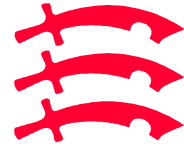


Your Ref: S62A/22/0006
Our Ref: 54229/4C
Date: 10 February 2023



Essex County Council

CC: (by email) [REDACTED]

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Recommendation

Application No. S62A/22/0006

Site Location Berden Hall Farm, Ginns Road, Berden

Proposal Development of a ground mounted solar farm with a generation capacity of up to 49.99MW, together with associated infrastructure and landscaping

Further to the highway authority recommendation dated 5th of September 2022 the applicant has submitted a revised Construction Traffic Management Plan (CTMP) Revision A. Regrettably, this Construction Traffic Management Plan has not provided a response to the issues contained in the highway authority recommendation dated September 2022 and now introduces an alternative proposed construction traffic route using the highway network through Essex. There has been no prior engagement with Essex County Council regarding this proposed construction route and as a result the CTMP Revision A does not include any detailed assessment or proposals for managing constrained sections of the highway network through Essex.

The application states the construction period will be for 6 months, with a relatively intense period for the first 3 months and that approximately 50 construction workers are expected on site at peak times, some of whom will arrive by minibus. It states there could be 20 HGVs a day arriving and departing at peak times and an estimated 350 over the 6 month construction period. HGVs are expected to be 16.5m in length and no abnormal loads are expected. The CTMP also states in relation to pedestrian impact that that the number of **outward** vehicles will be between 10 and 30 HGVs. It also states that deliveries to the site will be arranged to avoid highway network weekday peak hours but does not identify specific hours and does not mention school hours despite a primary school being on the route.

The Highway Authority is aware of another Solar Farm and associated battery storage scheme near this site with proposals to use construction routes that could coincide with this route (see attached plan). This gives rise to concerns regarding cumulative impact on roads where there is insufficient carriageway width for two HGVs to pass and with each being submitted independently the control mechanisms contained within the CTMP are unlikely to be deliverable without coordination between schemes or the sites coming forward as a single consolidated planning application.

The Environmental Statement reiterates the CTMP and access technical note. The highway authority has no separate comments on the Environmental Statement.

The Highway Authority has assessed the revised construction traffic management plan and associated information which has been submitted with the planning application. There are still a number of concerns/issues that have been identified by the Highway Authority. For clarity the numbering system is consistent with the previous highway response. Further information is required to thoroughly consider the impact of the proposal on the highway. Therefore;

From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

1. Insufficient information is provided within the application to demonstrate to the satisfaction of this Authority that the impact on the highway network caused by this proposal will not have unacceptable consequences in terms of highway safety and efficiency.

Additional information will be required from applicant to enable further consideration to be given to the application. The matters that require further consideration include the following:

a. Public Rights of Way

- i. A plan has provided showing the public rights of way (while they are not labelled the footpaths and bridleways are distinguished by colour). This shows the solar panels and access tracks clear of the public rights of way (PROW) except for one point where the access track will permanently cross PROW 26 (Berden). **Further details of the treatment of this crossing point are required.**
- ii. Any locations where the construction traffic would cross the PROW network should be identified. Details of the protection of the public rights of way users and surface treatment to the crossing points should be included in the construction traffic management plan, to ensure the protection and integrity of the public rights of way. **This was requested in my previous response and has not been provided, while the use of signs is mentioned in the plan, I could not identify details of surfacing protection or reinstatement, use of banksman or traffic control or fencing, which are some of the options that could be applied to ensure protection of the surface and users of the PROW network. .**
- iii. Methodology of the protection of the users of the public right of way 5/62 directly opposite the proposed site entrance have not been provided. **This was requested in my previous response and has not been provided.**

b. Access

- i. A condition requiring clear to ground visibility splays of 2.4 by 181m in both directions would be required. This is in accordance with MfS2 for the speed of traffic on the road.
- ii. The swept path analysis shows HGVs using the full width of the road, this could cause a safety hazard. Details of the traffic management scheme to protect road users (including pedestrians) should be provided. **This was requested in my previous response and has not been provided.**

c. Construction Traffic Management Plan

- i. Details of the expected traffic during the construction period and operational periods should be clearly laid out. It should include expected numbers of HGVs, LGVs, minibuses and cars and the likely distribution throughout the day. **This was requested in my previous response and has not been provided.**
- ii. A new preferred construction route has been provided. The preferred route passes through the villages of Berden, Manuden and Hazel End. The route uses Ginns Road, Pelham Road, Berden Road, Manuden Road, Hazelend Road (these are all priority 2 roads (PR2) on Essex road hierarchy), there is a short section on the Hertfordshire network accessing the A120 where it joins the Essex network again to access the M11. The majority of the route is on rural roads which vary in width. The following sections of the route are of concern. These locations should be investigated in further detail by the applicant to identify appropriate mitigation measures to be included in the CTMP.
 - a. The road through Berden at the western end has a narrow footpath on the northern side. Towards the centre of the village and on to the east the road narrows to approximately 3.5m and there is no footway. This section includes access to the village hall which residents may access on foot.
 - b. The junction of Berden Road with Manuden Road should be subject to swept path analysis and any required mitigation discussed with the highway authority.
 - c. There are sections of Manuden Road which exhibit verge damage where it is narrows. There are also sections just north of Manuden where the road narrows and has banks either side.
 - d. Through the village of Manuden there is a footway on one side of the road. There are sections where cars park on the road effectively narrowing it to one lane. There is also a primary school in this village.
 - e. Through the village of Hazelend there are no footways and some evidence of vehicles over running the verge.
- ii. The CTMP agrees to a before and after survey while it does not include the requested methodology it does state that the survey area would be agreed with Uttlesford District Council. The highway authority would want to see the areas identified above included in the surveys and any necessary remedial works.

d. Cumulative Impact of construction traffic

- i. While the other solar schemes adjacent to this site are not committed they are currently in the planning system. The applicant should assess the cumulative impact of the schemes in terms of construction traffic and if necessary provide a plan of mitigation and co-ordination between the sites

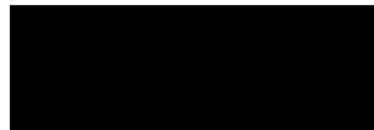
Until this additional information is received the Highway Authority would not want the application approved as the full impact on the highway and public rights of way network cannot be determined.

Therefore, this proposal is contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and Uttlesford Local Plan Policy GEN1.

Note:

- i. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over the PROWs shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

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



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pp. Director for Highways and Transportation
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