

PC195 **S62A/22/006 (UTT/22/2046/PINS) – LAND AT BERDEN HALL FARM, DEWES GREEN ROAD, BERDEN**

The Planning Officer presented an application for the development of a ground mounted solar farm with a generation capacity of up to 49.99MW, together with associated infrastructure and landscaping.

The report was in relation to a major planning application submitted to the Planning Inspectorate (PINS) for determination, with the Council having the status of consultee.

The report recommended that PINS approve the application subject to completion of a S106 Obligation Agreement in accordance with Heads of Terms and Conditions as set out in Section 15 of the report.

The Planning Officer responded to questions from Members in respect of:

- The location of the lithium batteries
- Hard and soft landscaping conditions

Members discussed:

- What the crump is and where it was located
- Whether they could influence the colour of the convertor unit boxes
- Whether the land was best and valuable farmland and what evidence there was regarding the condition the land would be in in forty years
- Whether all the consultee responses had been seen before the assessment was made
- Whether it was appropriate to expect Officers to make recommendations when they had not had the opportunity to see all the consultee responses
- The need to provide the hectareage of approved solar farms in the district to the Planning Inspectorate
- The need to highlight any issues within the application to the Planning Inspectorate and make conditioning recommendations
- The need for decommissioning guidance to assist Members in decision making in the absence of national guidance
- The huge impact of the proposal which would essentially join up the two small villages and their rural landscape
- The cumulative impact of the current sub-station and the solar farm
- The need for heritage consultation
- The ENV15 within the National Planning Policy Framework which details small renewable energy proposals
- Recent DEFRA guidance which stated that best and most valuable land did not have to be given over to renewable energy proposals.
- The need to list concerns raised by Members to the Planning Inspectorate and suggest conditions if the Planning Inspectorate was minded to approve the application.

The Development Manager said:

- The agricultural land would degrade if left to fallow for forty years.
- The screening opinion was not considered initially necessary as a result of the information available at the time, and that the Planning Inspectorate carried out the consultation not the District Council.
- The process had been carried out correctly and that decommissioning could be covered by conditioning, although they would be pushing for a S106 as part of their comments to the Planning Inspectorate.

Members discussed the need for a letter to be submitted to the Planning Inspectorate listing the objections by 5 September 2022. The Development Manager agreed that the letter, once agreed with the Chair would accompany the Officer`s report.

Members agreed the list of concerns should include:

- Grave concerns based on policies E4, ENV5, ENV15, S7 and GEN2.
- Loss of best and versatile agricultural land
- Impact on footpaths
- Concerns about decommissioning, which needed to be under the District Council control
- Protection of the eleven heritage assets and scheduled monument close to the site
- The need for archaeological evidence to be preserved
- Impact on the landscape, although it was acknowledged that it was positive that a landscape impact assessment had been requested
- Acknowledgement of the Parish Council concerns about screening, noise and traffic
- Existence of electrical infrastructure not being a reason to justify further harm to the landscape
- The lack of consideration of other sites by the applicant
- DEFRA and NCLHG recent guidance was clear that there was no obligation to sacrifice best and most versatile agricultural land
- Uttlesford had already made a significant contribution to renewable energy and are already exceeding their need and delivery requirements
- Members welcomed the Inspectors decision to request an environmental statement.
- The concerns raised outweigh the benefits of the proposed green energy provision in this location.
- If the Planning Inspectorate were minded to approve the application, in addition to conditions recommended by Officers, Members would require a bond within the financial arrangements.
- They would additionally request:
  - larger whips
  - maintenance continuous for the length of the solar farm as part of the S106 process
  - the implementation of a management plan
  - evergreen hedging to be used for the screening

- batteries to be located so accessible for the emergency services

Councillor Bagnall proposed that Members object to the application and submit comments captured in the form of a letter to the Planning Inspectorate to accompany the Officer's report.

Councillor Freeman seconded the proposal.

Councillor Loughlin called for a recorded vote.

The Solicitor undertook a recorded vote:

RESOLVED to object to the application and to submit a letter to the Planning Inspectorate detailing the concerns raised by Members.

Councillor:	Chair nomination:
Bagnall	For
Caton	For
Emanuel	For
Freeman	For
Lemon	For
Loughlin	For
Merifield	For
Pavitt	For
Sutton	For

The result was declared unanimous.

*The meeting adjourned at 11.26am for a comfort break and reconvened at 11.37am.*