

21/00706/ESF

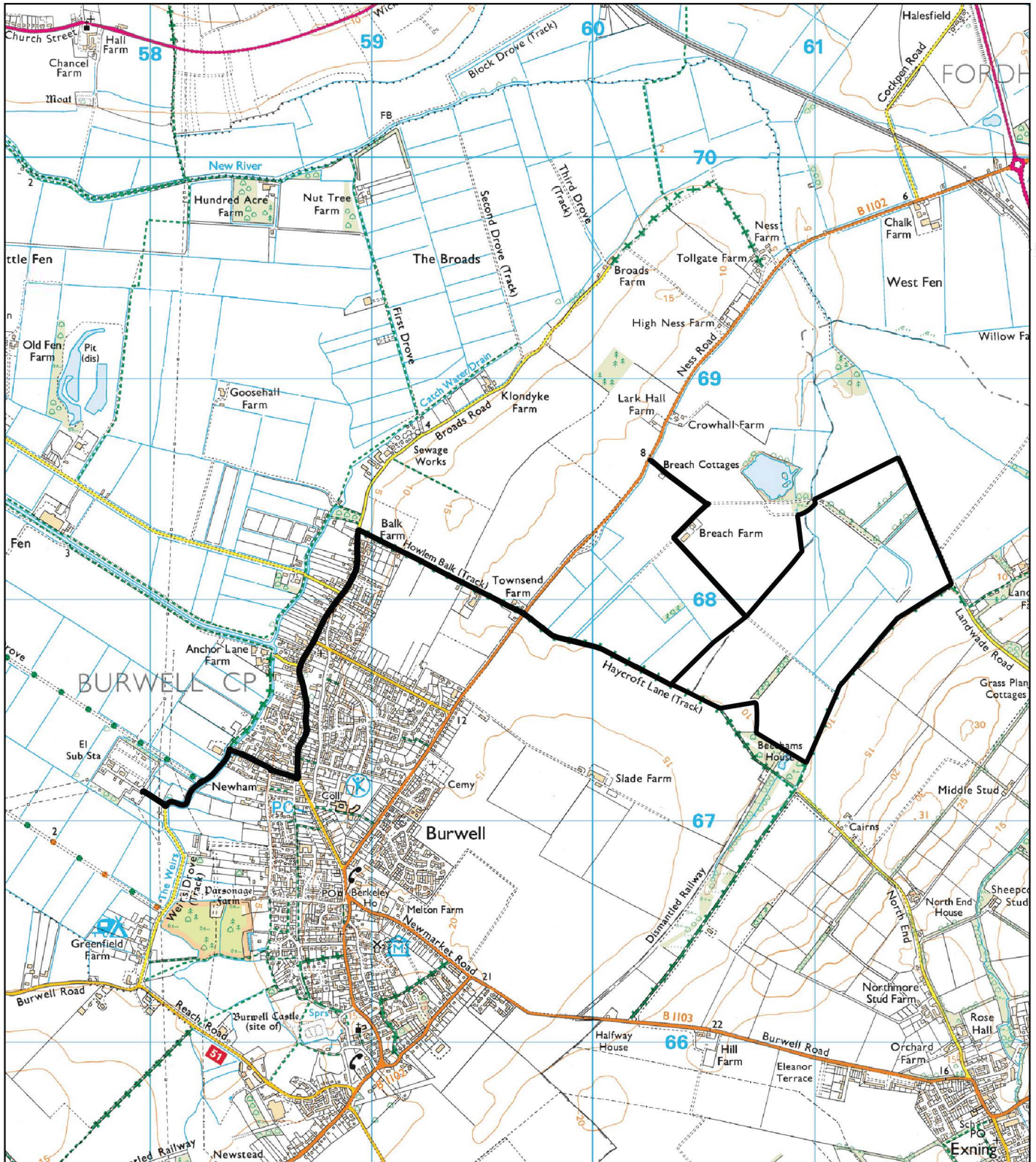
Solar Farm Land To The East Of Breach Farm
Ness Road
Burwell

Proposed Development of a Solar Farm and Ancillary Development

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QSKOGVGG0CT00>





21/00706/ESF

Solar Farm Land to the
east of Breach Farm
Ness Road
Burwell



East Cambridgeshire
District Council

Date: 17/11/2021
Scale: 1:25,000



© Crown copyright.
All rights reserved 100023279 (2020)

MAIN CASE

Reference No: 21/00706/ESF

Proposal: Proposed Development of a Solar Farm and Ancillary Development

Site Address: Solar Farm Land To The East Of Breach Farm Ness Road
Burwell

Applicant: Burwell 11 Solar Limited

Case Officer: Andrew Phillips Planning Team Leader

Parish: Burwell

Ward: Burwell
Ward Councillor/s: David Brown
Lavinia Edwards

Date Received: 29 April 2021 **Expiry Date:** 10 December 2021
W121

1.0 RECOMMENDATION

1.1 Members are recommended to approve subject to the recommended conditions below, the conditions can be read in full on the attached appendix 1; and Delegate authority to the Planning Manager, in consultation with the Chairman of Planning committee, to make minor amendments to the conditions at Appendix 1, and/or impose additional conditions to reflect the conditions that may be required by West Suffolk District Council.

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Lifetime of the development
- 4 Soft Landscaping
- 5 Landscape Management
- 6 Max Electrical Output
- 7 Archaeological
- 8 Archaeological Post Investigation Assessment
- 9 Construction/Piling Times
- 10 Construction Environmental Management Plan (CEMP)
- 11 Noise Control
- 12 Hard Landscaping
- 13 Vehicular Gates
- 14 Access drainage

- 15 Site Entrance Road works
- 16 External Lights
- 17 Details of Battery Energy Storage System (BESS)
- 18 Emergency Response Plan
- 19 Water Quality Control
- 20 Landscape and Ecological Management Plan (LEMP)
- 21 Ecological Protection
- 22 Surface Water Drainage
- 23 SuDS Management
- 24 Surface Water Drainage
- 25 Earthing and Harmonics Report

2.0 SUMMARY OF APPLICATION

- 2.1 The proposal is on a site of approximately 73 hectares (180 acres) and would be in situ if approved for 40 years.
- 2.2 The proposal is seeking approval for the following:
- Circa 150,000 Photovoltaic Solar Panels
 - 22 Battery Storage Containers
 - 22 Inverter/Transformer Stations
 - 1 Storage Container
 - 1 Switchgear Building
 - 1 Control Room Building
 - Grid Connection Cable to National Grid's Burwell Substation
 - Circa 3.1km of new/resurfaced internal access tracks (3m/9.8ft wide)
 - 1 improved access points of Ness Road (B1102)
 - Circa 40 4m (13 feet) high CCTV Cameras
 - As well as fencing, culverts and planting
- 2.3 The solar array would export up to 49.995MWe of renewable electricity to the National Grid during peak operation.
- 2.4 The vast majority of the proposed solar farm is within West Suffolk with a relatively small proportion of the solar panels within East Cambridgeshire. This is therefore a cross-boundary application, where the same application is being determined by both East Cambridgeshire District Council and West Suffolk Council and Officers have worked closely together with the relevant consultees in considering the proposal. In addition to the small proportion of solar panels, the vehicular access into the site is within East Cambridgeshire and located off Ness Road (B1102) and the Grid Connection follows the byway Howlem Bank before going down North Street in order to connect to the Burwell Substation.
- 2.5 This application is required to be determined by Planning Committee, due to the Council's Constitution because of the scale of solar panels.
- 2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online

service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

- 3.1 Where a site which is the subject of a planning application straddles one or more local planning authority boundaries, the applicant must submit identical applications to each local planning authority. The following reference is the identical application which has been submitted to West Suffolk.

DC/21/0968/FUL - Planning application - solar farm with ancillary development and vehicular access (amended plans and additional information received on 21 September 2021 and Environmental Statement Addendum received on 15 October 2021).

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located to the northeast of Burwell and located to the northwest of Exning and to the west of Landwade. The site is primarily agricultural land with tree lines and hedgerows crisscrossing the site.
- 4.2 The vast majority of the site is within West Suffolk, though there are two relatively small strips of solar panels and the site access onto Ness Road within East Cambridgeshire.
- 4.3 The site measures approximately 73 hectares (180 acres). While the site is primarily Flood Zone 1, some of the site is within Flood Zones 2 and 3.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees, which are summarised below. The full responses are available on the Council's web site.

Burwell Parish Council –

26 May 2021

“Burwell Parish Council Objects to this proposal. Concern if Burwell can sustain the amount of Solar Farms proposed for the Village. Impact on the village when cables are laid to the sub-station, can the cables not be connected to those at Goosehall Solar Farm and or discussions held with Sunnica so that disruption for the village is minimised. Impact on landscape.”

30 June 2021

“Burwell Parish Council has objections to this application as it does not resolve the original concerns that were raised at the meeting on 25.5.2021.

Concern if Burwell can sustain the amount of Solar Farms proposed for the Village. Impact on the Village when cables are laid to the sub-station, can the cables not be connected to those at Goosehall Solar Farm and or discussion with Sunnica so that disruption for the Village can be minimised. Impact on landscape.”

27 October 2021

“Objection - The amendment does not resolve previous issues raised by the Council.”

Environment Agency –

1 June 2021

“We have reviewed the above application and we have no objection.

Pollution Prevention

The proposed development will be acceptable if the following measure is implemented and secured by way of a planning condition on any planning permission.

Condition

The development hereby permitted shall not be commenced until such time as a water quality risk assessment report has been submitted to, and approved in writing by, the local planning authority. The report shall include:

- the specification of any electrical transformers, batteries, and any other equipment on site (as applicable) with regard to the volumes and composition of any potentially polluting substances;
- assessment of the risks (including from leakage, fire, explosion, malicious interference) to water quality presented by any electrical transformers, batteries, ancillary or other equipment or materials within the development, and details of the measures to be implemented to control those risks.

The risk control measures proposed by the report shall be implemented as approved.

Reason

There is a lack of information within the submitted application regarding potential pollution risk in the event of an incident. For a development of this scale and life expectancy it is appropriate for the water quality risks to be properly addressed and controlled as applicable.

Informative

Early consideration should be given to the need for dewatering during the construction phase of the development. Dewatering operations can be subject to abstraction licensing and environmental permitting requirements and pose a pollution risk where managed improperly. More information regarding the relevant authorisations can be found at

<https://www.gov.uk/government/publications/temporary-dewatering-fromexcavations-to-surface-water>.

Flood Risk

The site is situated in an area at very low to high risk of surface water flooding but part of the site is in Flood Zone 3 according to the flood map for planning. However, the type of development is classed as less vulnerable in the vulnerability table and therefore is appropriate for FZ3a. Therefore, we have no objection to the proposed development but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) summary in chapter 8.0 of the Environment Statement volume 1, April 2021, are adhered to. In particular:

- The proposed development ensures that the inverter/transformer stations, storage buildings, control building, switchgears building and battery storage containers are located outside flood zone 3a.
- Finished floor levels be set 0.15 m above adjacent ground levels.
- The area under the drip line of the solar panels be seeded with a suitable grass mix.
- The proposal does not impact flood risk elsewhere and safe access and egress are provided via Ness Road (B1102) in any flood event.”

11 November 2021

“have reviewed the amended documents and have no comments to add to the comments made in our previous letter; AC/2021/130228/01 dated 1 June 2021 the condition recommended is still pertinent.”

Cambs Wildlife Trust - 18 May 2021

“I have considered the submitted EIA and ecological reports in the light of impacts within Cambridgeshire. As most of the site is in West Suffolk, there may be other impacts within Suffolk that I am not aware of and have not considered.

The submitted ecological report produced as part of the EIA, covers all the relevant issues and makes appropriate avoidance, mitigation and enhancement recommendations for nature conservation sites, habitats and protected and priority species. It has highlighted the potential for pollution impacts on the New River and Monk's Lode County Wildlife Site, which eventually flows to Wicken Fen SSSI / SAC.

It is proposed to create wildflower-rich grassland under the solar panels and to create over 1km of new hedgerows, as well as protect and retain field margin vegetation next to ditches. A biodiversity management plan has been prepared setting out how the new habitats and landscape will be managed during operation of the development and this plan is acceptable.

The EIA includes a summary page from the Defra Biodiversity Net Gain calculator, but without seeing the full spreadsheet version of the calculator I cannot comment in detail, but would note that the predicted net biodiversity gain appears a reasonable prediction based on the existing and proposed habitats.

If planning permission is granted, the recommendations in the ecology chapter of the EIA (section 5, Table 5.1.1) should be secured through the use of appropriately worded planning conditions. In addition, a Construction Environmental Management Plan should be used to control construction activities, and to prevent any pollution incidents potentially affecting the New River and Monk's Lode County Wildlife Site (which flows to Wicken Fen SSSI / SAC). Implementation of the Biodiversity Management Plan should be secured for the lifetime of the development. As this plan is initially for 10 years, but the solar farm will be operational for longer, it should be updated as necessary, with additional monitoring at set periods to confirm the proposed landscape and habitats survive and are well managed throughout the lifetime of the development, and to prove that the predicted biodiversity net gain is achieved.”

Lead Local Flood Authority –

1 June 2021

“At present we object to the grant of planning permission for the following reasons:

1. No formal surface water strategy proposed

The applicant has not proposed to formally manage surface water from the proposed solar panels or proposed areas of impermeable area, with the assumption that surface water from these areas will soak into the ground. Whilst it is broadly accepted that solar farms do not respond in the same way as impermeable surfaces, they can lead to localised channelling of rainfall, particularly on sloping sites. This has the potential to increase flood risk downstream. Options such as the inclusion of a French drain at the base of each row to intercept flows, inclusion of a swale(s) at the lowest parts of the site and designing panels with horizontal slots across the surface area should be considered as measures to manage surface water.

As the development will involve the development of 0.14 hectares of impermeable area in addition to the proposed solar panels, surface water must be appropriately managed from this area. The strategy to infiltrate surface water into the ground should be supported by infiltration testing in accordance with BRE DG 365 standards.”

28 October 2021

“At present we maintain our objection to the grant of planning permission for the following reasons:

1. Drainage Layout Drawing Required

The applicant has submitted a document outlining the proposed surface water management across the site. It is understood that the proposals are to include filter drains under the PV row drip lines, to capture and infiltrate surface water. This approach to managing the surface water from PV panels is supported by the LLFA, however more detail should be provided, such as an indicative drainage layout plan and proposed filter trench locations. It should also be clearly set out how the access roads throughout the solar farm propose to manage surface water runoff. Treatment of surface water should be in line with the pollution mitigation indices outlined within Chapter 26 of the CIRIA SuDS Manual (C753).”

19 November 2021

“we can remove our objection to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of features such as filter trenches to assist in the infiltration of surface water as it falls from the PV panels. The access track will be constructed with a porous material to allow surface water to infiltrate directly into the ground.”

It seeks conditions in regards to surface water drainage, SuDS maintenance and control of surface water during construction.

Swaffham Internal Drainage Board – 19 May 2021

It has no comment to make

Cadent Gas Ltd (at times writing as National Grid) –

17 May 2021

“An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus.”

Continues to discuss apparatus effected and requirements.

19 May 2021

“Cadent Gas have No Objection to the above proposal.

To help prevent damage to our assets we request that an Informative Note is added into the Decision Notice as below:

Cadent Gas own and operate the gas infrastructure within the area of your development.

We do not object to the proposal in principle.”

11 June 2021

“Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified. Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.

As your proposed activity is in close proximity to National Grid's Transmission assets we have referred your enquiry/consultation to our Asset Protection team for further detailed assessment. We request that you do not commence work or take further action with regards to your proposal until you hear from us. We will endeavour to contact you within 21 days from the date of this response. Please contact us at assetprotection@nationalgrid.com if you have not had a response within this time frame.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.”

11 June 2021

“As your proposed activity is in close proximity to National Grid's Transmission assets we have referred your enquiry/consultation to our Asset Protection team for further detailed assessment. We request that you do not commence work or take further action with regards to your proposal until you hear from us. We will endeavour to contact you within 21 days from the date of this response. Please contact us at assetprotection@nationalgrid.com if you have not had a response within this time frame.”

14 June 2021

“Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land

which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to."

16 June 2021

"Cadent Gas have No Objection to the above proposal.

To help prevent damage to our assets we request that an Informative Note is added into the Decision Notice as below:

Cadent Gas own and operate the gas infrastructure within the area of your development.

We do not object to the proposal in principle.

Please note the presence of a high pressure gas pipeline in close proximity (entrance) to the proposed development. The pipeline has a 3m building proximity distance (BPD). No buildings including footings and overhangs are permitted within 3m of the pipeline. Landscaping 3m either side of the pipeline is also restricted and must have formal written approval from Cadent Gas before commencing. The developer is to engage with plantprotection@cadentgas.com before commencing any works on site.

The high pressure pipeline is classed as a 'Major Accident Hazard High Pressure Pipeline' therefore the application will need to be put through the HSE LUP process to confirm if the proposal is acceptable."

18 June 2021

"No Objection with Condition: This has been previously answered under EA_GE3B_3SWX_755730. As the solar farm lies outside of the pipeline easement and across a road, we are happy to issue a No Objection on the Condition that we receive an Earthing and Harmonics Report prior to Construction beginning. National Grid reserve the right to Object to the development should that report not be received."

22 June 2021

"National Grid exercises its right to place a Holding Objection to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line -

Overhead Electricity Line, Electricity Substation Site, Electricity Tower, Underground Electricity Cable, Low Pressure Gas Mains.”

28 June 2021

“Our engineer would like some information, details & plans on what the proposed works are in the vicinity of National Grid Substation Burwell.”

26 October 2021

“After receiving the details of your planning application, we have completed our assessment. We have no objection to your proposal from a planning perspective.”

National Grid - Electricity –

10 June 2021

“National Grid has no objections to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line –Overhead Electricity Line, Electricity Substation Site, Electricity Tower, Underground Electricity Cable, Low Pressure Gas Mains.”

6 July 2021

“National Grid exercises its right to place a Holding Objection to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line - Overhead Electricity Line, Electricity Substation Site, Electricity Tower, Underground Electricity Cable, Low Pressure Gas Mains.

National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset.

Statutory electrical safety clearances must be maintained at all times. National Grid recommends that no permanent structures are built directly beneath our overhead lines. These distances are set out in EN 43 - 8 Technical Specification for "overhead line clearances Issue 3 (2004) To view EN 43 - 8 Technical Specification for "overhead line clearances Issue 3 (2004). http://www.nationalgrid.com/uk/LandandDevelopment/DDC/devnearohl_final/appen dixIII/applIII-part2

National Grid requires 3D drawings to be provided at the earliest opportunity (DWG, DGN or DXF)

The statutory minimum safety clearance is 7.6 metres to ground and 8.1 metres to a normal road surface. Further detailed information can be obtained from the Energy Networks Association's (www.energynetworks.org.uk) Technical Specification E-43-8 for "Overhead Line Clearances", Issue 3 (2004).

To view the "Development Near Overhead Lines" Document.

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=23713>

To view the National Grid Policy's for our Sense of Place Document.

<http://www2.nationalgrid.com/UK/Services/Land-and-Development/A-sense-of-place/>

The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines."

Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors at the point where the conductors are under their maximum 'sag' or 'swing' conditions. Overhead Line profile drawings should be obtained using the above contact details.

If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of our towers. These foundations extend beyond the base area of the tower. Pillar of Support drawings should be obtained using the contact details above.

Due to the scale, bulk and cost of the transmission equipment required to operate at 275kV or 400kV we only support proposals for the relocation of existing high voltage overhead lines where such proposals directly facilitate a major development or infrastructure project of national importance which has been identified as such by government.

To promote the successful development of sites crossed by existing overhead lines, and the creation of well-designed places, National Grid has produced 'A Sense of Place' guidelines, which look at how to create high quality development near overhead lines and offer practical solutions which can assist in avoiding the unnecessary sterilisation of land in the vicinity of high voltage overhead lines."

27 July 2021

National Grid exercises its right to place a Holding Objection to the above proposal which will cross our High-Pressure Gas Pipeline – Feeder"

6 October 2021

"National Grid has no objections to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line -Overhead Electricity Line, Electricity Substation Site, Electricity Tower, Underground Electricity Cable, Low Pressure Gas Mains. I have enclosed a location map to show the location of National Grid's Overhead Lines within the vicinity of your proposal and associated information below. Thank you for your enquiry, we are issuing a No Objection."

12 October 2021

"National Grid has No Objection to the above proposal which is in close proximity to a High-Pressure Gas Pipeline - Feeder. I have enclosed a location map to show the location of National Grid high-pressure gas pipeline(s) within the vicinity of your proposal and associated information below. We are happy to provide a No Objection to these plans. The Customer has agreed to provide an Earthing and Harmonics report prior to construction commencing"

Anglian Water Services Ltd –

10 June 2021

“The Planning & Capacity Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, 500sqm or greater. However, if there are specific drainage issues you would like us to respond to, please contact us outlining the details. The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout. They can do this by accessing our infrastructure maps on Digdat. Please see our website for further information:

<https://www.anglianwater.co.uk/developers/development-services/locating-our-assets/>

Please note that if diverting or crossing over any of our assets permission will be required. Please see our website for further information:

<https://www.anglianwater.co.uk/developers/drainage-services/building-over-or-near-our-assets/>”

July 2021

“Whilst the proposal is not connecting to our network the cable route may impact on Anglian Water existing assets. These existing assets will need to be taken into account when designing and delivering the cable route. It is important to note that certain assets cannot be diverted or built over, such as mains water pipes. We recommend the applicant obtain maps detailing the location of our water and water recycling infrastructure and assets, both underground and above ground assets. They can do this by visiting our website <https://www.anglianwater.co.uk/developing/drainage-services/locating-our-assets/>

Anglian Water would ask that the following text be included within the decision notice should permission be granted.

Anglian Water has assets close to or crossing the site or there are assets subject to an adoption agreement. If sewers need to be diverted this will be at the developers cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus, It should be noted that the diversion works should normally be completed before development can commence.”

8 October 2021

“Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments. If this is to change, please re-consult with us.”

Historic England - 25 October 2021

“We have reviewed the additional information submitted and find that it does not answer our concerns relating to the impact on the village of Burwell through this development. These concerns are as per our comments submitted to yourselves on 3rd June 2021.

We therefore have no further comments to make on the amendments submitted. Our view remains the same as that in the comments submitted to you on 3rd June.

Policy Context

- Paragraph 194 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance.
- Paragraph 199 of the NPPF states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater that weight should be).
- Paragraph 200 of the NPPF states that any harm to or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.
- Paragraph 202 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the scheme.

Historic England's Position

Historic England consider that the application has not properly described the harm that could be caused to the setting of the Burwell North Street Conservation Area through development within its wider setting. The Burwell North Street Conservation Area Appraisal makes reference to the importance of the wider Fenland setting of the village which needs to be considered further. We therefore consider that the application does not meet the information requirements of paragraph 194. The proposed solar farm would alter the wide ranging views as described in the Conservation Area appraisal and have a negative impact upon the significance of the North Street Conservation Area. We therefore consider that the application does not meet paragraphs 199 and 200 of the NPPF.

Recommendation

Historic England has concerns regarding the application on heritage grounds.”

17 November 2021

“Our response to your planning consultation is not an objection – it raises concerns relating to the cable route and to the character of the Burwell Conservation Area based on East Cambs own conservation area appraisal noting the open agricultural character of land being important to its significance. But, we have not objected. We have not objected to the West Suffolk application either.

We have stated that there is a low level of less than substantial harm and allowed the LPA to make your own judgement of whether this low level of harm is outweighed by the public benefits of the scheme as required by paragraph 202 of the NPPF.”

Conservation Officer –

20 May 2021

“No heritage implications for East Cambridgeshire.”

16 November 2021

“The application site is some distance east of the village and given the separation distance and buffering effect of intervening development, its impact on the North Street conservation area is likely to be minimal. The cable connection route runs

along the carriageway in North Street and whilst naturally its installation phase will involve some temporary disruption, it will leave no permanent above-ground presence in the conservation area.

Recommendation: no objection”

Environmental Health –

3 June 2021

“We have commented on this site in the past

“I welcome the restricted hours for ground piling. With regard to lighting the ES advises – “No permanent lighting is proposed other than emergency security lighting. I have no issues to raise with this. The ES advises – “A CEMP would be developed for the construction phase of the development. This is likely to comprise an overarching CEMP framework to be applied to all phases of the development...”. I look forward to receiving this. I have read the NIA prepared by NVC Ltd and dated 25th March 2021. I have no issues to raise with the methodology and findings of the report and would support their recommendation for a suitably worded condition to limit noise at the nearest sensitive receptors similar to the one proposed in the report”

12 October 2021

No comments in regards to amendment

Design Out Crime Officers –

25 May 2021

“Thank you for the opportunity to review the above proposed development. I have reviewed relevant documents and drawings and fully supportive of the security measures being considered. This should ensure community safety and vulnerability to crime is being addressed. This area of Cambridgeshire has seen some reports of rural crime including poaching. In this regard I have made our rural crime team and Countryside Watch aware of this application. No objections but if the applicant would like site specific site security advice in the future more than happy to be involved. No further comments at this stage.”

8 October 2021

“I can confirm this office has reviewed the amendments received and wish original comments to stand - no objections in terms of community safety and reducing vulnerability to crime.”

Cambridgeshire Fire and Rescue Service –

25 May 2021

With regards to this application, should the Planning Authority be minded to grant approval, the Fire Authority would request that a suitable planning condition is applied that requires the Applicant to engage with Cambridgeshire Fire & Rescue Service to ensure that adequate emergency access to the site is provided along with a suitable fire mitigation strategy, which also encompasses environmental considerations in an emergency, prior to commencement of the development of the site.

Local Highways Authority –

7 June 2021

“The Transport Statement text states that the access will be 6m for a length of 50m to allow articulated vehicles to pass. The drawing 2921-01-D01 should be amended to reflect this. The application boundary shown on this plan is inconsistent with others submitted.

The Transport Statement also states that under normal operating conditions the site will be served by LGVs. Vehicle tracking should be provided to demonstrate that said vehicle can enter and exit the site without unintentionally overhanging the centreline of Ness Road.

The 2.4m x 215m visibility splay at the access is appropriate. We normally request that when the nearside of the carriageway falls outside of the visibility splay, a tangential visibility also be shown. However, it is clear that in this instance the tangential visibility will also fall within public highway.

Given that the main traffic impact and large vehicles will be visiting the site during construction, a construction traffic management plan will be beneficial. This plan should consider management of large deliveries to avoid meeting on the narrow track and also any potential limitations arising from restricted headroom along the access due to overhead lines. The construction plan should also detail how articulated vehicles and low loaders can turn around on-site during construction, to avoid long reversing distances onto the public highway.

The vehicle tracking in drawing 2921-01-ATR1 (insert 7) is not contained within the access track and the application boundary. The tracking plan, and if necessary, the access track, should be amended accordingly.

Given the length of narrow access, I recommend that you consult with the Fire & Rescue service.

Conditions

HW9A: Prior to the commencement of use any gate or gates to the vehicular access shall be set back a minimum of 6m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards. This style of access gate or gates shall be used at all times/thereafter be retained in perpetuity.

HW22A: The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

Non Standard Condition: Prior to commencement of use, the vehicular access from the existing carriageway edge shall be laid out and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by the local planning authority, and such a scheme shall include the provision of a metalled/sealed surface for a minimum length of 5m from the existing carriageway edge.”

23 June 2021

"The re-submitted vehicle tracking plans and access visibility plan addresses my previous comments and as such I do not object to this application.

However, I advise that a construction traffic management plan be required for this site to safely manage construction traffic, in particular to minimise any potential conflict of low loaders at the site access. When a low loader is entering the site from Ness Road, vehicles exiting the site may need to be held back to prevent collisions and blocking of Ness Road. Please append recommended conditions.

Asset Information Definitive Map Officer –

10 May 2021

"The proposed cable route runs along Public Byway Open to All Traffic No. 15 and No. 16, Burwell. Whilst the Definitive Map Team has no objection to this proposal, the applicant should be aware of the presence of the public byway, its legal alignment and width which may differ from what is available on the ground. The applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website at https://www.cambridgeshire.gov.uk/residents/travel-roads-and_parking/roads-and-pathways/highway-licences-and-permits/.

Informatives

Should you be minded to grant planning permission then we would also be grateful that the following informatives are included: • Public Byway Open to All Traffic No. 16 and No. 17, Burwell must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway). • No alteration to the Byway's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971). • Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980). • The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1). • Members of the public on foot, horseback and pedal cycle have the dominant right of passage along the public byway; private vehicular users must 'give way' to them"

National Air Traffic Services Ltd -

Comments received on 13 and 14 May 2021 and 7 October stating:

"The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of

this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.”

Defence Infrastructure Organisation Safeguarding (Wind Turb) –

14 July 2021

“Thank you for consulting the Ministry of Defence (MOD) on the above development which was received by this office on 11/05/2021. The applicant is seeking full planning permission for the proposed development of a Solar Farm and Ancillary Development. The application site is approximately 11.2km from the centre of the runway at RAF Mildenhall and occupies the statutory aerodrome birdstrike safeguarding consultation zone surrounding the aerodrome. After reviewing the documents, I can confirm that the MOD has no objections to this proposal”

Cambridge Ramblers Association –

1 June 2021

“Our concern is with the proposed arrangements for the cables associated with plans for a solar farm to the east of Breach Farm, Ness Road, Burwell. We note that, at present, Haycroft Lane is a pleasant restricted byway which leads to several rights of way to Landwade, Fordham, Exning and Burwell. It is not clear what surface this route will have in future, nor what arrangements have been made for any diversions whilst construction is underway. Should planning permission be granted for the solar farm we would ask that the cable route is in land adjacent to Haycroft Lane, not along it. We are similarly concerned about the potential impact of the cabling works on Howlem Balk, both long term and during construction.”

Ramblers Association South –

28 June 2021

“Almost the whole of the current site is in Suffolk but it is to be accessed from Ness Road, Burwell. In recent years, at least three sites of similar size have been approved by East Cambs DC, in the Burwell area, all, like this one, intended to feed the major sub-station to the west of Burwell village. In the absence of any knowledge to the contrary, it would appear that the current application is speculative, but the perceived policy of East Cambs makes it difficult to justify an outright rejection, particularly with the monster cross-border 'Sunnica' proposal, not to be determined at local level, still lurking in the background; indeed the 'Sunnica' cable route may well cross a corner of the current site. Question? How much is 'enough' or will speculative applications continue to be received? Our main interest here is to assess the likely impact of the proposals on the local rights of way network, all byways, as it happens, and all have been walked in the last day or so.

Starting from just beyond the north-western end of Landwade Road, the walked route headed south west through a linear thicket for about 500m along Exning restricted byway,(rb), 25, parallel to the south-west boundary of the site. Whilst this section of the route is generally of adequate walking width, its margins are bounded

by what were once hedges, screening the site at present. Beyond the 'hedge' to the north-west is a deep ditch and it is envisaged that a security fence will be erected beyond that, with room to enable ditch clearance by machine.

Emerging from the thicket, with an open field to the left, the route becomes field-edge with a better managed hedge to its right, the only view of the site being via a field access. This situation continues to about 200m prior to the junction with Exning rb.26, when the site boundary turns north-west with a wooded nature reserve to its right. Reaching the junction, the route turned right along rb.26, soon passing into Cambridgeshire near Beeching's House and the former railway line, becoming Burwell byway 16, Haycroft Lane, a hedged track which continues to the B1102, with intermittent glimpses of the site through gaps.

None of the byways, restricted or otherwise, described above, nor Landwade Road and North End, should be used in connection with the construction of the solar farm or during its lifetime. It was not possible to view the north-west and north-east boundaries apart from at a distance and near the start of the perambulation, where there is a concrete road and a very deep ditch.

Despite the rather bleak landscape, the site is well provided with hedges and shelter belts, not just along its boundaries, but also around some of the smaller fields that it comprises. There are also many ditches. These features should be retained and further planting should be carried out adjacent to the external boundaries, where none exist at present. A planted buffer strip might be appropriate along the north-east boundary, and elsewhere, to soften the impact of any security fencing that may be provided.

Bearing in mind what has been said earlier about the use of the byways, the cable routes shown on plan, following Haycroft Lane and Howlem Balk, both with byway status, give cause for concern and are reported to become 'in part a mud-bath' during the Winter months. Should permission be given for their use as cable routes, then alternative routes should be provided for legitimate users until such time as reinstatement is carried out, or preferably, a permanent alternative should be created, perhaps based on the extension of the concrete road, referred to earlier, and its addition to the Definitive Map."

ECDC Trees Team –

17 June 2021

"The submitted soft landscaping is acceptable though there is a missed opportunity for additional hedge planting lining the access road this could provide a substantial linier foraging feature for birds and bats as well as general wildlife habitat creation."

West Suffolk District Council Local Planning Authority – 15 November 2021

Confirmed that it was seeking to approve the application following drainage matters being resolved.

West Suffolk District Council Local Ecology and Landscape Officer –

2 November 2021

See appendix 2

Suffolk Preservation Society

(Cc'ed to East Cambs)– 14 June 2021

The introduction and conclusion of their comments are:

“I write on behalf of the Suffolk Preservation Society (SPS) in response to the above parallel application for a 49.9MW solar farm on 192 acres (78 hectares) of grade 3 agricultural land in Landswade. SPS supports the transition towards a zero-carbon energy system and recognises that this requires an increase in renewable energy generation, including solar. We support renewable energy schemes which balance the necessary considerations of our natural environment, heritage, landscape and the views of local people and allow local communities to positively shape their energy futures. We wish to comment on the loss of high-grade agricultural land; the landscape and visual impacts, the impacts upon the local footpath network; the incomplete assessment of impacts on heritage assets; and the lack of local public support. We also call for the cumulative impacts of the scheme to be to be considered by the local authority in relation to a proximate large scale solar installation proposed by Sunnica. Our comments are limited to those areas of the development site that impact on Suffolk and an absence of comment on some parts of the scheme across the county boundary should not be read as any form of tacit acceptance...

In conclusion therefore, SPS recognises the urgent need for renewable energy and is in full support of renewable energy projects done well, suitably located, scaled, assessed, mitigated and where necessary compensated. Regrettably, the Breach Farm scheme involves the loss of a significant amount of prime agricultural land. Furthermore, the cumulative impacts of extant, consented and emerging solar farm proposals all in close proximity to Burwell substation and/or to each other across the East Cambs/Suffolk border will result in a fundamental shift in landscape character. When travelling between Burwell and Mildenhall, the kinetic experience will be one of repeated solar farms which, in combination, will bring about a transformation of identity from agrarian to industrial. Furthermore, the proposed mitigation (even at 5 years) is considered to be insufficient to achieve its objectives and the proposals will result in material harm to visual amenity, heritage and landscape character. In the event that officers are minded to support the application, it is strongly recommended that the layout is amended and the solar panels are set back from the perimeter by a minimum of 5-6m and buffer strips of grasses and wild flowers are provided to create biodiversity net gain. Furthermore, new hedgerows should include standard trees at 100m intervals.”

They have also provided comments in regards to Government advice, lack of public consultation, site selection, cumulative impact, landscape and impact on heritage.

Suffolk County Council (Conservation Team) –

19 October 2021

“This proposed solar farm site is situated within area of extremely high archaeological potential as defined by the Historic Environment Record and due to its topographically favourable position for early occupation, adjacent to a former watercourse and on light soils. Within the proposed development area, cropmark enclosures have been recorded (EXG 155), as well as finds scatters of Roman and medieval date (EXG 039). Immediately adjacent to the proposed development area,

a Roman coin hoard (EXG 151) has been recovered, as well as the remains of an Anglo Saxon reliquary box and human remains EXG 150). An extensive area of Roman archaeology has been recorded immediately to the east of the site, with archaeological excavations and finds scatters identifying Roman occupation for almost a mile (EXG 012, 013 and 036), believed to relate to a Roman Villa complex. Extensive finds scatters of prehistoric and particularly Roman and Anglo-Saxon date have been identified surrounding the proposed development area, indicative of both settlement and funerary activity (EXG 039, 078, 085), along with cropmarks of enclosures likely to relate to the remain of prehistoric burial monuments (EXG 042-44). A geophysical survey of the site has detected a number of anomalies which may be archaeological in nature. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area and the proposed development would cause ground disturbance that has potential to damage or destroy any below ground heritage assets that exist. As a first phase of archaeological evaluation has recorded limited archaeological remains, there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. In this case the following two conditions would be appropriate:

No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

The solar farm shall not be brought into operation until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition. REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy CS3 of Forest Heath District Council Core Strategy Development Plan Document (2010) and the National Planning Policy Framework (2019).”

Planning Casework Unit - No Comments Received

Ward Councillors - No Comments Received

CCC Growth & Development - No Comments Received

Waste Strategy (ECDC) - No Comments Received

Cambridgeshire Archaeology - No Comments Received

The National Trust - No Comments Received

Emma Forrest Civil Aviation Authority - No Comments Received

5.2 A site notice was displayed near the site on 11 May 2021 and a press advert was published in the Cambridge Evening News on 21 October 2021.

5.3 Neighbours – 128 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

81a North Street – 13 October 2021

Supports the application as it is important to reduce carbon footprint. However, is seeking additional biodiversity improvements.

50 North Street – 10 June 2021

"1. I would like to object to this solar farm on the grounds that it will blight another area around Burwell. 2. There are so many around the village ---Heath Road, Factory Road, Hightown Drove off Reach Road 3. I think Burwell has more than done its bit"

100 North Street –

"I am opposing this awful scheme because first of all enough is enough; why is Burwell being threatened with being surrounded by non-stop positioning of solar panels blighting the countryside. They have already been built on farmland here; now the proposition is to take even more, at a time when having left the EU we should aiming for more self sufficiency not less! Why has it been deemed that Burwell should be ruined, and why have we not been told about this?"

29 Burwell Road – 17 May 2021

"The proposal is out of the local plan. There has already been a large scale solar farm granted planning and since sold on. These applications are being applied for piecemeal and the likelihood join the proposed Sunnica solar. Wake up East Cambs. We have some of the best and only grade 2 arable land in the UK. Not for solar"

31 Hately Drive – 17 May 2021

"The cable appears to run across the B1102 Ness Rd, then down North St and Hythe Lane. On a previous Sunnica application the cable run went under the B1102 further up the road and around Burwell. Could Sunnica not plan ahead and create a parallel cable duct to run alongside their first application plan which would obviate the digging up of North Street and Hythe Lane as this would cause massive amounts of disruption to most of the residents of Burwell."

121a North Street – 12 May 2021

“The development is outside the local plan. Ref ness road and slide farm applications. It is also on a public bridleway/footpath. Also, with the close proximity of two existing and another large proposed solar farm (Sunnica)it is not needed.”

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational Strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 6	Renewable energy development
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 5	Strategic green infrastructure
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
Contaminated Land
Cambridgeshire Flood and Water
Renewable Energy Development (Commercial Scale)
Natural Environment
Climate Change

6.3 National Planning Policy Framework 2021

- 2 Achieving sustainable development
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

Planning Guidance 067 Reference ID: 7-067-20140306

7.0 PLANNING COMMENTS

7.1 Environmental Statement

7.2 The application was screened under planning reference 21/00062/SCREEN where it was concluded that:

“It is considered that due to the size of the proposed solar farm and with the significant amount of energy farm developments which are in situ, consented and being proposed in the locality there will be a cumulative significant impact upon the landscape and visual character of the area and the amount of high quality farmland being used. In addition, Historic England has confirmed that there is a potential significant impact on the historic environment and thus this must be included within the Environment Statement.”

- 7.3 It is generally considered that by 2050 the world will have a homo sapien (humans) population of around 9 to 10 billion (currently around 7.5 billion). There is substantial scientific argument that we can currently feed 10 billion people, though not necessarily sustainably. Starvation is, therefore, currently down to greed and bad management of food production/storage/distribution and not down to lack of agricultural land.
- 7.4 The 73 hectare (180 acres) site is made up of:
- 4.8 hectares/11.9 acres (6.4%) Grade 2 Agricultural Land
 - 46.7 hectares/115.4 acres (64%) Grade 3a Agricultural Land
 - 18.3 hectares/45 acres (25.1%) Grade 3b Agricultural Land
 - 3.2 hectares/7.9 acres (4.4%) non agricultural
- 7.5 The site is therefore made up of 70% of land which should be considered as the best and most versatile agricultural land. Grade 2 agricultural land is considered as very good and grade 3a is considered of good quality. The loss of grade 2 should always be carefully considered due to it having only minor limitations that will affect food production.
- 7.6 The developer has argued that if the site remains in intensive arable production it is likely that the organic matter in the topsoil will continue to degrade by oxidation (this releasing carbon dioxide into the atmosphere) and will lower the quality of the agricultural land in the long term.
- 7.7 The developer goes on to state that the cumulative loss of agricultural land from the approved solar farms and planned solar farms (primarily Sunnica) uses 515 hectares (1272.6 acres) of the best and most versatile agricultural land, which represents 0.8% of East Cambridgeshire and the former Forest Heath Districts supply.
- 7.8 The majority of the site will still be able to be used as grazing land and this area could improve in agricultural quality in 40 years. With the site still being able to be used for low intensive farming and the long term improvement; it is considered the proposal will lead to a low level to moderate detrimental impact (in regards to Environmental Impact) in the short-medium term with long term benefits (post 40 years). It is also noted that no planning permission is needed to change land from arable to pastoral farming.
- 7.9 In regards to potential significant effect upon the rural character of the area, the continued amount of solar farms (both potentially, approved and operational) in the local area could have a substantial impact to how people experience the countryside in this area of East Cambridgeshire.

- 7.10 This site sits approximately in the middle between the edge of the proposed energy farm of Sunnica (excluding cable lines) and the solar farms between Wicken and Soham, those on the western edge of Burwell and the solar farms to the southeast of Burwell. It is also noted the additional solar farms being sought in Swaffham Prior. However, the latest proposed solar farm being proposed in Swaffham Prior has not yet progressed beyond Scoping (21/00854/SCREEN and 21/01276/SCOPE).
- 7.11 At theoretical worst the proposal may therefore act as a bridge between the different solar farms being developed and sought within the districts of East Cambridgeshire and West Suffolk. However, it must be noted that there is a ridge that runs between Exning and Landwade that would visually separate this scheme from Sunnica (if Sunnica, were to be approved). In addition, the developer's argument within the Environmental Statement that with the distance and existing landscape between this proposal and the other solar farms (approved, existing and sought) there would be "very little potential for any cumulative interaction between the schemes to occur". On the whole this argument is accepted.
- 7.12 However, the proposed cable route along the byway to the south of the site is likely to cause significant and detrimental impact to the ability to enjoy this recreational route for pedestrians, cyclists and horse riders in the short term (during construction period). However, it is accepted that by the 5th year post construction the impact upon the visual character of this recreational route will be negligible. It is noted that West Suffolk District Council Local Ecology and Landscape Officer and Cambridgeshire County Council's Asset Information Definitive Map Officer are not objecting to the proposal.
- 7.13 The proposal is not considered to have any noticeable impact upon the setting of Ely Cathedral, as backed by Historic England and the Conservation Officer.
- 7.14 It is noted that Cambridgeshire archaeologists have deferred to their Suffolk counterparts, due to the site primarily being in Suffolk. The conditions requested by Suffolk County Council in regards to archaeology will be duly added. While these are not this Council's standard wording it is considered better practice in this case given that the majority of archaeological works will be on their side of the border and that it has been Suffolk County Council taking the lead.
- 7.15 While there is likely to be a large short term disturbance to the residents within the Conservation Area (North Street) this impact will only last during the construction phase. As stated by Historic England the level of harm at worst is considered to be less than substantial. This harm would be clearly outweighed by the significant public benefit of renewable energy and on this basis it would not be justifiable to refuse the application on these grounds.
- 7.16 The proposal complies with policies ENV6, ENV11, ENV12 and ENV14 of the Adopted Local Plan.
- 7.17 Principle of Development
- 7.18 The requirement to limit the global temperature to a maximum of 1.5C (compared to pre-industrial temperatures) should be considered as fundamental and needs to be

secured within the next ten years. The Government published the 'Net-Zero Strategy: Build Back Greener' in October 2021, which has a key policy of a fully decarbonised power system by 2035. This follows on from the 27 June 2019 when the United Kingdom (UK) passed legislation requiring the Government to reduce emissions of greenhouse gases by 100% compared to 1990 levels to ensure that the net zero target will be met by 2050.

7.19 This scheme of 49.9MW can power approximately 32,500 houses.

7.20 The NPPF states under para 158:

“When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas”

7.21 Policy ENV6 of the Adopted Local Plan states:

“Proposals for renewable energy and associated infrastructure will be supported, unless their wider environmental, social and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable in relation to:

- The local environmental and visual landscape impact.
- Impact on the character and appearance of the streetscape/buildings.
- Key views, in particular those of Ely Cathedral.
- Protected species.
- Residential amenity.
- Safeguarding areas from nearby airfields; and
- Heritage assets

Renewable energy proposals which affect sites of international, national and local nature importance or other irreplaceable habitats will be determined against the relevant sections of Policy ENV7.

The visual and amenity impacts of proposed structures will be assessed on their merits, both individually and cumulatively.

Provision should be made for the removal of facilities and reinstatement of the site, should they cease to operate.”

7.22 The Council's Renewable Energy SPD states:

“In summary proposals for renewable energy generation will be considered on their merits, on a case by case basis. The Council will take account of any

environmental, economic or social benefits...The Council will refuse planning permission for commercial scale renewable energy schemes where it is considered that there are significant adverse impacts which outweigh the wider benefits of renewable energy development identified above. The Council will also consider to what extent any adverse impacts can be mitigated through the design and siting of proposals or by applying appropriate planning conditions. The views of local communities, residents, parish and town councils, community groups and all elected representatives relating to commercial scale renewable energy schemes will also be given significant weight in the determination of planning applications.”

7.23 On the 21 October 2019 East Cambridgeshire District Council declared a climate emergency, with the Leader of the Council stating:

“We acknowledge that the Council has a significant role to play in protecting and improving the environment for future generations and so we made the decision to amend our own climate change motion to formally declare a climate emergency.”

We are proud of the work we already do as a Council to reduce our impact on the environment and we welcome the opportunity to join over 200 other Councils across the UK who are also working to fight climate change. On behalf of our residents, we as a Council will be taking the appropriate actions. The most ambitious piece of work already underway by the Council is the development of a joint bid with Cambridgeshire County Council to Innovate UK to design an energy system to deliver net zero carbon emissions from energy use in East Cambridgeshire by 2050; the project focuses on shifting transport, gas and oil use to electricity and to grow the electricity network to cater for the change.”

7.24 This follows a year after the Intergovernmental Panel on Climate Change (IPCC) stated the world had 12 years to ensure global temperatures do not raise by more than 1.5C. Going beyond a rise of 1.5C will have a significant effect on the world’s liveability. It has also stated that if there is not a 45% reduction in CO2 levels from 2010 levels by 2030 the 2050 target will not be met.

7.25 The requirements of the Climate Emergency will require a complete change on how humans respond to the Earth; as either the rapid change to climate caused by humans will create a more hostile/unpredictable climate or humans will have to radically change their diet (in both senses of the definition: food/activities) and provide a continuous fight against climate change.

7.26 In short scientists advise that if climate change is not substantially tackled by 2030 it will be the cause of the death of large numbers of the species that inhabit the world including humans. The International Committee of the Red Cross consider there to be 250,000 more deaths in the human population each year between 2030-2050, including from malnutrition, due to climate change.

7.27 In regards to principle it is concluded that a solar farm in this location is acceptable in principle due to the clear policy guidance at both national and district level; in addition to the clear international requirements to tackle climate change. The benefit of renewable solar energy is considered to be granted very substantial weight. The proposal will help to ensure the Council meets the 2050 target by providing renewable energy early that will be up and running prior to 2030. In order

to reasonably argue for this application to be refused it would need to be demonstrated that significant and demonstrable harm either individually or cumulatively, which cannot be mitigated against would be caused by the proposal and that is not considered to be the case.

- 7.28 The additional benefits and harm, alongside the assessment in accordance with policy ENV6 of the Local Plan which specifically relates to renewable energy development are covered in the remainder of the report.
- 7.29 Residential Amenity
- 7.30 It is considered due to the nature of the proposal and the location of residential properties in relation to the site, that while it is operational, the proposal will have very limited impact upon residential amenity.
- 7.31 It is noted that the construction of solar farms can lead to substantial impact upon the amenity of surrounding residents; demonstrated by peoples' previous concerns in regards to Goosehall Farm solar farm, located to the west of Burwell.
- 7.32 On this basis it is considered reasonable to both condition when general construction/deliveries take place and a tighter time frame of when piling can be undertaken (if required); on this basis the comments from the Environmental Health Officer are supported. This should grant a balance between allowing the solar farm to be constructed, while providing protection to the local residents during that period. In addition, the case officer supports the Environmental Health Officer in removing rights to install additional external lights and the requirement for a Construction Environmental Management Plan (CEMP). It should be noted that while the CEMP can help minimise the impact of construction; it must also be noted that conditions provide controls on the site and are far more difficult to impose or enforce for off-site impacts. So, while a CEMP can require a preferred route for heavy good vehicles, the Council's Enforcement Team cannot easily monitor if this is being complied with or enforce as we cannot control the use of the public highway.
- 7.33 It is considered that subject to suitable conditions the proposal will be acceptable in regards to policies ENV2 and ENV6 of the Adopted Local Plan.
- 7.34 Visual Amenity
- 7.35 The vast majority of the site is located within West Suffolk as set out in this report. West Suffolk have confirmed that they are in support of this cross-boundary application. West Suffolk District Council Ecology and Landscape Officer is not raising any objection to the proposal as amended. Given that the vast majority of this proposal is within West Suffolk this should be granted substantial weight in the determination of this application.
- 7.36 Within the submitted Environmental Statement the viewpoints within East Cambridgeshire are 4-7 and 10; viewpoint 9 should also be carefully considered as it is within the transition between Cambridgeshire and Suffolk.

- 7.37 Viewpoint 7 – located on Ness Road (near High Ness Farm) approximately 1,000m (3280 feet) from the edge of the solar farm. It is accepted that the harm at worst would be moderate; though given the distance, existing landscape and time for new landscape to develop the impact upon this view would likely be minimal.
- 7.38 Viewpoint 10 – located on Ness Road and opposite the site entrance. The developer has confirmed that the existing track is approximately 3.8m (12.8 feet) wide and would be widened to 6m (19.7 feet) (2.2m widening) at the site entrance for a distance of 50m (123 feet) to allow HGVs to pass during construction. There is no photomontage for this viewpoint post construction. The development would clearly change the existing typical farm access into a roadway. While this would lead to some harm upon the rural character, it is considered to be minimal.
- 7.39 Viewpoint 6 – Located on Ness Road (near the layby) approximately 800m (2624.7 feet) from the edge of the solar farm. Given the existing farm building of Breach Farm, existing landscape and proposed landscaping it is accepted that the proposal will have a small impact upon the character of the area from this viewpoint.
- 7.40 Viewpoint 5 – Located on Ness Road (edge of built form of Burwell) approximately 1000m (3280 feet) away from the edge of the solar farm. Given the distance and existing landscape it is accepted that any impact on this viewpoint is unlikely to be greater than negligible.
- 7.41 Viewpoint 4 – Located on Haycroft Lane (byway) approximately 200m (656 feet) away from the edge of the solar farm. At year 1 post construction the solar panels will be clearly visible and is considered that the level of harm would be significantly detrimental. However, by year 5 the landscape will have established and this will reduce the impact on the byway to negligible.
- 7.42 Viewpoint 9 – Located on Haycroft Lane (byway) adjacent to the site. At year 1 post construction the solar panels and other infrastructure will be clearly visible and will define the view across the countryside; on this basis it will have a significant detrimental harm to enjoyment of this part of the countryside. However, by year 5 the view will change to one of hedgerows and will be in keeping with the existing character of this area of countryside. The long term impact is accepted as being negligible.
- 7.43 Overall, while the proposal in the short term will have a large negative impact to those traveling next to the site, the long distance views of this landscape are unlikely to be noticeably effected from the viewpoints within East Cambridgeshire. It is on the basis that once the landscaping has established at worst the proposal will have minor harm; it is on this basis that the proposal is considered to meet with policies ENV1, ENV2 and ENV6 of the Adopted Local Plan.
- 7.44 Highways
- 7.45 The site is accessed off Ness Road, though there will be substantial road works required within Burwell (primarily North Street) in order to allow network connection to the Burwell Substation.

- 7.46 The Local Highways Authority raise no objections to this proposal subject to conditions in regards to access and to ensure construction traffic is managed. These conditions are considered reasonable in order to ensure appropriate access, specifically in the short term during construction, when the greatest impact will be on the public highway.
- 7.47 It is considered more appropriate to include construction traffic management (as requested by County Highways) in a Construction Environmental Management Plan (CEMP) that should also include how the cable route will be suitably constructed.
- 7.48 The proposal is considered to meet with the requirements of policies COM7 and COM8 of the Adopted Local Plan, subject to the relevant conditions.
- 7.49 Aviation
- 7.50 The developer provided a Glint and Glare Assessment that stated there would be no expected impact on aviation.
- 7.51 It is noted that the Ministry of Defence, National Air Traffic Services Ltd and Cambridge Airport Ltd raise no objections to this proposal. There is no reason to believe that these experts in their field have assessed the development incorrectly. On this basis, the proposal will not have any detrimental impact upon aviation in the local area in accordance with policy ENV6 of the Adopted Local Plan.
- 7.52 Fire Safety
- 7.53 It is noted that both Cambridgeshire and Suffolk Fire Services are seeking conditions in order to ensure that any fire on site is appropriately controlled. The professional advice of these experts is accepted and given that the majority of the site is within Suffolk the Suffolk Fire Service recommended conditions should be duly added.
- 7.54 Ecology
- 7.55 The site is on farmed arable land and the developer is seeking to improve biodiversity by approximately 33%. The developer also provided updated reports on bird, water vole and otters surveys, as well as badgers (report is confidential).
- 7.56 The site is in proximity to the internationally designated sites of Chippenham Fen Ramsar and Fenland Special Area of Conservation (SAC), six SSSIs and a County Wildlife Site of New River and Monks Lodge.
- 7.57 No objections have been received from the Cambridgeshire Wildlife Trust and West Suffolk Ecology and Landscape Officer. West Suffolk have recommended several conditions in order to ensure biodiversity is protected, again given the amount of the site that is within their district it is considered appropriate for them to take the lead on this matter. The biodiversity gain is primarily through new habitats via landscaping.

- 7.58 The proposal complies with policies ENV6 and ENV7 of the Adopted Local Plan and the Natural Environment SPD.
- 7.59 Flood Risk and Drainage
- 7.60 The site is primarily in Flood Zone 1, though parts of it are also located with Flood Zones 2 and 3. The Environment Agency and Lead Local Flood Authorities have no objections to the development subject to conditions to control surface water and to prevent water contamination.
- 7.61 The developer has assessed the proposal as a less vulnerable use, which is appropriate in flood zone 2 and 3. However, the Case Officer considers the proposal to fit more comfortable within Essential Infrastructure that is still acceptable subject to an exception test to ensure:
“In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood” (Planning Guidance 067 Reference ID: 7-067-20140306).”
- 7.62 However, even if the proposal is considered under the high risk category of essential infrastructure the proposal is still considered to be acceptable. It is accepted there is a significant need for renewable energy that goes beyond the need for the provision of a couple of solar farms in the area and this is a wider substantial benefit to the community that outweighs the flood risk.
- 7.63 There is also an argument that creating solar farms (clean energy) and by meeting the 2050 target will reduce the future risk of both severe droughts and floods.
- 7.64 It is also noted that the development is seeking to place its inverts/transformers, storage buildings, control building, switchgear building and batter storage outside of Flood Zone 3a.
- 7.65 The proposal is considered to comply with policy ENV8 of the Adopted Local Plan, as well as the requirements of the NPPF and the Flood and Water SPD.
- 7.66 Post 40 Years
- 7.67 A condition is recommended to ensure that the Council controls the restoration of the land at the end of the operational life of the solar farm.
- 7.68 Planning Balance
- 7.69 With the need to create energy from sustainable methods, allowing continued economic growth, the transition to electric cars and the reduction in using natural gas to heat properties places a significant requirement on the planning system to allow renewable energy schemes. The scheme is also highly likely to improve biodiversity and drainage on the site; as well as long term benefits to agricultural land quality. The merits of the scheme far outweigh any short term harm identified.
- 7.70 It is considered that the cumulative impacts are not great enough to harm the landscape in the long term and warrant the refusal of this application. However, it is

likely there will be detrimental impact to the overall enjoyment of the countryside in the short term given the amount of solar farm construction in the area.

7.71 It has been assessed that the proposal will have less than substantial harm to heritage. However, this level of harm is clearly outweighed by the public benefit of renewable energy and the requirement of an archaeology condition.

7.72 The proposal is considered to comply with the adopted Local Plan, Renewable Energy Development SPD, Natural Environment SPD and National Policy (NPPF).

7.73 On this basis it is recommended that the application is approved, subject to the recommended conditions.

8.0 COSTS

8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.

8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.

8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

8.4 In this case members' attention is particularly drawn to the following points:

- Principle of development
- Fundamental need for renewable energy
- East Cambridgeshire has declared a climate emergency
- No objections from statutory bodies

9.0 APPENDICES

9.1 Appendix 1 – Recommended Conditions

9.2 Appendix 2 – West Suffolk Ecology and Landscape Officer comments

Background Documents

Location

Contact Officer(s)

21/00706/ESF

Andrew Phillips
Room No. 011
The Grange
Ely

Andrew Phillips
Planning Team Leader
01353 665555
andrew.phillips@eastcambs.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 21/00706/ESF Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
2921-01-03	REV F	21st September 2021
2921-01-12	REV B	21st September 2021
FIGURE 4.1 GENERAL ARRANGEMENTS 2021	REV A	21st September
FIGURE 4.10	REV A	21st September 2021
FIGURE 5.2B	REV A	21st September 2021
2921-01-ATR1	B	21st June 2021
2921-01-ART02	B	21st June 2021
2921-01-D01	B	21st June 2021
2921-01-01	A	29th April 2021
2921-01-02	A	29th April 2021
2921-01-05	A	29th April 2021
2921-01-06	A	29th April 2021
2921-01-04		29th April 2021
2921-01-07		29th April 2021
2921-01-08		29th April 2021
2921-01-09		29th April 2021

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 This permission is for a limited period only, expiring 40 years from the date of this decision or 6 months after the solar panels on site are no longer being used for the production of energy. After this date, the site shall be reinstated to arable agricultural land in accordance with a scheme to be submitted and agreed in writing by the Local Planning Authority prior to the expiration of this permission.

The scheme shall address, though not limited to, the following areas:

- Soil Management
- Hours of works
- Lighting
- Noise
- Traffic and highway impacts,
- Public Rights of Way
- Wildlife
- Soft landscaping including protection measures

- 3 Reason: The application has been assessed and determined on this basis.

- 4 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of 15 years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 4 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 Prior to the commencement of use of the development, a scheme for the maintenance of the soft landscaping for the lifetime of the development, shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be maintained in accordance with the agreed scheme. The scheme shall include the following:
- i) methods for the proposed maintenance regime;
 - ii) detailed schedule;
 - iii) details of who will be responsible for the continuing implementation
 - iv) details of any phasing arrangements
- 5 Reason: To ensure the longevity of the landscaping scheme and benefit to biodiversity, in accordance with policy ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 6 The, hereby approved, solar farm shall only export up to 49.995MWe of renewable electricity to the National Grid during peak operation.
- 6 Reason: The application has been assessed and determined on this basis.
- 7 No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and: a. The programme and methodology of site investigation and recording b. The programme for post investigation assessment c. Provision to be made for analysis of the site investigation and recording d. Provision to be made for publication and dissemination of the analysis and records of the site investigation e. Provision to be made for archive deposition of the analysis and records of the site investigation f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
- 7 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-

commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 8 The solar farm shall not be brought into operation until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under the previous condition and the provision made for analysis, publication and dissemination of results and archive deposition.
- 8 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015.
- 9 Construction times and deliveries, with the exception of fit-out and excluding piling, shall be limited to the following hours:

07:30 - 18:00 each day Monday - Friday
07:30 - 13:00 on Saturdays and
None on Sundays, Public or Bank Holidays

Any piling construction work is limited to:

09:00 - 17:00 each day Monday - Friday
None on Saturdays, Sundays, Public or Bank Holiday

- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The aims and scope of the CEMP should reflect that set out in the Environmental Statement at sections 4.3.32-33 and include:
 - Details of the final design to control tonal noise characteristics from plant with completion of the works to be verified on site by a specialist noise consultant and notification in writing to the Local Planning Authority of the completion and verification of the works.
 - Mitigation measures for vibration.
 - Measures to limit the effects of temporary construction lighting.
 - Measures to ensure successful retention of existing vegetation including use of protective fencing.
 - Phasing details and timescales for construction.
 - Protocols governing the establishment of temporary contractors' compounds to reduce any potential adverse effects upon the amenity of the surrounding area.
 - Provisions for public communication to inform local people and rights of way users about construction activities at the site.
 - An updated Biodiversity updated Biodiversity Management Plan (BMP) including details of update surveys undertaken prior to construction.
 - Pre-commencement checks on any construction areas affecting existing habitats including the ditch network by an on-site ecologist or ecological clerk of works.
 - Runoff control and pollution prevention measures to protect aquatic/bankside habitats.

- A photographic survey to be carried out to determine the condition of the carriageway and footways prior to commencement of the works.
- Means of access for construction traffic
- Details of routes for construction traffic on the highway network and monitoring and review mechanisms.
- Details of measures to prevent mud on the highway from vehicles leaving the site during construction.
- Details of deliveries times to the site.
- Details of measures to ensure pedestrian and cycle safety.
- Programme of works including measures for traffic management and operating hours.
- Parking and turning provision for vehicles of site personnel, operatives and visitors.
- Loading and unloading of plant and materials.
- Storage of plant and materials.
- The maintenance of a register of complaints and record of actions taken to deal with such complaints at the site office.

The approved CEMP shall be adhered to at all times during the construction phase.

- 10 Reason: To safeguard the residential amenity of neighbouring occupiers, suitable highway management and water management during construction in accordance with policies ENV2, ENV8 and COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 The level of noise emitted from the site during daytime periods shall not exceed the representative background sound level determined at the nearest noise sensitive premises as set out within the submitted Noise Assessment. During night-time periods level of noise emitted from the site shall not exceed the representative background sound level +4dB or an absolute level of 30dB LAeq15mins, whichever is the higher.
- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, suitable highway management and water management during construction in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 12 No above ground construction shall commence until full details of hard landscape (including fencing) works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning Authority prior to first occupation.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and to prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to commencement of use any gate or gates to the vehicular access shall be set back a minimum of 9 m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards. This style of access gate or gates shall be used at all times/thereafter be retained in perpetuity.

- 13 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 14 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 14 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.
- 15 Prior to commencement of use, the vehicular access from the existing carriageway edge shall be laid out and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by the local planning authority, and such a scheme shall include the provision of a metalled/sealed surface for a minimum length of 5m from the existing carriageway edge. The approved details shall be fully constructed prior to first use.
- 15 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 16 No external lights shall be erected within the site (either freestanding or building-mounted) other than those expressly authorised within this application.
- 16 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 and ENV6 of the East Cambridgeshire Local Plan 2015.
- 17 Prior to commencement of development details of the Battery Energy Storage System (BESS) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following as a minimum:
- Details of component procurements and construction techniques, including reference to all relevant guidance and legislation;
 - Details of the automatic fire detection and suppression systems to be incorporated in the development design;
 - Measures to incorporate redundancy in the design to provide multiple layers of protection;
 - Measures to contain and restrict the spread of fire through the use of fire-resistant materials, including adequate separation between elements of the BESS; and
 - Measures to ensure that sufficient water is available for manual firefighting, including the location of fire hydrants.
- 17 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 18 Prior to commencement of development an Emergency Response Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:
- Details of the hazards associated with lithium-ion batteries;
 - Isolation of electrical sources to enable firefighting activities;

- Measures to extinguish or cool batteries involved in fire;
- Management of toxic or flammable gases;
- Measures to minimise the environmental impact of an incident, including containment of fire water run-off, prevention of ground contamination and water course pollution and the release of toxic gases;
- Handling and responsibility for disposal of damaged batteries; and
- Establishment of regular onsite training exercises.

The Emergency Response Plan shall be maintained and reviewed on a regular basis (at least once every 2 years) in conjunction with West Suffolk Sustainable Communities and any material changes notified to Cambridge and Suffolk Fire and Rescue.

- 18 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 19 Prior to the commencement of development a water quality risk assessment report shall be submitted to, and approved in writing by, the local planning authority. The report shall include:
- the specification of any electrical transformers, batteries, and any other equipment on site (as applicable) with regard to the volumes and composition of any potentially polluting substances;
 - assessment of the risks (including from leakage, fire, explosion, malicious interference) to water quality presented by any electrical transformers, batteries, ancillary or other equipment or materials within the development, and details of the measures to be implemented to control those risks.
- The risk control measures proposed by the report shall be implemented as approved.
- 19 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 20 No development above ground level shall take place until, a landscape and ecological management plan (LEMP) has been submitted to and be approved in writing by the Local Planning Authority. The LEMP shall include the following:
- a. Description and evaluation of features to be managed
 - b. Ecological trends and constraints on site that might influence management
 - c. Aims and objectives of management
 - d. Appropriate management options for achieving aims and objectives
 - e. Prescriptions for management actions
 - f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - g. Details of the body or organization responsible for implementation of the plan
 - h. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- 20 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.
- 21 The development shall be carried out in strict accordance with the Protection Measures and legislative compliance measures set out in table 5.1.1 of the submitted Ecological Assessment Report.
- 21 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.
- 22 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Technical Note prepared by Westwood Services Ltd (ref: 5081 Final v1.1) dated 21 September 2021 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first use.
- 22 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 23 Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first use of the site. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
- 23 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 24 No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall

be brought into operation before any works to create buildings or hard surfaces commence.

- 24 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 25 No development shall commence until an Earthing and Harmonics Report has been submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the agreed details.
- 25 Reason: To ensure proper infrastructure for the site in the interests of public safety. This is supported by paragraph 95 of the NPPF. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.

West Suffolk Ecology and Landscape Officer Comments

DC/21/0968/FUL

**Land To the East of Breach Farm Ness Road Burwell East
Cambridgeshire**

**Planning application - solar farm with ancillary development and
vehicular access.**

**Comments following submission of amended and updated documents
submitted September and October 21**

The proposals include a solar farm, access road and cable route to Burwell substation. The proposals do not appear to include any information or assessment of the effects of the construction of the cable route, but maybe this is because it is outside of West Suffolk.

The layout of the solar farm has been modified to increase the separation distance between the PROW and the proposed solar panels along the southern and eastern boundaries of the site and include additional planting to mitigate visual effects.

Ecology

The applicant has submitted a Breeding Bird Survey Report (v2 31.08.21), water vole and otter survey, biodiversity net gain calculations and an Ecology Note (15 September 2021) in addition to the Ecological Assessment Report (Avian Ecology 19.04.21) previously submitted. Most recently the applicant has submitted an addendum to the ES which updates the Environmental statement in light of this new information.

The applicant has now submitted the Biodiversity Net Gain Metric 2.0 calculation tool - worksheet to support the claim that measurable biodiversity net gain will be achieved. It is not clear whether the culverting of the ditches to create the 6 road crossing points has been included in the calculations. Based on the results of the calculation tool, the ES addendum reports that the biodiversity net gain that could potentially be achieved in respect of habitat units would be around 33%, and in respect of linear units 53%. This is higher than is likely to be mandated by the Environment Bill once it gains consent.

A breeding bird survey has been undertaken and concluded that the change in use of the site would not impact breeding birds because although the bird assemblage is indicative of farmland habitats most species were associated with the field boundary vegetation which is unlikely to be directly impacted. The exception being skylarks which were present in low numbers (two singing males recorded). The assessment concluded that there would be temporary displacement of this species during construction but no long-term adverse effects on local populations of this species due to improved foraging and potentially breeding opportunities resulting from the operational solar farm.

An otter and water vole survey has now been submitted. The measures in the report, which include stand-off buffer of at least 5-6m from the banks of onsite ditches, pre-commencement check by an experienced ecologist, and implementation of reasonable avoidance measures (RAMs) during construction.

Runoff control and pollution prevention to protect aquatic/bankside habitats should be incorporated into the CEMP.

The introduction of wildflower meadow mix to the site is welcomed, however, from the information submitted it appears that this will be only a very small proportion of the site limited to the area outside of the fence and on the edges of existing ditches, and woodlands. The vast majority will be 'low maintenance pasture' and more wildflower grassland would be the preferred approach. The agent has suggested that there is scope for the grazing mix below the solar panels to be reviewed and this could be achieved through a planning condition to secure a detailed landscaping scheme for the site. Such a condition should be included.

The Protection measures and the legislative compliance measures included in table 5.1.1 of the Ecological Assessment Report should be implemented in full secured through condition.

Biodiversity Management Plan (BMP)

The replacement of failed tree and shrub planting (section 5.1.3) should be for at least 5 years. In addition to this it is important that the hedges and tree belts on the site are retained and maintained intact for the lifetime of the project; this should be clear within the BMP.

Notwithstanding the content of the BMP submitted, an updated version of this document should be secured to take into account measures including

- reasonable avoidance measures (RAMs) for otter and water voles,
- update to the management of hedges as detailed in the landscape and visual matters note, i.e. that hedgerows would be maintained to a minimum height of 3-3.5m and would be allowed to grow out to 5m before being re-cut
- management of woodland and tree belts.

A tree protection plan should be conditioned (see section 3.1.2 of the Biodiversity Management Plan)

Landscape

The methodology of the landscape and visual assessment is acceptable in relation to the effects of the solar farm, and generally follows GLIVA3. The methodology sets a high bar for what is considered to be significant. In section 5.3.12 the report states that *judgement in relation to this LVIA is that a greater than 'moderate' level of effect is more likely to be significant. This is because such an effect would generally result from larger magnitudes of change on higher sensitivity receptors.*

The amended proposals which set the panels further back from the site boundaries in the south and east have reduced the potential for visual effects from the adjacent PRow including in the winter when views through hedges are more likely. Where there are existing gaps (viewpoints 3 and 9) setting back the security fence and panels will reduce the residual effects both in the short term, because the panels will recede, and in the long term as screening becomes more effective. There remain some longer views from the wider countryside however these are confined to the agricultural land to the northwest and southeast where there are few, if any, receptors.

The changes to the visual assessment are shown in the table below to reduce the significance of long-term effects.

The *Landscape and Visual Matters Note/Response (September 21)* argues that the beneficial effects on the landscape fabric reported in the ES will arise from the long-term retention of hedgerows and species rich grassland which would endure following decommissioning. Whilst it is agreed that any hedges and woodland planting might be retained when the development site reverts to arable (section 4.3.37), there is no guarantee of this or that the species rich grassland would be retained.

Detailed landscape proposals for the site should be conditioned.

Summary of effects as assessed in the landscape report

	Construction	Year 1 operation	Residual
Landscape character - Lowland Village Chalklands and Rolling Estate Chalklands	-	Adverse, not significant	Beneficial
Planned Peat Fen and Settled Fenlands	-	Adverse, not significant	Beneficial
Viewpoint 1- Landwade Road	-	Moderate adv	Moderate adv
2 - Public byway, at Site boundary (NE corner)	Significant	Min/mod adv	Min/mod adv negligible
3 - Public byway, at Site boundary (East)	Significant	Significant Mod/major adv	Moderate adv Min/mod adv
8 - North End Road (south at corner)	-	Minor/mod adv	Minor/mod adv
9- Haycroft Lane (southern edge)	Significant	Significant Mod/major adv	Negligible
4 - Haycroft Lane (southwest)	Significant	Moderate adv	Negligible
5 - Ness Lane, Burwell (north east corner of settlement)	-	Negligible	Negligible
6 - Lay-by, Ness Road	-	Minor adv	Minor adv
10 - Ness Road, opposite Site entrance/ Breach cottages	Significant	Minor adv	Minor adv
7 - Ness Road, near High Ness Farm	-	Minor/mod adv	Minor/mod adv

The landscape report makes the point in section 5.3.11 that the *acceptability of landscape and visual effects is a matter to be weighed in the planning balance alongside other factors. What is important is that the likely environmental effects of any proposal are transparently assessed and described in order that the relevant determining authority can bring a balanced and well-informed judgement to bear as part of the decision-making process.*

Planning policy DM13 requires that landscape mitigation and compensation measures should be implemented to ensure that harm to the locally distinctive character is

minimised. Additional mitigation has been included to reduce the effects from the PRow with consequential reduction of the wider glimpsed views.

Policy DM 13 also requires that development proposals should demonstrate that their location scale, design, and materials will protect and where possible enhance the character of the landscape, including the settings of settlements. There is concern that the proposed development would impact the setting of Burwell, an island in the fenland landscape.

Landscape proposals

The Landscape proposals are shown on plan 2921-01-12. The plan illustrates the network of roads which will be surfaced and amount to 3.1km. Many of these roads are shown to be located immediately adjacent to the existing woodland tree and hedge network, however these must be outside of the 5-6m easement proposed for these features (5.5.15).

More information is required about the management that would be undertaken to minimise shading of taller hedgerows and tree belts (section 5.2.2). Sufficient easements should be required so that these interventions are not required as this is likely to have an effect on the amenity of the woodlands/tree belts and their ability to provide effective landscape mitigation. The retention of the tree belts for the lifetime of the project is required.

Topping of trees is not considered to be an appropriate form of woodland management; it can contribute to reduction in life expectancy of some trees. Where there is concern that adjacent trees are likely to overshadow panels in the future, the panels should be set back to avoid this occurring. The applicant should submit a tree shadow plan to illustrate the shadow pattern of the tree-belts and demonstrate that the solar farm has been designed to avoid impacts associated with inappropriate future management.

CEMP

If planning permission is to be approved a project specific construction environmental management plan (CEMP) must be secured. The aims and scope of the CEMP should reflect that set out in the ES at sections 4.3.32-33 and include the following measures set out in the landscape assessment section 5.5.1, 5.5.4 and 5.5.10 should include:

- Measures to ensure the successful retention of existing vegetation (for example, use of protective fencing);
- Measures taken to limit the effects of temporary construction lighting;
- Protocols governing the establishment of the temporary contractor's compound(s), to reduce any potential adverse effects upon the amenity of the surrounding area
- Provisions for public communication to inform local people and footpath/cycle route users about construction activities at the site

