as National Policy Statement EN-1 highlights the need for battery storage to increase reliability and security for energy systems by providing the ability to stored surplus electricity in times of low demand and / or high production times and releasing it at times of higher demand.
- 14.3.66** *Comments*
- 14.3.67** Officers note the benefits of battery storage on site, but it will be of primarily benefit to the Northside development so the benefits of battery storage will be limited to the associated logistics / industrial site. Notwithstanding this, the battery storage element of the proposal will enable storage of renewable energy and ensure effective distribution of electricity at times of higher demand. Overall, it will ensure the solar farm will operate more effectively and support the overall benefits of energy generation.
- 14.3.68** Thus substantial weight will be afforded to this factor.
- 14.3.69** (e) Biodiversity Net Gain
- 14.3.70** In terms of biodiversity net gain, this will be discussed further under the relevant heading below. However, in terms of biodiversity net gain the proposed development will result in 50.01% and 53.11 increase in Biodiversity Net Gain habitat units and hedgerow units respectively. Also it is stated the improvements to existing tree and hedgerow planting and reinstatement of historic hedgerows within the fields and these would be retained after the lifetime of the development.
- 14.3.71** *Comment*
- 14.3.72** The mandatory requirement for biodiversity net gain provisions is 10% although it should be noted that Core Policy 40 (Biodiversity and Nature Recovery) the emerging Local Plan requires development proposals to provide 20% biodiversity net gain. The proposals exceed mandatory requirements and the local policy criteria.
- 14.3.73** For these reasons, significant weight is afforded to this factor.
- 14.3.74** (f) Economic benefits
- 14.3.75** The applicant maintains that the proposed development will represent a significant financial investment and would give rise to short-term construction jobs. It is also stated the development would provide employment during the operational phase albeit only a small number of jobs. Other financial benefits mentioned relate to additional business rates over 40-year lifetime period for the Council and the energy sold to BOX:STN would be at a cheaper rate than purchasing directly from the grid.

**14.3.76** *Comments*

**14.3.77** The benefits are noted, however, the primary beneficiary of the development will be the Northside development and, to a lesser degree, the Council from business directs. Constructions jobs are clearly a positive, but these will be short-term and the number of operational jobs are not expected to be significant. For these reasons, the limited weight is afforded to this factor.

**14.3.78** *Green Belt conclusions*

**14.3.79** The weight afforded to the Very Special Circumstances advanced is summary below.

**Table 1: Summary of Green Belt Harm and Very Special Circumstances**

<b>Harms</b>	<b>Weight</b>	<b>Factors Promoted as Very Special Circumstances</b>	<b>Weight</b>
Inappropriate development, harm to openness and conflict with Green Belt – Purpose C	Substantial	Significant national policy support for renewable energy	Very Significant Weight
		Assisting with greenhouse gases emissions	Very Significant Weight
		Suitable Location for solar farm	Moderate weight
		Battery Storage provisions	Substantial weight
		Additional biodiversity net gain provisions	Substantial weight
		Economic benefits	Limited weight

**14.3.80** As ever, in reaching a conclusion on Green Belt matters, a judgement as to the balance between harm and whether the harm is clearly outweighed much be reached. In this case there is harm to the Green Belt with reference to inappropriate development and loss of in openness. Several factors have been promoted by the applicant as considerations, and it is for Committee to judge:

- i. The weight to be attributed to these factors;
- ii. Whether the factors are genuinely ‘very special’ (i.e. site specific) or whether the accumulation of generic factors combine at this location to comprise ‘very special circumstances’

**14.3.81** When taking into account all Green Belt considerations, Officers are of the view that while the site comprises of Grey Belt land paragraph 160 of

the Framework states many renewable energy projects will comprise inappropriate development. Therefore, the proposals have been assessed accordingly.

**14.3.82** Ultimately, it is the opinion of Officers that the identified harm to the Green Belt is clearly outweighed by the accumulation of factors described above, so as to amount to very special circumstances justifying inappropriate development. Furthermore, para. 160 also stipulates that wider environmental benefits associated with the increased energy production from renewable sources can constitute very special circumstances. Also para. 168 also requires the Local Planning Authority to give significant weight to the benefits associated with renewable or low carbon energy generation and the proposals contribution to a net zero future.

**14.3.83** Nonetheless, as per para. 153 of the Framework Officers are required to give substantial weight to any harm to the Green Belt and that Very Special Circumstances will not exist until any harm resulting from the inappropriateness any other harms resulting from the proposal will not existing unless the is clearly outweigh by other consideration. Therefore, Officers will need to conclude at the end of this assessment whether the harms have been clearly outweighed.

#### **14.4 B) Landscape and Visual Impact**

**14.4.1** ENV8 states that development that may adversely affect the landscape elements, inter alia, hedgerows, ancient woodland, semi natural grassland will only be permitted if the need from the development outweighs to retain the elements for their importance to wild fauna and flora. Subject to relevant mitigation measures and appropriate management may development be permitted.

**14.4.2** Core Policy 41 of the emerging local plan maintains that development should preserve, inter alia, the character and appearance of valued landscapes, management and enhancement of existing areas, features or habitats and where appropriate creation of new habitats/features including the planting of woodlands, trees and hedgerows.

**14.4.3** The Landscape and Visual Impact was the one of 6 topics to be scoped into the Environmental Statement. Pre-application discussions have been had with the applicant regarding the proposals. The Council's Landscape Officer provided pre-application feedback on the development with particular comments on the Screened Zones of Theoretical Visibility (SZTV) and requested that visibility along the highway be further reviewed. The photo viewpoints and photomontages to be included within the Landscape Visual Impact Assessment (LVIA) were mostly agreed, but with the Council's Landscape Officer further suggested specific viewpoints along the M11 motorway.

#### **14.4.4 Baseline**

- 14.4.5** The application site lies within Landscape Character Area 'A2 Stort River Valley' as identified within Uttlesford's Landscape Character Assessment (October 2023). Character areas are discrete geographic areas that possess the characteristics described for the landscape type but have recognisable local identity. The A2 character area is characterised by, inter alia, its arable agricultural land use with some farming, horse grazing close to settlements and fields that are well-enclosed by hedgerows, hedgerow trees, tree belts and woodland blocks. Riverbanks are well-vegetated with shrubs and trees creating an intimate character. It is also mentioned that the valley provides an important transportation route with specific regards to the M11, railway and busy trunk roads across the south of the area which contrast with the small, often sunken lanes with species rich verges in the north. A good network of footpaths is also mentioned as a characteristic of the LCA and that 'Continuous views are afforded down the valley from higher ground. Elsewhere the landscape is more enclosed by woodland and hedgerows'.
- 14.4.6** It is also acknowledged that Stanstead Airport is a major influence on the character of the eastern part of this area, how the buildings tower can be seen from the eastern river valley slopes and that the sound of aircrafts are constant. Also it is mentioned how the M11 / A120 junction and the service south of Birchanger, Stansted Airport create a more suburban character within the area. Consequently, the noise from the associated infrastructure such as the M11, A120 and flight path to the south impact the tranquillity of the area. Thus tranquillity of the area is deemed as 'moderate' within the south of A2 character area, compared with the north where there is a greater experience of dark skies to the north.
- 14.4.7** Impact
- 14.4.8** The Landscape and Visual Impact Assessment (LVIA) identify the topographical context of the application site comprising of a gently undulating plateau with existing levels ranging between 87m-100m Above Ordnance Datum (AOD). Simply put, the site levels were deemed relatively flat to gently sloping with no distinguishing topographical features. Thus, the Screened Zone of Theoretical Visibility (SZTV) extends to 2km and the LVIA provides photo viewpoints and photomontages which have been agreed with the Council's Landscape Officer.
- 14.4.9** Given that the landscape character is of modest tranquillity, with major transport infrastructure to the east, but also with M11 Business Link industrial and offices within the setting of the proposed solar farm the landscape 'rural' character of the site has already been compromised. Nonetheless, by virtue of the proposed site area and the area of land to be covered by solar panels will amount to approximately 41,500 solar panels along with associated infrastructure this will inevitably have an impact on the area.

- 14.4.10** Nonetheless, given the ‘sub-urbanisation’ of the southern portion of the A2 landscape character along with existing hedgerows, vegetation and woodlands would to some extent aid the accommodation of such a solar farm due to the low heights of the various elements. However, at 48ha this development is a large-scale development and therefore the sensitivity of the landscape and visual impacts likely to be higher. While the effects on the landscape character are localised, it is accepted that the scheme would have large scale effects within the site and immediate surroundings. Ultimately, there would be a fundamental change from arable landscape to solar development with associated infrastructure which would essentially change the character of the landscape into what could be described as an industrial character which imposes new features in a predominately rural landscape.
- 14.4.11** The Council’s Landscape Officer has noted that the submitted Arboricultural Impact Statement (2024) that the proposed development will require minimal impacts to existing trees within the site and that a number of oak trees have been classed as comprising veteran / ancient features and that additional tree protection buffer has been applied to said trees in line with best practice and that a 15m buffer has been applied to adjoining Parsonage Wood, ancient woodland, in line with relevant guidance.
- 14.4.12** In terms of impact, the LVIA identifies the magnitude of change(s) to the landscape ranges from ‘no change to medium’ and, in turn, the nature and significance of the effect have been classed as ‘Not Significant’. Thus, the Landscape and Visual Chapter of the Environmental Statement (ES) has deemed the scale/nature of the effect ranging from ‘No Effect to Moderate Adverse’ but ultimately the impacts to the Landscape have been classed as *Not Significant* in effect<sup>10</sup>. The photo viewpoints and the photo montages as per annex 4 and 5 of the ES corroborate this and, furthermore, the Landscape Officer has not expressed direct concerns of the proposal to the landscape character.
- 14.4.13** In terms of visual impacts, the LVIA identifies the magnitude of change(s) range from ‘no change to medium’, however, the nature and significance of the effect have been classed as *‘Major Adverse and Significant’* to visual receptors at public bridleways and footpaths (BR 27\_45 and BR 5\_6, FP 7\_6 and FP 28\_24). Thus it has been identified that the visual effects of the development would be most significant for users of the public rights of way as they will directly experience the new expansive development in relatively close proximity. Thus, the Landscape and Visual chapter of the ES has deemed the scale and nature of the effects ‘Major Adverse’ and of *Significant* effect. This has been identified within the construction, operational and decommissioning phases of the development.
- 14.4.14** Mitigation

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<sup>10</sup> This is for construction, decommissioning and operational phases of the development.



- 14.4.15** In terms of the construction and decommissioning phases of the development it has been identified the effects will be temporary once the construction phases are over. Notwithstanding the above, mitigation measures have been proposed for the operational phases of the development ranging from planting of new hedgerows with trees to reinstate the historic field boundary at the northern edge of the solar farm, the creation of a green lane within the bridleway and will include species rich grassland seed mix with wildflowers for amenity and ecological enhancements, infilling existing hedgerows and scrub. The submitted Landscape and Ecology Management Plan (LEMP)(May 2025) outlines further details of the species rich native hedgerows to be implemented (including species mixes). Also mitigation measures have been proposed on the submitted landscape mitigation plans supplied which outlines details of additional heavy standard trees, mixed native trees, species rich hedgerows various grassland types. Thus, in the event the application is recommended for approval these mitigation measures can be secured by a suitably wording planning condition.
- 14.4.16** Furthermore, the Council's Landscape Officer also maintains that the proposed development will be suitably mitigated by the retention of planting around the perimeter of the site, the limited heights of the solar panels above ground levels and the new native hedgerow planting along the Public Rights of Way to screen the development.
- 14.4.17** Residual Impact
- 14.4.18** Overall the design and mitigation measures proposed seek to enhance the character by preserving and enhancing the network of hedgerows, trees and woodland areas. The LVIA has outlined the residual impacts of the development at year 15 of the life of the development<sup>11</sup> would be reduced due to the proposed planting measures proposed and has been maintained that views from within the bridleways and along footpaths would be appropriately screened within the summer and winter months. As a result, the Landscape and Visual chapter of the ES has deemed the scale and nature of the effects 'Moderate Adverse' but of *Not Significant* effect. Furthermore, the Council's Landscape Officer has also acknowledged that the visual impacts of the development will likely further reduce as the proposed planting measures matures over time, as indicated by visualisations provided within the LVIA.
- 14.4.19** Therefore, it is apparent the overall design and mitigation measures proposed have sought to minimise harm and enhance landscape features. Given the existing landscape character of the application site, inter alia, its relatively flat landform, proximity to a Strategic Road Network (SRN) and Stansted Airport and the subsequent impacts to the tranquil quality of the development site. The character of the application site is also influenced by other nearby developments at the M11 Business Link

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<sup>11</sup> Post construction / year 15 of operation

industrial/office developments and the recently approved football pitch<sup>12</sup> which contributes to a more suburban character, while it is accepted that the application site itself is primarily of rural character. Furthermore, the existing mature hedgerows retained along with the proposed planting/landscaping measures ensures that the site can accommodate the proposed development and, of particular relevance, the principal structures of the PV panels and BESS<sup>13</sup> will be retained at a modest height ranging between 3-4m. Thus, when balancing the landscape and visual effects of the development Officers consider that the residual effects of the development would be remain fairly localised and appropriate given the sites immediate locality and landscape character. Furthermore, no significant effect interactions or cumulative impacts of the development have been identified.

**14.4.20** However, the ES does highlight there will be significant visual effects during the construction stage, particularly to public footpaths FP7\_6 and FP 4\_6, and bridleways BR 27\_45 and BR 5\_6. Although Officers acknowledge there will be visual harms during the construction phases, this will be a relatively temporary period considering the operational 40 year lifespan of the development. Also, at completion of the development there would initially be a major adverse and significant visual effect experienced by the users of the public rights of way, but this will reduce to a moderate level of harm and not significant once planting fully matures at 15 years.

**14.4.21** Therefore, given the existing landscape character, the change in landscape character and associated mitigation measures and residual effects the proposal accords with the ULP (2005), eLP CP41 and the Framework.

## **14.5 C) Ecology and Biodiversity**

### **14.5.1 Ecology**

**14.5.2** Policy GEN7 of the Local Plan States that the development would have a harmful effect on wildlife will not be permitted unless the need for development outweighs the importance of the feature of nature conservation. Where the site includes protected species measures to mitigate and/or compensate for the potential impacts of the development must be secured.

**14.5.3** Core Policy 40 (Biodiversity and Nature Recovery) of the emerging Local Plan states that development proposals will be required to demonstrate a minimum of 20% Biodiversity Net Gain calculated using the most recent Statutory Metric.

**14.5.4** Place Services (Ecology) have been consulted on the application and originally maintained a holding objection due to insufficient information to

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<sup>12</sup> UTT/24/1333/FUL

<sup>13</sup> Battery Energy Storage Systems

in relation to protected species which were necessary prior to determination. In addition, the original submission did not contain sufficient details with regards to mandatory Biodiversity Net Gains (BNG). Following initial objections, the applicant has provided details and subsequently lifted objections.

**14.5.5** Notwithstanding the above, it has been identified that the mitigation measures as outlined within the Preliminary Ecology Appraisal Report (July 2024) and the Environmental Statement contained appropriate mitigation measures which was deemed necessary to secure by planning condition to conserve and enhance protected and Priority species particularly those recorded in the locality. The applicant also confirmed that they applicant would be agreeable to pre-commencement conditions securing Great Crest Newt Surveys and an Impact Assessment and Conservation Payment Certificate (IACPC), countersigned by Natural England as Evidence. Further to this, Place Services (Ecology) has agreed this approach would be acceptable, thus, in the event the application is recommended for approval this will be secure by a appropriately worded planning condition. It has also been stated that details of the further bat activity surveys undertaken between April and July 2025 should be submitted, which could also be secured through an appropriately worded planning condition.

**14.5.6** Place Services also maintain the following in their latest response;

**14.5.6.1** *'Given the site is located adjacent to Parsonage Springs Local Wildlife Site (LoWS) and connected to Digby Wood LoWS (via a ditch) and is also in close proximity to areas of Lowland Mixed Deciduous Woodland / Ancient Woodland and ditches, appropriate measures to protect these designated sites, Priority habitats and to avoid impacts to potential protected species populations such as Otter and Water Vole during the construction phase of the proposed development should be provided. These measures should be outlined within the Construction within the Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity).'*

**14.5.7** It has been suggested that the proposed CEMP: Biodiversity ought to cover aspects of how lighting will be sensitively used during the construction phases and how these will impact priority and protected species. Also, a Wildlife Sensitive Lighting Design Scheme has suggested by Place Services and Officers consider that a prior to 'first operational use' condition<sup>14</sup> could be applied, if the application is recommended favourably. It was also noted that the site also supported Skylark territories and, subsequently, it has been recommended that a Farmland Bird Mitigation Strategy be secured by planning condition. Although the suggested condition requires the Farmland Bird Compensation Strategy to be implemented and retained for a minimum of 10 years, however,

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<sup>14</sup> A prior to occupation use was suggested but LPA Officers do not consider this appropriate given the nature of the development.

- 14.5.8** Officers consider that a Grampian condition may be necessary given the timescales and the potential use for third party land.
- 14.5.9** *Biodiversity Net Gain (BNG)*
- 14.5.10** Following the initial holding objections, the applicant has sought to provide additional details to address matters. In their updated response, Place Services maintains that they support the revised Biodiversity Net Gain Stage Report and Statutory Biodiversity Metric (RSK Wilding, 1 October 2025) and that these details provide sufficient information to determine the application. As such, it has been requested that a Biodiversity Gain Plan should be submitted prior to commencement.
- 14.5.11** This advice goes on to state that a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements (where management and monitoring is secured via legal obligation or condition of any consent for a period of up to 30 years) in line with an approved Biodiversity Gain Plan. Place Services also highlight that 'Based on the submitted post-intervention values as they are currently submitted and Government Guidance on what constitutes significant on-site enhancement, it is suggested that this includes the following habitats: Other Neutral Grassland, Lowland Meadow, Mixed Scrub, Individual Trees, Species-rich native Hedgerow and Species-rich native Hedgerows with Trees – Associated with Bank or Ditch'. Ultimately, it has been stated that the decision of whether significant on-site enhancements are present lies with the Council and given the relevant guidance and the details, as outlined, above Officers view that there are significant on-site enhancements provided on site.
- 14.5.12** Overall, the scheme proposes 50.01% and 53.11% increase in Biodiversity Net Gain for habitat units and hedgerows units respectively which are significantly more than the mandatory BNG requirement and also the emerging Local Plan requirements<sup>15</sup>. Also, the proposed reasonable biodiversity enhancements for protected, Priority and threatened species are supported but also recommended that a Biodiversity Enhancement Strategy should be secured by an appropriate condition.
- 14.5.13** *Environmental Impact Assessment (EIA): Ecology and Biodiversity*
- 14.5.14** The Ecology and Biodiversity were also one of topics scoped-in into the Environmental Statement. In terms of the construction and enabling phase of the development, the ES identifies a residual 'Minor Benefit' (Significant) for non-priority habitats due to the protections and enhancement measures to be retained, such as areas of grassland and / or scrub. Both the implementation of a Construction Environmental Management Plan (CEMP) and the Landscape Ecological Management Plan (LEMP) will seek to minimise indirect impacts to all on-site habitats,

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<sup>15</sup> Reference the eLP policy on BNG

as well as, management and enhancement measures to retain existing grassland and creation of higher quality habitats under solar panels. In addition, Minor Significant 'Adverse' effect has been identified in the construction stage to protected species but again the CEMP and LEMP will provide management measures.

**14.5.15** In relation to the operation phases of the development, the ES also identifies a residual 'Minor Significant' Benefit to Great Crested Newts (GCNs) and reptiles due to on-site increases in terrestrial habitat associated within the development site. This includes the habitat buffers around the perimeter of the site, as well as wildlife/habitat corridors and management of grassland beneath solar panels to create wildflower grassland. Furthermore, these benefits will be provided as a result of on-site improvements of habitats on-site through the BNG provisions. Conversely, the ES also identify the residual Minor Significant Adverse effects of the development to commuting and foraging bats and also to ground nesting birds, such as Skylark. With regards to the former, the ES highlights that the LEMP and BNG plan will include details of the retention and creation of the habitat buffers around the perimeter of the site. In addition, the new landscaping will concentrate on creating new wildlife/habitat corridors and linking these off-site and, furthermore, the solar panels will be installed at a minimum distance of 15m from all boundary features and woodland. In addition, with regards to ground nesting birds it has been stated that breeding bird surveys suggest that 12 skylark territories are affected; 3 territories will be retained and mitigation land will be provided for the further 6.7 territories. However, the remaining territories will not be compensated for, although improvements in foraging quality at the site will improve the carrying capacity of habitats at the site for skylarks.

**14.5.16** Notwithstanding the significant adverse effects identified within the ES, as previously discussed, Place Services (Ecology) have suggested conditions for Skylark mitigation measures to be finalised within a Farmland Bird Mitigation Strategy. Furthermore, with regards to bats Place Services had previously identified that high proportion of bat recordings from activity undertaken and that further surveys were due to be undertaken between April and July were yet to be submitted. The applicant has confirmed these surveys will be submitted, but these have yet to be materialised and, therefore, a further condition will be required to secure bat survey outcomes prior to the commencement of development. Also, furthermore, Place Services have indicated measures to protected habitats and priority species will be addressed within the CEMP and secured by a suitably worded condition. Thus, while there are residual significant adverse effects that have been identified as a result of the EIA process, Officers are of the view these impacts are appropriately dealt with by planning conditions. Furthermore, significant benefits have also been identified which will further enhance ecology and biodiversity and no cumulative effects that have been identified.

**14.5.17** *Proximity to main river habitats*

- 14.5.18** The Environment Agency (EA) has been consulted as a statutory main river cuts through the site. In their initial comments an objection was raised as there were no clear enhancements made to the watercourse that were in accordance with the emerging Local Plan Policies CP34 (Water Supply and Protection of Water Resources) and CP35 (Watercourse Protection and Enhancement).
- 14.5.19** The EA's concern was that as the development encroaches on watercourses this can have a potentially severe impact on their ecological value. Therefore, networks of undeveloped buffer zones help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the Thames River Basin Management Plan (RBMP). However, since the initial comments the applicant has agreed to a scheme of enhancement works to the river and will accept a 15m buffer/offset from the Brook.
- 14.5.20** In light of the above, it is not considered that the proposal would have material detrimental impacts in respect of protected species/habitats, priority species provided relevant conditions are complied with. The ES also states that ecological surveys due to the uncertainty at the decommissioning stage<sup>16</sup> further surveys are ecological assessment (including surveys) are advised prior to the commencement of decommissioning works to determine the potential impacts and mitigation measures required to enable decommissioning works to commence with minimal impacts on habitats and protected species.
- 14.5.21** Therefore, subject to relevant conditions the proposal accords with ULP (2005) Policy GEN7, emerging Local Plan Policies CP34 and CP35 and the NPPF (2024).

## **14.6 D) Heritage Implications**

- 14.6.1** Paragraph 131 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 14.6.2** ULP Policy ENV2 advises that proposals that adversely affect the setting of a listed building will not be permitted. This is further supported by the aims of the NPPF and Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 14.6.3** The proposed development would be situated within the setting of a number of designated heritage assets these being listed buildings at Parsonage Farmhouse, Barn to the west of Parsonage Farmhouse and Granary to the west of Parsonage Farmhouse (all grade II listed). Given the expansive area of the development site, other designated heritage assets have been identified by the Council's Conservation Officer has also

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<sup>16</sup> See para. 6.300 of Chapter 6 of the Environmental Statement

highlighted that Duck End Farmhouse (grade II listed) and the Church of St Mary the Virgin (grade II\*) have also been appropriately assessed within the surrounding locality.

- 14.6.4** Given the proximity to designated heritage assets the Council's Conservation Officer has been consulted on the application and acknowledged that the screening measures proposed to reduce the visual impact on built heritage which was deemed broadly acceptable. However, it has been stated proposed measures will not fully mitigate the harm arising from changes to the setting and that the cumulative impacts of the scheme, spanning across multiple parcels of arable land will inevitably alter the visual character of the landscape and diminish its openness. Notwithstanding this, the Conservation Officer acknowledges that the proposed development will be temporary in nature and measures to decommission the use and restore the land to its original condition upon cessation of use of the solar panels.
- 14.6.5** Overall, it is the Conservations Officers view that the proposal will result in a low to medium level of less than substantial harm to the significance of grade II listed buildings at Parsonage Farmhouse, Barn to the west of Parsonage Farmhouse and Granary to the west of Parsonage Farmhouse, north barn and that these harms arise through the changes to their setting.
- 14.6.6** *Environmental Impact Assessment (EIA): Built Heritage*
- 14.6.7** Built Heritage was also one of topics scoped-in into the Environmental Statement. The ES outlines mitigation measures within a Construction Environmental Management Plan (CEMP) will be proposed to ensure that management practices will be adopted during the enabling and construction phases of the development to address the temporary implications to designated heritage assets. While the development is operational, landscape mitigation has been proposed to which comprises of native rich hedgerows of 4m to the west of Parsonage Farm which contains the collection of grade II listed buildings. As a result, in terms of residual harms to the designated heritage assets no significant benefits or adverse impacts (harms) were identified as a result of the EIA process
- 14.6.8** Notwithstanding the above, where less than substantial harm has been afforded to a proposal, the Local Planning Authority has a duty to weigh this harm against the public benefits generated of the development. In accordance with para. 212 of the Framework (2024) great weight has been afforded to the harms identified to Parsonage Farmhouse, Barn to the west of Parsonage Farmhouse and Granary to the west of Parsonage Farmhouse (all grade II listed).
- 14.6.9** Given the above, a heritage specific balance has not been offered by the applicant, nonetheless, there are benefits that have been formally submitted as part of the Very Special Circumstances (VSCs) submitted

for the Green Belt assessment. The public benefits of the proposal required for the heritage balance are outlined below;

**14.6.10** *Heritage Balance (public benefits)*

- Biodiversity Net Gain: as noted above, the proposal will far exceed biodiversity net gain provisions and therefore significant weight will be afforded;
- Reduced grid connection(s): The Energy Need Case states that the grid power distribution system is under immense strain and the provision of a direct clean power supply will enable the logistics park at BOX:STN to overcome grid issues plus also install high-powered electric vehicle chargers while decarbonising the vehicle fleets based at BOX:STN. Officers acknowledge these environmental benefits but this could be argued these are not direct benefits to the public as these benefits will principally serve the associated logistic development. For these reasons, moderate weight will be afforded to this factor.

**14.6.11** At paragraph 8.93 of the applicants Planning Statement maintains that the less than substantial harm attributed to designated heritage assets within the vicinity is outweighed by the substantial public benefits that would be attributed to the renewable energy generated along with other benefits identified within the Green Belt VSCs above. It is further maintained by the applicant that this approach aligns with a recent appeal decision<sup>17</sup> in the Green Belt where the Inspector maintained that the harms to designated and non-designated heritage assets is outweighed by the substantial public benefits.

**14.6.12** Conversely, Officers are of the view this is not directly comparable with the current proposals as the benefits are directly linked to the logistics development at BOX:STN and will primarily serve that development. However, significant and modest weight have been afforded to the substantial BNG provisions and the reduced grid connections. Concerning the latter, the development will assist with the governments goals to phase out non-zero emission HGVs by 2024 and contribute to broader aspirations of transport de-carbonisation which will also aid transition to Net Zero. Also, this approach is consistent with the referenced appeal decision where the inspector made the following comment at para. 112;

**14.6.13** *'Due to their very nature, most solar developments will cause some level of harm in the countryside and when they are near to residential properties and heritage assets. In addition, many solar farm sites are crossed or bounded by footpaths. There will be sites which cannot come forward for solar development because the level of harm caused would be too great and would not be outweighed by the benefits. In this case, however, the harm caused would be moderated to a large degree by the contained*

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<sup>17</sup> Appeal decision at Land South of Runwell Road, Wickford (refs: APP/W1525/W/24/3344509 and APP/B1550/W/24/3344510)



*nature of the site and its proximity to major roads and pylons. The development would be capable of making a material and early contribution to the objective of achieving decarbonisation of energy production. It is important that sites such as this are brought forward as soon as possible to meet the pressing need for renewable energy generation.'*

**14.6.14** Therefore, given the less than substantial harm identified, the mitigation measures in the ES and the heritage balance, Officers consider that this does not trigger para. 11(d)(i) of the Framework as there is not a strong reason for refusing the development.

**14.6.15** In light of the above, these given the temporary nature of the development, low to moderate level of less than substantial harm, mitigation, the proposal is in accordance with Uttlesford Local Plan Policy (2005) ENV2, emerging Local Plan Core Policy 62 and the Framework subject to relevant conditions.

## **14.7 E) Archaeology**

Paragraph 207 of the Framework states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

**14.7.1** ULP Policy ENV4 states where archaeological remains are affected by a proposed development there will be a presumption in favour of their physical preservation in situ. The preservation in situ of locally important archaeological remains will be sought unless the need for the development outweighs the importance of the archaeology. The policy goes on to state that in circumstances where preservation is not possible or feasible, then development will not be permitted until satisfactory provision has been made for a programme of archaeological investigation and recording prior to commencement of the development.

**14.7.2** Core Policy 64 of the emerging Local Plan also states that where development could adversely affect assets of archaeological interest and their settings will require a suitable desk-based assessment and, where necessary, a field evaluation that should be submitted as part of any planning application. Like the adopted Local Plan the emerging policy goes on to maintain that where preservation in situ of an archaeological asset is not possible or feasible, then development will not be permitted until a programme for excavation, investigation and pre-recording has been submitted and agreed by way of a pre-commencement condition.

**14.7.3** Place Services (archaeology) had been consulted on the application and within their initial comment stated the following;

*‘Given the archaeological assets identified by the geophysical survey within the proposed development site, I recommend that the results of a targeted programme of archaeological evaluation should be submitted in support of this application. The applicant should be required to conduct an archaeological evaluation to establish the nature and complexity of the surviving archaeological assets. This should be undertaken prior to a planning decision being made. This work would enable due consideration to be given to the historic environment implications and would help inform the layout of the solar park, lead to proposals for preservation in situ and/or identify the need for further investigation.’*

- 14.7.4** It is noted that Place Services recommend targeted trial trenching on the results of the geophysics survey prior to determination which would comprise of initial intrusive investigation to qualify the geophysics results. Archaeology advisors highlight in their response that the development site has a high potential to contain prehistoric, medieval WWII airfield remains and a moderate potential to contain Roman archaeological remains indicated by the extensive multi period features excavated during archaeological investigations at Stansted Airport.
- 14.7.5** In response to Place Services the applicant has commented that pre-application discussions had been had with the County’s archaeology advisors where it was confirmed that given the nature and complexity of the archaeology at the adjacent Stansted Northside development that a pre-determination geophysical survey would be required to inform the evaluation strategy. A geophysical survey does form as an appendix to the Environmental Statement, and the applicant maintains that it was previously agreed that should the geophysical survey produce results requiring further investigation by way of trial trenching this could be secured through a prior to commencement condition.
- 14.7.6** In light of the above the Council acknowledges the significance of the initial findings within the geophysical surveys and given the locational context Officers consider there may be a strong possibility that archaeological remains could be impacted by the development. ES Archaeology chapter 8, paragraphs 1.83-1.87 highlights how different aspects of the development will result in varying degrees of ground disturbances. However, the ES does highlight that the main impact to possible archaeology remains will result where there is significant ground disturbance including where ‘the preliminary topsoil strip and subsequent excavation for the proposed cable trenches, levelling where this is required prior to panel installation, internal roads and associated structures including transformers, a substation, welfare facilities, lighting and planting’. Although it should be acknowledged the potential of substantial ground disturbances across the entirety of the site would not be expansive as the development site area would primarily be occupied by photovoltaic panels which require a reduced degree of ground disturbance.

- 14.7.7** Therefore, given the overall degree of ground disturbance across the application site, the locational context and the outcomes of the geophysics surveys Officers consider that it would be appropriate to ensure that targeted trial trenching should be secured by suitably worded planning condition(s) which prohibits the commencement of development until appropriate trial trenching and evaluations have been undertaken. This approach is consistent with adopted and emerging Local Plans.
- 14.7.8** *Environmental Impact Assessment (EIA): Archaeology*
- 14.7.9** Archaeology was also one of topics scoped-in into the Environmental Statement. The ES outlines that archaeological trial trenching evaluation will be undertaken which form the mitigation measures during the enabling / construction phases. The ES also maintains that the residual effects of the development are not significant and given the degree of ground intrusions across the site and the temporary nature of the development, the Council are of the view this assessment appropriate. Nonetheless , as highlighted above, the Council consider that pre-commencement conditions will be necessary to appropriately assess potential impacts to archaeological remains within the vicinity.
- 14.7.10** Although it is also stated that if sensitive archaeological remains are encountered within the de-commissioning stage then equivalent mitigation strategies will be applied resulting in residual effects consistent with those during the enabling and construction phases.
- 14.7.11** In light of the above, given the temporary nature of the development, mitigation, the proposal is in accordance with Uttlesford Local Plan Policy (2005) ENV2, emerging Local Plan Core Policy 64 and the Framework subject to compliance with relevant conditions.

## **14.8 F) Farm diversification**

- 14.8.1** ULP Policy E4 states that alternative uses for agriculture land will be permitted subject to meeting all the following criteria set out below;
- a) The development includes proposals for landscape and nature conservation enhancement;
  - b) The development would not result in a significant increase in noise levels or other adverse impacts beyond the holding;
  - c) The continued viability and function of the agricultural holding would not be harmed;
  - d) The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity).
- 14.8.2** This adopted policy is broadly consistent with Core Policy 21 (Rural Diversification) although CP21(i) contains a viability criteria which the adopted policy does not. However at the time of the submission of the application, the eLP was afforded limited weight and there was no

requirement for the applicant to provide such details. This application has been clearly put forward to support nearby the logistics development at Northside. However, as referenced above, paragraph 168 of the Framework also advises Local Planning Authorities not to require applicants to demonstrate the overall need for renewable and low carbon energy and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposals contribution to a net zero future.

**14.8.3** In respect to the above, it is considered that the proposals would meet criteria as set in Policy E4. The proposals presents an opportunity for landscape/biodiversity mitigation and enhancement and, as noted above, the proposal will significant increases in biodiversity net gain habitat units and hedgerows units.

**14.8.4** As confirmed by Council's Environmental Health Officer, the proposals will not result in significant increase in noise levels or other adverse impacts beyond the holding subject to appropriate mitigation measures.

**14.8.5** The development would not result in the permanent loss of agricultural land and the land will be returned to full agricultural use. During the operational stage of the development, the land will have time to assist in the rebalancing of soil nutrients, re-establishing soil biota, breaking crop pest and disease cycles, and provide a haven for wildlife thus enhancing the quality of land for future agricultural use following the decommissioning of the solar farm.

**14.8.6** It is considered that the proposed access and traffic management strategy for the site during both the operational and temporary construction stages of the development will not have an adverse impact on the surrounding highway network. Moreover, a CEMP condition has been suggested by the Highway authority.

**14.8.7** On balance it is thereby considered that due weight should be given to the benefits of the scheme and it would not result in a significant loss of agricultural land or harm to the agricultural industry.

## **14.9 G) Loss of Agricultural Land**

**14.9.1** Paragraph 187(b) of the Framework states "Planning policies and decision should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystems services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland".

**14.9.2** Annex 2 of The Framework defines "best and most versatile agricultural land" as land in grades 1, 2 and 3a of the Agricultural Land Classification".

Local Policy ENV5 states that where agricultural land is required, developers should seek to use areas of poorer quality except where other sustainable considerations suggest otherwise.

- 14.9.3** Most of the land in Uttlesford District Council is classified as best and most versatile (BMV) land. Indeed, most of the sites identified for development within the emerging Local Plan are on such land. The Council accepts that it is inevitable that future renewable energy developments will require such land as the supply of previously developed land within the district is limited. Virtually all agricultural land in the district is classified as Grade 2 or 3a with some areas of Grade 1.
- 14.9.4** The application site has been assessed as principally comprising of Grade 3(b) agricultural land, with some areas of 3(a) agricultural land. The overall site area amounts to 48ha and the submitted 'Agricultural Land Classification (ALC) Report' confirms that the amount of BMV land (grade 3a land) that will be acquired by the development will be 13ha which equates to 27% of the total site area.
- 14.9.5** Given the above, Natural England do not object as the development would not lead to a significant permanent loss of BMV agricultural land and the reasons stated were due to the solar panels being secured to the ground by steel piles with limited soil disturbances. Furthermore it was acknowledged that the solar panels, and associated infrastructure, will likely be removed in the future with no permanent loss of agricultural land quality subject to appropriate soil management and construction practices.
- 14.9.6** However, Natural England do maintain that as some elements of the proposals (sub-stations and associated infrastructure) will permanently affect agricultural land but this will be limited to small areas of the site. Ultimately, Natural England conclude that the decision lies with the Planning Authority as to whether this proposal comprises an effective use of land with due consideration to Planning Practice Guidance.
- 14.9.7** The PV solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the development is undertaken to high standards. Although it is acknowledged some components of the development, albeit limited areas, may permanently affect agricultural land.
- 14.9.8** However, the development is proposed for a temporary period for up to 40 years after which the site will be restored to its former state to continue agricultural use. Although it is acknowledged that during the lifecycle of development there will be a reduction in agricultural production over the whole development area including food production. As the global human population continues to rise, more land will be required for agricultural production in order to meet rising demands for food. This also has the

potential to increase or to intensify agricultural activities on land already used for food productions within the district.

- 14.9.9** However, it is also recognised that agricultural practices over the course of time been associated with the loss of vegetation, biodiversity loss and with reductions in the presence of wildlife resulting in environmental harm. Moreover, the ES maintains that the minimal disturbance to the agricultural land could provide a valuable fallow (resting) period for the soils which will likely have been subject to intensive agricultural practices and, therefore, over the operational life of the development likely improve soil health under grassland and subsequently increase its resilience and capacity for future agricultural use. The EIA assessment identifies residual significant 'Moderate Beneficial' effects of the development on the BMV agricultural land due to the reinstatement of the land to agricultural use following decommissioning.
- 14.9.10** Notwithstanding this, Natural England have recommended conditions to safeguard soil resources and agricultural land which should require a commitment for the preparation of reinstatement and restoration of the site to return to its former agricultural land quality (ALC grade). While the adopted ULP Policy ENV5 stipulates that developers should seek to use areas of poorer quality agricultural land, this policy does not account for the temporary nature of solar farm developments and, moreover, there is not a direct equivalent of ULP Policy ENV5 within the emerging Local Plan. However, CP 25 (Renewable Energy Infrastructure) of eLP does have regard for cumulative impacts of BMV land. Thus, as the loss of grade 3a would constitute 27% of the total area of the development site and the temporary nature of proposals, Officers do not consider cumulative impacts on best and most versatile land to be significant.
- 14.9.11** Moreover, Planning Practice Guidance states that where the proposed use of any agricultural land has been shown to be necessary, where poorer quality land has been used consideration can also be afforded to proposals that encourage biodiversity improvements around arrays<sup>18</sup>. As already outlined above, the proposal already seeks to exceed biodiversity net gain requirements.
- 14.9.12** Given the above, a balance must be found concerning the renewable energy projects, the quality of agricultural land along with the impact to soils, but also the associated benefits of biodiversity net gains and the ability of the development to provide a fallow period of the agricultural land. The Council acknowledges that there will be a temporary loss of grade 3a/3b agricultural land which will impact on food production, but by virtue of permitting the development will also facilitate renewal of the existing land and increase resilience of agricultural for future generations.
- 14.9.13** In light of the above with particular regard to the temporary nature of the development, the significant benefits to the soil quality and improvements

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<sup>18</sup> Paragraph: 013 Reference ID: 5-013-20150327, bullet point 2

to biodiversity the proposal is in accordance with Uttlesford Local Plan Policy (2005) ENV5, emerging Local Plan Core Policy 25 and the Framework subject to compliance with relevant conditions.

## **14.10 H) Highways, Access and Transport**

- 14.10.1** Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must not compromise road safety and to take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and also encourage movement by means other than the car.
- 14.10.2** The application site is situated to the west of the M11 and, therefore, both Essex Highways and National Highways (NH) have been consulted on this application and each statutory consultee requested further details to supplement the application. National Highways requested further details in relation to Construction Traffic and Management Plan (CTMP) and clarifications on Glint and Glare Assessment. ECC Highways required further clarifications on the Public Rights of Way and how users of the footpath network would be protected during the construction and operation of the development. Further clarifications in relation to the tracking details were requested for Forest Hall Road/Stansted Road junction and the CMTP that was supplied with the submission.
- 14.10.3** The applicant has taken proactive steps to ensure that the CTMP includes specific measures to ensure that deliveries to the site and construction traffic accessing/exiting the site via the Strategic Road Network at specific timescales during off-peak hours. As a result, National Highways are satisfied with measures contained within the CTMP.
- 14.10.4** ECC Highways Officers still have concerns pertaining to the measures contained within the CTMP mainly relating to use of vehicle banksman for all construction vehicle movements and signage should be installed at the section of bridleway 27 which runs along Parsonage Lane. However, Officers take the view that this could not secure such measures as they are not relevant to planning and not reasonable in all other respects. Nonetheless, in the event the application is recommended for approval, Officers could add an informative to remind the applicant to ensure that the PROW should remain accessible and safe during the construction process. Also, there were also concerns of the impacts given the proximity to Forest Hall School, it also requested that no HGV traffic should access/exit the site during school periods, however, the applicant confirmed that they would accept a condition to ensure no HGVs will depart from the site between 08:15-08:45 and 15:20-15:00 as HGVs will travel one-way in/out of the site and this will not impact HGVs arriving to the site as enter the site from the west.

**14.10.5** Regarding the tracking comments a swept path analysis plan had been submitted along the Forest Hall Road/Stansted Road junction and no further adverse comments had been made.

**14.10.6** With regards to the potential glint and glare impacts to the adjacent M11, an updated Glint and Glare Assessment (August 2025) had been submitted to the Council and NH re-consulted for their comments. On receipt of the updated assessment, and in consultation with their technical consultants, NH were satisfied that the appropriate worst-case review of potential impacts on the Strategic Road Network has been undertaken. Thus, in this regard, NH have removed their objection, but have further requested further clarifications in relation to the verification vegetation screening, receptor heights, confirmation of anti-glare coating and landscaping assumptions although Officers consider that some of these matters are already addressed within the context of the planning application. Nonetheless Officers will further liaise with National Highways to request specific clarification on the conditions they seeking. Members will be updated ahead of the Planning Committee meeting.

**14.10.7** Consequently, subject to the agreement of routes and other matters of concern, National Highways are now recommending approval with planning conditions.

#### **14.11 I) Flood Risk, Site Drainage and Groundwater**

##### **14.11.1 Flood Risk**

**14.11.2** The NPPF states that inappropriate development in areas of high-risk flooding should be avoid by directing development away from areas at the highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

**14.11.3** Part of the site lies within Flood Risk Zone 3, the high probability zone. The Environment Agency have confirmed a solar farm is considered to 'essential infrastructure' land use in Annex 3: Flood risk vulnerability classification of Planning Practice Guidance. It may therefore be necessary to apply the sequential and exceptions tests which is the responsibility of the Council. The Environment Agency have removed their initial holding objection following the applicant clarifying that a small proportion of the development lies within Flood Risk Zone 2/3 and that in terms of safe operation of the development, the associated infrastructure the development will be located centrally within the development and away from the higher flood risk zones to the east of the site towards the Great Hallingbury River.

##### **14.11.4 *Sequential Test***

**14.11.5** The proposal has been strategically located in close proximity to the Northside, BOX:STN development to which this development will supply a substantial portion of its energy demand. Paragraph 174 of the



Framework states the aim of the sequential test is to steer new development to areas within the lowest risk of flooding from any source and that development should not be permitted if there are reasonably available sites appropriate for the proposed development.

- 14.11.6** Paragraphs 175, 176 and 180 of the NPPF sets out exemptions where the application of the sequential test is not required. Thus, given that a small proportion of the site is located within flood risk zones 2/3 the Council need to give due consideration as to whether it is necessary to apply the sequential test. It should be noted that applying whether exemptions apply, PPG guidance states the following;

*‘a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.’*

**14.11.7** *Exceptions Test*

- 14.11.8** To pass the exception test it should be demonstrated that;

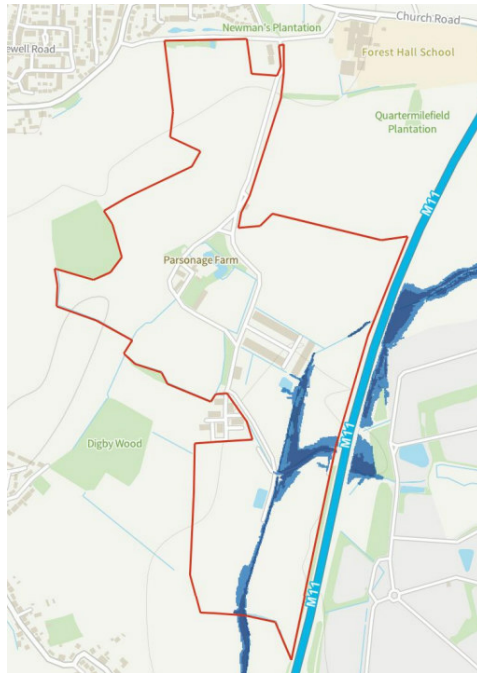
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 14.11.9** The design of the proposed layout has not incorporated any vulnerable parts of the development in areas at high risk of flooding. The battery storage area, along with switchgear station, substations and transformers would be located outside areas at risk of fluvial and pluvial flooding. Moreover, the solar panels would be elevated approximately 0.8m above ground level and unlikely to further create significant adverse impacts to surface water drainage or create further pooling of water. However, it should be noted that where the battery storage area is situated within the site it would be adjacent to a balancing ponding which is within higher flood risk zone 2/3 but no part of the development would be situated with the higher flood risk zone. Moreover, the Flood Risk Assessment (FRA) concludes that the site can accommodate the proposed development and will not increase flood risk from this source.

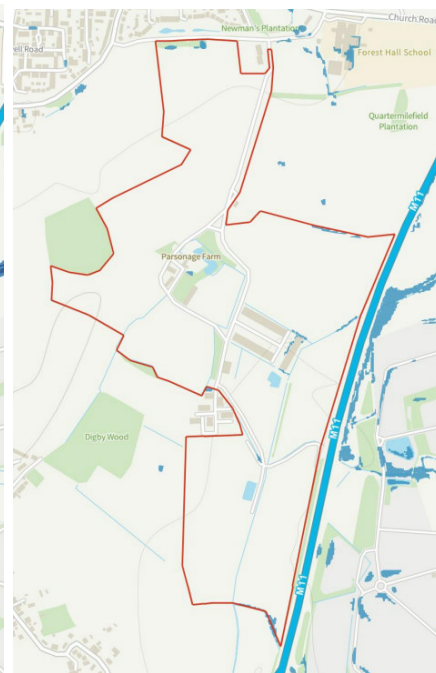
- 14.11.10** Although it should be noted that figure 4 of the FRA identifies that there are areas or ‘localised pockets’ within the site that will be affected by pluvial flooding and, as a result, it has been stated that risk of pluvial flooding would be assessed as medium to high.

The extracted maps below show the extent of flooding with the area:

EA Flooding Map (left)



EA Surface Water Flood Map (right)



- 14.11.11** Thus, given the design and layout of the solar panels and given that the site is a greenfield there is limited risk of flooding and that no mitigation measures are required as the development will emulate the sites natural drainage.
- 14.11.12** In terms of surface water drainage, the Lead Local Flood Authority (LLFA) have been consulted and had initially raised holding objections, although, a letter from the applicant's consultants clarified matters relating to the climate change allowances and the location of the swales and French Drains. Accordingly, the LLFA have removed their objections subject to a number of conditions.
- 14.11.13** Therefore, in terms of the application of the sequential test, Officers are satisfied that the overall design and layout locates the vulnerable parts of the development away from the higher risk flood risk areas. Furthermore, as a result of the site being a greenfield there FRA states there would be limited adverse impacts to site drainage. The FRA maintains that mitigation measures will not be required and that overall the development will not increase the risk of flooding elsewhere. Thus, with the intention of taking a proportionate approach Officers that the view that users/workers on site would remain safe from current and future surface water flood risk for the lifetime of the development. In terms of the exceptions test, as demonstrated within the sequential test, the development has been designed so that vulnerable parts of the site remain in lower flood risk area, so there is limited harm to users of the site during the lifetime of the development and the FRA demonstrate the proposal will not increase flood risk elsewhere. In terms of sustainability benefits of the proposal, the FRA maintains that benefits to local infrastructure which aids tackling

climate change and reducing greenhouse gases. The maximised BNG benefits were also referenced and, admittedly these are similar to the benefits from the heritage balance but these are wider sustainably benefits albeit with limited direct benefits to the wider community. Moreover, the EA has removed its objections relating to Flood Risk and there has been no indication the FRA is unsound or that the development fails the sequential or exceptions tests.

**14.11.14** Initially, the EA also raised concerns in relation to impact of Battery Energy Storage System (BESS) and the potential groundwater contamination. The applicant has responded appropriately and suggested that this could be addressed by a suitably worded condition. The EA has raised no further concerns and the Council consider this is a pragmatic approach to address matters.

**14.11.15** The proposed development accords with ULP (2005) Policy GEN3 in terms of floodings, drainage and groundwater Core Policy 36 of the emerging Local Plan.

## **14.12 J) Climate Change**

**14.12.1** Climate Change was also one of topics scoped-in into the Environmental Statement. The Climate Change chapter of the ES states that there will be a net reduction in GHG emissions and that 90% of emissions offset will contribute to keeping the UK on track towards achieving net zero by 2050. Ultimately, it has been concluded that the residual effects of the development will result in some Minor Adverse effects which have mainly been identified through the construction and enabling phase and during maintenance within the operational phase. However, over the lifetime of the development it has been concluded within the ES that the development will result in Major Beneficial (significant) effects at a local scale and a Minor Beneficial (significant) effects at a regional scale due to the production of electricity on-site.

**14.12.2** Given the above, that the development will result in lower greenhouse gas (GHG) emissions through the generation of clean renewable energy sources and with less energy demand from National Grid. Therefore, Officers are of the view that development will offer clean energy sources, contribute to better air quality through the reduction of GHG emissions and contributes to achieving the governments net zero targets.

**14.12.3** The proposed development accords with the Uttlesford Interim Climate Change Policy (2021) and broadly accords with the emerging Local Plan Core Policy 22 and 24.

## **14.13 K) Construction and considerations for site restoration**

**14.13.1** Construction methods should minimise disruption to land e.g. intrusive groundworks, such as trenching and foundations, should be minimised and the use of concrete avoided where possible and should be detailed

through a CEMP. On agricultural land, frames should be pile driven or screw anchored and not concrete-based, and capable of easy removal, allowing the ground to be fully restored. If permission were to be approved, a pre-commencement condition requiring a CEMP would be imposed as per the requests of Environmental Health and Ecology advisors.

- 14.13.2** Furthermore, a restoration plan should be identified at the earliest stage of planning. Solar farms are temporary developments and should be capable of removal and reversible i.e. at the end of the life of the development, the land can be returned to its pre-development use. After the use of the site as a solar photovoltaic farm the land should be restored to its previous state including the removal of all panels, supporting infrastructure and other temporary structures onsite. This can be secured by way of a condition should planning permission be granted.

**14.14 L) Neighbouring Amenity and Glint and Glare**

- 14.14.1** Glint and Glare was also one of topics scoped-in into the Environmental Statement and given the proximity to Stansted Airport the Council deems this appropriate. Notwithstanding this, Manchester Airport Group (MAG) had issued a holding objection in their initial response to the proposals.

- 14.14.2** Clarifications were requested in relation to predicted glare towards Air Traffic Control (ATC) Visual Control Room as it was deemed this could confuse, distract and reduce safety margins for Air Traffic Control personnel. MAGS had therefore requested that the applicant further investigate the predicted glare towards ATC. In response, the applicant had undertaken the relevant investigations of glare towards ATC with the intention to remove all predictions of glare. In response to MAGs, the applicant had submitted an updated Glint and Glare Study (August 2025) and in their letter to MAGs the applicant states;

- 14.14.3** *‘To achieve this, the orientation of the proposed solar panels has been slightly altered. The result of this reorientation is that all glare towards the ATC tower has been removed. Further, the optimised layout produces no glare towards the 2-mile approach paths considering a 50-degree field of view either side of the direction of travel.’*

- 14.14.4** However, MAGs further issued further holding objections as matters relating to glint and glare were not fully resolved towards Stansted Airport Runway and requested either further modelling, the use less reflective panel types or the removal of offending panels. Again, the applicant had been proactive in responding MAGs comments and provided assessment details to confirm that no glare would be predicted towards aircraft ground based runway receptors given the screening from buildings and vegetation. As a result, MAGs had subsequently removed their holding objection subject to relevant conditions and informatives being applied.

**14.14.5** MAGs had also initially objected to the attenuation basins proposed and concern that any new water will likely attract birds hazardous to aviation and increase the risk of bird strike. In response, the applicant has stated that the attenuation basin will only react to rainfall and not designed to hold a permanent water level and that vegetative planting around the basin will ensure the environment will remain dry. Furthermore, the applicant will accept a suitably worded pre-commencement planning condition to address matters. Thus, no further objections in relation to the attenuation basin remains.

**14.14.6** *Neighbouring Amenity*

**14.14.7** Some of the neighbouring comments have stated that the existing cluster of residential properties will be surrounded by the development at Parsonage Farm. The proposed site layouts confirms that the panels to the west of these properties and east of Parsonage Spring woodland would be approximately 60m but the distances are greater at 130m to the north east of these dwellings. However, to the south some shorter distances of a 25m from solar panels but this appears to serve the Parsonage Farm Industrial buildings. Moreover, the existing collection of dwellings at Parsonage Farm are relatively enclosed within the existing curtilage of the site and will still experience a fair distance from the PV panels to the west. Also the EIA conclusions, confirm that there are no significant glint and glare effects on resulting from the proposed development.

**14.14.8** The ES does state the effect upon most dwellings surveyed was negligible due to significant screening from existing and proposed mitigation landscaping. However, at dwelling 2 of Parsonage Farm the magnitude of change has been classified as Low but again this was not deemed of significance due to existing and proposed planting. Nonetheless, the overall conclusion of the ES is that no significant effects have been identified as a result of the proposed development.

**14.14.9** Furthermore, the updated modelling in relation to glint and glare has also accounts for other nearby sensitive receptors i.e. roads, dwellings and football pitch and it has been concluded that the overall impacts have not worsened anywhere and remain acceptable.

**14.15** **M) Other Matters**

**14.15.1** Essex Police advise that the proposals could be enhanced to deter criminal activity at the site and that enhancements could be made in relation to fencings, location of hedgerows, bunding and ditches to better secure the site. However, Officers could be secured by a suitably worded planning condition.

**14.15.2** No adverse comments have been by Environmental Health Officers, subject to planning condition relating to operational noise, construction

impacts, external lighting and contaminated land. Officers are content these can be suitably addressed by a planning condition.

- 14.15.3** To ensure the site is appropriately de-commissioned after 40 year period has expired Officers will apply conditions to ensure the site is returned to its former use and condition. As indicated above, and with regards to ecology and biodiversity, CEMP/CEMP conditions will be applied during construction period but Officers consider an ecological survey ought to be required prior to the site being de-commissioned.

**14.15.4** *Environmental Impact Assessment Matters*

- 14.15.5** In coming to view on the proposed development the local planning authority has taken into account the content of the ES submitted within the application, further information to the ES, as well as the representations that have been submitted by third parties. The ES considers the potential impacts of the proposal and sets out appropriate mitigation measures.

- 14.15.6** The ES considers the impact of the development and concludes, subject to appropriate mitigation, that the impacts arising from the construction and operation phases of the development and would be within acceptable limits and would not be significant. Having taken into account representations received from consultees, Officers consider that the proposed development is acceptable.

**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 application site is located within the countryside, outside development limits, and within the Metropolitan Green Belt. In December 2024 Green Belt policies contained within the Framework have recently been subject to amendments and, therefore, the application site has now been classed as Grey Belt land.

- 16.2** Consequently, Officers have concluded that the proposal comprises of inappropriate development in the Green Belt and would lead to a loss of openness and, to a degree, be harmful to purpose (c) of including land within the Green Belt. Substantial weight has been afforded to this harm in the balance of considerations.

- 16.3** Paragraph 153 of the Framework also stipulates that very special circumstances will not exist unless 'the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.' Due to the nature, scale, proximity to designated heritage assets and location to major infrastructure the proposal will inevitably amount to degrees of harm. As demonstrated above Officers have considered the harms above and do not consider that these significant and will be appropriately mitigated by planning conditions. Furthermore, the scheme has been designed with mitigation landscaping to reduce the visual implications of the development.

- 16.4** The applicant has cited a number of factors to promote very special circumstances to outweigh the harm to the Green Belt. It is considered that significant weight should be attached to the benefits of providing the renewable energy including the reduction of carbon emissions. Moreover, para. 160 of the NPPF maintains that wider environmental benefits associated with the increased energy production from renewable sources can constitute very special circumstances, while para. 168 of the Framework also encourages Local Planning Authorities to give significant weight to the benefits associated with renewable or low carbon energy generation and the proposals contribution to a net zero future.

- 16.5** Furthermore, there are limited harms in relation to the amenity, heritage, glint and glare, flood risk and highway networks. In addition, the proposal will exceed national and local requirements for biodiversity net gain and further ecological enhancements. Also at the end of the lifecycle of the proposed development the land will be returned to its agricultural use and

consequently there would be limited harm to the landscape and visual receptions subject to appropriate landscaping enhancements and mitigation which will remain once the solar farm has been decommissioned.

**16.6** Also Officers have taken into account the temporary nature of the development along with the very special circumstances put forward by the applicant. Overall, Officers are of the view that very special circumstances exist to clearly outweigh the harms identified within this assessment.

**16.7** On balance it is concluded that the benefits of the proposals clearly outweigh the substantial harm to the Green Belt and accords with ULP Policies S6, GEN2 of the ULP (2005) and the NPPF (2024).

**17.1** **CONDITIONS**

**17.2** The application is recommended for approval subject to the following conditions.

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

REASON: In accordance with Section 92 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 approved shall be carried out in accordance with the approved plans as listed unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development is built out in accordance with the approved plans and to ensure that the development reflects and maintains the character of the surrounding locality in accordance with Uttlesford Local Plan Policies GEN2 and S6 and the National Planning Policy Framework.

**3** Prior to commencement of development, samples/details of materials to be used in the construction of the external surfaces of any buildings hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and heritage protection in accordance with ULP Policies S6, ENV2 and GEN2 of the Uttlesford Local Plan (adopted 2005).

**4** The development hereby permitted shall not be commenced until such time as a soil management plan has been submitted to, and approved in



writing by, the local planning authority. The scheme shall be implemented as approved.

REASON: Soil compaction can cause increased run-off from the site. Therefore, a soil management plan should show how this will be mitigated against. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution. This condition is in accordance with Policy GEN3 of the Uttlesford Local Plan (2005) and the Framework.

- 5** 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.

## **ARCHAEOLOGY**

- 6** (A) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- (B) No development or preliminary groundworks of any kind (other than works to satisfy this condition) shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the archaeological advisors to the Local Planning Authority.
- (C) A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the local planning authority following the completion of the archaeological evaluation. This may include the use of alternative means of affixing the solar panels in or onto the ground in areas of the site with subterranean archaeology that should be preserved in situ.
- (D) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the local planning authority.

(E) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the local planning authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: To preserve potential archaeological remains, in accordance with the adopted Uttlesford Local Plan Policy ENV4, and the Framework.

## **ECOLOGY AND LANDSCAPING**

**7** The hard and soft landscaping details of the development hereby approved shall be implemented in accordance with the details indicated on the following plan(s);

- Landscape Mitigation Sheet 1 of 4 (drawing no. 0952-SHR SK-XX-XX-DR-L-1001 rev 02)
- Landscape Mitigation Sheet 2 of 4 (drawing no. 0952-SHR SK-XX-XX-DR-L-1002 rev 02)
- Landscape Mitigation Sheet 3 of 4 (drawing no. 0952-SHR SK-XX-XX-DR-L-1003 rev 02)
- Landscape Mitigation Sheet 4 of 4 (drawing no. 0952-SHR SK-XX-XX-DR-L-1004 rev 02)

Unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the character and openness of the countryside location and ensure no loss of amenity for the neighbouring occupiers and the occupants of the dwelling hereby approved, in accordance with the adopted Uttlesford Local Plan Policies S6, GEN2, GEN4, and the Framework

**8** The Arboricultural details of the development hereby approved shall be implemented in accordance with the details contained within the 'Stage 1 and 2 Arboricultural Impact Assessment Report', rev 00, dated 24 April 2025, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the character of the countryside location and the rooting systems of trees and hedges to be retained (including TPO trees). Also in the interest of residential amenity and in accordance with the adopted (2005) Uttlesford Local Plan Policies S6, GEN2, GEN4 and the Framework.

**9** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (RSK, July 2024) and the Parsonage Solar Farm Environmental Statement (Trium), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7, ENV8, and the Framework.

- 10** Prior to the commencement of development hereby approved, 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.
- i) Sensitive lighting during the construction phase.

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.

The approved CEMP: Biodiversity 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 and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7, ENV8, and the Framework.

- 11** Prior to commencement of development hereby approved, any works which will impact the breeding / resting place of Great Crested Newts,

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) authorising 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 and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7, ENV8, and the Framework.

- 12** Prior to the commencement of 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 conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7, ENV8, and the Framework.

- 13** 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 Preliminary Ecological Appraisal Report (RSK, July 2024) and the Parsonage Solar Farm Environmental Statement (Trium), shall be submitted to and approved in writing by the local planning authority.

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

- a) Purpose and conservation objectives for the proposed enhancement measures.
- b) detailed designs or product descriptions to achieve stated objectives.
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) 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 conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7 and the Framework.

- 14** Prior to first use of operation a “lighting design strategy for biodiversity” for the whole site and especially the vegetated field boundaries and existing woodland 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:

- a) identify those areas/features on site that are particularly sensitive for bats and Badger 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
- b) 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.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC)

Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7 and the Framework.

- 15** Prior to commencement a Bat Survey Report shall be submitted to and approved in writing by the Council. If the Bat Survey Report identifies potential for bats, then mitigation measures shall be identified and incorporated.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7 and the Framework.

- 16** Prior to commencement of development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development [or specified phase of 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) Improved foraging for Badgers.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h) Details of the body or organisation responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer

with the management body(ies) responsible for its delivery. The plan shall also set

out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details for a minimum of 30 years to deliver the required condition of habitats created.

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 Framework.

**17** A 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, prior to commencement of development, including:

- 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 Country 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 and the Framework.

- 18** No development shall take place until a scheme for the provision and management of a 15 metre-wide buffer zone alongside the Great Hallingbury Brook has been submitted to, and approved in writing by, the Local Planning Authority.

The buffer zone scheme shall be free from built development including lighting, domestic gardens, non-native plant species and formal landscaping. The scheme shall include, but not limited to, plans showing the extent and layout of the buffer zone and the following;

- details of any proposed enhancements to the Great Hallingbury Brook (e.g. bank regrading, berm creation, deflectors, coir rolls, etc)
- details of any proposed planting scheme (for example, native species)
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

Thereafter, the development shall be carried out in accordance with the approved scheme.

REASON: Land alongside watercourses is particularly valuable for wildlife and to conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended). In accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7, emerging Core Policies 35 and 40 and paragraphs 187 and 193 of the Framework.

## **ENVIRONMENTAL HEALTH**

- 19** The noise emitted by the combined operation of all plant hereby permitted (including power inverter units, battery storage units, transformer station & generators etc) shall have a rating level that does not increase the background noise level during the night-time period and during the day-time period when the plant is operating at the boundary of the nearest residential premises. Measurement parameters must include the LA90, LAeq, LA Max and 1:1 frequency analysis, and appropriate corrections shall apply in accordance with BS4142:2019.

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



equipment must not re-commence until a fully detailed noise survey and report has been submitted to and approved in writing by the Local Planning Authority and approved mitigation measures such as acoustic screening or silencers have been implemented. The plant shall be serviced in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained at all times.

REASON: To ensure future occupiers enjoy a good acoustic environment, in accordance with Policy ENV10 of the Uttlesford Local Plan (adopted 2005) and the Framework.

- 20** Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

REASON: To protect the amenities of the occupiers of adjoining properties and the rural character in accordance with ULP Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the Framework.

- 21** The development hereby approved shall be carried out in accordance with the revised submitted Glint and Glare Study (Pager Power: Urban & Renewables October 2025).

REASON: To ensure no detrimental impact to aviation operations at Stansted Airport caused by glint or glare to critical aviation, highway and residential receptors, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan 2005.

## **HIGHWAYS**

- 22** 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 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.

- 23** The development hereby approved shall be carried out in accordance with the submitted Construction Traffic Management Plan (CTMP) (SLR Consulting Limited, 29 September 2025, rev 04). Notwithstanding the details contained within the revised CTMP no HGVs will depart the site during periods of 08:15 – 08:45 and 15:20 – 15:50 weekdays.

REASON: To ensure that construction vehicles can access site safely, to ensure on-street parking of these vehicles in the adjoining streets does not occur, and to ensure that loose materials and spoil are not brought out, onto the highway in the interests of highway safety. In accordance with the Uttlesford Local Plan 2005 Policy GEN1 and the Framework.

- 24** Prior to the commencement of the development, including any ground works or demolition, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The CEMP shall generally accord with the revised SLR Consulting Limited, 29 September 2025, rev 04 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, banksman 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.

#### *Manchester Airport Group*

- t) Control of dust and smoke
- u) The process for notifying the airport prior to the use of frequency emitting devices
- v) Measures to prevent foreign object debris (including airborne tarpaulins)
- w) Principles for utilising temporary construction lighting (capped at horizontal with no light spill above the horizontal).
- x) Food waste to be contained within covered bins to prevent birds scavenging detritus and food waste, to ensure the risk of bird strike at STN is not increased.
- y) Measures to prevent puddling or ponding of water which can act as an attractant to birds hazardous to aviation.

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

REASON: To ensure construction traffic is managed on the highway in the interests of highway safety and flight safety as construction activities can pose a risk to aviation operations unless managed safely. Also to mitigate environmental impacts, in accordance with Uttlesford Local Plan Policies GEN1, GEN2, GEN4 and the Framework.

## FLOOD RISK

- 25** No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to: Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.

- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event
- Final modelling and calculations for all areas of the drainage system
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753
- Detailed engineering drawings of each component of the drainage scheme
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

### REASON

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

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

REASON: The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure

development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

- 27** Prior to operational first use a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface drainage system and maintenance activities/frequencies has been submitted to and agreed in writing by the Local Planning Authority.

Should any part be maintainable by a management company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put into place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

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

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

- 29.** 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 Framework.

### **MANCHESTER AIRPORT GROUP**

- 30.** No part of the development (including construction equipment i.e. cranes) should exceed 10 metres in height above ground level (based upon current ground levels), without prior agreement from the Stansted Airport Aerodrome Safeguarding Authority in order to protect the protected surfaces established around Stansted Airport.

REASON: Flight Safety - To ensure adequate separation between aircraft and ground-based structures.

- 31.** Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport.

- 32.** During construction, robust measures are to be taken to prevent birds hazardous to aviation being attracted to the site. No pools of water should occur and prevent the 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.

### **DE-COMMISSIONING**

- 33.** The development approved shall not become operational until a draft Decommissioning Scheme has been submitted to and approved in writing by the local planning authority.

The Decommissioning scheme shall include, as a minimum, the following:

- a. Reference to the anticipated life of the development;
- b. An overview of how the development will physically be decommissioned;
- c. Information on the anticipated cost of Decommissioning the development at the date of submission of the Decommissioning Scheme and how these costs are planned to be met;
- d. Transport Management Plan to address transport routes;
- e. All landscape restoration works required;
- f. Measures to address all environmental and ecological effects of decommissioning (including any ecological surveys where necessary;

g. The landscape and ecological features on the site to be retained.

REASON: To ensure that the decommissioning of the site is managed, and the site is appropriately restored in the interests of protecting visual amenity including the protection of ecology and biodiversity; and to ensure the effects of site decommissioning on the highway network are adequately mitigated in accordance with Policies S6 and GEN1 of Uttlesford Local Plan 2005.

- 34.** The draft Decommissioning Scheme submitted under Condition 33 of this decision shall be reviewed and updated at the 20th year of the development's operational life by the site operator(s). This should be submitted to and approved in by the local planning authority in writing. A final Decommissioning Scheme shall be submitted to, at least 12 months prior to the decommissioning date, and approved in writing by the local planning authority. The decommissioning date being 40 years commencing from the date electricity generated by the solar panels is first exported to the electricity grid in accordance with Condition 5 of this decision.

REASON: To ensure that the decommissioning of the site is properly managed, and the site is appropriately restored in the interests of protecting visual amenity including the protection of ecology and biodiversity; and to ensure the effects of site decommissioning on the highway network are adequately mitigated in accordance with Policies S6 and GEN1 of Uttlesford Local Plan 2005.

- 35.** Notwithstanding conditions 31 and 32, in the event that the development hereby approved ceases to generate electricity for a period of 9 consecutive calendar months at any time prior to the end of the 40 year period, a scheme of earlier decommissioning works ('the Early Decommissioning Scheme'), shall be submitted to the local planning authority for approval in writing no later than 6 months from the end of the 9 month period. The Early Decommissioning Scheme shall include but not be limited to the following:

- a. An overview of how the development will physically be decommissioned.
  - b. Information on the anticipated cost of Early Decommissioning the development and how these costs are planned to be met.
  - c. Transport Management Plan to address transport routes;
  - d. All landscape restoration works required;
  - e. Measures to address all environmental effects of decommissioning;
  - f. The landscape and ecological features on the site to be retained.
- The measures shall be implemented in accordance with the approved details.

REASON: To ensure that the decommissioning of the site is properly managed, and the site is appropriately restored in the interests of protecting visual amenity including the protection of ecology and

biodiversity; and to ensure the effects of site decommissioning on the highway network are adequately mitigated in accordance with Policies S6 and GEN1 of Uttlesford Local Plan 2005.

- 36.** The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

(a) Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Uttlesford District Council; There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

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