

Ref: SP/ H5234(6) Date: 12 June 2024

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Head of Service – Planning & Building Control East Herts Council Wallfields, Pegs Lane Hertford, SG13 8EQ

Attn Principal Planning Officer

Dear Sir/Madam

Re: Full Application for the provision of a temporary access to facilitate construction of a Solar Farm

Land at Wickham Hall Estate, Bishops Stortford, Hertfordshire, CM23 1JG

On behalf of Endurance Energy Wickham Hall Limited (the Applicant), DLP Planning are pleased to enclose an application for full planning permission for a proposed temporary development of a construction access on the land comprising part of the Wickham Hall Estate, Wickham Hall, Bishops Stortford, Hertfordshire, CM23 1JG.

Background

The Applicant was granted planning permission dated 19th December 2023 for application reference 3/21/2601/FUL in relation to the construction of a solar farm on land at Wickham Hall within East Hertfordshire. The decision referred to document H5234-5PD-TN03 Revised Construction Access Scheme and the grant of permission was subject to Condition 5 requiring matters related to construction to be submitted for approval prior to commencement, including but not exclusively, matters of detail relation to construction access.

The Applicant has submitted an application to the Secretary of State who has powers under S62A of the Town and Country Planning Act 1990 to determine applications made for development in the area of Uttlesford District. The proposed development in Uttlesford, which has been subject to pre-application discussions with the Planning Inspectorate (PINS Ref: 62A/2024/0033/(pre-app)), will provide for a temporary construction access to the boundary of the District and thereafter will rely upon the route of the construction access agreed in respect of consent 3/21/2601/FUL.

Whilst the Applicant will expect to discharge Condition 5 in respect of the implementation of consent 3/21/2601/FUL, this application is necessary in two respects.

In the first instance the route approved in the consented scheme follows parallel and adjacent to Bridleway 010. However, there is insufficient distance between this prospective alignment and the existing 132KV electricity pylon to satisfy the offset requirements imposed by the line operator, UK Power Networks. As a result a variation in the route is proposed to pass west of the pylon as shown on the attached plans

Secondly, it is necessary to establish permission for the agreed construction route in order to facilitate its use for the purposes of implementing the proposed development in Uttlesford.





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Accordingly the application is accompanied by a Unilateral Obligation prepared by Howes Percival Solicitors which will secure the implementation of the temporary construction access and its removal following completion of the relevant solar farm developments.

The proposed development subject to this application is located entirely within the administrative area of East Hertfordshire District Council and follows from an informal discussion with Mr Martin Dale at which the Applicant's intentions and proposals were outlined. The proposal is therefore as follows:

Type of application: Full planning application

Applicant name: Endurance Energy Wickham Hall Limited

Site address: Land at Wickham Hall, Bishops Stortford, Hertfordshire, CM23

1JG

Site area: 0.65 hectares

Description of development: Installation of a construction access from Old Hadham Road to

Wickham Hall Estate

The application has been submitted via the planning portal and the requisite fee cheque for £363.00 The Planning Portal reference number for the application is PP-13112358. To ensure efficient validation, and in accordance with the Council's Local Validation Checklist, the following information is hereby submitted in support of the planning application:

Supporting Documents		Consultants
1.	Application Form	DLP Planning
2.	Cover Letter	DLP Planning
3.	Unilateral Obligation	Howes Percival
4.	Dwg no. H5234-13-D01 Location Plan	DLP
5.	H5234-8PD – HCC Access Note	DLP-SDD
6.	Dwg no. H5234-8PD-001 Rev A Construction Access	DLP-SDD
	(Southern Section)	
7.	Dwg no. H5234-8PD-002 Rev A – Swept Path	DLP-SDD
	Analysis	
8.	Dwg no. H5234-8PD-004 Construction Access	DLP-SDD
	(Central and Northern Sections)	

The following plan is submitted for information purposes only:

Dwg no H5234-8PD-003 Rev A Proposed Construction	DLP-SDD
Access Arrangements (Essex)	

Construction Access

The proposed construction access is that which was approved in respect of application 3/21/2601/FUL subject to the abovementioned amendment to avoid the 132KV pylon.

The construction access track will extend 1.15km north from Old Hadham Road at a point approximately 260m west of its junction with the A120 and runs north across land in the ownership of the Wickham Hall Estate to the boundary of Uttlesford District where it will connect with a continuation included in the proposed solar farm application and illustrated by Dwg. H5234-8PD-003 Rev A. The scheme therefore comprises:



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- 1. Construction of a temporary vehicular field access north from Old Hadham Road for a distance of around 225m.
- 2. Construction of a temporary vehicular access alongside Bridleway 010 running along the south western boundary of High Wood for a distance of about 200m, passing then to the south and west of the existing pylon before rejoining and running parallel to the northern part of Bridleway 010 before crossing to the north side of Bridleway 009 a total distance of a further 250m.
- 3. Use of the existing farm track from a point where it intersects with Bridleway 009 for a distance of about 390m north along the western side of Bloodhounds' Wood as far as the boundary with Uttlesford this existing farm track shall become a permissive footpath on first use of the solar farm permitted in East Hertfordshire (in accordance with Schedule 2 of the Unilateral Obligation pursuant to consent 3/21/2601/FUL and known as Permissive Path 3).

The temporary construction access track will comprise a width of 4m and feature passing points, widening to 6m every 100-150m over its length.

The material for the access track will likely be a metal road sheet which will be laid between the field gate access and the site boundary to be removed and the land restored to its condition prior to the development taking place. This will be once the construction of the solar farm is complete.

Where parts of Section 2 and approximately 50m of Section 3 run parallel to existing Public Rights of Way the route is proposed to be segregated by way of temporary fencing, as shown in **Drawing Number H5234-8PD-004**, This mitigation should address any potential safety concern of a construction vehicle straying into the PRoW, or the user of the PRoW traveling along the construction route, as the security fencing would ensure the two stay separate.

Where it is necessary for the route to cross a PRoW (Hertfordshire route 009) a banksman will be employed to ensure that user safety is maintained at all operational times.

In accordance with the advice from Hertfordshire Highways in relation to consent 3/21/2601/FUL the construction access shall need to provide for the following:

- 1. Visibility splays as shown on **Dwg H5234-8PD-001** being provided and maintained;
- 2. Left in, left out arrangement for construction traffic onto the A120;
- 3. Deliveries restricted to: 9:30-16:00;
- 4. Measures to manage and protect pedestrians on A120 and public rights of way within the site; and
- 5. Wheel washing facilities: no construction vehicle leaving this site should bring mud/dirt onto the A120.

Wheelwashing are required to be approved by the discharge of Condition 5 of consent 3/21/2601/FUL and will be invited to be the subject of a Condition on the approval of the application made in Uttlesford District.

Unilateral obligation

A Unilateral Undertaking is submitted with this application, which serves to establish the provision of the Construction Access Land and the Solar Farm Site, as well as to guarantee the fulfilment of planning obligations outlined within the Deed should the Solar Farm Application in Uttlesford be



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approved.

As per the Construction Route Obligations, the Applicant will adhere to the Construction Access Scheme for all construction-related traffic and deliveries associated with the development throughout the Construction Period. They commit to ensuring that development will not take place until the Construction Access is Practically Complete and ready for all construction traffic and deliveries needed during the Construction Period, and the Construction Access will not be in use after the date of first use of the solar farm .

The Obligation also provided a legal commitment (to EHDC) to remove any physical works relating to the provision of the Construction Access and to restore the route to the condition it was in before the Construction Access was first used pursuant to this application within three months (or such other period as may be agreed in writing) being the later of the first use of the solar farm in Uttlesford or the date on which the development consented by 3/21/2601/FUL is brought into first use.

The Obligation has been submitted in advance to the legal departments of booth Uttlesford and East Hertfordshire District Councils.

Accordingly we trust that the above provides sufficient explanation in support of this application, the principals of which have already been established by the existing consent 3/21/2601/FUL and we look forward to receiving confirmation that the application has been registered and will be at your disposal throughout the Council's consideration period should you have any questions or queries.

Yours faithfully,

Steph Parker BA (Hons) MCD Planner



Re: H5234-5PD-TN Wickham Hall Estate Solar Farm, Bishops Stortford, Hertfordshire

Date: June 2024

Subject: Construction Access Note

1.0 INTRODUCTION

- 1.1 This Technical Note has been prepared by the Sustainable Development and Delivery (SDD) Team of DLP Planning Limited, on behalf of the applicant Endurance Energy Wickham Hall Limited, in support of a full planning application for the proposals to create a construction access on the land comprising part of the Wickham Hall Estate, Wickham Hall, Bishops Stortford, Hertfordshire, CM23 1JG.
- 1.2 The proposal seeks to facilitate a construction access of the approved solar farm in East Hertfordshire (Application: 3/21/2601/FUL) that shall also enable the construction of a solar farm on land within the Wickham Hall Estate lying in Uttlesford District for which an application has been submitted. The construction access route associated with this application is shown in **Figure 1** and is located solely within the Local Planning Authority of East Hertfordshire Council and Local Highway Authority of Hertfordshire County Council (HCC).

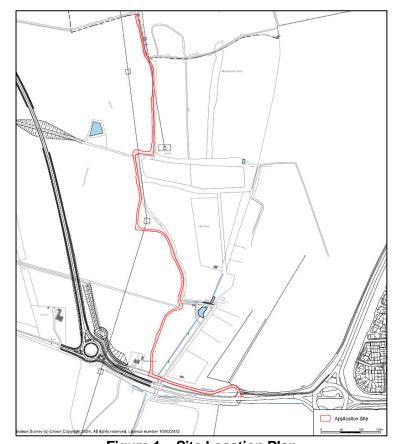


Figure 1 – Site Location Plan



- 1.3 By way of background, a full planning application was submitted for solar farms on the Wickham Hall Estate in East Hertfordshire (3/21/2601/FUL) and in Uttlesford (UTT/21/3108/FUL). The latter was refused in April 2022. The East Hertfordshire application received consent in December 2023.
- 1.4 Prior to the determination of either of the above applications, agreement was reached with Hertfordshire County Council as Highway Authority to provide a temporary construction access route to serve both developments from the A120 running north along or adjacent to existing farm tracks and public rights of way to the boundaries of the proposed solar farms. In respect of the scheme subsequently approved by East Hertfordshire Council details of the approved route are required to be provided under Condition 5 relating to the provision of a Construction Management Plan.
- 1.5 The Applicant has made a new application for development of a solar farm in Uttlesford. That application makes provision for a construction access as far as the District Boundary at which point it will connect with the route of the approved construction access in East Hertfordshire. The purpose of this application is to ensure that the approved construction access in East Hertfordshire can be used for the purposes of construction of both the approved solar farm and that now subject to application in Uttlesford. For the avoidance of doubt the remaining part of the construction access to serve 3/21/2601/FUL which is not included in this application will be subject to the discharge of the details required by Condition 5.
- 1.6 Appendix A contains the position of HCC that was provided as part of consented Application 3/21/2601/FUL and it is important to note there have been no material changes since this was agreed by the parties. The construction access would continue to accommodate a similar scale and construction movements that was previously considered by HCC in relation to both the approved scheme and that which was subsequently refused by Uttlesford District Council.
- 1.7 The purpose of this report is to set out the previously agreed position and confirm that the proposals would continue to provide a safe and suitable access in accordance with the National Planning Policy Framework (NPPF, December 2023).
- 1.8 The access arrangement would be temporary and only utilised for the construction of each solar farm. From the existing access road, the access route would enter through an existing field gate and cross 1km of common ownership land and then spur off to access each solar farm. A temporary metal road sheet access track will be laid between the field gate access and the site, which will be removed and returned to unused land once construction is complete. Operational traffic for the maintenance of the solar farm (via cars / vans) will access via the Wickham Hall Business Park.



2.0 CONSTRUCTION ACCESS

- 2.1 The construction access for the solar farms would utilise an existing private access road from the A120 Hadham Road, which serves three existing residential properties two of which are in common ownership with the land.
- 2.2 Based on previous consultation with HCC, it was agreed that subject to maximum achievable visibility splays being provided in both directions at the A120 / Private access road junction (circa 140m to the west and 190m to the east), this access junction off the northern edge of the A120 could be utilised for the construction traffic associated with the site. It is noted that vegetation can only be cut back and there would be no removal of any trees or hedgerows. Drawing Number H5234-8PD-001 Revision A (contained at Appendix B) demonstrates this position has not changed and therefore is considered an acceptable position.
- 2.3 In addition, it is proposed that temporary traffic management would also be provided at the A120 access and would consist of a left in / left out only arrangement onto the A120, with construction deliveries restricted to 0930 to 1600 hours only to avoid network peak periods.
- 2.4 Furthermore, temporary signage would be provided where footpaths and PRoW's cross the construction route to inform users to be aware of the presence of construction vehicles, as indicated on **Drawing Number H5234-8PD-001 Revision A**.
- 2.5 Drawing Number H5234-8PD-002 Revision A (contained at Appendix B) provides a swept path analysis showing a 16.5m articulated vehicle entering and exiting, which is the largest vehicle to deliver the mounting frames and PV panels. This drawing confirms that there are 4 locations which could accommodate two HGVs passing. To control movements into and out of the site it is proposed that Banksmen will be provided and located at the junction with the A120 and at the site entrance.
- 2.6 Wheel washing facilities will be provided to ensure that no mud or dirt is brought onto the public highway. This will be present throughout the full construction process, with the specific location of the facility to be determined as part of a Construction Traffic Management Plan. Should debris from the site be on the public highway, mechanical road sweepers will be employed to clear the highway of mud / debris at the earliest opportunity.



3.0 CONSTRUCTION ACCESS TRACK

- 3.1 The construction access track will extend 1km north across common ownership land within the East Hertfordshire area. As per the previously agreed position with HCC, this will comprise the following:
 - Construction of a temporary access road and field access north from the old Hadham Road for a distance of circa 200m to Bloodhounds Wood. Contained at **Drawing Number H5234-8PD-001 Revision A**.
 - Construction of a temporary access road alongside Bridleway 010 running along the western boundary of Bloodhounds Wood for a distance of circa 470m. Contained at right viewport of **Drawing Number H5234-8PD-004 Revision A**.
 - Utilise the existing farm track from a point immediately north of where Bridleway 009 and 010 intersect for a distance of circa 360m north along the western side of Bloodhounds Wood. Contained at left viewport of **Drawing Number H5234-8PD-004 Revision A**.
 - Beyond this location the shared construction access splits to serve each solar farm. The
 consented solar farm extends west whilst revised submission proposed solar farm solar
 farm extends north both land within Uttlesford District.
- 3.2 The temporary construction access track will comprise a width of 4m and feature passing points, widening out to 6m, every 200m between the A120 and the site. The material for the access track will likely be a metal road sheet which will be laid between the field gate access and the site, to be removed and returned as unused land once construction is complete.
- 3.3 The access track would be segregated from any PRoW in the form of temporary fencing, as shown in **Drawing Number H5234-8PD-001 Revision A** and **Drawing Number H5234-8PD-004 Revision A**. This mitigation addresses the potential safety concern of a construction vehicle straying into the PRoW, or the user of the PRoW traveling along the construction route, as the security fencing would ensure the two stay separate.



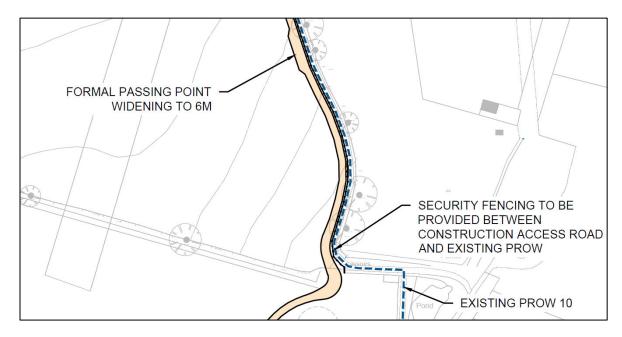


Figure 2 - Proposed Access Track and PROW Segregation

- 3.4 Additionally, where the construction track crosses the PRoW (such as with Bridleway 009 and 010), it is proposed that a banksmen controlled gated crossing point and signage would be provided and is shown at **Drawing Number H5234-8PD-004 Revision A**.
- 3.5 For the avoidance of doubt this application extends only to a part of the overall length of the required construction access for either the approved development (3/21/2601/FUL) or the application now made in Uttlesford. Once at the construction site(s), construction vehicles will be provided with satisfactory space to turn, un-load and exit the site in forward gear. The site compound, delivery turning area / unload area and vehicular parking area will be set our in a suitable Construction Management Plan required by Condition 5 of the approved scheme and invited to be applied to the application to be determined in Uttlesford.



4.0 CONCLUSION

- 4.1 Based upon the information contained within this Technical Note, it is considered that suitable measures would be put in place to accommodate the temporary construction traffic associated with the solar farm and that the proposals would be in line with the previously agreed position with HCC.
- 4.2 As such, it is therefore considered that the HCC should be in a position to comment favourably on the application.



Appendix A Planning Application 3/21/2601/FUL - Hertfordshire County Council Consultation Comments



Mark Youngman
Development Management Group Manager
Hertfordshire County Council
Postal Point CH0242
County Hall
Pegs Lane
Hertford
SG13 8DE

Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)

Director of Planning

East Herts District Council Wallfields Pegs Lane Hertford Hertfordshire

Area manager: Case officer:

ager: icer:

District ref: 3/21/2601/FUL

HCC received: 28 July 2022

HCC ref: EH/10044/2021

Location

SG13 8EQ

LAND AT WICKHAM HALL ESTATE HADHAM ROAD BISHOP'S STORTFORD CM23 1JG

Application type

Full Application

Proposal

AMENDED PROPOSAL

Erection of a solar photovoltaic farm with an output capacity not to exceed 49.9MW of energy, with supporting infrastructure and battery storage, inverters and transformers, fencing and landscaping works

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

- 1) No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:
- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements;
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);

- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, temporary pedestrian routes/signage and remaining road and PROW width for pedestrian and vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

2) Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number H5234-5PD-002 C. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Comment

Further to previous highway comments dated the 2nd December 2021, expressing concerns primarily related to access and construction traffic, the applicant has submitted the following supporting information:

- Landscaped Masterplan (July 2022)
- Design and Access Statement Addendum (July 2022)
- Planning Statement Addendum (June 2022)
- Additional Landscape Comments (dated July 2022)
- Technical Note Construction Access Strategy Summary Note (dated June 2022)

By way of summary, the Highway Authority initially raised concerns that the proposed route cannot accommodate two-way opposing movements by HGVs, and the existing and additional traffic generated during the construction will impact on pedestrians, cyclists and horse riders contrary to LTP4. The Highway Authority raised a further regarding the glint/glare from the panels.

The Highway Authority's response to the forementioned supporting documents is expressed below.

Construction Lorry Access

The Revised Site Master Plan shows the extension and use of an existing track, connecting the site to an existing junction off the A120 Hadham Road. This temporary access measures 4m in width and features 4 possible positions for passing bays located every 100 to 150m (Drawing number H5234-5PD-003), and will include temporary signage where the access track crosses the PROW.

The track will be segregated from the PROW by temporary fencing, and whilst this is welcomed, it is requested that further details are submitted showing the width afforded to walkers. This can be secured via the imposition of a suitably worded Construction Management Plan Condition (CMP).

Drawing number H5234-5PD-002 Rev C shows the visibility of 2.4m x 140m to the right (west), by 190m to the left onto the A120 Hadham Road. This may necessitate the cutting back of the boundary hedging present to the west of the site access. Furthermore, as requested by the Highway Authority, temporary traffic management measures will enforce a left-in, left-out operation at the priority junction. Signs and a banksman are also proposed to assist with the safe movement of both pedestrians and construction traffic.

Absent for the submission are details of the turning, loading/unloading areas, parking, material storage, welfare facilities for the development. It is recommended that this is also covered by a CMP condition.

Conclusion

Having regard to the supporting information, I am satisfied that the initial highway safety concerns can be adequately mitigated. Therefore, if the local planning authority is minded to approve the application, we recommend the inclusion the inclusion of the above conditions.



Mark Youngman
Development Management Group Manager
Hertfordshire County Council
Postal Point CH0242
County Hall
Pegs Lane
Hertford
SG13 8DE

Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)

Director of Planning

East Herts District Council Wallfields Pegs Lane Hertford Hertfordshire SG13 8EQ District ref: 3/21/2601/FUL HCC ref: EH/10044/2021 HCC received: 11 November 2022

Area manager: Case officer:

Location

LAND AT WICKHAM HALL ESTATE HADHAM ROAD BISHOP'S STORTFORD CM23 1JG

Application type

Full Application

Proposal

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- b. Access arrangements to the site;
- c. Traffic management requirements:
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);

- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, temporary pedestrian routes/signage and remaining road and PROW width for pedestrian and vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

2) Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number H5234-5PD-002 C. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Comment

The Highway Authority has previously provided multiple sets of comments on this application, most recently on the 30th August 2022. In our recent comments, no highway objections were raised to the proposed solar photovoltaic farm subject to conditions.

Since the submission of these comments, additional documents have been submitted relating to the Noise Assessment. These additional documents do not raise any highway concerns and the Highway Authority maintain the recommendation of approval subject to the above conditions.



Appendix B SDD Drawings

