

UTTLESFORD DISTRICT COUNCIL

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Inquiries and Major Casework
The Planning Inspectorate
Room 3/J Kite Wing, Temple Quay
House
2 The Square, Temple Quay
Bristol
BS1 6PN

25th July 2024

Your ref: S62A/2024/0045

Our ref: UTT/24/1417/PINS

Please ask for Timothy Cakebread on [REDACTED]

Email [REDACTED]

Dear Sir/Madam,

TOWN & COUNTRY PLANNING (SECTION 62A APPLICATIONS) (PROCEDURE & CONSEQUENTIAL AMENDMENTS) ORDER 2013.

LAND AT WICKHAM HALL ESTATE, BISHOPS STORTFORD, UTTLESFORD

Thank you for your letter dated 26 June 2024 confirming that the Planning Inspectorate has received a valid planning application seeking planning permission for the following:

'Erection of a solar photovoltaic farm with supporting infrastructure and battery storage, inverters and transformers, fencing and landscaping works and connecting cable'

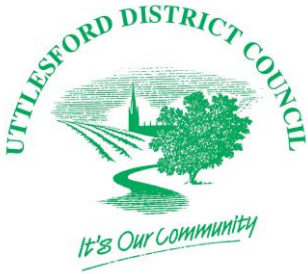
The Council has now had the opportunity to review all the documentation that was submitted by the Applicant in respect to the proposal and wishes to make representations in respect of this application, incorporating comments from internal/external non-statutory consultees and including observations in respect of the way the application is to be determined.

Background

In April 2022 planning permission (Ref UTT/21/3108/FUL) was refused on 5 grounds for a solar farm at this location. This application was in conjunction with a solar farm application in East Herts (Ref 3/21/2601) which was approved in January 2023, as both sites joined each other given the location on the boarder of the two districts. These two planning applications would have delivered 49.9 MW of renewable energy.

Both sites will utilise the same temporary construction access route, which is predominantly located within East Herts and a planning application is currently pending approval (Ref. 3/24/1119/FUL).

Proposal



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The applicant has submitted this Section 62a application making changes to the original proposal in respect of the reasons for refusal. Section 3 of the Planning Committee Report provides details of the proposal and how this has changed from the refused outline planning application.

Planning Committee

The application was presented to Members of the Planning Committee on the 24th July 2024. In addition to the issues defined in the officers' Committee report, the main planning issues in respect of which the Council would like the Inspector to consider as part of their assessment relates to the impact of the proposal on the Green Belt and the visual impact of this proposal within the countryside.

Members considered that the proposal is inappropriate development within the Green Belt and that the applicant has failed to demonstrate very special circumstances exist. This proposal is contrary to Local Plan Policy S6 and NPPF paragraphs 154-156. This is supported by the recent Secretary of State decision (Ref APP/N1920/W/22/3295268) to Land North of Butterfly Lane, Land surrounding Hilfield Farm and Land West of Hilfield Lane, Aldenham, Hertfordshire which the Inspector stated that the harm to the Green Belt from inappropriate development, harm to the openness and harm to the purpose of the Green Belt collectively carries significant weight as did the harm to the landscape character in dismissing this proposal.

Members also expressed concern over the fire safety of the battery storage, the loss of high quality agricultural land (Local Plan Policy ENV5) and while Local Plan Policy ENV15 focuses on small scale renewable energy the proposal does not fully meet the requirements within it.

Consultation Documentation

The following documentation is provided as part of the Uttlesford District Council's consultation response in which should form part of the Inspectors assessment of the proposals.

- Officers Committee Report with draft planning conditions
- Addendum list for the planning committee
- Draft Minutes of the Planning Committee Meeting (24 July 2024)
- UDC Conservation & Heritage Officer Advice
- UDC Design Officer Advice
- ECC Place Services Ecology
- Essex Police Crime Prevention Advice



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In addition to the above Uttlesford District Council are in discussions with the applicant and Essex County Council in respect of the draft section 106 heads of terms. This includes liaising with East Herts District Council in respect of the construction access route.

Summary

The concerns raised above and within the officers committee report are considered to significantly and demonstrably outweigh the public benefits of the delivery of renewable energy in this location. The Council therefore RESOLVED to OBJECT to the proposed development.

The Council reserves the right to review and provide additional comments if any further documentation is submitted to the Secretary of State and once all statutory or non-statutory consultation have been received during the hearing.

Yours Sincerely

Mr Dean Hermitage MA Mgeog MRTPI
Strategic Director of Planning
Uttlesford District Council