

Application number on S62A/22/0006 (and UTT/22/2046/PINS)

My name is John Riddell



I am writing to object to the proposal by Statera to construct a solar farm on 177 acres of land at Berden Hall Farm.

I would also like to speak at the hearing with regard to this application.

The reason for my objection is as follows:

1. There is a flooding risk to properties in Berden

Section 6.14 of the applicants Flood Risk and Drainage assessment states that *“The records state that on 23 November 2014 the stream along the main road into Berden has burst its banks and flooded the road.”* which is taken from The Uttlesford SFRA published in May 2016. This data does not cover the last five years in which climate change has started to make these incidents more frequent.

I live in The Street, with the stream referred to above, running through the front of my property. There have been incidents of flooding on 15/11/2020, 23/12/2020, and 26/12/2021, which were reported by Berden Parish Council in a submission on flooding to the Uttlesford Local Plan on 19th January 2022.

The applicants report Figure 3 shows that surface water from the site flows away towards Berden and forms the stream referred to above. It erroneously states *“One flow path appears to originate within the centre of the Site flowing from west to east, and eventually discharging into a culverted drain running under Berden.”* The stream through Berden is predominantly open, but does have some culverts, some of which have not had the capacity for recent rainwaters.

Flooding is usually caused at two points

- Where the water running through a ditch from the proposed site meets The Street, evidenced by video <https://youtu.be/J7WczaAXOtA>
- Where the stream goes through a culvert at the centre of the village (under “The Green”), evidenced by video <https://youtu.be/QmVYiwzLauM>

When these incidents occur flooding has happened on Ginns Road by Field House, on one occasion making the road impassable. It is also understood that the effects of flooding at these times were more substantial in Manuden.

The applicants FRA concludes:

10.14 This FRA demonstrates:

- *The Site is at low risk of flooding from fluvial and/or tidal flooding;*
- *It would neither exacerbate existing flooding problems nor increase the risk of flooding on Site or elsewhere;*

- *Surface water runoff will be mitigated by maintenance of a vegetation cover; and*
- *With appropriate surface water and soil management measures there is negligible alteration to local drainage patterns direction within the Site.*

10.15 In summary, the Proposed Development is at 'Low' risk of flooding and with appropriate surface water and soil management measures would cause negligible effects on the hydrological regimes

I cannot find any mention of “appropriate surface water and soil management measures” that are committed to in the applicants submission. Their Planning, Design and Access statement 8.66 states “*SuDS techniques will be incorporated into the design, when and where required, and will work in conjunction with existing field drainage to manage the discharge of any excess water from the Site*”. The site plan does not allow for any attenuation storage or other measures, thus I have little confidence that this has been, or will be, properly considered.

The Campaign for Rural England Suffolk has produced an article [Increased flood risk from solar farms – CARE Suffolk](#) with reference to a solar farm application by Enso Energy. It states

“Yet some of the same studies that Enso Energy have cited (Hydrologic Response of Solar Farms, Lauren M. Cook, S.M.ASCE; and Richard H. McCuen, M.ASCE, J. Hydrol. Eng., 2013) state that “.. ***the kinetic energy of the water draining from the solar panel could be as much as 10 times greater than that of rainfall. Thus, because the energy of the water draining from the panels is much higher, it is very possible that soil below the base of the solar panel could erode owing to the concentrated flow of water off the panel.***” and that if the land underneath and surrounding the panels is not correctly managed (such as due to compaction via use of machinery) then the runoff is likely to be “..***increased significantly and the peak discharge increased by approximately 100%.***” This means the solar panels may increase flooding and soil erosion depending on the soil and how it is managed.”

I am extremely concerned that the applicants approach will be to either ignore water runoff from the solar panels and soil compaction at the site. Their stated objective is simply to see it run away and significantly increase to flooding risk in Berden and further areas downstream.

2. This is a large development of 177 acres, and is not being considered in conjunction with other renewable energy projects in the immediate vicinity

- Uttlesford’s Policy ENV15 says that small scale renewable energy development schemes to meet local needs will be supported providing it can be demonstrated that they do not adversely affect i) The character of sensitive landscapes; ii) Nature conservation interests; or iii) Residential and recreational amenity. This is not a “small scale” scheme.
- The visual impact of such a huge solar farm would fundamentally change the character of the area.
- The size of the proposed solar farm is excessive. The location (i.e. next to the battery storage facility) has not been chosen because of its suitability but because it will be cheap for the developer

3. Statera have not demonstrated that the use of high quality agricultural land is necessary

- Eddie Hughes MP, a Minister at the Ministry of Housing, Communities and Local Government confirmed in June 2021 that the statements made by Eric Pickles in 2015 are still applicable. Therefore, Uttlesford must consider whether the use of agricultural land has been shown to be necessary.

- Uttlesford's Policy ENV5 also says that development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing development limits. Where development of agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.

- As the land identified for development is high-quality agricultural land its use must be justified by the most compelling evidence.

- In the FAQ document published by Statera on their development website: <http://pelhamsolar.co.uk/> the developer says the following:

Question: What other locations did you consider? Answer: None!

- Paragraph 170 of the Planning Guidance on renewable and Statera energy says where a proposal involves greenfield land it must allow for continued agricultural use.

- Statera have not provided any assurance on this point.

4. The solar farm is inappropriate development in the countryside

- The development proposed by Statera can only be described as industrial.

- In addition to large numbers of solar PV panels (the exact quantity is not specified) the development will include containerised inverters and a substation.

- National policy includes an environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a Statera economy.

- I do not understand how a massive solar farm which is an industrial development can possibly enhance the natural environment.

- The site is very close to the numerous listed buildings and scheduled monuments I do not accept that it can possibly enhance the historic environment.

- The development is not compatible with Uttlesford's policy S7 which says that the countryside will be protected for its own sake

5. The visual impact of this huge development cannot be satisfactorily mitigated

- The land to the South of Ginns Road (between Berden and Stocking Pelham) slopes upwards.

- The majority of the site comprises 3 huge open fields – there are no existing hedgerows and the visual impact will be stark!

- The Planning Inspector must visit the site to understand the full impact that this development will have

- The proposed development cannot be effectively integrated and assimilated into the surrounding landscape.

- The pictures submitted as part of the planning application were taken when there were still leaves on hedges and trees. These plants are deciduous – they will not provide effective screening in winter.
- The planting around the existing battery plant adjacent to the Substation at Stocking Pelham demonstrates that hedges do not provide adequate screening.
- The RHS says that it will take between 20 and 50 years for hawthorn hedges to achieve their full height – this is more than half of the life of the solar farm
- It is unrealistic to expect hedgerows to thrive where low quality plants are planted and then left. Young plants need to be watered in case of prolonged dry spells and/or heat waves, especially during the 2-3 first years after planting.
- During the second year of planting, between February and March, hard pruning of hedges is required to encourage new growth. Weeding is needed around the base of new plants for the first couple of years to encourage growth. Do Statera employ gardeners – doubtful!

6. The local roads are not suitable for such large construction vehicles

- I note that the construction period will run for 6-months and an average of up to 50 construction workers are forecast to be on site during peak times.
- The supporting text for Uttlesford Policy ENV15 states development will only be permitted in locations where the local road network is capable of handling any additional traffic generated by the proposal.
- Statera state that construction traffic will travel west on the A120 up to Little Hadham, and through Claggate and Patmore Heath on Albury Road and that vehicles will turn onto Ginns Road and travel through Stocking Pelham before arriving at the site access point just before the entrance to Berden. There could be up to 20 lorries per day arriving and departing during the peak construction period. These roads are not suitable for large numbers of lorries.
- This is EXACTLY THE SAME access route that it proposed for the construction of (i) a new battery storage plant at Green's Farm (see the application to East Herts DC 3/21/0969/FUL) and (ii) a new battery storage plant at Crabb's Green (see the application to East Herts DC 3/22/0806/FUL).
- The road between Little Hadham and Berden is a small country road. At some points, it is barely wide enough to accommodate two regular cars. Cars currently need to stop in order to allow tractors to pass. It is completely unsuitable for articulated lorries or large HGVs.
- Access point off the road is simply not suitable for vehicles of this size.
- All vehicles will pass directly in front of the pre-school in Stocking Pelham – I am concerned about the safety of primary school children

7. Statera deliberately down-play impact on the listed buildings beside the solar farm

- Section 16 of the NPPF is concerned with 'Conserving and enhancing the historic environment'. It identifies heritage assets as 'an irreplaceable resource' and notes that they should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- Paragraph 199 of the NPPF states that where development proposals are likely to affect a designated heritage asset, great weight should be given to the asset's conservation and any

harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justifications.

- The impact on the heritage significance of the Berden Hall (Grade 2* Listed) will be significant. Tithe maps dating from 1838 show that the land which is included within the solar farm site used to belong to the owner of Berden Hall (Nicholson Calvert) and that it was farmed by Isaac Hodges who lives in Berden Hall. There is clearly a close connection between the buildings and the land.
- The development will be visible from the bell tower in Berden Church (St Nicholas') which is a Grade 1 listed building. English Heritage have already raised concerns about the impact on this (and other) important historical assets in close proximity to the proposed development.
- The Scheduled monument at The Crump, the Grade II Listed The Crump and former barn (now room) adjoining to north-west will also be impacted by the development which will be visible from first floor windows of the Crump which looks West.

8. The site is not flat and is not suitable for a solar farm

- The majority of the site is sloping and it is not possible to "hide" the solar farm.
- There is a significant slope which rises up from Ginns Road to the top of the site. The OS Map shows the contours of the Northern boundary of the site (parallel to Ginns Road) to be 111m above sea level. However, the top of the site is 125m above sea level i.e. around 12m higher. As the panels are over 3m high, it follows that the panels will be completely visible to walker, cyclist, rider or road user as they travel along Ginns Road. It will be impossible to mitigate the significant visual impact of this industrial development by planting hedges adjacent to Ginns Road. Hedges do not provide adequate screening in winter.

9. I am keen walker – I don't want to walk through a solar farm

- There are multiple local Public Rights of Ways within and immediately adjacent to the site.
- I often walk along footpath 25 which runs along the top of the site from Park Green to Crabb's Green and eventually connects with Ginns Road. This path forms part of a popular walk published by the 100 Parishes organisation
http://www.hundredparishes.org.uk/FreshFiles/Circular_Walks/Walk%20143.pdf If the solar farm is built, the path will run between solar panels and fencing to the west and the east.
- I often walk from the top of the site (near Park Green Common) along footpath 26. This path follows the hill all the way down to the track that runs parallel to Ginns Road (and to the South of Berden Hall). If the solar farm is developed it will mean walking this path with a fence and solar panels on all of its western side and some of its eastern side. The solar farm will be visible from this footpath at all times of year.
- As a local resident I frequently walk along these footpaths which will now be surrounded by solar panels and border by fencing. The views that I currently enjoy will be lost.

10. There has been no meaningful consultation with local residents

- The only consultation with residents has been in the form of an "exhibition" held for a single afternoon in March. The MAJORITY of residents who will be affected by the development were not invited to the exhibition. A review of the mailing list used by Statera

demonstrates that only 71 properties in Stocking and Berden were contacted (of which 22 were in Stocking Pelham and just 49 were in Berden). Stocking Pelham has approximately 70 properties and Berden has very close to 200.

- Statera claim that they have made changes in response to feedback from residents. This is nonsense. The overwhelming feedback was that the development should not go ahead. This has been ignored.

11. 40 years is not temporary

- There are several planning appeal decisions where the Secretary of State has rejected this argument. For example, in an appeal against a solar farm at Five Oak Green near Tonbridge (ref 2226557) the SoS said that 25 years was a considerable period of time and the reversibility of the proposal was given no weight. There is another appeal which relates to Huddleston Farm near Horsham (ref: 2218035). In this case the Secretary of State commented that just 30 years was a considerable period of time and he gave no positive weight to the claimed reversibility of the development.