14/00649/FUL

LAND NORTH OF ULVERSTON ROAD AND EAST OF FAMBRIDGE ROAD, SOUTH FAMBRIDGE

CONSTRUCT SOLAR FARM WITH ANCILLARY DEVELOPMENT

APPLICANT: **ALCOR LTD**

ZONING: **METROPOLITAN GREEN BELT AND COASTAL PROTECTION BELT**

PARISH: **ASHINGDON**

WARD: **ASHINGDON AND CANEWDON**

1 PLANNING APPLICATION DETAILS

1.1 This application is to a site 0.6km east of Fambridge Road irregular in shape and having an area of some 22.7ha (56 acres). The site is contained on most sides by ditches with sporadic hedging. This hedging is sparse and relatively thin. The southern edge of the site is bounded by a more substantial hedge some 3m or so in height. The site is predominantly laid to grassland with approximately the southern third under arable cropping. The site is classified as Grade 3 agricultural land with moderate limitations that affect crop choice and being capable of consistently producing moderate to high yields of a narrow range of crops, principally cereals. The site is on part of an agricultural holding believed to be of some 250ha (617 acres) in size.

1.2 The site is surrounded by arable fields. The land level increases in height to the north beyond the site limits screening the site to the River Crouch.

1.3 To the south of the site is the plotland area which comprises varied housing and bungalows with vacant plots amidst. A meadow some 60m in width separates the site from the nearest back fence lines to those properties nearest the site which front Ulverston Road.

1.4 A high voltage power line crosses the site mounted on pylons. About midway across the site a lower voltage power line crosses the site mounted on poles.

1.5 Between these two overhead lines the site is crossed by an underground gas main.

1.6 No public foot or bridle paths cross the site. Public footpaths 5 and 7 converge 0.45km to the east of the site from Pudsey Hall Lane and run in a general north - south direction. The proposal would be seen across the flat land and intervening arable fields from these public footpaths. Public footpaths 5 and 19 are located on high ground to the north of St Andrews Church, Ashingdon. The site is prominent in views looking north of this high ground area towards the River Crouch.

1.7 The site has no direct access but is accessed across the farmland tracks from Fambridge Road to the west and from the farm holding to the north and east.

2 THE PROPOSAL

2.1 The proposal is to develop the site to provide a 10.9 megawatt solar farm sufficient to provide renewable energy to provide the approximate annual electricity requirements for 2,775 homes annually. The energy produced would be connected into the National Grid. The development would have a lifespan of around 25-30 years.

2.2 The site would be laid out with 42,240 solar panels on 960 mounting tables made from galvanised steel to an area of some 20.2ha (50 acres). The structures would be driven into the ground requiring no concrete foundation. The proposed solar panels would be mounted on table frames angled to the south. The table structures with mounted panels would have a lower height of 0.8m increasing to a height of 2.6m over a length of 4.07m.The panels would be tilted to face south at an angle of between 20-30 degrees.

2.3 The panels would be arranged in rows running east-west and sloping to the south with the higher panel end located to the north edge of each row. Each row of panels would be located 4m apart.

2.4 The southern part of the site has a broadly rectangular shape having a width at its southerly point of some 170m and increasing in width to 220m. The panels would be arranged to this part of the site in 38 rows ranging in length between 38m and 188m. The rows of panels would break beneath the overhead power lines and over the buried gas main.

2.5 The northern and greater part of the site is irregular in shape between meandering water courses. The northern part is more narrow to a width of 190m. The wider southern area has a width of some 330m. The panels would be arranged to this part of the site in 55 rows ranging in length from 38m to 304m.

2.6 Inside the buffer area the applicant proposes an anti climb steel mesh security fence. The design of this fence includes three strands of barbed wire along the top. The fence would have an overall height of 3m. The security fence would be sited in the middle of the buffer strip of even distance between the panel layout and field boundary. The security fence is shown in red line to

identify the application site. The remaining buffer strip to the field edge is shown in blue and within the applicant's control.

2.7 Within the layout there would be a service street made from porous crushed stone aggregate material to connect six sub stations and one switch gear building. On the narrower southern part of the layout the service street and two sub stations and one switch gear building would be located to the eastern side of the layout whereas to the wider northern part of the site the service street and four sub stations would run through the middle of the layout.

2.8 Each sub station and switch gear building would be 4.3m wide and 3.7m deep and would have a shallow pitched roofed design to an overall height of 3.4m.The substations would be made from pre-fabricated concrete.

2.9 Access to the proposed solar farm would be taken from an existing access opposite Rectory Farm House on the eastern side of Fambridge Road and would extend 105m eastwards alongside the northern edge of an existing paddock, crossing through an existing field gate to turn northwards for a distance of some 390m before turning eastwards to follow the line of an existing track and the low voltage power line to the site, a distance eastwards of 350m.

2.10 The proposed layout shows the provision of increased shrub and grassland planting to the north western edge of the larger part of the site, varying in width, but generally of around 18m.

2.11 The south western edge to the southern part of the site would be planted with a deciduous tree edge. Further screen planting is proposed to the southern edge of the site. Further deciduous tree planting and shrubs and grassland is also shown outside the site to the field edges of adjoining fields immediately to the south west of the southern part of the site and to an area having a width of 28m to the south narrowing over a length of 334m to the north down to a width of 14m.

2.12 The application details explain that the agricultural holding on which the site is situated would secure a significant proportion of its energy costs with the surplus electricity being provided to the National Grid. The applicants go on to state that national and global distributors, as well as supermarket groups, are increasing their demands upon suppliers (such as farmers) to reduce their carbon footprint and share corporate aims to reduce carbon emissions. The provision of the solar farm would align the farm business to the aims and goals of major distributors and thus would make grain and other agricultural produce from the farm attractive to the major distributors and supermarket groups. In this way, the proposal would support the existing farm business in relationships with end clients.

2.13 The site would be sown with wild flower meadow grassland. The area around the solar panels could also be grazed by sheep.

3 RELEVANT PLANNING HISTORY

3.1 Application No. 01/00919/LDC

Establish lawfulness of raising land levels by deposition of soil to aid drainage for agricultural purposes.

Certificate of lawfulness granted 30 May 2002.

4 CONSULTATIONS AND REPRESENTATIONS

Ashingdon Parish Council

4.1 Agree in principle to the solar farm, subject to the following:-

1. A screen of mature mixed native hedging to be planted to obscure the site for close neighbours on Ulverston Road.

2. During construction the site lorries should not pass Ashingdon Primary Academy during school drop off and collection times.

3. During construction of the site the speed limit on Fambridge Road to the site access to be reduced to 30 mph.

Canewdon Parish Council

4.2 Would prefer the use of natural fencing such as indigenous plants rather than security fencing.

Essex County Council Highways

4.3 Advise that from a highway perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following conditions:-

1. Prior to the commencement of the development, the access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4m by 215 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

2. Prior to commencement of development the existing vehicle access shall be widened. The width of the access at its junction with the highway shall not be less than 6m and shall be provided with an appropriate crossing of the highway verge. Details to be agreed with the County Highway Authority.

3. Prior to commencement of the development, the existing vehicular access shall be hardened. No unbound material shall be used in the

surface treatment of the vehicular access within 15m of the highway boundary.

Essex County Council Specialist Archaeological Advice

4.4 The Historic Environment Record (HER) shows that the proposed development site is sited to the north east of the historic settlement of Asheldham. The proposed development lies close to a known archaeological site (HER 13481), comprising a Late Iron Age and Roman Red Hill (salt making site). To the north is the crop mark of a former sea wall (HER 16121), which continues into the proposal site, as shown on the 1st edition OS 25" map. The evidence from other similar sites in Essex has demonstrated that red hills frequently come in groups, and can be associated with further structures; excavated examples include boat sheds, wharves and fish processing sites. An archaeological desk based assessment accompanies the application and notes the lack of previous archaeological investigation of this area, but that there is a moderate probability of encountering such remains.

4.5 The desk based assessment and the HER suggests that there is potential of disturbing archaeological deposits and this needs to be assessed in more detail at a pre decision stage to identify the impact it will have. The present information means that it is very difficult to make an informed decision on the planning application. The following recommendations are in line with the National Planning Policy Framework.

4.6 Recommendation: Pre Decision - Geophysical Survey

4.7 The applicant should be required to conduct a field evaluation to establish the nature and complexity of the surviving archaeological deposits. This should be undertaken prior to a planning decision being made. This evaluation would enable due consideration to be given to the archaeological implications and would lead to proposals for preservation in situ and/or the need for further investigation.

4.8 The archaeological work will comprise geophysical survey of the proposed development area. This would in turn inform the recommendation of this office in relation to further required works or alteration to the design of the proposed scheme. All field work should be conducted by a professional recognised contractor in accordance with a brief issued by this office.

Further Comments

4.9 Have checked the geophysical report and the plan of the results is interesting. The geological feature looks very much like a former water channel. There are two anomalies, which could be indicative of salt extraction works, and I recommend that a trench is excavated across each one before work commences. This could be carried out pre-decision, or as a condition on the planning permission. If a condition is to be used, I recommend the following,

which is in line with the National Planning Policy Framework.

Recommendation: Full Condition

4.10 'No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority'.

4.11 The archaeological work will comprise two evaluation trenches. All field work should be conducted by a professional recognised contractor in accordance with a brief issued by this office.

Natural England

4.12 On 5 December 2012 we expressed our views on an EIA Screening Opinion for a very similar solar farm proposal based on the same landholding promoted by Green Switch Solutions (Rochford DC was copied in to our e-mail, our reference 70327). At that time we stated that, in our view, the proposal did not constitute EIA development as it would not be likely to affect significantly the interest features of any Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar Site.

4.13 Natural England is a non departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

4.14 Under The Conservation of Habitats and Species Regulations 2010 (as amended) and The Wildlife and Countryside Act 1981 (as amended), No objection.

4.15 Under the European and national statutorily designated sites the Phase 1 Ecological Assessment incorrectly states that there are no records of any statutory wildlife sites within the 2km radius of search (3.1.17) whereas the Design and Access Statement correctly acknowledges the nearest ecological designations (Image 5.2 and paragraph 5.36). This application site (as defined by the OS coordinates: TQ 8694 9481) is within 2km of the Crouch and Roach Estuaries Site of Special Scientific Interest (SSSI) /Special Protection Area (SPA) /Ramsar site, which forms part of the Essex Estuaries Special Area of Conservation (SAC). However, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which these sites have been notified. We therefore advise your authority that this SSSI/SPA/Ramsar site does not represent a constraint in determining this application. Should the details of this application change, Natural England

draws your attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Soils

4.16 Under the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended) (DMPO) Natural England is a statutory consultee on development that would lead to the loss of over 20ha of 'best and most versatile' (BMV) agricultural land (land graded as 1, 2 and 3a in the Agricultural Land Classification (ALC) system, where this is not in accordance with an approved plan.

4.17 From the description of the development and the supporting documents it is not clear whether this application is likely to affect BMV agricultural land (it affects ~20ha of arable land). However, we consider that the proposed development is unlikely to lead to significant and irreversible long term loss of best and most versatile 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 development is undertaken to high standards. Although some components of the development, such as construction of a sub station, may permanently affect agricultural land, this would be limited to small areas. In the short term we recognise it is likely that there will be a loss of potential agricultural production over the whole development area.

4.18 Your authority should consider whether the proposals involve any smaller scale or temporary losses of BMV agricultural land. Paragraph 112 of the National Planning Policy Framework (NPPF) states that:-

'Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, Local Planning Authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.

Local Planning Authorities are responsible for ensuring that they have sufficient information to apply the requirements of the NPPF. The weighting attached to a particular consideration is a matter of judgment for the Local Authority as decision maker. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England.

4.19 Should you have any questions about Agricultural Land Classification or the reliability of information submitted with regard to BMV land, please consult Natural England's Technical Information Note 049 on Agricultural Land Classification. This document describes the ALC system, including the definition of BMV land, existing ALC data sources and their relevance for site

level assessment of land quality and the appropriate methodology for when detailed surveys are required.

4.20 We would also draw your attention to Planning Practice Guidance for Renewable and Low Carbon Energy (March 2014) (in particular paragraph 013), and advise you to fully consider best and most versatile land issues in accordance with that guidance.

4.21 General guidance for protecting soils during development is also available in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites and, should the development proceed, we recommend that relevant parts of this guidance are followed, e.g., in relation to handling or trafficking on soils in wet weather.

4.22 We would also advise your Authority to consider applying conditions to secure appropriate agricultural land management and/or biodiversity enhancement during the lifetime of the development, and to require the site to be de-commissioned and restored to its former condition when planning permission expires.

Other Advice

4.23 We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:-

- o local sites (biodiversity and geodiversity)
- o local landscape character
- o local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geo-conservation group or other recording society and a local landscape characterisation document) in order to ensure that Rochford District Council has sufficient information to fully understand the impact of the proposal before it determines the application.

Protected Species

4.24 We note that this planning application is supported by a supplementary reptile survey (30 October 2014). We have not assessed this application and associated documents for impacts on protected species.

4.25 Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree, which provides advice to

planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

4.26 You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

4.27 The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

Biodiversity Enhancements

4.28 This application provides opportunities to incorporate features into the design, which are beneficial to wildlife, such as habitat creation (e.g., wildflower meadows) and the incorporation of roosting opportunities for bats or the installation of bird nest boxes (we are pleased to see such measures are recognised and promoted in the supporting material). The Authority should consider securing measures (through a planning condition) to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006), which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Environment Agency

4.29 We have inspected the application, as submitted, and have no objection. Our detailed comments on flood risk are provided below:-

4.30 The proposed development site is 21 hectares in size and wholly located within tidal Flood Zone 3a, the high risk zone, assessed as having a 0.5% (1 in 200 year) or greater annual probability of flooding from the sea. The site is protected up to the present day 1 in 1000 year return period tidal event by the River Crouch frontage defences. However, overtopping would occur in the 1 in 20 year event when climate change is taken into account and if the flood defences are not raised in line with the Essex and South Suffolk Shoreline Management Plan. The site is also at risk in a breach flood event. The Flood Risk Assessment (FRA) submitted states that the proposed development to

install up to 42240 solar panels and six sub station buildings is considered as 'essential infrastructure'. According to the Planning Practice Guidance (PPG), this includes essential utility infrastructure, which has to be located in a flood risk area for operational reasons. You should ensure you are satisfied that this development is considered essential infrastructure. If you consider this to fall into a different vulnerability classification, we should be re-consulted. As 'essential infrastructure' located in Flood Zone 3a, the PPG requires the application to pass the Exception Test and be supported by a FRA, which demonstrates a development will be safe for its lifetime, without increasing flood risk elsewhere, and will reduce the overall flood risk where possible.

4.31 An FRA prepared by AHH Planning Consultants, referenced AAH/1308/14FPLA and dated September 2014, has been submitted in support of the application. The important points from the FRA are detailed below. We elaborate further in the technical appendix. The proposal is considered 'essential infrastructure' in the FRA. The lifespan of the development is expected to be 25 years. The site is currently defended up to the present day 1 in 1000 year event by the Crouch Estuary defences, not taking into account climate change. When 100 years of climate change is taken into account the defences will overtop in the 1 in 20 year event to unknown depths. The impact of climate change over the 25 year lifetime of the solar farm is unknown. However, it is unlikely that the defences will overtop and reach the site. According to the SFRA breach depths of up to 5 meters could be expected on site in the design event inclusive of climate change. The FRA recommends that staff are signed up to our flood warning service. A Flood Response Plan (FRP) has not been submitted. The local Council should ensure an FRP is produced to ensure the safety of any workers on site. The FRA suggests that surface water run off rates and patterns will not be altered significantly. We are satisfied that the FRA provides you with the information necessary to make an informed decision. We therefore have no objection to the planning application. Although we are not raising an objection you should ensure that you consider the development to be safe for its lifetime prior to any approval.

Further Information

4.32 It is also important to consider the effects of a flood event on the solar park. It is important to ensure that the panels are anchored down sufficiently to avoid floatation in a flood and prevent damage to the panels themselves or to surrounding developments.

4.33 The installation of the solar farm could increase the percentage of impermeable surface area on the site. A FRA should assess the potential for the proposed development to increase flood risk elsewhere through the increase in impermeable surfaces. Any potential increase in surface water run off and off site flood risk should be mitigated against. Particularly as the site is identified as high chance of surface water flooding, according to the updated Flood Map for Surface Water referenced in section 8.5 of the FRA. Section 9

of the FRA states that it is not necessary to incorporate positive drainage infrastructure for the proposed solar panels. It also suggests that the installation of solar panels would not have a significant impact on surface water run off. We note that there will be no concrete foundations and the mounting structure will be a galvanised steel frame. The FRA also proposes to retain the existing grass land beneath the panels. This is favourable as concrete foundations would decrease the permeability, significantly altering surface water behaviour. Also the topography of the site is relatively flat with a fall from 2.12m AODN in the south west corner to 0.75m AODN in the northeast corner. There will also be spacing between each row of panels of approximately 3.97-4.48 m to avoid inter row shading. This will also provide a permeable gap for any rain fall. Although run off volume may not increase the pattern of run off may change slightly due to the presence of the solar panels, as identified in section 9.4 of the FRA. With solar panels in place rain fall will fall on the panel and will run off to a single point below the panel. This will not replicate the existing situation as currently the 1m width of rain would have fallen onto a 1m width of ground.

4.34 Following intense rain fall, run off from the panels may cause minor erosion at the base of the panel leading to small hollows, which act as conduits for surface water, therefore altering the pattern of run off. The FRA should determine where the concentrated rain would flow, and whether it would increase the run off from the site. It may be beneficial to install cut off filter drains around the lowest boundary of the site to prevent the run off from increasing flood risk off site. The cut off drains should be sized to accept the run off from the site in the 1 in 100 year rain fall event, including climate change. Alternatively, the contours around the solar panels could be altered to ensure that the rain fall falling off the panels spreads out under the panel to replicate the existing situation. The FRA should address these points, to demonstrate that the proposed solar panel development would not increase flood risk elsewhere.

National Grid

4.35 Advises that National Grid has apparatus in the form of a high or intermediate pressure gas pipeline and associated equipment that crosses the site that may be affected by the proposal and that the contractor should contact National Grid before any works are carried out to ensure that apparatus is not affected by any of the proposed works.

London Southend Airport

4.36 At the given position and height will have no effect on our operations and therefore have no safeguarding objections.

4.37 Advise that if a crane or piling rig is required this will need to be safeguarded separately.

Rochford District Council Head of Environmental Services

4.38 No adverse comments to make.

Rochford District Council Engineers

4.39 Advise that the site is a low lying area vulnerable to flood risk issues.

Rochford District Council Arboricultural Officer

4.40 As there do not appear to be any trees of significant visual amenity value growing within close proximity to the proposed solar farm, have no comments to make. However, the planting of trees/shrubs would be recommended. Suitable tree/shrub planting would be an effective method of screening the proposed development within the wider landscape. Only native species should be used in the planting scheme and be appropriate to the setting.

Recommended Conditions:-

1. No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of areas to be planted with species, sizes, spacing, protection and programme of implementation. The scheme shall also include details of any existing trees and hedgerows on site with details of any trees and/or hedgerows to be retained and measures for their protection during the period of operations/construction of the development.

   The scheme shall be implemented within the first available planting season (October to March inclusive) following commencement (or completion) of the development hereby permitted in accordance with the approved details and maintained thereafter in accordance with condition ** of this permission.

2. Any tree or shrub forming part of a landscaping scheme approved in connection with the development under condition ** of this permission that dies, is damaged, diseased or removed within the duration of five years during and after the completion of the development, shall be replaced during the next available planting season (October to March inclusive) with a tree or shrub to be agreed in advance in writing by the Local Planning Authority.

Neighbour Representations

4.41 9 letters have been received in opposition to the proposed development from occupants of the following addresses:-

St Thomas Road: "Autumn Cottage"

Canewdon Road: " Moons Cottage" 1 Hydewood Cottage

Radnor Road: "Streamside" "Flickan Lodge" (2 letters)

Ulverston Road: "El Nido ""Jasmine Cottage" "Peacehaven"

And which in the main make the following comments and objections:-

Access Issues

- Fambridge Road is not a suitable road for large vehicles during construction and continual maintenance works.
- During construction there will be many additional lorries using the Fambridge Road, on which there is a school, and along the Ashingdon Road which is already cluttered due to over development.
- Safety for young children at the local primary school with the increase in traffic and lorries.
- Also understand that there will be an access road on the estate which is made up of narrow unmade roads that cannot cope with large lorries. Residents are also going to have large trucks driving outside their properties which will disturb what is currently a peaceful area.

Flooding/Drainage Issues

- The site is situated in a Zone 3 flood risk area.
- The development is contrary to Policy ENV3 that states the Council will direct development away from areas at risk of flooding.
- The local area is already subject to localised flooding in periods of heavy or prolonged rain fall. The expanse of solar panels will concentrate rain water flows. It could worsen impacts to the local environment by the formation of water channels from the base of each panel array.
- No provision has been made to mitigate against negative impact from heavy rain fall events to the wet nature of the existing location and the ability of the wider area to absorb and distribute such rain fall run off.
- The proposed site is on a flood plain, which may cause problems due to the land below the solar panels not drying out due to loss of the sun’s radiation.
- I could not find any reference to the effects due to the loss of natural evaporation that over 42000 solar panels might cause. The land will be compressed during construction making the underlying clay even less porous.

- We have already been flooded since we have lived here and don't want it to happen again.

- The fields that are to be made into a solar farm are our form of drainage. The more you develop on these fields the less drainage we have.

- This area has already had a problem with flooding which will be increased with more tarmac/concrete areas.

- The potential risk for run-off flooding regarding this type of solar structure/soil over such a vast area has no proven data and therefore the risk cannot be calculated which is an important factor in view of nearby residential development.

- As mentioned, the proposed site is in the high risk Flood Zone 3 and any commercial development should be steered away from an area of such high risk. Evidential photographs of recent natural weather events and consequences in South Fambridge are already at your offices on other recent planning applications and should be viewed in connection with this application (north sea surge 2013/field run off flooding, which are a regular occurrence in this area.)

Nature Conservation Issues

- The development would have a significant negative impact on a landscape which enjoys rich and varied ecology and biodiversity.

- The development is contrary to the Core Strategy, which confirms the Council is committed to the protection and enhancement of natural landscapes and habitats.

- The proposed site supports a wide range of birds, wildlife, flora and fauna. It includes protected species of adders, grass snakes and slow worms, the habitats of which would be compromised by the development.

- The development site is within the Crouch Estuary Conservation Area, the environment of which contributes to the richness of the area.

- No provision appears to have been made in the proposal for collection and distribution of run off water from the solar panels. Without such provision, further damage could occur to the ecology and biodiversity of the location.

- The eco report fails to mention the nearby crested newts that the solar assets company admit exist nearby to the north east of the site. Although they may not be directly affected, there will be changes in water levels/ flows and quite probably pollution caused by this development during construction and also from unknown materials within the solar panels and associated plated steel supports leaching into the ground over a 25 year period.

- Danger to wildlife.
- The land would be best converted back to useful farming or just leave it as it is as a feeding ground for barn owls.
- Would have significant negative impacts, both visually, (to the historic context of the area, including heritage assets) and to the ecology of the area.
- The development is at odds with the Council's Coastal Protection Belt Policy ENV2.

View and Landscape Issues

- The view from Fambridge Road will be destroyed and I cannot see how it will be disguised.
- The view from Canewdon Road will be destroyed and the proposed hedge to mask the view from Canewdon Road will not happen in the near future.
- The visual impact of this solar farm comprising over 42000 solar panels and 6 concrete sub stations, each 3.4 metres high, will spoil the view across Green Belt land from Fambridge Road and also Canewdon Road and for neighbours in Ulverston Road who chose to live here for the peace, views and beautiful countryside.
- Green Belt should be preserved as green and not made ugly by unnatural solar panels.
- Would have significant negative impacts both visually, (to the historic context of the area, including heritage assets) and to the ecology of the area.
- The installation of 42240 solar panels, together with ancillary buildings standing up to 3.4 metres in height, would have an adverse impact on the rural and undeveloped character of the area.
- Additionally, if approved, the harsh, industrial nature of the proposed structures would have a significant negative visual impact on the existing soft, rural landscape of grassed fields on existing flat ground.
- The proposal provides for limited screening, which would be completely insufficient to minimise the negative visual impact of the development.
- The panels and associated structures would be visible from properties along Canewdon Road (no photo montages were included in the planning application showing those views) where existing ground levels are essentially flat, as well as other locations to the east. No provision is

included in the proposal for screening to the north east boundary of the site to minimise such impact.

- There will be an element of glint and glare from the solar panels and supporting structures. Whist this may not be as great as from normal glass the glare will still be prominent compared with the absence of such nuisance with the present farmland environment - it would further exacerbate the negative visual impacts of the development.

- The photo montage of the solar farm (view from Ashingdon Church) included within the planning application clearly demonstrates the significant negative visual impact the development would have on the surrounding landscape.

- Is incongruous with the existing character and open farmland landscape and estuary environment.

- One of the appealing factors of the houses down Ulverston Road is that they have uninterrupted views; this development will change that by creating an eye sore, also devaluing property.

- How can this be approved on Green Belt land when for the same reason, any building application which is even slightly oversize is rejected. We cannot have dormers but a group that live hundreds of miles away can propose an eyesore of 42000 plus solar panels and 6 ugly concrete buildings that will be seen from all directions.

- The proposed development will have a visual impact on the natural landscape and by virtue of the local terrain being hilly in areas such as Althorne/South Fambridge/Ashingdon and Canewdon and with the site being in the centre of these settlements and being on low lying land it will still be visible from all these areas despite having natural screening and will therefore have a negative impact on the open and rural character of the area.

Impact Upon Heritage Assets

- The development would have a significant adverse effect on the historic environment and landscape. This is contrary to Council Environment Policy ENV1 that states the Council undertakes to protect historical landscapes.

- The solar farm would be very prominent from Ashingdon Church (Grade II* listed). As a heritage asset the church and its surrounding landscape should be protected from the negative visual impact which the development would entail.

- The Heritage Assessment accompanying the planning application ignores the negative impact the solar farm development would have to the historic landscape and buildings adjacent to the development site.

- The landscape adjacent to the development embraces the historically relevant environment of Moons Farm and the still existing buildings of Moons Cottages, which provided accommodation for the farm workers and date to the early 1700's.

- The farm and cottages were the earliest structures in the immediate locale and represent an important stage in the area's historic heritage.

- Moons Cottages were included in the Rochford Local List SPD of heritage buildings. They were described as buildings of historic importance yet are ignored in the planning submission.

- The site would also be clearly visible from a number of heritage sites such as the South Fambridge/Ashingdon and Canewdon Churches and is therefore contrary to policy ENV1.

Policy Objections

- Council Policy ENV6 states that large scale renewable projects should be granted if they are not within or adjacent to an area designated for its ecological or landscape value or there are no significant adverse visual impacts.

- The development is inconsistent with this policy because:-

    - It is within the Coastal Protection Belt.

    - It is adjacent to an area designated for its landscape value.

    - The site is within the Crouch Estuary Conservation Area, which is of special and national importance, and

    - There are significant adverse visual impacts from the siting of 42,240 solar panels and ancillary buildings, within the existing farmland landscape.

- The development site lies within designated Coastal Protection Belt and should be afforded protection from such development.

- The Core Strategy recognises that the undeveloped coast is one of the most important assets of the district, matching special landscape areas, and confirms the Council's intention to continue to protect the Coastal Protection Belt from unnecessary development and other potentially detrimental effects.

- The Core Strategy specifically states that development will be directed away from the Coastal Protection Belt.

- The development lies within the Green Belt, which should afford protection from such development.

- The development is at odds with PPG2 as it does not fall within the defined permitted development purposes and is contrary to stated Council policy to preserve the character and openness of the Green Belt.

- Policy GB1 states the Council will direct development away from the Green Belt as far as practicable and that development will be allowed if such activities do not significantly undermine the character of the Green Belt.

- I was also informed by a Councillor that the proposed land is an area of outstanding natural beauty which will not be the case when a large number of solar panels are covering it.

- The site proposed is on Green Belt land. It makes farce of denials by the Council of permission for additions or changes to local dwellings on these grounds. There is a requirement for all such plans to be considered against similar criteria and given equal treatment.

- Inappropriate commercial development on valued farm/agricultural land protected by the Coastal Protection Belt Policy ENV1 with no exceptional reasoning behind the necessity to use this specific site when other sites may be more suitable (e.g., not in a high risk flood zone).

- The land for the proposed development is surrounded by productive food producing land and would also be best kept for the production of food and not for this, which is after all a money making exercise and not really concerned with any green benefits, all at the expense of beautiful Green Belt countryside.

- Once one field has been developed, who says it will stop there.

- The land is currently Green Belt so by allowing this proposal to go ahead it would change the use of the land which could then be used for further developments in the future.

- We are also concerned that the change of use of such land could be intensified in the future and that this application may set a precedent for further sprawl of such projects in this predominantly agricultural area/coastal area. Local planning policies should be carefully reviewed in relation to this application and the objectives of those policies honoured.

- This construction is too close to residential areas; there is a lot of controversy about dirty electricity.

- Loss of privacy and security.
- I disagree in principle that potentially productive farmland is used for industrial purposes. Even if the land is of lower quality it can still support crops or grass providing winter food for cattle.

Noise And Pollution Issues

- Pollution and dust from vehicles.
- Noise and disturbance.
- There is also a temporary compound on the plans; I presume this is going to emit noise. I need clarification as RDC has not contacted residents about the proposal.

Other Issues

- The solar panels will, I assume, face south and an angle of 20 degrees. In this direction away from the panels, there are always numerous aircraft passing, the pilots of which may be affected by glare and glint reflected from the panels.
- The glint and glare would provide nuisance to a variety of individuals including those whose properties overlook the development, as well as to light aircraft which fly over the area.
- When the company representative spoke with me he implied that he was advising prior to application or planning permission - this was not so.
- When the company representative spoke with me he told me that the site was behind Ethelbert Road and not near to Ulverston Road - this not so.
- This planning process is flawed. I do not believe that many know about it. The applicant’s representative as part of "involving the community" told the minimum amount of people. Just those on the road nearby. This application, if approved, will destroy the entire area. People in South Fambridge knew nothing. The representative missed out residents in Canewdon Road. The Evening Echo does not know about it (at least up to 10 November). Only one telegraph pole was seen with a notice attached. A minimal number of residents were formally notified. I know that the rules state there is actually nobody living nearby who needs to be informed but this affects everybody who walks or drives past it so surely it required more widespread advertising.

4.42 14 letters have been received in support of the application from the occupants of the following addresses, including one letter from the landowner:-

Ashingdon Road: 525c, 561, 563.

Cedar Walk, Canewdon: 14

Clifton Road: 11

East Hall Road, East End Paglesham: 1 Grapevine Cottage.

Eastbury Avenue: 33

Fambridge Road: "Greenaways"

Highcliff Crescent: 3

Lark Hill Road: "Bolt Hall Farm"

Lower Road: "Betts Farm"

Pemberton Field: 17.

Rectory Avenue: 94.

Swan Lane, Kelvedon Hatch: 6

And which in the main make the following comments in support of the application:-

Nature and Conservation Issues

- In the longer term this sort of project is the only sustainable approach to living without destroying nature.
- What a wonderful idea, to help the environment, wildlife and good for the area.
- The solar park will support local wildlife and businesses, helping the environment.
- Providing sustainable energy to over 1200 homes with no pollution or noise as well as reducing carbon emissions, supporting local schools, wildlife and businesses.
- The whole site at the end of its lifetime will be fully recyclable.
- A 2 acre nature reserve as well as wild flower areas will be created and hedges enhanced and created.
- The rows between the panels will be wonderful hunting areas for Barn Owls and Kestrels.
- We will also be able to introduce a flock of sheep to graze under the panels.

Sustainable Energy Issues

- Providing sustainable energy to over 1200 homes with no pollution or noise as well as reducing carbon emissions, supporting local schools, wildlife and businesses.
- Green energy is something that we should be investing heavily in at the moment and Ashingdon Parish/Rochford District should be proud that they are proactively working to implement such a development. This is a good news story.
- Solar and wind are the energies of the future.
- We believe it will improve and upgrade the atmosphere and spare future shortages of energy.
- Sustainable energy is the way forward. This is also less obtrusive than wind farms. As long as it is low lying to the ground, we will support it.
- We need an alternative supply of energy.
- We believe we need to keep up to date with new technologies and energy supplies but with a low impact on the surrounding area and the environment.

Access Issues

- As residents of South Fambridge village, we are aware that there will be some disruption whilst the solar farm is built; however it is short term and the benefits far outweigh any negatives.
- Energy does not have to be transported on the roads and cannot be interrupted by foreign policies or Government's view.
- As far as we and others in the village are concerned, it is unlikely to be visible from Fambridge Road so will be of no consequence. Planting schemes will be in place to minimise visibility from anywhere other than the air, protecting those living closest.
- The aerial view shows that few homes would have a view of the site and provided hedging is installed to obscure the site as stated it shouldn't be a problem.
- Canewdon, Fambridge, Paglesham and Ashingdon houses can be powered by green energy.
- This would make Rochford with its Green Recycling Scheme one of the greenest councils in the country.

- Ashingdon and Canewdon parish councils are positive towards this application.

- Over the 25 years of the solar farm 1 million litres of agricultural pesticide mix will be saved, as well as 300 tonnes of artificial nitrogen fertiliser.

Education and Employment Issues

- Work will be created to wash the panels and also to look after the sheep.

- Schools will be invited to visit the site as electricity production is part of the national curriculum in Key Stage 2.

- We also understand that maintenance of vegetation and other planting will be maintained by local companies which is another boost for local employment.

5 MATERIAL PLANNING CONSIDERATIONS

Green Belt Considerations

5.1 The Allocations Plan (2014) forms part of the Development Plan for Rochford District. The Allocations Plan superseded the proposals map that accompanied the 2006 Replacement Local Plan. The site is allocated Metropolitan Green Belt and also within the Coastal Protection Belt as identified in the Allocations Plan.

5.2 The provision of renewable energy is not one of the specified exceptions to the presumption against inappropriate development set out at paragraph 89 to the National Planning Policy Framework. The proposed solar farm by definition constitutes inappropriate development.

5.3 The applicant does demonstrate a connection between the proposed solar farm and the agricultural business by way of an association between the green energy credentials and the attraction to agricultural markets and sharing of corporate goals of end users of produce that will be produced on the farm. However, the solar farm does not constitute a building and would not enjoy the exceptions at paragraph 89 to the NPPF as an appropriate form of development.

5.4 The presumption in favour of sustainable development is at the heart of the NPPF. Whilst on the one hand Green Belts are amongst other things, to protect the countryside from the sprawl of urban areas the NPPF identifies the part to be played in the planning system to meet the challenge of climate change by supporting the transition to a low carbon future by encouraging development for renewable energy. The proposal presents both ambitions in conflict on this site. Paragraph 91 to the NPPF makes clear that:-

"When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources."

5.5 The applicant puts forward the following very special circumstances they consider to outweigh the harm by way of inappropriateness to the Green Belt:-

a. Paragraph 97 to the NPPF states that to help increase the supply of renewable and low carbon energy, Local Planning Authorities should recognise the responsibility on all communities to contribute to energy regeneration from renewable and low carbon sources. Such developments as proposed are particularly important in the short term as they can quite quickly be provided and contribute to renewable energy production in contrast to large scale projects with greater resource and lead in times.

b. The application details explain that the National Farmers Union Briefing "Solar photovoltaic electricity in agriculture - on your roofs and in your fields" December 2013, establishes that if 10gw of solar power were ground mounted (which is half the national ambition for 2020) it would occupy 25,000ha, just 0.14% of the total UK agricultural area, and therefore a negligible impact upon national food security.

c. The applicants describe that after the 25-30 year life span, the solar farm can be easily de-commissioned by removing the panels and supports for recycling. The cabling, transformer buildings and fencing would also be removed. As the installation does not require concrete foundations the land could be easily restored into agricultural cropping. It is also the case that the grassed coverage beneath the panels could continue to be grazed, also contributing to food production.

d. The applicants rely upon significant weight to be attached to the proposals contribution to help achieve sustainable policy aims in the potential to produce renewable energy.

e. The applicants argue that there is no other harm to heritage assets, no harm to the landscape, no harm to ecology and no harm in terms of the highway network being unable to absorb the traffic associated with the use proposed. The proposal will also be reversible allowing the site to be returned to its original state. As such the applicants argue that the benefits of renewable energy in this case outweigh the harm by way of inappropriateness to the Green Belt.

f. Paragraph 97 to the NPPF states that Local Planning Authorities should recognise the responsibility of all communities to contribute to energy generation from renewable or low carbon sources.

g. The applicants cite further a recent high court ruling in Redhill Aerodrome v SoS for Communities and Local Government, Tandridge District Council and Reigate and Banstead Borough Council that in considering whether other harms exist, the determining authority must assess the planning merits of the case against the development plan and National Planning Policy Framework. This test case established an assessment that other harms do not exist, unless the harms are of a degree to warrant being considered to fail those policy tests in their own right. In addition, the applicants argue that non-Green Belt impacts cannot be given additional weight through cumulative addition.

Officer Comment on Very Special Circumstances Put Forward

5.6 Policy GB2 to the Council's adopted Core Strategy although advocating a restrictive approach to development within the Green Belt favours forms of rural diversification. The provision of solar farms is not listed as one of the examples but there remains a synergy between the power generating credentials and the association of green energy production with end users of the farm produce and therefore a connection at least with the agricultural business.

5.7 The circumstances put forward by the applicants are not very special and do not demonstrate a uniqueness as to why the proposal could not be provided elsewhere or in an area outside of the Green Belt. Whilst it is true that most open areas within the Rochford District (with the exception of Foulness Island) are within the Green Belt and that it would therefore be likely that for the District to meet the requirement of paragraph 97 to the NPPF a site within the Green Belt would be necessary, nonetheless, those circumstances put forward are general and could be true of any location. They do not therefore clearly demonstrate an essential need for the proposed solar farm to be located on this site that outweighs the harm by way of inappropriateness.

5.8 The apparatus to provide the proposed solar farm would not be directly visible from the footpaths and waterways to the southern bank of the River Crouch but would be visible with distance further northwards with the increase in land level. Whilst Paragraph 91 to the NPPF states that such impact upon Green Belt openness can be outweighed by the wider environmental benefits associated with increased production of energy from renewable sources, there would in this case be significant visual impact into the landscape character of the area. This is evident in the views from higher ground on the north bank of the River Crouch, footpaths 5 and 7 to the east of the site and footpaths 5 and 19 on elevated ground immediately behind and to the north of the Church of St. Andrew, Ashingdon, together with other public vantage points, including Ashingdon Road and Hydewood Lane. Furthermore, this adverse impact upon the landscape character and the harm by way of inappropriateness outweighs any public benefit arising from renewable energy production.

Landscape Considerations

5.9 Policy ENV6 to the Council's adopted Core Strategy states that planning permission for large scale renewable energy projects will be granted if the development is not within or adjacent to important ecological sites or that it can be shown that the integrity of these sites will not be adversely affected. Furthermore, the proposal should have no adverse visual impact.

5.10 The applicants state that the panels are designed to absorb light and not reflect it. The level of glare is therefore designed to be low. The applicants argue that the actual level of glare from the panels is less than that from water bodies, fresh snow or even grass.

5.11 The landscape and visual impact assessment submitted in support of the application identifies that the site is not subject to any national land designations that would preclude the development proposed. The site is part of the Thames Estuary National Character Area characterised by tranquil landscapes of shallow creeks, drowned estuaries and reclaimed marsh with some of the least settled areas of the English Coast with medieval settlements on higher ground in stark contrast to urban and industrial areas closer to London. A key characteristic is extensive open spaces dominated by sky within a predominantly low lying flat landscape. This description is shared with the Essex and Southend-on-Sea Landscape Character Assessment with the site lying within the Crouch and Roach Farmland (F2) Landscape Character Area which notes the loss of Elm trees and hedging evolving the landscape into a fairly open character.

5.12 The applicants conclude the landscape to be of medium sensitivity. Importantly, the proposal would maintain the field pattern. Vegetation would also be improved by way of the introduction of wild meadow grassland and improved screen planting to the south western area of the site nearest homes fronting Ulverston Road. The proposed use would result in a substantial alteration in comparison to agricultural cropping but because of the features described above it is argued would result in only a minor loss to the landscape pattern characteristics.

5.13 The applicants identify the nearby footpath network footpaths 5 and 7 at a distance of 0.45km to the east of the site and footpaths 5 and 19 from Canewdon Road to St. Andrews Church, Ashingdon to also around 0.45km south of the site. The submitted landscape and visual impact assessment has included photographs to show the proposal super imposed over views from these paths and the views from Fambridge Road.

Officer Comment on Landscape Considerations Put Forward

5.14 The site is almost fully within part of a wider area identified in the former Local Plan as the Upper Crouch Special Landscape Area. This designation was considered to duplicate across the requirements of the Coastal Protection Belt

and was not carried forward in the more recently adopted allocation document. The landscape is important for its expansive coastal margins and attraction for walking and enjoyment of views.

5.15 The hedgerows to intervening field margins in the site vicinity adjoining the site vary in strength. The site would be viewed from Fambridge Road and other elevated areas to Hydewood Lane 1km to the south east of the site and footpaths 5 and 7, 0.45km to the east of the site. Although the intervening land undulates slightly between the site and these publicly viewable areas the apparatus would have an overall height of 2.6m and the ancillary buildings to a height of 3.4m. The solar farm would be clearly visible in the site surroundings as viewed from these vantage areas.

5.16 The view of the proposed solar farm from footpaths 5 and 19 on elevated ground to the north of St. Andrews Church, Ashingdon would be more significant. Here the panels would face south giving a strong presence over a large land area within elevated views of the River Crouch and marshland landscape. The substantial harm from this adverse visual impact would not be offset by the environmental benefits arising from the provision of the proposed renewable energy installation.

5.17 The undeveloped coastline to the Crouch Valley area is one of the most important assets of the Rochford District. The estuary is nationally important for wildlife habitat. Policy ENV2 to the Council's adopted Core Strategy amongst other things seeks to protect and enhance the coastal landscape and ensure that development which is exceptionally permitted would not adversely affect the open and rural character, historic features or wildlife. The proposed solar farm would adversely affect that open and rural undeveloped landscape contrary to Policy ENV2

Flooding Considerations

5.18 Policy ENV3 to the Council's adopted Core Strategy seeks to direct development away from areas at risk of flooding and, where possible, make space for water holding capacity.

5.19 The submitted Flood Risk Assessment regards the proposal and the sub station buildings as essential infrastructure that has to be located in a flood risk area for operational reasons and that surface water run off patterns will not be altered by the development.

5.20 The accompanying flood risk assessment and planning statement submitted in support of the application set out that on the basis of many factors such as land availability, local weather conditions, local amenity considerations, neighbouring land uses, cumulative impact, access requirements, conservation and environmental issues, proximity to a grid connection and shadowing, no other locations are available in the wider geographical area

within areas less vulnerable to flooding. Accordingly the site passes the sequential test.

5.21 The provision of solar farms is not specifically listed within the flood risk vulnerability classification at table 2 to the Planning Practice Guidance on Flood Risk and Coastal Change. Wind farms are listed as essential infrastructure. The applicants argue that the provision of the solar farm on the site proposed falls within the essential infrastructure classification and officers agree with this finding. As such the Council must consider as to whether the proposed solar farm passes an exception test as set out in the Planning Practice Guidance.

5.22 The Environment Agency has no objection to raise against the proposal, but advises that the Council will need to undertake an exception test.

5.23 In order for the exception test to be passed the proposal would need to:-

1) Demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

2) Demonstrate via a site-specific flood risk assessment that the development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.

5.24 Paragraph 102 to the NPPF sets out that the development proposed should first demonstrate that the proposal would provide wider sustainability benefits that would outweigh the flood risk. Secondly, the specific Flood Risk Assessment must demonstrate that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere and where possible will reduce flood risk overall.

5.25 The Environment Agency advises that the site is wholly located within Flood Zone 3a, the high risk zone. The site is protected up to the present day 1 in 1000 year return period tidal event by defences to the River Crouch. The Environment Agency, however, advises that overtopping would occur in the 1 in 20 year event when climate change is taken into account and if flood defences are not improved. The site is also at risk should there be a breach in the flood defence. The depth of flooding that may occur is unknown but the Environment Agency would require that the safety of workers on the site be ensured by the operation of a Flood Response Plan. This can be a requirement of a condition to the grant of permission.

5.26 Contrary to the view set out by the applicants in the submitted FRA , the Environment Agency advises that following intense rain fall, run off from panels will run off to a single point at the panel lower edge and will form minor erosion and possible channels to alter the pattern of run off from the site. The

applicants argue that there is little published evidence on this on which to rely and that given the relatively small size of each panel the effect on run off characteristics would be negligible, particularly as the margins of the field would be subject to infrequent flail mowing and the area on which the panels would be sited would be laid to grass. The Environment Agency is, however, more cautious and considers the FRA should determine where the concentrations of rainfall would flow and whether it would as a result increase run off rates. They, however, suggest that the effects can be mitigated by cut off filter drains to prevent increased run off from the site. This further detailed consideration of the effects and mitigation could be the subject of a condition to the grant of permission.

5.27 The creation of renewable energy and the wider benefits that would bring would in this case outweigh the harm to the community arising from the siting of the development within an area of flood risk. The proposed solar farm would generate clean energy, would save 119,750 tonnes of carbon dioxide being emitted to the atmosphere over 25 years, equivalent to taking 2,000 cars off the road.

5.28 The applicants advise that the site selection has arisen from an in depth site selection process taking into account land availability, local weather conditions, impact upon local amenity, neighbouring land uses, conservation and environmental issues, access, cumulative impact with other solar farms, access to sunlight, proximity to grid connection and local planning policy. The risk to site operatives would be minimal as the site can be the subject of an evacuation plan in the event of flood warning.

5.29 Whilst the details of the application do not show that flood risk would be improved, it is clear that the possible alteration to run off rates arising from concentrations in rain fall leading to limited erosion and possible faster run off rates can be mitigated so as not to increase the run off rate overall. On this basis the proposal passes the exception test required.

Highways Considerations

5.30 The applicants anticipate that the hours of construction would be 7.00 am – 6.00 pm Monday to Friday and during 7.00 am – 12.00 pm on Saturdays. Once installed, the solar farm would require little maintenance and therefore limited traffic movements.

5.31 The Transport Statement submitted in support of the application makes assumptions that there are low volumes of traffic using Fambridge Road, given the sporadic low density settlement pattern nearby and the limited number of dwellings at South Fambridge settlement. The assessment also describes Ashingdon Road to be subject to moderate traffic volumes throughout the day. These assumptions do not identify the peak hour traffic associated with Ashingdon School, which also uses the road and the commercial activity at the former shellfish packing station located in South

Fambridge. The assumptions neither recognise the traffic flows, particularly at peak times experienced to Ashingdon Road.

5.32 The applicants envisage a total of 113 heavy goods vehicle movements over a period of a 9 week construction period. Weeks 4-7 of the construction period would be the busiest at between 20-25 HGV movements per week. There would be up to 15 construction staff on the site at any one time during the construction period. The applicants anticipate that deliveries to the site of construction materials would seek to avoid peak periods. This can be enforced by a condition to the grant of permission requiring the submission and agreement of a construction management plan.

5.33 Once operational, the solar farm would be operated remotely. There would be infrequent visits for maintenance and panel cleaning.

5.34 Apart from the construction period of some 9 weeks, the limited traffic arising from the operation of the site would be absorbed by the local highway network.

5.35 The County Highway Authority has no objection to raise with regard to the impact of the proposal upon the highway network, subject to conditions to enhance the access for visibility and to widen it suitable for construction vehicles to enter the site.

Ecological Considerations

5.36 Standing advice with regard to protected species essentially requires the applicants to have the site and development considered by ecological experts in order that protected species that may be present on the site are identified and the effect upon them (if any) taken into account by mitigation.

5.37 A phase 1 ecological assessment has been undertaken of the site based upon a survey on 9 September 2014 and consultation with records in a desk top exercise. Further survey work was identified to determine the presence of reptiles given that part of the site includes relatively long grass and suitable habitat for reptiles.

5.38 The survey also identified a high risk to ground nesting birds during the period March to the end of August. A significant population was considered unlikely due to the lack of sufficiently tall vegetation on the site, the presence of overhead power lines, use for flying model aircraft and the number of foxes present. The conclusions recommend that the construction avoid the ground nesting period.

5.39 The site is subject to agricultural cropping which restricts the presence of reptiles across much of the site. A reptile survey of the site was undertaken in suitable weather conditions in accordance with Natural England and Froglife guidelines between 26 September and 16 October 2014. The results showed the presence of 5 No. Common Lizard, 2 No. Adder and 2 No. Slow Worm.

These small populations were concentrated around the site edges of the north eastern part of the site.

5.40 The discussion set out in the reptile survey identifies a risk to reptiles arising from the threat of construction machinery and loss of grassland foraging. Mitigation is proposed to retain all areas of the site where reptiles were found. The site would be short cut and reptile barriers erected prior to installation to deter reptiles from entering the site during the construction period. Rough grassland would be retained around the site edge cut annually. The provision of wildflower meadow grassland across the site would provide increased foraging in the longer term.

5.41 The recommendations set out in the reptile survey would minimise disturbance and secure the protection of those species identified in accordance with Policy DM27 to the Council's Development Management Plan. It would, however, be necessary to require the advice, recommendations and mitigation set out in the reptile survey as a condition to the grant of permission.

5.42 The planting of a wildflower meadow would further enhance the ability of bird life and small mammals to forage on the site.

Historic Building Conservation Considerations

5.43 Paragraph 132 to the NPPF makes clear that great weight should be given to the conservation of heritage assets setting. Paragraph 133 to the NPPF makes clear that where a proposed development will lead to substantial harm to a heritage asset permission should be refused. Paragraph 134 to the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

5.44 A heritage statement accompanying the application has assessed the impact of the proposal upon Listed Buildings, Conservation Areas and Scheduled Monuments within 5km of the site. As the proposed solar farm does not directly impact upon any Listed Building or Conservation Area, Listed Building consent has not been required. The setting of an asset generally means the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the surroundings evolve over time.

5.45 Most heritage assets are important for their local contribution and architectural interest related to their immediate surroundings. The Canewdon Church Conservation Area, however, has a broader setting within the historic landscape of which the application site is part.

5.46 The applicants argue that a key consideration is the finite life cycle of around 25-30 years whereby afterwards the solar farm can be de-commissioned and the land reinstated. As such the proposal may not have long term

permanence. Officers consider, however, that over a period of 25-30 years the proposed solar farm would have a visual impact on the site surroundings and any heritage assets. While it may be the case that the land could in the longer term be returned to agriculture, the life cycle of the proposed solar farm is not short term or temporary in terms of any visual impact.

5.47 Three local churches are each on high ground and where the proposed solar farm could have an impact upon views as seen from those churches.

5.48 The Church of St. Peter and Paul, Hockley is Listed Grade II*. The church grounds and land immediately beyond are enclosed by trees. The site is remotely visible from a limited viewpoint but is mostly screened from views of the church by higher land at Plumberow Mount and Beckney Wood. At a distance of 4.4km from the site, the intervening topography and given the tree'd surroundings to the church, the impact of the solar farm upon the Church of St. Peter and Paul would not be substantial and any harm would be outweighed by the public benefits of renewable energy.

5.49 The Church of St. Andrew, Ashingdon is Listed grade II* and is within 2km of the site. Views northwards from the church grounds are essentially screened by 3m high hedging. However, footpaths 5 and 19 lead through the church grounds and through a hedge opening on the northern boundary. At this point the proposed solar farm would clearly be seen in the foreground views northwards immediately adjoining the church. Power lines crossing the site and other human elements such as residential buildings to a sporadic plotland layout also feature in the same landscape. The applicants argue that in terms of the immediate church grounds and surroundings forming the setting of St. Andrews Church, the impact is not substantial by the addition of uncharacteristic elements that would dominate the view of the church such as to alter the quality of its setting. In conservation terms, officers consider this conclusion is correct. However, the visual impact of the proposed solar farm would be at its greatest at this point just beyond the church curtilage where footpaths 5 and 19 provide good views of the Crouch Estuary Landscape.

5.50 The Church of St. Nicholas, Canewdon is Listed grade II* and is also sited within Canewdon Church Conservation Area within 2.5km east of the site. The church also occupies high ground. The Conservation Area is noted for the open views within. However, although the solar farm would be visible to the church and Conservation Area views, given the distance and foreground looking west towards the application site, the impact upon the church and Conservation Area would not be substantial and would not affect the overall quality of the setting of the church or that of the Conservation Area.

5.51 All Saints Church is located to the eastern side of Fambridge Road on relatively flat land some 770m to the north west of the application site. This church is of early Victorian design and set in a small curtilage surrounded by the adjoining agricultural fields. This church is not statutorily listed but is included in the Local List primarily for added protection for future retention and

enhancement. The land falls away slightly from Fambridge Road towards the site. The field margins are, however, mostly open with only occasional sporadic hedge screening. Despite the relative closeness of the site and that the proposed solar farm would be visible in the backdrop to easterly views of this church, the impact would not be substantial upon the setting of this building and would appear of little more significance than a change in crop cover.

5.52 Moons Cottage, Canewdon Road is also on the Local List. The proposed solar farm is located within views across open farmland to the rear of this cottage 0.4km to the north east. The proposed solar farm would not be prominent in views of this cottage from the street and would not affect the retention of this locally important asset.

Residential Amenity Considerations

5.53 The nearest residential homes to the proposal front Ulverston Road to the south west corner of the site. These homes generally feature hedged rear boundaries to varying strength giving occasional views of the site. A meadow some 60m in width separates the site from these nearest homes.

5.54 Housing further south fronting Canewdon Road also features sporadic hedging adjoining boundaries to those fields between these dwellings and the site.

5.55 Apart from the construction activity over a period of some 9 weeks, the solar farm would otherwise operate quietly.

5.56 The impact upon residential amenity would therefore be visual. Ground floor rooms to homes would for the most part be screened and given the relative distance between the site and those homes would only impact upon views from any upper floor windows facing the site. The application details include the provision of additional tree and shrub planting to the south and western field boundary to the site. This planting would, however, take several years to establish. The proposal would therefore impact upon views enjoyed by those residents near to the site but not be so great as to over dominate the enjoyment those rooms of the nearest dwellings to the site.

6 CONCLUSION

6.1 The site is located within an area of Metropolitan Green Belt. The proposed solar farm would seek to provide a large scale source of clean renewable energy, but would, however, detract from the open rural landscape of the Crouch Valley. The wider benefits of the renewable energy project would not outweigh the significant visual harm upon the landscape that would result if the proposal were to be allowed.

7 RECOMMENDATION

7.1 It is proposed that the Committee **RESOLVES**

That planning permission be refused for the following reasons:-

1. The site is located within an area of Metropolitan Green Belt as identified by the Rochford District Council Local Development Framework Allocations Plan (Adopted February 2014). The proposed solar farm would be a form of inappropriate development in the Metropolitan Green Belt contrary to paragraph 87 of the National Planning Policy Framework and the proposal would not fall within any specified exceptions at paragraphs 89 and 90 of the framework. No very special circumstances have been put forward by the applicants that would outweigh the harm to the openness of the Green Belt that would arise by way of inappropriateness and other harm to the open rural character of the area that would arise if the development were allowed.

2. The proposed solar farm would adversely affect the open and rural undeveloped landscape around the River Crouch and falling within the Coastal Protection Belt as defined by Policy ELA2 to the Rochford District Council Local Development Framework Allocations Plan (Adopted February 2014) and would if approved fail to enhance the landscape asset contrary to Policy ENV2 to the Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011)

STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently identifying matters of concern with the proposal. The issues identified are so fundamental to the proposal that it has not been possible/is not considered possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Shaun Scrutton

Director

Relevant Development Plan Policies and Proposals

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011)

GB2, ENV1, ENV2, ENV6.

Rochford District Council Local Development Framework Allocations Plan (Adopted February 2014).

ELA2

Rochford District Council Local Development Framework Development Management Submission Document (April 2013) Adopted 16 December 2014.

DM11, DM12, DM26, DM27.

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For further information please contact Mike Stranks on:-

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If you would like this report in large print, Braille or another language please contact 01702 318111.

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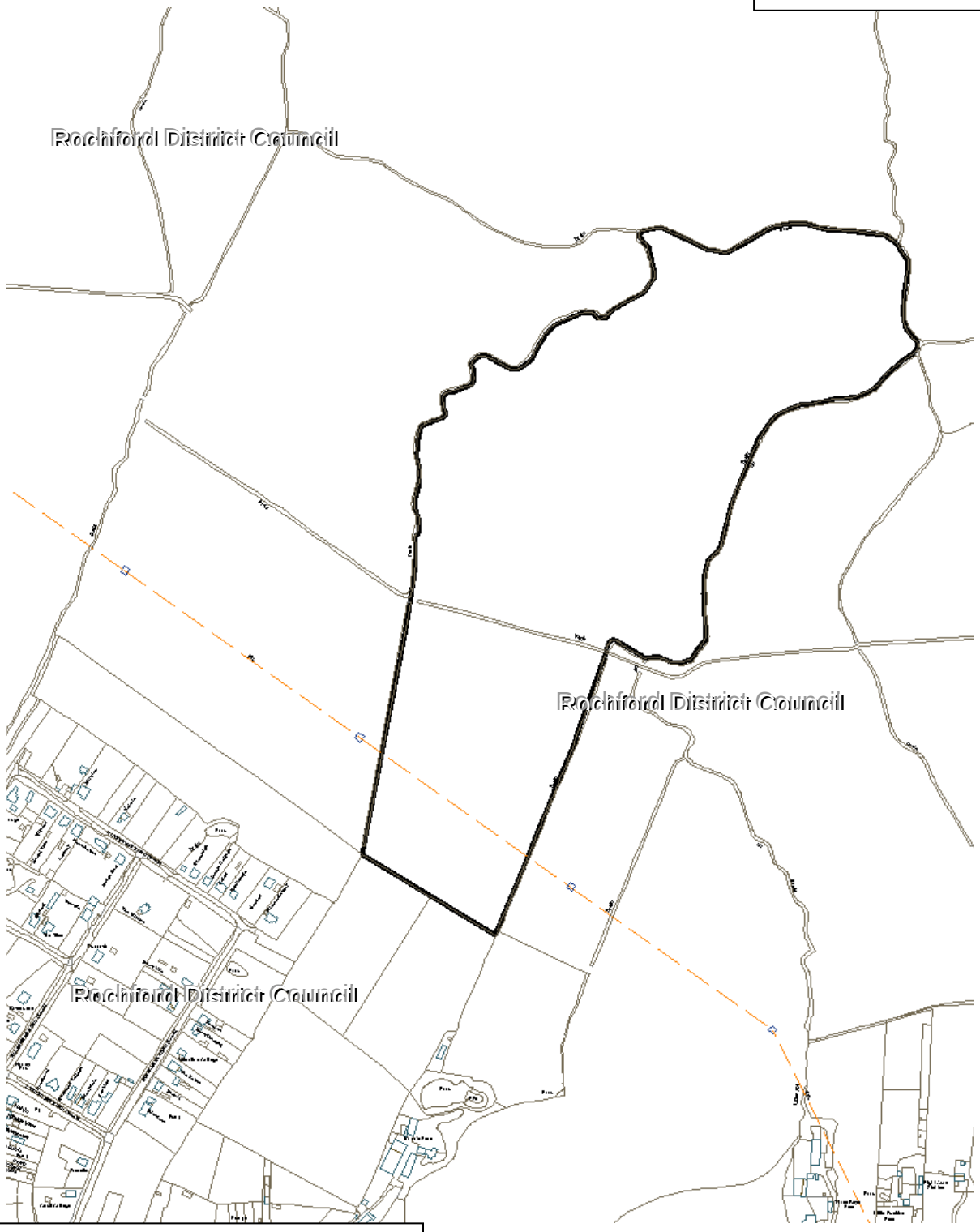

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NTS