

*Berden Parish Council  
c/o Martin's Green,  
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CM23 1AE*

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9<sup>th</sup> August 2021

Low Carbon Group Limited  
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Dear Sirs

**Public Consultation for Proposed Pelham Spring Solar Farm and Battery Storage  
Location: Land Near Pelham Substation Maggots End Road Manuden/Berden**

We are writing with regards to the above public consultation which closes 9<sup>th</sup> August 2021.

We also refer to the previous public consultation and the meeting with Berden Parish Council on 1<sup>st</sup> March 2021.

We have the following comments in this regard:

1. Previous Low Carbon Public Consultation – We refer to our letter dated 26<sup>th</sup> March 2021 and the early closure of the public consultation exercise carried out in March.

We have previously written to and confirmed to Uttlesford District Council that the results of this first consultation should be included within your planning application as a separate item. This must not be overlooked and ignored.

Whilst you have now added extra land and details of the cable route, the principal of development and proximity to houses and heritage assets remains the same.

2. Biodiversity – We note that the majority of benefits associated with your proposal relate to biodiversity enhancements, grasses and wildflowers etc.

At this initial stage, we would ask that you include an undertaking via a planning agreement to not remove any topsoil from the land and any arisings from foundations is carefully stored in bunds for future reinstatement after the 40 year permission lapses.

This is a fundamental issue to your biodiversity case (grassland planting etc.). Similarly solar farms have stripped topsoil and sold this for profit off-site. Without a planning obligation to prevent this it totally negates any biodiversity offer that you make.

3. Agricultural Land Classification – We note that you have not yet received the ALC survey for zones 13 – 16 at this time.

This questions how you can effectively consider a proposed development at this stage without all of the evidence to determine impact on loss of higher grade agricultural land.

Any ALC survey must include an appropriate number of survey locations well spread across the whole application site.

4. Land Selection – We note that a large element of your consultation seeks to invite views and opinions on which zones of the overall area are preferred.

We criticise this approach as this fails to allow your design and planning team to give their independent and professional views and then seek public opinion based on this properly balanced advice.

An individual is likely to comment on personal impact, personal harm and their opinion only.

5. Cumulative Impact – As you are aware, Statera are proposing a second solar farm to the west of Berden. Whilst this public consultation event has not yet started, the two schemes are inextricably linked and must be determined together.

Similarly, there is a current planning application for a further battery storage facility to the south west of the Pelham substation within East Herts. East Herts planners have agreed to delay determination of this application until all these renewable proposals can be viewed together. Uttlesford will adopt a similar approach.

6. Health & Safety – Given this risk of fire and explosion from lithium ion batteries, we are surprised there are no questions or reference to fire safety and risk assessments.

We would request any planning application includes a full fire safety risk assessment and fire management strategy.

7. EIA Screening Opinion – We note that you will be submitting a further EIA screening opinion for the extra land.

We would request that there needs to be a new EIA screening opinion submitted for the overall over, not the extra area to add to the previous screening request. Otherwise this will result in an administrative error as the requests cannot be viewed separately.

8. Hydrology & Flood Risk – Any flood risk assessment needs to consider the issue of extreme surface water run-off in addition to traditional flood measures. Whilst higher ground, there are a number of localised flooding areas (on high ground) currently caused by field run-off.

9. Ecology – The full impact of the proposal on protected and other species is required. This should go beyond the standard remit to include foraging track routes for deer and other foraging species.

The impact of solar panels being mistaken for ponds and water features by birds and bats is a critical issue.

10. Solar & Battery Plant – Any proposals must clearly seek to disguise any plant and batteries in an appropriate colour. This must be made clear and not refer to ‘colour to be confirmed’.

11. Heritage – The impact on the heritage assets is a key issue and likely to have a massive impact on this proposed development.

12. Operational End – We note the temporary life of the solar farm and it is an essential component of this scheme to properly legislate for future reinstatement to the same condition and no worse grade of agricultural use. Hence the above comments regarding topsoil.

This must be provided for by a Section 106 agreement with obligations on the developer, lessee, operator and landowner. This matter requires a covenant which must be assigned to any new party and it must have a cash amount held by the District Council.

13. Decommissioning – It is similarly imperative that a Section 106 agreement includes clear provisions for proper decommissioning of all solar panels and plant and the proper recycling and treatment of metals and chemicals.

14. Sequential Test – It is essential that any planning application includes a sequential test to consider alternative sites and locations with less visual impact, harm to the openness of the countryside and loss of lower grade agricultural land.

The proximity to the Pelham substation should not be regarded as an essential issue in this test. High voltage cable links are not limited by distance.

15. Grounds for Objection – Whilst there is a need to see and assess the full documentation which will be submitted with the planning application (including an Environmental Statement), Berden Parish Council's initial view is that the reasons for objection include the following:

- Failure to comply with national planning policy framework, planning policy guidance and Local Plan policy. The need for renewable energy does not override protection of key issues;
- Visual impact on landscape, open space and industrialisation of the countryside;
- Impact on heritage assets;
- Lack of a sequential test to consider more appropriate and suitable alternative locations with less impact;
- Overbearing and significant scale and size of the proposal (180 acres);
- Loss and misuse of grade 2 agricultural land;
- Impact on residential properties;
- Inability to properly screen the panels and plant due to existing rising ground levels;
- Impact on footpaths and public rights of way;
- Absence of any cable route (as referred to in the feedback form);
- Construction access and traffic (in particular through Manuden);
- Impact on drainage and flood risk;
- Inherent danger and health & safety concerns about proximity to lithium ion batteries;
- Ecological and biodiversity impact

Yours faithfully,

*Berden Parish Council*

John Burton  
Chair  
Berden Parish Council