

TITLE: 25/00393/FUM

Committee: Planning Committee

Date: 5 November 2025

Author: Major Projects Officer

Report No: AA81

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Site Address: Anchor Lane Farm Newnham Drove Burwell Cambridge CB25 0BN

Proposal: Agrivoltaic scheme (capacity 49.95MW) plus associated infrastructure, access roads and landscaping

Applicant: Burwell AL Ltd

Parish: Burwell

Ward: Burwell

Ward Councillor/s: David Brown
Lavinia Edwards

Date Received: 2 April 2025

Expiry Date: 21 November 2025 (Agreed Extension of Time)

1.0 RECOMMENDATION

1.1 Members are recommended to:

- a. APPROVE the application for the following reason(s): need and delivery of low-carbon developments; absence of significant adverse impacts in terms of heritage, or landscape and character impacts; temporary loss of agricultural fields for active cultivation for a period of over 40 years, mitigated through the resting of the soils and introduction of traditional fen landscaping and the re-instatement of the land following de-commissioning;
- b. Grant delegated authority to the Strategic Planning Policy and Development Management Manager to finalise the terms and completion of the s106 legal agreement securing biodiversity net gains (including Habitat Management and Maintenance Plan - HMMP); and
- c. APPROVE the application subject to the conditions set out in **Appendix 1**, or, REFUSE in the event that the applicant does not agree to any necessary

extensions to the statutory determination period to enable the completion of the legal agreement.

- 1.2 The application is being heard by committee because it triggers the Councils Constitution in respect of proposals for photovoltaic cells not located on domestic or commercial buildings over 200 metres squared.

2.0 SUMMARY OF APPLICATION

- 2.1 The proposal is for an agrivoltaic development (capacity 49.95MW), with associated infrastructure, access roads and landscaping. The ancillary equipment proposed on-site will be housed within a deer/ stock fencing and will comprise of 2 no. Inverter Control Rooms (ICR) and CCTV Poles with CCTV attached. The panels would be arranged in rows facing south, and the ancillary equipment will be placed throughout the site, as shown on the Site Plan (drawing ALF AGRIV SP 001). As set out in the Planning Statement, an underground cable is intended to be laid from the site to the Burwell substation (the PoC). A proposed cable route along public highways does not form part of this application.
- 2.2 The application is supported by several documents including: Phase I Geoenvironmental Site Assessment (March 2025); Glint and Glare Assessment (March 2025); Archaeological Desk-Based Assessment (March 2025); Flood Risk and Drainage Assessment (March 2025); Acoustic Survey and Assessment (February 2025); Landscape & Visual Impact Assessment (March 2025); Preliminary Ecological Appraisal (June 2024); Water Vole Report (September 2024); Breeding Bird Survey (March 2025); Wintering Bird Survey (March 2025); BNG Design Stage Assessment (March 2025); Statutory Metric; Habitat Management and Monitoring Plan (March 2025); Shadow Habitat Regulations Assessment (March 2025); Transport Statement (March 2025); and Soils and ALC (May 2024), alongside plans showing the development's general arrangement, illustrative PV panels, details of the ancillary infrastructure, and soft landscaping.
- 2.3 It is considered that the extent of any impacts would be localised and non-complex. Some effects would be temporary during the construction period, whilst other effects, although permanent for the lifetime (approximately forty years) of the development, would not be significant. We acknowledge that the proposed development would introduce some degree of adverse cumulative effects on the environment, specifically on the surrounding landscape and visually, and the LPA have raised some concerns in relation to the impacts towards the Wicken Fen SSSI, in which the applicant has provided a 'shadow' Habitat Regulation Assessment (sHRA) to address such concerns.
- 2.4 The Council's Ecology team has reviewed the submitted sHRA and proposed to adopt the sHRA as the formal Habitat Regulations Assessment (HRA) for the planning application proposal. Natural England did not object to the sHRA. Officers consider that the sHRA follows an appropriate and recognised methodology and agree with the conclusions of Stage 1 (Screening Assessment) and Stage 2 (Appropriate Assessment). Based on the evidence presented, officers conclude that implementation of the proposed project will not likely lead to significant effects on any National Site Network, including the nearby Wicken Fen SAC and Ramsar site.

- 2.5 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 [Simple Search](#).

3.0 PLANNING HISTORY

- 3.1 The relevant planning history is presented in below:

24/00158/SCREEN	Battery storage facility	Env Statement Required	01 Mar 2024
24/00160/ESF	Battery energy storage facility and associated works	Approved	20 May 2025
24/00794/SCREEN	30MW agrivoltaics project	Env Statement Not Required	14 Oct 2025
20/00557/ESF (modified by 22/00160/VARM)	Proposed Development of a Solar Farm and Ancillary Development	Approved	13 Aug 2020

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is an area of 37.7 hectares (93.16 acres) of agricultural land in Burwell, located between Newham Drove to the south and Lodeside Drove running parallel a drain to the north.
- 4.2 It is surrounded by agricultural land to the north and west, and mostly by other solar farm developments to the east and south, including the Burwell Solar Farm opposite Newham Drove, with some agricultural land adjacent. Burwell village is located at approximately 450 metres (0.28 mile) to the east, and the Burwell Electricity Substation located at approximately 300 metres (0.19 mile) to the south of the site. There are also some sporadic examples of agricultural/industrial buildings near the site.
- 4.3 The site is located within the Wicken Fen SSSI Impact Risk Zone. Wicken Fen Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR) and Ramsar site and Fenland Special Area of Conservation (SAC) are at approximately 1,500 metres (0.93 mile) to the north-west.
- 4.4 The site is in an area of high risk of flooding (Flood Risk Zones 2 and 3). It is not covered by any formal landscape designations but falls within the Fenland Landscape Character Area (local) as set out within the Cambridgeshire Landscape Guidelines 1991. Under Natural England's Provisional Agricultural Land Classification (ALC), the site consists of a mix of Grade 2 and 3 agricultural land.
- 4.5 The site does not lie within or nearby a Conservation Area or any designated or non-designated heritage assets. Numerous Listed Buildings are clustered to the east of the site located in Burwell, which itself is also a Conservation Area. The closest Listed Building is the Grade II 35 North Street which lies approximately 500 metres (0.31 mile) to the east of the site.

- 4.6 Newnham Drove acts as a link route to National Cycle Route 11 which runs along Split Drove to the west, connecting the vicinity of site to the Wicken Fen. There are two Public Rights of Way (PRoW) that are designated as footpaths 35/6 and 35/7 and run along the Burwell Lode and adjacent to the northern boundary of the site, linking to byway 35/7B along the western edge of Burwell village to the east and the National Cycle Network 51 and footpath 35/9 to the west.

5.0 RESPONSES FROM CONSULTEES

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

Ambulance Service - No Comments Received

Asset Information Definitive Map Team - 20 May 2025

No objection, noting that the public footpath No. 7 runs parallel to the site, and that the footpath must always remain open and unobstructed.

Cadent Gas Ltd - No Comments Received

Cambridge Airport - 11 July 2025

No objection, having regards to airport safeguarding in accordance with the UK Reg (EU) No 139/2014 (the UK Aerodromes Regulation).

Cambridgeshire Archaeology - 9 July 2025

No objection. Notes that the archaeological evaluation report attached to the application is not approved as, whilst successfully identifying of the paleochannel which passes through the north-western bounds of the scheme, it is an initial phase of archaeological evaluation aimed at establishing a deposit model and identifying any buried soils. Advises that further evaluation is required to establish the archaeological potential of the buried soil and paleochannel feature, as well as evaluate the remainder of the site, which was outside the scope of this initial phase, and to advise on mitigation. Recommends that this and an Archaeological Management Plan are secured by condition. These have been added as conditions 7 and 8 in Appendix 1.

Previous responses reiterate the above, confirming that the recommendations made on the EIA screening application (24/00794/SCREEN) remain. In that occasion, officers had recommended that the development area was subject to an archaeological evaluation, to be commissioned and undertaken at the expense of the developer and carried out prior to the granting of planning permission. Offer advice on the matter.

Cambridgeshire Fire and Rescue Service - 22 April 2025

No objection. Offer advice in relation to Battery Energy Storage Systems (BESS) which are deployed in open air environments with an energy capacity of 1 megawatt (MWh) or greater using lithium variant batteries. The advice identifies key areas regarding the prevention of fire in BESS installations and the actions and protective measures for fire service personnel, employees and the public in the event of a fire

occurring. This includes effective identification and management of hazards and risks; Safe access for emergency responders in and around the facility, including to renewable energy and firefighting infrastructure; Provision of adequate water supply and firefighting infrastructure to allow safe and effective emergency response; Vegetation sited and managed to avoid increased bushfire and grassfire risk; Provision of accurate and current information for emergency responders during emergencies; Effective emergency planning and management, specific to the site, infrastructure and operations; and Areas for Fire and Rescue Consideration.

Design Out Crime Officers - 30 June 2025

No objection. Noted Burwell Ward is considered an area of low/medium risk to the vulnerability to crime, considering information available over the previous two-year period, and that the materials used for solar installation have potential to increase the risks of crime in the area. Noted that poaching has been included in their figures as these incidents in rural/ semi-rural areas can be linked to other serious and organized crimes. Details occurrences in the area and wider region noting the importance for larger solar farms to be enclosed with appropriate security fencing and that basic crime prevention requires putting layers of security in place to delay and deter criminals. As well as physical security measures such as fencing, there must be either sufficient natural surveillance, monitored electronic security measures, or both prompting an appropriate response. Offer detailed advice on fencing CCTV; lighting; alarms; and signage. Recommends condition requiring Secure by Design accreditation and offers advice on the matter. This has not been added as set out in the 'Other Matters' section of this report.

ECDC Conservation Officer - 10 July 2025

No objection. Noted that the application site is some 420m west of the North Street conservation area at its closest point. The Fuller Long report is a desktop archaeological assessment rather than a GPA3 assessment but Urban Green's LVIA covers much the same ground. Its conclusions on the likely impact on the setting of above ground designated heritage assets are accepted.

ECDC Ecologist - 14 October 2025

No objection. Based on the information submitted including protected species' surveys, PEA, CEMP and HRA Rev 04, officers are supportive of the proposals if conditions to secure the ecological recommendations on the shadow HRA; lighting scheme; ecological enhancements for the creation of skylark plots, and for swifts, bats and hedgehogs. The CEMP will need to be re-submitted to include biodiversity, and this is recommended to be secured by condition as well. These were all added as conditions 24, 17, 13, 18, 6 respectively in Appendix 1. Noted the HMMP will need to be updated to reflect the most recent BNG documentation, and regarding other minor points in the CEMP and HMMP.

Having reviewed the main metric, officers are of the view that, from the information provided, the baseline appears to be accurate. Reiterated that the HMMP would need to be updated, particularly the baseline watercourse unit values and the information associated with achieving mandatory watercourse uplift. This will be secured through a S106. Furthermore, recommended conditions to secure BNG Plan, final HMMP covering 30 years of habitats onsite and monitoring schedule, and BNG secured via conditions for a minimum of 30 years from creation of last habitat. A Mandatory

Biodiversity Gain note has been added to Appendix 1. The BNG requirements and respective HMMP are recommended to be secured as part of the S106 Agreement.

Officers have previously objected based on insufficient surveys and mitigation details to make full assessment of the sites' impact on protected species and HRA AA. For the purposes of BNG officers could not verify the baseline habitats and had concerns for the post development calculations and technical errors which need to be addressed before the application could continue further.

ECDC Environmental Health (Scientific Officer) - 2 May 2025

No objection. On review of the submitted Phase 1 Geoenvironmental Site Assessment report dated March 2025 prepared by E3P, confirms acceptance of the findings that there are unlikely to be any significant sources of contamination and the site is unlikely to pose unacceptable risks to human health and the environment. Is satisfied that a condition requiring further investigation is not required.

ECDC Environmental Health - 30 September 2025

No objection. Offers advice on construction times and deliveries, as well as piling, suggesting these are covered by conditions. These were added as conditions 3 and 21 of Appendix 1. Further notes that submitted documents indicate that no additional lighting will be required for the solar array, however, requires a condition to secure approval by the LPA, in case external lighting is required. Condition 17 has been added to Appendix 1 in this respect.

Confirms to be satisfied with the methodology and findings of the submitted Noise Impact Assessment (NIA) dated February 2025, which finds that the development will not result in any adverse impact on the nearby residential properties. Recommends a condition to control noise from the site. This has been added as condition 20 in Appendix 1.

ECDC Trees Team - 24 July 2025

No objection. The alterations to the soft landscaping scheme are acceptable from a tree perspective. Previous comments have confirmed that the revised soft landscaping scheme was suitable for the location and acceptable. Recommend a planting specifications document and long-term management scheme to be secured by condition. The planting specifications are included as condition 19 in Appendix 1 and the long-term management scheme will be part of the HMMP to be secured as part of a S106 agreement.

The Ely Group of Internal Drainage Board - 16 July 2025

No objection. Notes the site is within the Swaffham Internal Drainage District, and is adjacent to one of the Board's Main Drains. Reiterates that under the Board's bylaws, consent must be obtained for works, structure or planting within nine metres of a Board's Drain, as well as for any surface water discharge from the site into our drainage network. These consents fall outside the planning process and must be obtained directly from the Board.

Environment Agency - 1 October 2025

No objection. Offers further information on biodiversity, including in relation to Fenland SAC and Wicken Fen SSSI, NNR and Ramsar, noting these are hydrologically connected to the application site area via a network of ditches, sykes,

and lodes, including Reach Lode and its tributaries Burwell and Wicken Lodes. Irrigation ditches on-site drain into Drainer's Ditch (south) and The Weirs (east), which flow into Reach Lode and Burwell Lode. Further notes that Wicken Fen SSSI/Fenland SAC is known to harbor a variety of protected species, offering advice on the shadow HRA, and noting that it does not fully address the potential impacts on the over-wintering / wetland birds associated with Wicken Fen SSSI and does not detail which habitats should be created to support those birds. Provides further advice is provided regarding native species planting; invasive non-native species (INNS); permitting; and on specific species including Badgers; Spined Loach; Otters; and Birds.

Previous comments have expressed support for ECDC Ecologists' comments regarding BNG and offering specific advice to address issues on the baseline and metric. Reiterated the Flood Risk and Asset comments remain relevant. Confirmed the site's location within Flood Risk Zone 3 and that the submitted Flood Risk Assessment (FRA) was acceptable. Advised the local planning authority to formally consider the emergency planning and rescue implications of new development in making their decisions, noting the authority must be satisfied that the authority must be satisfied with the second part of the Exception Test, with regards to the safety of people, and their ability to reach places of safety, including safe refuges within buildings, and the ability of the emergency services to access such buildings to rescue and evacuate those people. Recommended the Council's Emergency Planner is consulted on these topics and offers further technical advice to the applicant.

Historic England - 20 June 2025

No comments on this application. Offers advice on consulting the local specialist conservation and archaeological advisers, and Historic England in future iterations.

HSE (Nationally Significant Infrastructure Projects) - 17 June 2025

No comment, as the application does not fall within any HSE consultation zones. Offer advice on consulting HSE. Note that planning applications relating to Fire Statements and applications relating to relevant buildings should be sent to PlanningGatewayOne@hse.gov.uk. Offer further advice on compliance with the Building Safety Bill.

Lead Local Flood Authority - 17 June 2025

No objection, as the submitted Flood Risk & Drainage Assessment Report, Gondolin, Ref: GON.0455.0293, Rev: 2, Dated: March 2025 demonstrate that surface water from the proposed development can be managed through the use of shallow filter trenches for the PV areas as well as filter trenches and infiltration basins for the associated infrastructure. The LLFA is supportive of the use of filter drains and infiltration basins as they provide water quality treatment. Notes that water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual. Request the imposition of conditions relating to construction of the surface water drainage scheme and the long-term maintenance arrangements. These were added as conditions 4 and 9 in Appendix 1.

Local Highways Authority - 15 July 2025

No objection. The effect of the proposed development upon the public highway would likely be mitigated if a condition relating to secure a traffic management plan is imposed. This is included as condition 10 in Appendix 1. Confirms the site plan has been updated and indicates the proposals do not include works to the public highway.

Previous responses had objected to the application, for reasons including that the submitted information did not include a red line plan which connected the site to the public highway. As a result, there is insufficient information in the submission regarding access to the proposed agrivoltaic scheme and requested further information regarding the access point with the public highway was provided. They also noted that the proposals appeared to include works within the public highway and requested a highway boundary search to obtain an accurate location of the highway boundary.

Minerals And Waste Development Control Team - No Comments Received

National Air Traffic Services Ltd - 10 July 2025

No objection. The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria, noting that the response does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. Requires to be consulted if further amendments are proposed to the development.

National Grid - Electricity - No Comments Received

The National Trust - 20 May 2025

Raises concerns in relation to the visual impact of the development on the landscape; the cumulative landscape impacts and baseline creep; the deliverability of improvements to biodiversity; the development's detrimental effect on the surrounding habitat; and damage to access routes.

Reiterates the Trust's duty to protect and care for the NNR on Burwell Fen, stating that climate change poses one of the greatest threats to such places, and their belief in the need to grow renewable energy and reduce the use of fossil fuels. Are supportive of renewable energy as a matter of principle and believe that appropriate development can play an important role. Furthermore, understand that decision makers will increasingly need to give weight to the importance of reaching net zero, and that this could result in some effects to landscape and places of significance, however believing this should be avoided where possible.

Natural England - 7 October 2025

No objection, subject to appropriate mitigation being secured, avoiding an adverse effect on the integrity of Wicken Fen SSSI, NNR, Ramsar site, and Fenland SAC. Recommend mitigation measures to be secured by condition, including the ecological recommendations set out in section 7.3 of the Shadow HRA (revision 4). These have been added as condition 24 in Appendix 1.

Advise that a lack of objection does not mean that there are no significant environmental impacts, and that all environmental impacts and opportunities are fully considered, and relevant local bodies are consulted. Previous correspondence has reiterated the need for information to determine the significance of impacts on designated sites/landscapes, without which Natural England would potentially need to object to the proposal. Upon submission of a Habitats Regulations Assessment (HRA) noted the document had not been produced by the planning authority, but by the applicant. Advised on the adoption of a 'shadow' HRA. Stated to be broadly

satisfied with the conclusion of no adverse effect on the integrity of designated sites including Wicken Fen SSSI, NNR, Ramsar site, and Fenland SAC, as set out in the shadow HRA and Appropriate Assessment, and advised that ecological recommendations were secured. Offer advice on Local Nature Recovery Strategies (LNRSSs).

Regarding Soils and Agricultural Land Quality, noted that the application was likely to affect 'best and most versatile' (BMV) agricultural land, however given the temporary nature the development was unlikely to lead to significant permanent loss of BMV agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards. Noted some components affecting agricultural land are limited to small areas and that during the life of the proposed development it is likely that there will be a reduction in agricultural production over the whole development area. Offer advice to the planning authority on the matter and on the assessment of developments involving ALC or BMV, and more generally on soils and their role within sustainable ecosystems. Recommends conditions to safeguard soil resources and agricultural land, including a required commitment for the preparation of reinstatement, restoration and aftercare plans; stating that normally this will include the return to the former land quality (ALC grade). These are included in Appendix 1 as conditions 22 and 23.

Parish - 24 September 2025

Objects to the application. More recent comments raise concern in relation to archaeology, ecology and landscaping. In addition, the Parish Council requested that the developers ensure the byway and footpath are not impacted by the development and the Council are seeking further information on the acoustic surveys for the approved battery scheme connected to this development.

Previous comments received highlighted that Burwell residents demonstrated more concern about solar battery storage units than solar panels. Concerns raised included noise, alarms, battery servicing and emergency planning, pollution issues, visual impact and insufficient public consultation at early stages of planning. The Council requested an acoustic report from the developers before commenting in more detail.

In addition to the above, previous responses queried if the developers were liaising with Wicken Fen to align scheme/ vision; noted lack of clarity in public meetings; lack of clarification around potential community benefits; who is going to farm the land once solar is installed; sought further clarification on the cable route prior to this application being passed; responsibility over security particularly if public rights of way or trails are included; more information on the temporary nature of this development and returning the site to its original state and how that impacts any community spaces/trails offered, and whether 40 years is standard life of this type of development. The Council also sought clarification on how technical considerations and impacts are checked to be an accurate representation of impact; sought confirmation of noise levels and whether these would be acceptable and to which extent in the territory. The Councilors had asked the applicants to arrange another meeting with the Parish Council with a clear agenda and include an invitation to the public.

Planning Casework Unit - 28 April 2025

No objection. Confirms not to have any comment to make on the related environmental statement.

UK Power Networks - 16 June 2025

No objection. Noted there are overhead cables on the site running within proximity to the proposed development and provides advice on obtaining accurate records. States that all work should be undertaken in line with GS6 guidelines as published by the HSE. Provides further advice on diversion work, if required.

Ward Councillors - No Comments Received

- 5.2 A site notice was displayed near the site on 19 June 2025 and a press advert was published in the Cambridge Evening News on 26 June 2025.
- 5.3 Neighbours – 14 neighbouring properties were notified and 5 properties responded raising concerns and recommendations on the topics summarized below. A full copy of the responses is available on the Council's website.
- Effect on Conservation Area
 - Affects a Right of Access
 - Affects public views
 - Visual Amenity
 - Landscape impact
 - Noise sensitive
 - Pollution issues, including to water environment
 - Overlooking
 - Insufficient/ Ineffective landscaping

6.0 THE PLANNING POLICY CONTEXT

- 6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)
- GROWTH 1 Levels of housing, employment and retail growth
 - GROWTH 2 Locational strategy
 - GROWTH 3 Infrastructure requirements
 - GROWTH 4 Delivery of growth
 - GROWTH 5 Presumption in favour of sustainable development
 - ENV 1 Landscape and settlement character
 - ENV 2 Design
 - ENV 4 Energy and water efficiency and renewable energy in construction
 - ENV 6 Renewable energy development
 - ENV 7 Biodiversity and geology
 - ENV 8 Flood risk
 - ENV 9 Pollution
 - ENV 14 Sites of archaeological interest
 - COM 7 Transport impact
 - COM 8 Parking provision
 - BUR 5 The Weirs/Riverside
- 6.2 Cambridgeshire and Peterborough Waste and Minerals Local Plan 2021

Policy 5 – Mineral Safeguarding Areas

- 6.3 National Planning Policy Framework (December 2023)
 - 2 Achieving sustainable development
 - 4 Decision-making
 - 8 Promoting healthy and safe communities
 - 9 Promoting sustainable transport
 - 11 Making effective use of land
 - 12 Achieving well-designed and beautiful 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 Supplementary Planning Documents
 - Developer Contributions and Planning Obligations
 - Design Guide
 - Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
 - Flood and Water
 - Natural Environment SPD
 - Climate Change SPD East Cambridgeshire Local Plan 2015 (as amended 2023)
- 6.5 Planning Practice Guidance (March 2024 Onwards)
- 6.6 National Policy Statements
 - EN – 1: Overarching National Policy Statement for energy
 - EN – 3: National Policy Statement for renewable energy infrastructure

7.0 PLANNING MATERIAL CONSIDERATIONS AND COMMENTS

- 7.1 The site has been subject under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to the Screening Opinion (ref. 24/00794/SCREEN), concluding that the proposals would not constitute Environmental Impact Assessment (EIA) development. Matters including in the Screening Opinion Matrix issued will be discussed in the relevant section of this report.
- 7.2 **Principle of Development**
- 7.3 The site lies wholly outside the defined development envelope for Burwell within the countryside, as defined by Policy GROWTH 2 of the Local Plan which seeks to strictly control development in the countryside, with a few exceptions. It must therefore be considered whether any of these exceptions would support the proposed agrivoltaic scheme in the countryside.
- 7.4 One such exception is the presumption in favour of the delivery of renewable energy developments, under Policy ENV 6. Policy ENV 6 states (emphasis added):

“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 environment 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 for 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 ENV 7.

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.”

7.5 The above is supported by Paragraph 154 of the NPPF stating that:

“When determining planning applications⁵⁷ 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 significant cutting greenhouse gas emissions;

b) approve the application if its impacts are (or can be made) acceptable⁵⁸. 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; and

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.”

7.6 Further to the above, Paragraph 2.1.1 of EN-1 sets out clearly the Government's position on energy infrastructure, which was first outlined in The Energy White Paper (December 2020), this being to *“transform the energy system, tackling emissions while continuing to ensure secure and reliable supply, and affordable bills for households and businesses.”* Whilst EN-1 applies to Nationally Significant Infrastructure Projects, it is reasonable to admit that this statement is part of the overarching objective, for the UK to become the first major economy to legislate for 2050 net zero Greenhouse Gases (GHG) emissions (2.2.1). Other legislated targets include a 68% reduction in GHG by 2030 from 1990 levels, and a 78% reduction in GHG emissions by 2035 compared to 1990 levels (2.2.1), all of which are imminently approaching. It is important to note that to meet the 2035 target, all UK's electricity

will need to come from low carbon sources, whilst meeting a 40-60% increase in demand (3.3.57).

- 7.7 National Policy Statement for Renewable Energy Infrastructure (EN-3) is also considered to be a material consideration, setting out the importance of renewable energy sources in meeting the UK's net zero and statutory targets.
- 7.8 As well as national objectives, the Council itself declared a climate emergency in 2019, and introduced the Climate Change SPD in response (adopted 2021).
- 7.9 All the above evidence that there is an urgent need for low-carbon energy developments, and a local, national and international impetus behind its delivery. Solar farm sites are increasingly recognised as a key facilitator of low-carbon energy, and in meeting the Government's energy objectives. The principle of the proposed development is therefore considered to be acceptable in accordance with the Local Plan, NPPF, Climate Change SPD, and when considering other material considerations including EN-1 and EN-3 National Policy Statements. For the reasons to be set out within the following sections of this report, any identified harm is considered able to be mitigated to acceptable levels.

7.10 Visual and Landscape Impact, Character and Openness

- 7.11 At a local level the site sits within the Fenland Character Area (as defined within the Cambridgeshire Landscape Guidelines 1991). At regional level it sits within the East of England Landscape Framework – Landscape Character Type 'Planned Peat Fen'. At a national level, it sits within National Character Areas 46 The Fens and 87 East Anglian Chalk.
- 7.12 The Cambridgeshire Landscape Guidelines 1991 summarise the key characteristics of the 'fenland' as follows: *"Fenland is a landscape of contrasts and variety. Superimposed upon the regimented and highly organised drainage patterns is a much more haphazard pattern of settlement and tree cover. It is a large open landscape and although appearing monotonous, it is in fact characterised by continuous change as the visual characteristics of one fen merge into the next. The open landscape provides distant views where the scattering of clumps and individual trees merge together to produce a feeling of a more densely tree-covered horizon."*
- 7.13 When considering site specific and cumulative impacts, the supporting Landscape & Visual Impact Assessment (LVIA) and addendum have taken into consideration the following committed and operational developments:
- 22/01154/CCA – Underground power cable with associated electrical and communications equipment; erection of electrical substation/switch gear buildings with associated temporary and permanent compound; installation of new transformer/switch gear at the Swaffham Prior Energy Centre with associated temporary compound; and temporary typical mobile CPEN Cable recycling layout – Land between North Angle Solar Farm and Swaffham Prior Energy Centre (Cambridge Brick and Tile) – Approved in April 2023;
 - EN010106 – Sunnica NSIP – Ground mounted solar PV panel arrays; Battery Energy Storage System (BESS); and supporting electrical infrastructure including on-site substations and on-site cabling between the different

electrical elements across the development (extract from non-technical description) – Approved in July 2024; and

- 24/00160/ESF – Battery energy storage facility and associated works – Site at Anchor Lane Farm Newnham Drove Burwell – Approved in May 2025.

- 7.14 In addition to the above, officers note the development of a ‘Solar Farm and Ancillary Development’ on Site North of Hightown Drove, located immediately to the east and south of the site. This was approved in August 2020 and is implemented and is part of the visual baseline in the submitted LVIA.
- 7.15 The LVIA concludes that some negative adverse landscape and visual effects will arise from the proposed development, however landscape and visual effects are largely limited to the site itself and local level receptors only. Adverse impacts have been identified, and the mitigation is proposed by way of a landscape strategy, which seeks to soften the edge of the development and set built form back from away from sensitive boundaries. Any anticipated effects are expected to reduce overtime as planting matures.
- 7.16 The proposal includes a new native tree, shrub, hedgerow and vegetation strategy, guided by local landscape management strategies, to diversify the landscape structure within the site and ensure the long-term replacement and reinforcement of local green infrastructure networks. This is expected to ensure that the longevity and vigour of local vegetation is maintained within the site. The Council's Tree officer has reviewed the submission and is satisfied with the revised soft landscaping proposals. This is pending a long-term management scheme be provided, which is expected to be covered by the BNG and HMMP information, recommended to be secured with any grant of permission to this application.
- 7.17 In response to officers’ comments, the LVIA addendum submitted in July 2025 explains that “[t]he landscape strategy represents a compromise between competing requirements: preserving intrinsic fenland character through the incorporation of sporadic tree clusters, the addition of ponds and reedbeds and through maintaining open vistas, addressing visual sensitivities through targeted screening, and balancing priorities between landscape quality and the delivery of renewable infrastructure. This approach remains aligned with local character guidelines, national policy objectives, and technical constraints.”
- 7.18 Notwithstanding the landscape character and the location and flat topography of the site, the Visual baseline chapter of the LVIA demonstrates that the proposal would be seen in the context existing electricity pylon within the site and the solar farm along Newnham Drove, and the Battery Energy Storage Facility. The Burwell Substation would also be visible in the background when the site is viewed from Footpath 7.
- 7.19 These and other solar and renewable developments in proximity to the project have demonstrated under recent applications that the cumulative impacts of these schemes are restricted. Appropriate (i.e. fen mosaic, reed beds, hedgerows and sporadic tree planting) embedded landscaping mitigation schemes have been key to reduce these overall cumulative impacts from significant levels. As previously mentioned, the Council's Tree officer is satisfied with the revised soft landscaping scheme, and a condition to secure planting specifications is recommended, to ensure the appropriate integration of the landscape.

7.20 Considering the revised soft landscaping proposals, officers retain the conclusion that the effective infilling of this area with additional solar panels is unlikely to change the conclusions around cumulative landscape effects previously reached. Officers therefore agree with the conclusions in the LVIA and addendum, and that the criteria in Policy ENV6 of the Local Plan, referring to landscape and visual impacts as well as impact on character are met, as the level of impact and proposed mitigations are acceptable. The development does not affect key views, including those of Ely Cathedral.

7.21 Heritage assets

7.22 The proposed development is located at sufficient distance from any designated and non-designated built heritage assets to result in no impact upon their setting or significance. In relation to archaeological assets, a Desk-Based Assessment submitted with the application confirmed that designated heritage assets are will also not be affected by the proposals.

7.23 The County Council's Historic Environment Team raise no objection to the proposed development subject to a pre-commencement archaeological condition. Officers note that the archaeological evaluation report is not approved as, whilst successfully identifying of the paleochannel which passes through the north-western boundaries of the scheme, further evaluation is required to establish the archaeological potential of the buried soil and paleochannel feature, as well as evaluate the remainder of the site, which was outside the scope of this initial phase, and to advise on mitigation. For this reason, officers also recommend that an Archaeological Management Plan is secured by condition. The recommended conditions are acceptable to appropriately safeguard any archaeological heritage assets.

7.24 The development is therefore acceptable in relation to heritage assets as required by Policy ENV6 of the Local Plan and aligns with policies ENV12 and ENV14 of the Local Plan.

7.25 Biodiversity Net Gain, Trees and Ecology

7.26 In line with current biodiversity net gain (BNG) regulations, the site is required to deliver a 10% improvement upon the site's baseline as part of the development proposals following the mitigation hierarchy and would be subject to the General Biodiversity Gain Condition. These improvements must be maintained for a minimum of 30 years. This expectation of a gain in biodiversity to be achieved within the site aligns with the objectives of Policy ENV7 of the Local Plan, requiring that all development proposals protect biodiversity and geological value of land, and to maximise opportunities for enhancement and connection of natural habitats as an integral part of the development proposals.

Biodiversity Net Gain (BNG)

7.27 The application is supported by a BNG Design Stage Assessment, using the Statutory Biodiversity Metric, and concluding that the current proposals for the development of the site produce a 167.91 unit (222.63%) net gain in biodiversity for area habitats, a

7.08 unit net gain in linear hedgerow habitats (percentage not applicable as baseline was zero), and a 0.45 unit (10.60%) net gain in linear watercourse habitats.

- 7.28 Officers have reviewed the submission and, following amendments were satisfied that the main metric dated of September 2025 sets out accurate baseline habitats, considering the information provided. It is noted that a significant increase in the amount of watercourse baseline units is proposed as part of the development's BNG, however not reflected in the submitted Habitat Management and Monitoring Plan (HMMP). Officers are of the view, however, that the correlation between documents is achievable. Should full permission be granted, amendments to the HMMP will be sought and, given the significant level of net gain to be achieved, and in accordance with practice guidance, the HMMP should be secured by a S106 legal agreement for a period of 30 years as a minimum.
- 7.29 As the net gain is however being proposed as part of the mitigation strategy for the loss of the agricultural field and landscaping strategy, it is considered important to maintain this net gain for the lifetime of the development. A minimum of 40 years from commencement of operation of the site therefore will a requirement of the S106 agreement supporting the application, should a resolution to grant be reached.

Protected Species

- 7.30 The site is also supported by a Preliminary Ecological Appraisal (PEA) and surveys for protected species, whereby pairs of Schedule 1 Skylark were observed throughout the arable fields; several ditches offer suitable water vole habitat, as well as suitable habitats for nesting and wintering notable bird species were identified. Precautionary Working Methods during the construction phase for amphibians, nesting birds, bats, hedgehog, water vole, otter, and badgers are proposed as mitigation, and, if any vegetation requires removal, that it should be completed outside of the breeding bird season (March to September, inclusive). If this is not feasible, a Nesting Bird Check is to be completed by a qualified ecologist within 48 hours before removal is completed.
- 7.31 The Council's Senior Ecologist has removed their objections to the proposed development, following submission of amended information, and subject to conditions ensuring compliance with the mitigations provided, and the securing of a S106 legal agreement for BNG and HMMP purposes. On the above basis, the site is considered to meet the exception requirements to mitigate any impact on protected species, and to accord with the objectives of Policy ENV 7 of the Local Plan, and the Natural Environment SPD in this regard.

Protected Areas

- 7.32 Given the location of the site in proximity to Wicken Fen SSSI, Ramsar and SAC, a 'shadow' Habitat Regulations Assessment (sHRA) report has been submitted in support of the proposed development. The primary aim of the report is to provide information regarding any likely significant effect on statutory designated sites that comprise the National Sites Network that fall within a 5-kilometre (3.11-mile) radius of the site, either alone or in combination with other plans or projects.

- 7.33 The report indicates that the project results in no direct significant risk of a negative effect on the qualifying features of Wicken Fen. Notwithstanding, Section 7.3 includes the ecological recommendations to reduce any risk of minor impacts resulting from the project. These include mitigations specific planting and management to provide additional foraging land for nesting skylark; construction outside of the spined loach spawning period (April-July) to negate impact on breeding behaviour; controls towards construction to minimise the disturbance of soils and reduce water pollution.
- 7.34 Officers have reviewed the submission and issued a statement for adoption of the HRA. Natural England has not objected to the sHRA. The Environment Agency has provided comments in a previous version of the sHRA, and the impacts they identified were considered by the Council's Ecology team, who supported the adoption of the sHRA.
- 7.35 Based on the above and the conclusion in the previous Protected Species section, the proposals are considered in line with the exception requirements to mitigate any impact on the local environment, and to accord with the objectives of Policy ENV 7 of the Local Plan, and the Natural Environment SPD.
- 7.36 Agricultural Land and Soil**
- 7.37 The Local Plan does not contain any specific policies regarding the loss of agricultural land or soil impacts but has a presumption in favour of renewable energy developments under Policy ENV 6. As above, the proposed agrivoltaic scheme is considered to fall under this policy, which itself requires any significant adverse impacts in relation to the local environment. It is considered the loss of agricultural land and soil impacts falls under this criterion.
- 7.38 The Council's 'Renewable Energy' SPD does however encourage all renewable energy developments to provide an assessment of their impacts upon agricultural land, as well as encouraging the use of lower quality land for the siting of developments.
- 7.39 The NPPF sets out a stronger presumption against the use of high quality (best and most versatile) agricultural land where significant losses of agricultural required are deemed to be necessary, clarify at footnote 62:
- "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development."*
- 7.40 The submitted Soil and Agricultural Land Classification report confirms that the sensitivity of the agricultural land on site is 'very high' and 'high', being grades 2 and 3a. The report indicates that the construction compounds area would be restored at the end of the construction phase, generating a low/ not significant impact, and that the loss of 37.7 hectares (93.16 acres) of this grade 2/3a agricultural land would be marginally significant. As this is a temporary loss and reversible, and the level of effect is assessed as minor and therefore not significant.

- 7.41 The Screening Opinion issued (ref. 24/00794/SCREEN) acknowledges that the district has a high level of 'Best and Most Versatile' (BMV). The LPA has been in receipt of and determined a high quantum of renewable energy developments throughout the district, and locally to this application site. Several of these applications have been supported by Environmental Statements, which have been able to appropriately quantify the cumulative effects of renewable energy developments being delivered within the district and further afield. The cumulative loss of BMV at a district and national level because of the renewable energy developments coming forward, is at a very minimal level.
- 7.42 The submitted Soils and Agricultural Land Classification, confirming the cumulative impact on BMV agricultural land in East Cambridgeshire when considering this proposal and the consented schemes on BMV land in the district, cumulatively less than 0.071% is estimated in loss of BMV agricultural land in the district. This is agreed and this project is not considered to significantly affect the amount of BMV available in East Cambridgeshire, notwithstanding the extent of BMV land.
- 7.43 The Soil and Agricultural Land Classification document states that "*additional mitigation measures which are recommended would ensure, as far as practicable, that the construction and operational phases cause the minimum soil disturbance and maintain all the soil functions including its long-term agricultural use*". The additional mitigation measures for the protection of soil include passing bays, turning areas, soil handling methods, soil handling conditions, separate handling of different soils and water supply through the existing irrigation system. These are proposed alongside 'embedded' mitigation by converting to an agrivoltaic system as set out in the report, which would positively affect soil and agricultural land, relating to soil protection, soil handling, and drainage.
- 7.44 The report also states that "*the project is aligned with the long-term (100 year) Wicken Fen Vision of increasing the conversion of intensively managed agricultural land to fenland habitat*", on the basis that should intensive arable production continue, "*the organic matter in the topsoil will continue to degrade by oxidation, releasing carbon dioxide as a greenhouse gas, resulting in a general lowering of agricultural land quality without further enrichment with organic matter*".
- 7.45 Overall, due to the temporary and reversible nature of the proposed development and its scale, it is considered that, subject to appropriate mitigation, no significant effects on the environment are identified upon agricultural land and soils either individually or cumulatively. The loss of the agricultural land in this proposal considering the lifetime of the development is justified, and accords with the Development Plan and the NPPF, with any harms appropriately mitigated through the proposals themselves.
- 7.46 Residential amenity**
- Noise
- 7.47 The submission is accompanied by an acoustic assessment, with consideration of the sound levels to be generated by the development assessed based on a worst-case scenario of all plant operating. The conclusion is that no adverse impact would arise from the proposed development. The Council's Environmental Health officer has reviewed the acoustic assessment and confirms to be satisfied with the

methodology and findings in the report. Conditions have been recommended to control noise from the site, as well as construction times and deliveries and piling.

- 7.48 The recommended conditions are reasonable in the interests of safeguarding residential amenity and have been imposed upon nearby renewable energy sites to appropriately control noise levels. It is however noted that the location of the application site away from nearby residential receptors minimises the risk of unacceptable noise impacts to low levels in any event.
- 7.49 Whilst not near residential properties, it is considered that a Construction Environmental Management Plan (CEMP) would be appropriate given the nature of the development proposed and the delivery of the equipment to the site along rural droves, potential piling, as well as surface water during construction, construction lighting, and general amenity controls.

Glare and Light

- 7.50 A Glint and Glare assessment was submitted in support of the application, concluding that the proposed development does not introduce an unacceptable impact towards the surrounding light-sensitive receptors and no mitigation is required.
- 7.51 The Environmental Health officer whilst not objecting to the proposal, noted that submitted documents indicate that no additional lighting will be required for the solar array. Notwithstanding this a condition to secure approval by the LPA, in case external lighting is required was recommended. This is agreed.

Surface and groundwater quality

- 7.52 A Surface Water Management Strategy has been submitted to demonstrate that surface water runoff from the development can avoid deterioration of the local water environment. The proposals for achieving this includes runoff dispersion and infiltration-based SuDS measures for impermeable development areas, permeable tracks and soil erosion protection along the PV drip line.
- 7.53 The LLFA has reviewed the revised documentation and confirmed to be supportive of the development, including the use of filter drains and infiltration basins as they provide water quality treatment. The Authority further noted that water quality has been adequately addressed.

Land contamination

- 7.54 A Phase I Geoenvironmental Site Assessment has also been submitted, confirming that the site poses no unacceptable level risk to construction workers or future site users. The site is therefore likely considered suitable for redevelopment without the requirement for any remediation works or mitigation measures in the construction of the solar farm.
- 7.55 A detailed Phase II intrusive Geoenvironmental Ground Investigation has been recommended in the initial report, to confirm the findings of the initial conceptual site model and value engineer a development solution. The Council's Scientific Officer, however, on review of the submission has confirmed acceptance of the findings that

there are unlikely any significant sources of contamination and the site is unlikely to pose unacceptable risks to human health and the environment. Officers are satisfied that a condition requiring further investigation is not required.

- 7.56 Based on the above, the proposed development is considered to meet the criterion in Policy ENV6 regarding residential amenity and is acceptable in accordance with Policies ENV2 and ENV9 of the Local Plan.

7.57 Airfield Safeguarding Areas

- 7.58 The proposals would fall within airport safeguarding zones. For this reason the proposed development has been subject of review by the Cambridge Airport and the National Air Traffic Services, and no objections were raised, in relation to their safeguarding criteria. The development therefore aligns with this safeguarding criterion in Policy ENV6 of the Local Plan.

7.59 Transport and Highways

- 7.60 Vehicle movements during the operational phase of development are likely to be limited to occasional maintenance access (routine monthly maintenance visit), with the bulk of site-related traffic being associated with the construction of the proposed site and where possible, will be integrated with the BESS (with resolution to grant ref. 24/00160/ESF) site construction works to reduce traffic. Access to the proposed agrivoltaic site would be achieved via the BESS site that has a direct access junction off Newnham Drove. A new access route would accommodate a temporary track required to deliver the equipment across the agrivoltaic site during the construction phase.
- 7.61 The Local Highways Authority raised no objections to the proposed development but recommend the imposition of a Construction Traffic Management Plan. A CTMP would seek to control construction traffic routing, timing of deliveries, temporary vehicle turning, control parking, measures to prevent mud being dragged onto the highway and any other controls to maintain highway safety during the construction phase. We recommend the CTMP and CEMP could be combined as a singular document.
- 7.62 It is not considered appropriate at this stage for the CTMP to cover decommissioning, as it would unlikely be able to appropriately forecast for conditions 40-years in advance. A separate decommissioning plan and CTMP will therefore be a conditional requirement prior to the site's decommissioning.
- 7.63 It is acknowledged that the Newnham Drove is not of a high quality and better suited to agricultural vehicles. The site is not proposed to be a source of high levels of on-site employment, as described above. The quality of the road is not therefore considered to be of significant material concern in this regard. Any damage to the road during construction would however need to be made good as it is a public highway, and these controls can be included both within the CTMP/CEMP but also fall under separate highway legislation.
- 7.64 The Asset Information Definitive Map Team (the County Council team concerned with Public Rights of Way), have not raised any objection to the proposed development

upon Public Rights of Way. It is noted in their response the suggestions for informative to be added to the decision notice, to ensure that PROW/ Footpath 7 remains open during construction and operation of the solar farm, in case the Council is minded approving the application. These are recommended accordingly.

- 7.65 It is on the above basis that the proposals are acceptable in accordance with Policies COM 7 and COM 8 of the Local Plan.

7.66 Flood Risk and Drainage

- 7.67 Whilst the site lies within Flood Risk Zones 2 and 3, the Flood Risk Assessment (FRA) presents further assessment demonstrating that considering the existing flood defences, the site would effectively be at low risk of flooding. The argument is that the development's footprint would be located outside the 1 in 1,000 year flood extent from the River Cam Lodes and thus the development would be entirely with Flood Risk Zone 1.
- 7.68 When providing advice on the matter, however, PPG Paragraph 023 advises that *"[a]voiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features."* Furthermore, Paragraph 024 sets out that *"[i]nformation on the probability of flood defence failure is unsuitable for planning purposes given the substantial uncertainties involved in such long-term predictions"*.
- 7.69 Local Plan Policy ENV8 and the NPPF direct that the LPA must undertake the Sequential and Exception Tests. Whilst falling within 'essential infrastructure' for the purposes of flood vulnerability classification (Annex 3 of the NPPF), the sequential test still applies, as does the exception test given the location of the site within areas of high risk of flooding, not taking the flood defences into account.
- 7.70 As set out in the Planning Statement, an underground cable is intended to be laid from the site to the Burwell Substation. It is reasonable to admit that this connection and the chosen location enable the use of the renewable energy generated by the proposed solar farm and is therefore necessary in this area. Most of the surrounding land between Wicken Fen and Burwell falls within high-risk flood zones. Sites further to the south and east would bring development closer to residential properties, which is less preferable. On this basis, it is considered that the Sequential Test is passed.
- 7.71 Paragraph 170 of the NPPF requires that where development is required in areas at risk of flooding, it must be evidenced that *"the development should be made safe for its lifetime without increasing flood risk elsewhere"*. A Surface Water Management Strategy has been proposed which demonstrates that surface water runoff from the development can be managed in accordance with sustainable drainage principles.
- 7.72 The LLFA has reviewed the submitted Flood Risk & Drainage Assessment Report and confirms that it demonstrates that surface water from the proposed development can be managed using shallow filter trenches for the PV areas as well as filter trenches and infiltration basins for the associated infrastructure. The requested conditions relating to construction of the surface water drainage scheme and the long-

term maintenance arrangements are reasonable to ensure long-term operation of the system to avoid flood risk in other areas, in line with the NPPF and Policy ENV8.

- 7.73 In response to consultation, the Environment Agency confirmed the site's location within Flood Risk Zone 3 and that the submitted Flood Risk Assessment (FRA) was acceptable. Whilst raising no objections, the Agency advised for the consideration of the emergency planning and rescue implications of new development, noting the authority must be satisfied that the authority must be satisfied with the second part of the Exception Test, with regards to the safety of people, and their ability to reach places of safety, including safe refuges within buildings, and the ability of the emergency services to access such buildings to rescue and evacuate those people.
- 7.74 In relation to the first art of the Exception Test in Paragraph 178 of the NPPF, the scheme is considered to inherently provide wider sustainability benefits to the community to outweigh the flood risk, as it is contributing to the efficiency of renewable energy amongst other benefits such as grid balancing and low-carbon development. Given the high-risk of flooding location coupled nature and the classification of the development as Essential Infrastructure as noted above, it is reasonable to recommend that an Emergency Plan is secured to ensure the emergency flood response is in place, making the development safe, in line with Policy ENV2, Policy ENV8 and Paragraph 178 of the NPPF.
- 7.75 The IDB raised no objection to the proposals, noting the site is within the Swaffham Internal Drainage District, and is adjacent to one of the Board's Main Drains. Reiterates that consents will be required for works and discharge, however these fall outside the planning process and must be obtained directly from the Board.
- 7.76 On the above basis, the development is considered acceptable in accordance with Local Plan Policy ENV 8, the Flood and Water SPD and the NPPF.
- 7.77 Other Material Matters**
- 7.78 Comments regarding safety of Battery Energy Storage System (BESS) or Battery Energy Storage Facility (BESF) provided by the Fire and Rescue Service are noted, however, the application does not include development consisting of any of those types of development.
- 7.79 The Designing Out Crime Officer generally raises no concerns with the scheme's design in respect of its susceptibility to crime. Indicative fencing and CCTV details have been provided as part of the submission and definitive details will be secured by condition, to ensure no detrimental effect in visual amenity (and residential amenity where applicable) will occur. Requests for the Secure by Design accreditation to be secured by condition are noted, however at this stage officers are of the view that there is sufficient information provided at this stage to ensure the matters raised by the Designing Out Crime Officer are addressed.
- 7.80 Concerns regarding lack of community engagement have been raised, and these are noted. The Planning Statement submitted with the application sets out in Section 3, the community consultation taking place ahead of the submission of the application. This included engagement with the Parish Council and via Facebook with contributions to the Burwell Development Plan, as well as the Wicken Fen and key

residents surrounding the site. This is acceptable, noting however that a Statement of Community Engagement or records of these meetings are not part of the application. Notwithstanding, the application has carried out the relevant consultation, including with statutory consultees and neighbouring properties, and their views have been taken into account in this assessment of the planning application.

7.81 Planning Balance

- 7.82 The application seeks consent for the erection of an agrivoltaic development (capacity 49.95MW), with associated infrastructure, access roads and landscaping. The ancillary equipment includes 2 no. Inverter Control Rooms (ICR) and CCTV Poles with CCTV attached.
- 7.83 Subject to the mitigation set out in the submitted documents, the proposed development would not result in any significant adverse cumulative impacts in terms of heritage, or landscape and character impacts.
- 7.84 The temporary loss of an entire agricultural field for active cultivation for a period of over 40 years, and introduction of urbanising development will adversely affect the character of the area. Whilst weighing against the proposals, embedded and additional mitigation measures identified seek to reduce this harm to acceptable levels, through the resting of the soils and introduction of traditional fen landscaping and noting the re-instatement of the land following de-commissioning. This attracts an overall neutral weighting.
- 7.85 The development proposals are acceptable in all other technical respects. This also attracts an overall neutral weighting.
- 7.86 Regarding the proposed benefits of the scheme, the urgent need for low-carbon developments is clearly outlined in local and national policy, which calls for recognition of the contribution of schemes both small and large to meeting renewable energy targets and addressing the climate emergency. The development benefits from an immediate grid connection (subject to planning), meaning it could make a prompt contribution to the network and achieving net zero targets. The proposals also seek to deliver a 222.63% biodiversity net gain, significantly more than the mandatory 10% minimum. In combination these benefits are cumulatively considered to attract substantial weight in favour of the proposals.
- 7.87 Based on the above, the compliance with the Development Plan and National Planning Policy Framework, and substantial material benefits of the scheme, direct that planning permission should be granted for the development.
- 7.88 Members are therefore recommended to approve the development proposals subject to the recommended conditions contained at **Appendix 1** and the preparation and signing of a S106 legal agreement to secure biodiversity net gain.

Human Rights Act

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a

manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Equalities and Diversities

In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is considered that the recommendation set out below would not undermine the objectives of the duty.

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:
- The policies of the Development Plan;
 - The Council's declaration of a Climate Emergency;
 - The national policy position on net zero, low carbon and renewable energy, as set out within National Policy Statements (EN-1 and EN-3);
 - The Applicant's agreed grid-connection; and
 - The locational requirements of the development as defined by the technology and network operators' guidelines.

9.0 APPENDICES

9.1 Appendix 1 – Recommended Conditions

Background Documents

25/00393/FUM

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.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

Appendix 1 – Conditions

Plans and compliance

1. The development shall be carried out in accordance with the following plans and drawings:

Plan Type	Plan Reference	Version No	Date Received
General Arrangement Plan	UG_2504_LAN_GA_DRW_01	08	29-Sep-25
Soft Landscape Plan	UG_2504_LAN_SL_DRW_03	P07	05-Sep-25
Soft Landscape Plan	UG_2504_LAN_SL_DRW_01	P07	05-Sep-25
Soft Landscape Plan	UG_2504_LAN_SL_DRW_04	07	29-Sep-25
Ditch Location Plan	Ditch Location Plan	01	06-Aug-25
Soft Landscape Plan	UG_2504_LAN_SL_DRW_05	P06	07-Jul-25
Soft Landscape Plan	UG_2504_LAN_SL_DRW_06	P06	07-Jul-25
Site Plan			02-Jul-25
Soft Landscape Plan	UG_2504_LAN_SL_DRW_07	P04	02-Apr-25
Site Layout	ALF AGRIV SP 001	R0	02-Apr-25
Soft Landscape Plan	UG_2504_LAN_SL_DRW_03	P04	02-Apr-25
Indicative deer/stock/fencing/access, track, CCTV	ALF AGRIV FENCING/CCTV/ROADS 01	R0	02-Apr-25
Inverter Control Room Equipment Layout			02-Apr-25

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

3. There shall be no construction, demolition, deliveries to, from or vehicle movements within the site outside the hours of 0730-1800 Monday - Friday and 0730-1300 on Saturdays, with no working on Sundays or Bank and Public Holidays, except in an emergency or in the case of alternative temporary working hours first agreed in writing with the LPA.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

4. The surface water drainage scheme shall be constructed in full accordance with the Flood Risk & Drainage Assessment Report as submitted (ref: GON.0455.0293, Rev: 2,) dated March 2025.

Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2, ENV8 and ENV 9 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

5. This permission shall be for a limited period only, expiring 40 years and six months after the date of the facility hereby permitted being first being brought into operational use (taken as when the development hereby approved has started to store or distribute electricity to/from the Grid). Written notification of the date of the facility hereby permitted being first brought into operational use shall be provided to the LPA no later than 14 days after the event.

Reason: To define the temporary permission, as the application has been assessed and determined on this basis, and in order to comply with the provision of Section 72 of the Town and Country Planning Act 1990.

Before Development Commences

6. No development shall commence (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the Local Planning Authority. The CEcMP shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones"
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timings of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs if applicable.
 - i) Measures to prevent surface water containing silt or dust from entering the pond during clearance and construction.
 - j) The location for the storage of materials.
 - k) Detail methods and locations of soil storage and areas where the soil will be preserved and protected from the consequences of construction activities such as compaction.

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: Reason: To protect biodiversity, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD. The condition is pre-commencement as it requires the submission of details that are required prior to construction works starting on-site.

7. No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
 - a) The statement of significance and research objectives;
 - b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
 - c) The timetable for the field investigation as part of the development programme;
 - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (DLUHC 2023). The condition is pre-commencement as it requires the submission of details that are required prior to construction works starting on-site.

8. Prior to the commencement of development, a scheme for the preservation of archaeologically sensitive areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The development should not commence until a methodology for these areas are secured.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (DLUHC 2023). The condition is pre-commencement as it requires the submission of details that are required prior to construction works starting on-site.

9. 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 commencement of the development. The submitted details should identify SuDS components, control structures, flow routes and outfalls (where applicable). 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.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 169 and 173 of the National Planning Policy Framework. The condition is pre-commencement as it requires the submission of details that are required prior to construction works starting on-site.

10. No development including enabling works, demolition, site clearance and ground works shall commence on site, until a traffic management plan (CTMP) has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- a) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway).
 - b) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - c) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway).

The CTMP shall include, but not be limited to, the following issues:

- a) Parking and turning areas for construction and delivery vehicles and site personnel,
- b) Site security and site compound for the construction phase,
- c) Loading, unloading and storage of plant and materials used in constructing the development,
- d) Temporary vehicle turning,
- e) Measures to prevent mud/debris being deposited onto the public highway,
- f) Construction lighting and measures to minimise light pollution,
- g) Construction traffic routing and means of access,
- h) any other controls to maintain highway safety during the construction phase,
- i) Mitigation measures for noise, dust and lighting during the construction phase,
- j) Soil management, soil protection and drainage measures (including subsurface).

The agreed CTMP must be adhered to at all times during all phases of the hereby approved development.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023). The

condition is pre-commencement as it requires the submission of details that are required prior to construction works starting on-site.

Prior to above ground

11. Prior to above ground works, notwithstanding the submitted plans, full details, materials and colours of the approved battery solution, inverters, transformers, control room, switchgear substations, fencing, gates and CCTV cameras including their position on site, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and thereafter retained for the duration of the development's lifetime.

Reason: To safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

12. No above ground construction shall take place until details of a means of water supply for fire-fighting purposes within the application site has been submitted to and approved in writing the Local Planning Authority. The details provided shall be to a standard recommended by the Cambridgeshire Fire and Rescue Service. and shall include details of the abstraction licence where necessary. The approved means of fire-fighting water supply shall be installed and completed in accordance with the approved details prior to the first operational use of the hereby approved development and thereafter maintained for the operational lifetime of the development.

Reason: In the interests of public safety and ensuring any risks associated are suitably identified and an appropriate mitigation plan is devised in accordance with Chapter 8 of the National Planning Policy Framework (December 2023).

13. No above ground construction shall commence until an ecological enhancements plan to include details for the creation and management of skylark plots on site, to mitigate for those being lost and provide an additional gain shall be submitted to and approved in writing by the Local Planning Authority. The development should be implemented in strict accordance with the approved plan and the plots maintained in perpetuity.

Reason: To protect and enhance species, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

14. No above ground construction shall commence until full details of all hard landscape 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 first operational use of the hereby approved development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning

Authority prior to the first operational use. Thereafter the approved hard landscaping shall be maintained for the lifetime of the development.

Reason: To safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

15. Prior to the commencement of development above ground level, an Emergency Plan shall be prepared for the site and submitted for approval in writing by the Local Planning Authority. The agreed Emergency Plan shall be adhered to for the lifetime of the development.

Reason: To make the development safe by ensuring the emergency flood response is in place in line with Policy ENV2, Policy ENV8 and Paragraph 178 of the NPPF.

Before Operation

16. Prior to first operational use of the development hereby approved, all soft landscaping works (including bunds) shall be carried out in accordance with the approved plans. If during the lifetime of the development any tree or plant dies, are removed or become seriously damaged or diseased they shall be replaced in the next planting season with others of similar size and same species as that originally planted shall be planted at the same place, unless the Local Planning Authority gives it consent to any variation.

Reason: To safeguard the character and appearance of the area, safeguard and enhance biodiversity, and secure the mitigation measures set out within Chapter 6 and 8 of the submitted Environmental Statement, in accordance with Policies ENV 1, ENV2, ENV6, ENV 7 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

17. Prior to the first operational use of the development hereby approved, details of any external lighting to be used as part of this facility shall be submitted to and approved in writing by the Local Planning Authority. The details shall be compliant with the Institution of Lighting Professionals (ILP) and follow recommendation 4.4.3 of the Preliminary Ecological Appraisal prepared by Barnaby Indio Gardner and dated of June 2024. The lighting shall then be installed in accordance with the approved details and shall be retained as such for so long as it remains on site. No other lighting shall be installed without the prior written permission of the Local Planning Authority.

Reason: To safeguard the residential amenity of neighbouring occupiers, to safeguard the character and appearance of the area, and to protect and enhance species, in accordance with policy ENV1, ENV2, ENV7, ENV6 and BUR5 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

18. Prior to first operational use of the development hereby approved, an ecological enhancements plan to include provisions for swifts, bats and hedgehogs, shall be submitted to and approved in writing by the Local Planning Authority. The enhancement scheme shall consider and incorporate features as recommended in the East Cambridgeshire Hedgehog SPD and be maintained in perpetuity.

Reason: To protect and enhance species, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023), the Hedgehog SPD and Natural Environment SPD.

19. Prior to the first operational use of the development, details of the new planting shall be submitted to and approved by the Local Planning Authority. The details shall include (but not limited to) detailing the planting sizes, tree pit design and construction details and specifications for operations associated with plant establishment to include a programme of the timing of the landscape work and maintenance, having regard to the timing of the commencement of any part of the development hereby permitted.

Planting shall take place in accordance with the approved details as per soft landscape approved plans within the first planting season following completion of the development or in accordance with the program of planting approved by the LPA. Any such trees that are removed die or become, in the opinion of the LPA, seriously damaged or defective within a period of 5 years of planting shall be replaced with specimens of a similar size and species as originally required.

Reason: To ensure the proposed landscape integrates well and enhances the character of the area and the wider landscape setting, in accordance with Policy ENV1 and Policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Other Conditions

20. The specific rated noise level emitted from the site shall not exceed the background noise level. The free field sound level shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS 4142:2014+A1:2019.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 and ENV6 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

21. If it is necessary to undertake ground piling a method statement shall be submitted and agreed in writing with the Local Planning Authority (LPA) before work takes place. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place, they

can contact the contractor. If the method of piling involves impact driving, works will be restricted to the hours (specifically for piling) between 09:00 - 17:00 each day Monday - Friday and none on Saturdays, Sundays or Bank Holidays.

22.

23. If there is no intention to utilise ground piling, this shall be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

24. Not less than 12 months before the expiry of this permission, or the planned cessation of the site's operational use, whichever is the sooner, a decommissioning method statement (DMS) and Decommissioning Environmental and Traffic Management Plan (DETMP) shall be submitted to and approved in writing by the Local Planning Authority, detailing the removal of any building(s), plant/equipment and associated infrastructure approved under this consent, and restoration of the site and the timetable for doing so.

The site shall be decommissioned in accordance with the approved DMS, timetable and DETMP within 6 months of the expiry of this permission or within 6 months of the planned cessation of the site's use, whichever is sooner. (Note: nothing in this condition supersedes the requirements of mandatory Biodiversity Net Gain).

Reason: Because the consent is for a limited (temporary) period and to safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

25. If following implementation of the permission the site fails to become operational within 24 months or having become operational becomes non-operational for a period exceeding 18 months within the time limit set by this permission, unless otherwise agreed in writing by the Local Planning Authority, the use shall be considered to have ceased. Within 3 months of such ceasing of the use, a decommissioning method statement (DMS) and Decommissioning Environmental and Traffic Management Plan (DETMP) shall be submitted to and approved in writing by the Local Planning Authority, detailing the removal of any building(s), plant/equipment and associated infrastructure approved under this consent, and restoration of the site and the timetable for doing so.

The site shall be decommissioned in accordance with the approved DMS, timetable and DETMP within 6 months of the ceasing of the use as defined above. (Note: nothing in this condition supersedes the requirements of mandatory Biodiversity Net Gain).

Reason: Because the consent is for a limited (temporary) period and to safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

26. No construction or operation of the hereby approved development shall take place other than in accordance with the ecological recommendations set out in section 7.3 of the shadow Habitats Regulation Assessment (sHRA) (revision 4) dated 05/05/25.

Reason: to protect the European protected site, Wicken fen SSSI, SAC and the statutory protected species which occur there, and to protect and enhance species, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

27. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. Unless otherwise agreed in writing by the Local Planning Authority, no further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

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 (as amended 2023).

Mandatory Biodiversity Net Gain

If approved, the application is also subject to the mandatory General Biodiversity Gain Condition, which requires that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

This condition is 'automatically' applied to all major planning applications submitted after 12th February 2024, subject to transitional arrangements and exemptions apply. It is not to be applied as a 'standard' condition in the main list of conditions, nor is it worded as such, but the Local Planning Authority are still required to provide a certain level of information on the decision notice to advise the Applicant/Developer of where the appropriate legislation and details can be found.