

**From:** Jane Mann [REDACTED]  
**Sent:** 16 March 2023 14:40  
**To:** Section 62A Applications <section62a@planninginspectorate.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Draft Conditions Land At Berden Hall Farm Dewes Green Road Berden - UTT-22-2046-PINS

Further to the Planning hearing on the above application last Thursday I have drafted the following suggested additional conditions. As discussed, It is our view that the noise impact should be fully assessed prior to determining the application and we have insufficient information to determine if noise conditions can achieve suitable noise levels at neighbouring dwellings.

Notwithstanding our objection to the development for insufficient information on noise impacts, In accordance with the NPPF section 185 which states as follows;

*“185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*(a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life [65](#);*

*(b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*

*(c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

the following additional conditions are proposed.

#### Noise scheme conditions

1. The development hereby approved shall not commence until a plant noise assessment has been undertaken and submitted to the local planning authority for approval in writing. The noise assessment shall include a full frequency analysis of the specific plant to be installed which predicts internal and external noise levels during the day and night from the operation of the solar farm and substation at the nearest residential receptors (NSRs) and compares the plant noise to the existing background noise (excluding the existing battery storage site) . The location of NSRs for the assessment shall be submitted to the local planning authority for written approval prior to undertaking the plant noise assessment. The plant noise assessment shall include a scheme of noise mitigation measures to ensure that the proposed development does not increase the background noise levels (LA90, 15 mins). The noise mitigation scheme shall also ensure that the development hereby approved does not increase the ambient noise level (LAeq, 5 mins) in any third octave band at noise sensitive receptors at any time.

Any scheme of mitigation shall be implemented in accordance with the approved details, and it shall be retained in accordance with those details thereafter.

2. Prior to the development becoming operational, pre-completion testing must take place which shows compliance with the noise limits approved in condition 1 above. Testing must take place in at the boundary of prior agreed noise sensitive receptors at times and under conditions approved by the Local Planning Authority. A pre-occupation testing report must be supplied and approved in writing by the Local Planning Authority. Non-compliance with the noise levels approved in condition 1 will require additional mitigation measures to be incorporated into the development prior to commencement of the operational phase. Additional mitigation work measures shall be submitted to and approved in writing by the Local Planning Authority before the operational phase commences. Any scheme of additional mitigation shall be implemented in accordance with the approved details and shown to be effective prior to commencement of the operational phase.
  
3. Should the plant installed under the planning permission hereby approved fail to comply with the noise limits specified in condition 1. 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 commence or recommence 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, enclosures or silencers have been implemented. The plant shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained at all times. Should the plant and equipment fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply.

REASON: To ensure the development does not have any harmful impact to the surrounding residential properties with regards to noise and disturbance in accordance with ULP Policy GEN4.

### **External Lighting**

To ensure that any external lighting is properly designed and installed to avoid any adverse impacts on residential neighbours from obtrusive or spillover light, or glare, the following condition is recommended:

1. 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.

The lighting scheme shall conform to The Institution of Lighting Engineers Guidance for the Reduction of Obtrusive Light – Table 1 criteria and any other suitable lighting standards.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

If you have any queries on the proposed conditions, please contact me on the number below.

Kind regards

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