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27th July 2021

C. Tyler Esq.
Development Control
Uttlesford District Council
Council Offices
London Road
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[REDACTED]

Dear Sir

Re: Planning Application Reference: UTT/21/2158/SCO
Proposal: Request for a Screening Opinion in relation to a proposed solar energy scheme by Statera Energy
Location: Land Adj. Pelham Substation Park Green Lane Berden

With regards to the above EIA screening request, we have the following comments.

Firstly, as a general comment we consider that this proposal by Statera Energy needs to be considered in the wider context of the other renewable energy proposals around the Stocking Pelham National Grid substation (“Pelham substation”). An overall carefully masterplan led approach is required together with Supplementary Planning Guidance in the absence of any meaningful Local Plan policies.

We are currently responding to the separate public consultation by Low Carbon for a second and separate solar farm to the south of Berden plus a planning application for a further battery storage facility adjacent to the Pelham substation (within East Herts district).

Berden already has the 2017 battery storage facility built by Statera Energy and we have written separately to the Council on the ‘lessons learned’ from that scheme.

Further solar farms are proposed between Bishop’s Stortford and Albury and between Stocking Pelham and Furneux Pelham.

We have previously flagged the urgent need for both supplementary planning guidance (given the current Local Plan and 2007 SPG are largely silent on such matters) and the need for a masterplanning exercise to the Berden area to properly assess all of these (and more proposals) around the Pelham substation.

This screening request should not be judged in isolation. Collectively this and the Low Carbon proposal in particular have a significant impact on the local area in terms of visual harm, loss of agricultural land, impact on heritage assets and fire explosion risk.

These key two solar farms should not be dealt with in a fragmented way with scant regard for overall masterplanning with boundaries merely following landowner's ownership lines and not properly planned development boundaries with a need for proper structured screening, buffers and regard taken of views, visual impact, noise and fire control measures.

Whilst Statera refer to a cumulative impact assessment, this is only in the context of landscape and visual impact. A further and more comprehensive review is needed.

Secondly, we have the following more specific comments:

1. Sequential Test – It is an essential key issue in determining the suitability of any such development proposals to undertake a sequential test. This is needed firstly to question whether the use of agricultural land is necessary and whether other lower grade agricultural, suitable brownfield land or non-agricultural land is available within a reasonable search area. Given the other solar farm proposals north west of Bishop's Stortford, Royston, Reed and Thaxted (to name but a few) there is clearly a wider search area possible.

To simply restrict a search around the Pelham substation to have a shorter electric connection cable does not make good planning.

2. Heritage – We agree with the view of Historic England (reference 9th July 2021 letter) that this proposal represents a significant issue in EIA terms.

The impact of the scheduled monuments and considerable number of Grade 1 and Grade 2 listed buildings requires careful and detailed assessment including a robust LVIA.

The Statera screening request refers to “some Grade II listed structures adjacent to the site boundary”. In fact, the nearest solar array is 300 metres from St Nicholas Church, a Grade 1 listed building. Similarly, 140 metres from Berden Hall, a Grade 2* listed house.

The nearest solar array is 375 metres from the Crump, a scheduled monument medieval fortification built and occupied from the late Anglo-Saxon period to the later 12th century. These are rare nationally with only 200 recorded examples and the Crump ringwork is well preserved. By its very nature, this occupies high ground overlooking the proposed development and this massively affects its setting and character.

3. Ecology – The Cherryfield Ecology report highlights impacts on a badger sett and the development needs to respect this. Also deer graze in this field and consideration for other non-protected species is required.

The Statera screening request refers to the encouragement and support of local wildlife populations. Presumably this will include ground based fauna such as rabbits, deer and badgers. As such, there needs to be gaps in the proposed 2 metre high stock proof fencing which conflict with wildlife access. This negative impact needs careful consideration.

4. Landscape & Visual Impact – The Statera screening request refers to the “site will not appear overly exposed from the north, west or south”.

This is not agreed. The site is directly adjacent to Statera's white battery storage unit (with little screening and poor planting) approved in 2017 which is an open, exposed

visual blight on the surrounding area. This can be clearly seen from the north towards Starlings Green and along the road from Berden to Stocking Pelham.

The photos below are of the northern boundary to the road (looking south). Pelham Road is shown as a reference point, the boundary here is largely open.



Statera are correct that the eastern boundary is “more open and close to the village of Berden”. It is this aspect that causes the most harm and blight to residents, listed buildings and heritage assets.

Whilst Statera accept the east boundary is the highest harm, this is the boundary that has no existing boundary feature at all. Surely this aspect of the proposal has to be questioned at this initial planning stage.



Photo
Below

The absence of any defensible visual barrier, hedge, field boundary or anything exacerbates the visual harm and intrusion to the east.



Rather strangely, the preliminary landscape and visual assessment does not include a photo at this key location. See Key View 9 confirms there is no boundary feature (even the PROW is shown to be ploughed over) and this is a key view to the Crump scheduled monument.

Key View 11 is taken further back and disregards the lack of field boundary beyond.

Similarly Key View 12 shows the lack of any boundary feature but refers to woodland planting in the foreground.

Experience of Statera confirms any hedge planting will take 10+ years to even be 1 metre in height. Woodland planting will presumably just start to get established by the time the 40 year permission expires.

What Statera do not highlight is the wider views. The existing Statera battery units can be seen from the road to Rickling, 2 miles to the north and north east.

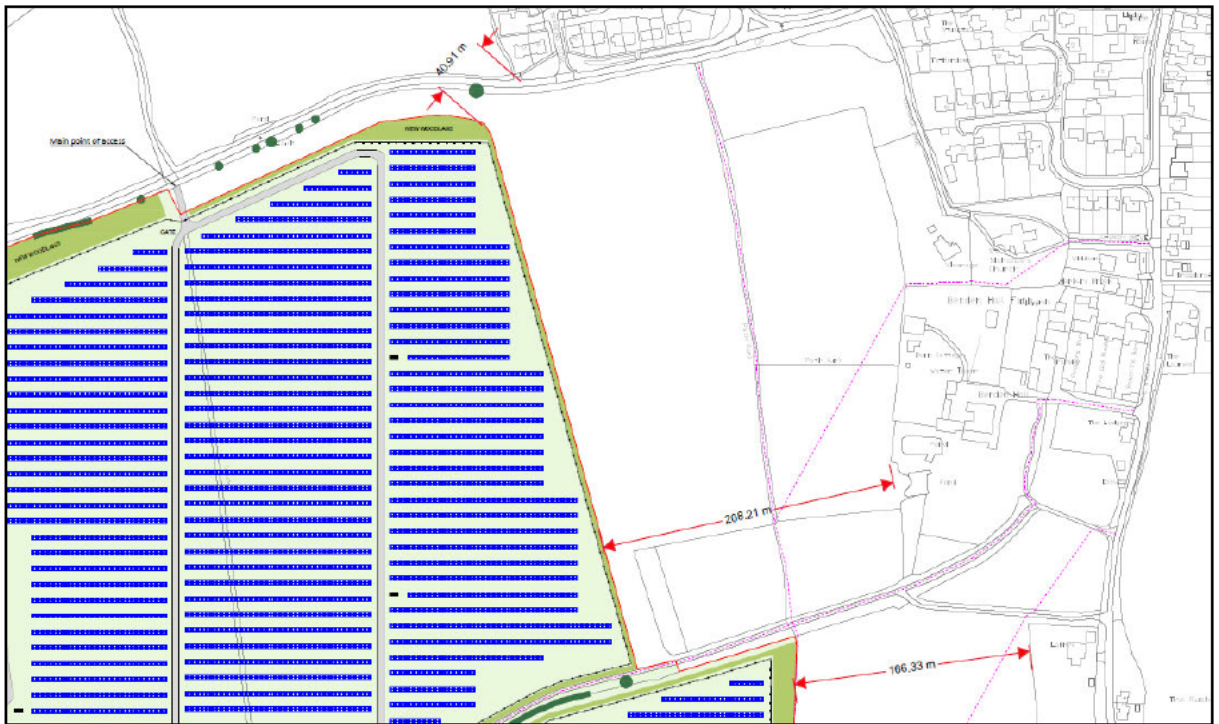
5. Flood Risk – Whilst the flood maps referenced are noted, the centre of Berden has a restricted pipe culvert at the junction of the Street and Pelham Road. This crossroads junction regularly floods and two adjacent houses have flooded in recent years. The route of the surface water from the site to the east is not properly ditched and culverted along the Street. There is a localised flood risk that will be exacerbated by the proposed development.
6. Agriculture – Statera glibly state that the land is Grade 2 but the landowner remarks the soil is heavy clay more common with 3A land quality classification.

Such statements need a proper soil testing analysis across the whole site.

As above, a sequential test for lower grade land should be carried out. There are larger areas of Grade 3 to the east which may be more suitable.

7. Sensitive Human Receptors – We disagree the site is ‘relatively isolated with limited residential properties close by’.

The closest house at Gawlers is 41 metres from the development. Beyond this is the main village of Berden, with further residential gardens 166 metres and 208 metres to the east with open fields and unrestricted views in between.



8. Landscape & Visual Impact – Statera accept the solar panels will be visible in the immediate vicinity of the site (which we disagree with as above) but Statera consider the overhead lattice towers, the existing Pelham substation and Statera battery units mean the panels will not have an unacceptable adverse landscape and visual impact.

This is a ridiculous concept particularly so because it is the Statera battery units that are the main visual blight because Statera have not provided the confirmed green (not white) plant and failed to provide green palisade fencing, 4 metre acoustic fencing and proper landscaping.

The existing pylon lattice towers are no comparison to the visual blight of rows of solar arrays. The Pelham substation is screened by woodland on two sides and has limited views and visual impact.

Statera's LVIA dated August 2016 for the battery units promised a photomontage of green units with 7 metre high landscaping within a few years as follows:



The reality, four years after construction, is far from this carefully screened and hidden “promise”.



9. Solar Arrays – A glint & glare assessment is required.
10. Landscaping – Statera refer to additional hedgerow and tree planting and landscape screening.

We have witnessed Statera’s efforts at hedge planting on the adjacent 2017 battery storage units.

As the photo below demonstrates 4 years later the planting amounts to a few sparse hedge plants of heights less than 40 cm.



Any landscape proposals need to be properly detailed, maintained and off proper size to give meaningful screening.

11. Noise – We note the solar farm will connect to the existing Statera battery facility.

This battery scheme originally included a planning condition requiring noise mitigation and a 4 metre high acoustic fence.

This has never been provided and Uttlesford subsequently issued a variation permission with no noise condition. We do not understand why this was omitted and the existing battery units can be heard in Berden (and by adjacent houses in Stocking Pelham).

As such, we are left without any noise barrier and no means of enforcing noise mitigation.

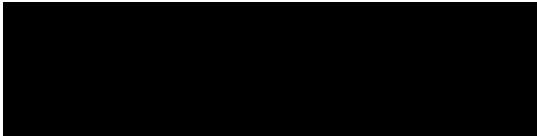
Any intensification of battery use and any further plant for the solar farm will require a proper noise assessment, mitigation and enforcement.

12. Fire & Explosion Assessment – There are numerous articles and research into fires and explosions from lithium-ion battery technology in large scale storage systems and the risk to public health and safety.

Lithium-ion batteries can fail by “thermal runaway” where overheating in a single faulty cell can propagate to neighbours with energy releases known as “battery fires”, although they require no oxygen to propagate. They are uncontrollable except by extravagant water cooling. They evolve toxic gases such as Hydrogen Fluoride and highly inflammable gases including Hydrogen, Methane, Ethylene and Carbon Monoxide. These in turn may cause further explosions or fires upon ignition.

Any planning application should include an emergency plan approved by the local Fire and Rescue Services (both Hertfordshire and Essex given the location).

Yours faithfully,



Laura Free
Clerk to Berden Parish Council