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Thursday, 6 June 2024

Section62a@planninginspectorate.gov.uk

Dear Sir/Madam

**Re: Planning Application PINS Reference: S62A/22/0006 (the “Application”)
Uttlesford District Council (the “Council”) Reference UTT/22/2046/PINS
Development of a ground mounted solar farm with a generation capacity of up to
49.99MW, together with associated infrastructure and landscaping (the
“Proposed Development”)
Land At Berden Hall Farm, Ginns Road/Pelham Road, Berden (the “Site”)
Berden Solar Limited (the “Applicant”)**

With regards to the above section 62a planning application, we are writing to confirm our further objection as parish council affected by this proposed development.

Firstly, we reaffirm our earlier objections as previously submitted.

Secondly, we have the following specific comments on the draft planning conditions:

1. Condition 13 - Regarding footpaths and PROWs, it refers to “temporary diversions” agreed by the highway authority. This will need a temporary diversion by a Traffic Regulation Order which needs to be clarified in the condition and cannot be longer than 6 months. Clarity is needed that no PROWs are closed or not accessible at any time.
2. Condition 24 – On noise, there is neither (a) a maximum dB overall plus nor (b) a maximum increase in dB above existing. This needs clarifying.

The council-preferred drafting is significantly better, as it includes consideration of octave-band (frequency-dependent) noise levels. That said, BS 4142:2014+A1:2019 is not fit for purpose in this assessment, given that the main issue from the proposed plant is highly tonal, low frequency noise, and the guidance states on page 2 that “The standard is not applicable to the assessment of low frequency noise.”

As such, the council's recommendation that resulting octave band levels do not exceed the measured background levels provides greater protection to and avoids this "low-frequency incompatibility" of the BS4142 methodology.

To ensure the NSRs proposed by the applicant are representative, it could be included that any assessment must include at least one of the worst-case receptors from each of the local areas Berden, Stocking Pelham (village) and Crabbs Green Farm. This would provide greater protection, to ensure assessment to certain key areas is not omitted.

3. Condition 25 - There appears to be a simpler resolution here. We would request that measurements are taken both near to the installed plant AND at the NSRs, but with consideration to the fact that any measurements are likely to include significant background interference.

Although this may be the case at some frequencies, such an exercise would still prove useful in identifying any frequency domains which have noticeably increased. As above, changes to low frequency content of sound can often be hidden when only considering noise as a single-figure, A-weighted value.

A highly critical point here is to ensure testing is undertaken under peak/worst-case conditions (i.e.: on a sunny day during summer) as the load of the solar power captured will affect electrical noise levels.

It is then also critical that any proposed mitigation measures are implemented, as this was previously the issue at the Pelham Substation, where proposed screening mitigation was never sufficiently implemented, to our knowledge.

4. Condition 26 – The Council wording is preferred.

Yours faithfully,

Berden PC

Berden Parish Council