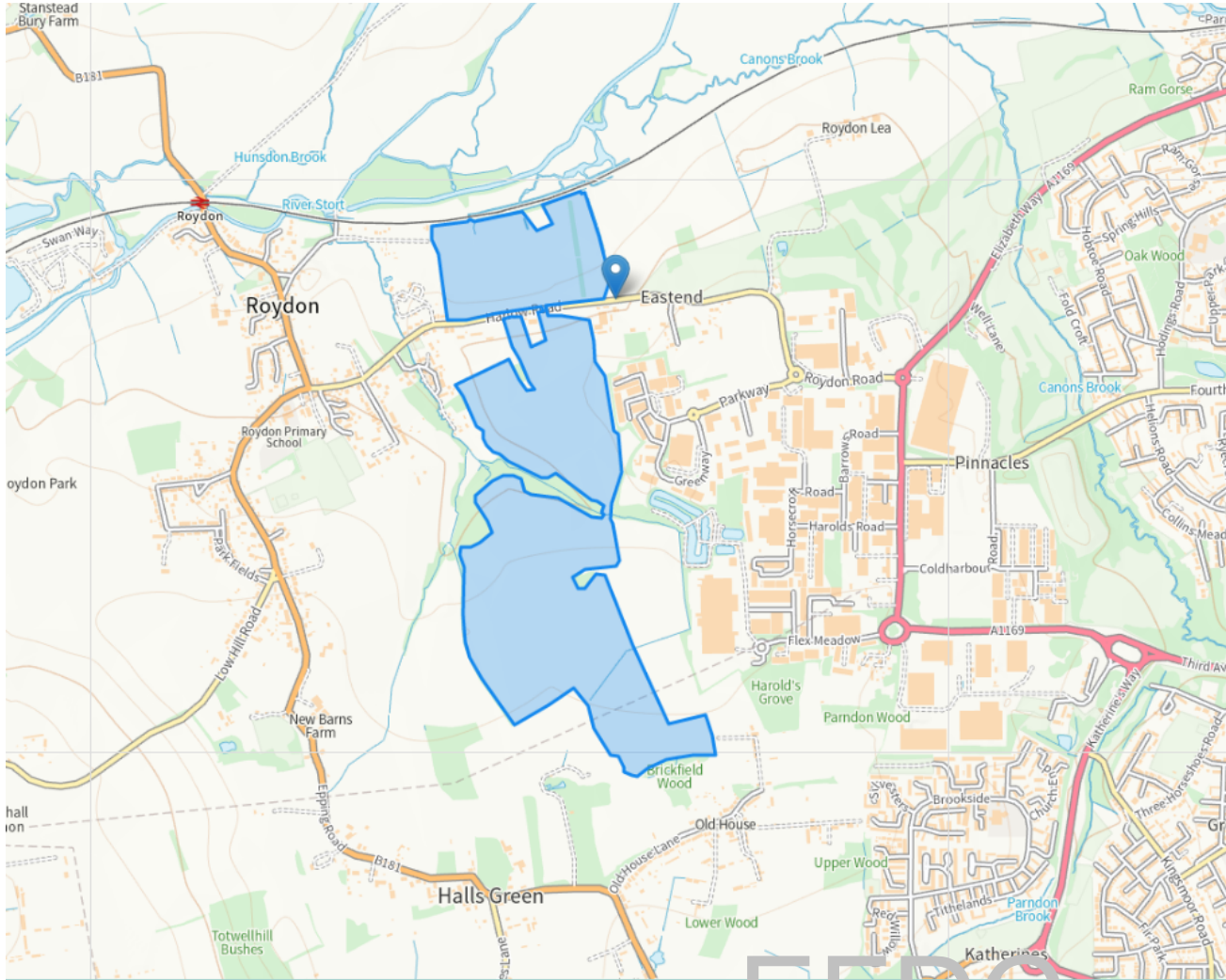




# Epping Forest District Council

# EFDC



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Application Number:	EPF/1974/22
Site Name:	Land Adjacent to Harlow Road, Near Roydon, Harlow

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# OFFICER REPORT

**Application Ref:** EPF/1974/22  
**Application Type:** Full planning permission  
**Applicant:** Low Carbon Solar Park 18 Limited  
**Case Officer:** Ian Ansell  
**Site Address:** Land Adjacent to Harlow Road, Near Roydon, Harlow  
**Proposal:** The construction and operation of a solar photovoltaic ('PV') farm and associated infrastructure, including inverters, DNO Substation, Customer Switchgear, security cameras, fencing, access tracks and landscaping  
**Ward:** Roydon  
**Parish:** Roydon  
**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000OgaR>  
**Recommendation:** Approve with Conditions

***This application is before this Committee since it relates to a 'large scale' application as defined in Article 10 of The Constitution.***

## **Description of Site:**

The application site comprises parcels of land to the north and south of Harlow Road, which forms the primary connection between Roydon to the west and Harlow to the east, the total site comprises around 68 hectares of what is currently open agricultural land.

The northern part of the site extends from the road to the railway line in the north, the boundary with Harlow District Council to the east, and the boundary with the pumping station to the west. The southern section extends to the West of Harlow strategic site, part of the Harlow and Gilston masterplan area, and is dissected by the World's End Local Wildlife Site (LoWS).

## **Description of Proposal:**

The application seeks permission for a solar farm on around 63ha of the overall site area. The land is divided into zones by existing features including public rights of way and retained landscape areas to produce 8 development zones.

The works consist of:

- Rows of solar panels – Solar panels will be mounted on frames in rows running east-west. Each row is around 3-4m apart and has an angle of around 29 degrees, resulting in the panels being 0.9m above ground at the lower edge and 3m high at the top.
- Inverters in each zone – inverters convert energy from the panels through transformers housed within for feeding into the network. Eighteen such units are shown spread across the site, each of which comprises a metal structure similar to a shipping container 12.2m long, 2.5m wide and 2.9m high set on a concrete base.
- Substation and Switchroom buildings – a single substation and a switchroom are proposed adjacent to each other on the east side of the site close to Parkend on the adjoining industrial estate, around 230m south of Harlow Road. The substation is around 8m long x 6m wide and 4.1m high and the switchroom is 10m long x 4m wide x 3m high. These are located at the closest point to Harlow West Substation which is 2m away and will be the connection point to the wider network. Underground cabling will connect the buildings on the site, and from the site to the main network.

- Access tracks linking development zones – the development will utilise the existing access points for primary access, Within the site a series of single track accessways will be laid for construction and maintenance, some of which will follow footpath routes.
- Perimeter fencing and landscaping – the areas containing panels will be enclosed by fencing of around 2m high, while details are a matters for later consideration, a stock-proof timber post and mesh fence is anticipated, with gates in similar materials at access points. These will be screened by new tree, hedge and shrub screening.
- CCTV cameras – cameras will be pole mounted at 3- 4m high around the perimeter at around 50m intervals. These will be activated by movement sensors. The applicants advise no lighting will be installed.

The application includes a number of landscape measures, including hedgerows to screen the works and create green corridors, provision of sheep pasture and around 10ha wildflower grassland beneath panels, management of around 2ha as arable habitat for farmland birds, retention of the northern grassland as marsh habitat and other tree and hedgerow enhancements within the existing landscape.

Including site set-up, construction would be expected to take around 20 weeks.

The application is supported b a number of detailed reports including:

- Planning, Design and Access Statement
- Alternative Site Assessment
- Arboricultural Assessment
- Agricultural Land Study
- Landscape Visual Appraisal
- Green Belt Review
- Contaminated Land Assessment (Phase One)
- Heritage Statement
- Flood Risk Assessment and Drainage Strategy
- Transport Report
- Ecological Assessment
- Biodiversity Net gain Assessment
- Glint and Glare Assessment
- Consultation Report

**Relevant History:**

None

**Development Plan Context:**

*Epping Forest Local Plan 2011-2033 (2023);*

On 9 February 2023, the council received the Inspector’s Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector’s Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

The following policies within the current Development Plan are considered to be of relevance to this application:

- SP1 Spatial Development Strategy
- SP2 Place Shaping

SP3 Development and delivery of garden communities in the Harlow and Gilston Garden Town  
 SP5 Green Belt and Local Greenspace  
 SP6 The Natural Environment, Landscape Character and Green and Blue Infrastructure  
 T1 Sustainable transport choices  
 T2 Safeguarding of routes and facilities  
 DM1 Habitat Protection and Improving Biodiversity  
 DM2 Epping Forest SAC and the Lee Valley SPA  
 DM3 Landscape Character, Ancient Landscapes and Geodiversity  
 DM4 Green Belt  
 DM5 Green and Blue Infrastructure  
 DM7 Historic Environment  
 DM9 High Quality Design  
 DM13 Advertisements  
 DM15 Managing and reducing Flood Risk  
 DM16 Sustainable Drainage Systems  
 DM17 Protecting and enhancing Watercourses and Flood Defences  
 DM20 Low Carbon and Renewable Energy  
 DM21 Local Environmental Impacts, Pollution and Land Contamination  
 DM22 Air Quality

*Epping Forest Local Plan (1998) and Alterations (2006):*

On the 06 March 2023 at an Extraordinary Council meeting, it was agreed that ‘on adoption of the Epping Forest District Local Plan 2011–2033 and following the end of the six-week period for legal challenge that the following Development Plan Documents and associated Proposals Maps are revoked and should not be used for decision-making:

- a) Those policies of the Epping Forest District Local Plan adopted January 1998 that had not previously been replaced; and
- b) Epping Forest District Local Plan Alterations adopted July 2006’.

The relevant policies from these documents are listed below:

CP1	Achieving sustainable development objectives
CP2	Protecting the quality of the rural and built environment
CP10	Renewable energy schemes
GB2A	Development in the Green Belt
GB7A	Conspicuous development
HC6	Character, appearance and setting of Conservation Areas
HC12	Development affecting the setting of listed buildings
NC1	SPA's, SAC's and SSSI's
NC3	Replacement of lost habitat
NC4	Protection of existing habitat
RP4	Contaminated land
RP5A	Adverse environmental impacts
U1	Infrastructure adequacy
U2A	Development in Flood Risk Areas
U3B	Sustainable Drainage Systems
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE4	Design in the Green Belt
DBE9	Loss of Amenity
DBE13	Advertisements
LL1	Rural landscape
LL2	Inappropriate rural development

LL7	Planting protection and care of trees
LL10	Adequacy of landscape protection
LL11	Landscaping schemes
ST1	Location of development
ST2	Accessibility of development
ST6	Vehicle parking
I1A	Planning obligations.

*NPPF (July 2021):*

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either; (a) approving development proposals that accord with an up-to-date development plan without delay; or (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

- 2 - Achieving sustainable development – paragraphs 7, 8, 10, 11, 12
- 5 - Delivering sufficient supply of homes – paragraphs 60, 66, 69, 74, 75, 79
- 8 - Promoting healthy and safe communities – paragraphs 92, 97
- 9 - Providing sustainable transport – paragraphs 104, 107, 108, 110, 111,112
- 11 - Making effective use of land – paragraphs 119, 122, 123, 124
- 12 - Achieving well designed places – paragraphs 126, 130, 131, 132, 135
- 13 - Protecting Green Belt land – paragraphs 137, 138, 141, 143, 147, 148, 149
- 14 - Meeting the challenge of climate change, flooding and coastal change – paragraphs 154, 159–169
- 15 - Conserving and enhancing the natural environment – paragraphs 174, 175, 179-182, 183, 185, 186
- 16 - Conserving and enhancing the historic environment – paragraphs 194, 195, 197, 199–205, 208

**Consultation Carried Out and Summary of Representations Received**

Date of site visit: 19 September 2022

Number of neighbours consulted: 159

Site notice posted: 15 September 2022

Responses received: Responses have been received from 40 individual households, and local interest groups including PORA (Protection of the Roydon Area), The Roydon Society, Roydon Playing Fields Management Committee, Robert Halfon MP, Country Land and Business Association (CLBA) and National Farmers Union (NFU). Households responding include the following (Roydon addresses unless otherwise identified):

41 and 42 CHURCH MEAD

9 DUCKETTS MEAD

1 Conifer Court, 1 Shaftesbury Villas, Conifers, Henbury House, Orchard End, Regent House, Unison and Wychwood EPPING ROAD

Garden House FARM CLOSE

Jasmine and White Cedars GRANGE LANE

Benmore, Byfield Cottage, Lovewood Lodge, Oakley Lodge and Sunningdale HARLOW ROAD  
57, 82 and 188 HIGH STREET  
14 KINGSMEAD HILL  
5, 11 and 23 LITTLE BROOK ROAD  
Chalcot, Chapter Three, Kendal, Little Monkshams and Penryn OLD HOUSE LANE  
89 TEMPLE MEAD  
Ivy Cottage TYLERS ROAD

Sandon Lodge, HIGH ROAD, Chigwell  
33 MONKSGROVE Loughton

One property is identified only by postcode and 7 responses do not state an address beyond being in Roydon

The majority of respondents object to the application; 3 respondents, the CLBA and the NFU support the application.

Objections cover the following issues, listed in descending order of the references in the responses:

- Impact on Green Belt character – openness, general environment and in separating Roydon from Harlow
- Loss of agricultural land and employment
- General impact on established wildlife and habitat, particularly within the Stort Valley
- General visual impact from development
- Impact on character of Roydon village
- Landscape quality of PROW's
- Energy supply arguments – objectors comment on the merits of solar in comparison to other renewable sources, and broader arguments around the future of solar power.
- Noise disturbance
- Impact on historic woodland areas
- Industrial character of development
- Glint and glare impacts
- Conflict with local energy policies
- General traffic issues around servicing of the use
- Concerns about radiation
- Amount of weight being given to connection to local power station
- Lack of detail on end of life exist strategy
- Adequacy of FRA
- Light pollution
- Construction traffic
- Impact on local property prices
- Specific concerns around loss of residential amenity
- Specific concerns around potential impact on drainage in Little Brook Road

Respondents supporting development raise a number of counter arguments around similar themes:

- Energy supply benefits
- Limited visual impact does not outweigh renewable energy benefits
- Contribution to meeting wider sustainable development objectives
- Development would contribute to improved habitats and biodiversity enhancement
- NFU comment specifically that diversification away from input heavy farming on under performing land provide incomes streams to support other farming activity
- The works can be viewed as temporary and are reversible.

Harlow District Council – Neighbouring authorities are statutory consultees and Harlow DC have raised objections on two grounds:

- Impact on Green Belt – similar to other responses in regards the infilling of the gap between the settlements, and a large area of land adjacent to the Harlow District with limited separation.
- Impact on future delivery of the allocated development site north of Water Lane abutting the site – concerns that the proximity will impact development options.
- Insufficient evidence of local energy benefits for the Harlow District if the energy generated feeds directly into the national grid.

Parish Council: Roydon Parish Council objects to the application citing the following:

- Green Belt impact – specifically around the gap between Roydon and Harlow, general impact on openness, time period should not be considered temporary.
- Potential noise disturbance
- Loss of agricultural land
- Change in character of PRowS
- Not persuaded on biodiversity gains
- Traffic – concerned if traffic is routed through the village
- Flooding concerns
- Precedent

### **Main Issues and Considerations:**

The main issues in considering the application are:

- Green Belt assessment
- Landscape and visual amenity
- Ecology and biodiversity
- Loss of agricultural land
- Flooding and drainage
- Transport and Highways
- Residential amenity
- Heritage considerations

### ***Green Belt assessment***

All of the land within the application site lies in the Green Belt. The northern part of the site is readily identifiable as forming part of the break between Harlow and Roydon while south of Harlow Road the land is more identifiable as part of the much larger gap between Harlow and Hoddesdon. In both areas however, the land can be seen as serving a key Green Belt objective of safeguarding against neighbouring built up areas merging into one another.

It has been broadly established through case law that solar farms would not meet the exceptions tests set out in paragraph 149 of the NPPF and will thereby comprise inappropriate development. As a result, it will be necessary to consider whether the very special circumstances presented in the application will satisfy the high bar set in paragraph 148 – that such very special circumstances would clearly outweigh potential harm. Officers have therefore considered firstly the extent of the harm of the development and subsequently the wider benefits that are material to the application.

### ***Green Belt harm***

The application site comprises a range of diverse characteristics. Much of the land comprises land historically used for food production. The topography of the land undulates in a series of gentle gradients, such that the land is not viewed as a whole from any vantage point. The fields within the site are divided by established hedgerows and woodland areas, including well established tree and hedgerow screening along road frontages. The northern part falls gently from Harlow Road towards the

railway and River Stort beyond. Potential harm arises in terms of the impact on openness, which has a spatial and visual impact.

In spatial terms, the site covers a significant area with panels the main construction element up to 3m high in order to ensure maximum solar exposure. Associated built infrastructure is limited principally to accessways, inverter cabinets (local hubs containing electric conducting and storage equipment) of around 2m high, a main substation discreetly sited adjacent to the east site boundary, and site boundary fencing. Connections from the substation to the network will be underground.

These features will have a large mass and footprint substantially different from the existing character, and of themselves will have spatial impact as a result.

In visual terms, the site will not be viewed as a single entity due to its overall extent and the changing ground levels. A number of public rights of way (PRoW) cross the site providing links to the immediate surrounding area and forming part of a much wider footpath network, from which the works will be prominent. Views across land from PRoW's are highly sensitive to change and the introduction of any structures can affect the perception of the local character. It would be expected therefore that users of the PRoW network would experience a significant change in outlook from the works, notwithstanding the retention of much of the existing woodland and hedgerows across the site.

Notwithstanding, built development does not have to be visually prominent to impact the character of the Green Belt. Thus, while visual loss of openness would have a local effect which may diminish over time as a result of landscape enhancements and other mitigation measures, the change in visual character is evident and would reduce the openness on the Green Belt.

#### *Very special circumstances*

The effects of global warming mean that there is an urgent need to reconsider how energy needs are met. This Council declared a Climate Emergency in September 2019, passing a motion seeking to work towards becoming carbon neutral by 2030. Other local authorities in the area have set similar challenging objectives.

National policy is clear about the importance of delivering renewables. The NPPF favours sustainable energy systems where any impacts can be made acceptable. Paragraph 151 of the NPPF recognises that renewable energy projects of themselves are not inappropriate in the Green Belt, although the physical elements may be.

Renewable energy accounts for an ever increasing proportion of all UK electricity generation primarily through wind, solar and biomass. Demand is expected to increase further with targets for introduction of electric vehicles and a decreasing reliance on gas for heating. Technology in the delivery of renewable energy continues to evolve – current methods of generating renewable energy have emerged in recent years, and further advances in renewables can be anticipated over the next similar period. Due to the complex nature of the delivery of appropriate infrastructure in energy supply, there is a need to provide a range of measures to meet short, medium and long term needs. In this context, the proposals anticipate a limited life for the use of 30 - 40 years, by which time the panels will be beyond their useful life, at which time renewable energy may have moved on the other technology. In the present, solar farms represent a swiftly deliverable form of generation capacity and therefore in the short to medium term could make a significant contribution to supply.

The proposal when fully operational would generate around 49.9 megawatts of energy. Enough to power around 16,500 homes annually. In a local context, this would be the equivalent of supplying around 30% of homes within the District from this single site. The application concludes that around 11,200 tonnes of carbon will be saved per annum, equivalent of removing over 5,000 cars from the road. Such benefits only accrue from the ability to deliver a site of sufficient capacity.



It is not the case that such a facility can be located anywhere as a solar farm requires grid capacity and a viable network connection point (PoC). In this case, Harlow West Sub-Station lies around 2km east of the site. The applicants site selection process covered a 3km radius from the PoC, including sites within adjoining local authority areas. A total of 35 sites were initially assessed and a number of factors showed these to be undeliverable, including sites being of insufficient size or fragmented ownerships, availability, existing built development, topography, quality of agricultural land, protected environmental areas, flood zones and distance from the PoC. A potential site was identified at Hamlet Hill, but this had a number of more significant constraints than the application site. Thus, if renewable energy is to be delivered, this site provides the only viable option linked to the local sub-station.

The development must also be considered to be temporary, in that it has a limited duration and can be fully removed at the end of its use with the land being reinstated to the former condition with limited works required to achieve this. Officers acknowledge that it may be viewed as odd to consider a 40 year timespan as 'temporary', but recent case law including a recent appeal decision in Chelmsford District considers such an approach to be reasonable. In this context, harm to the Green Belt can be viewed as temporary and reversible.

Other material considerations in assessing the very special circumstances identified in the application include:

- Landscape enhancements (see below)
- Biodiversity net gains (see below)
- Low grade agricultural land (see below)
- Economic benefits – including supply chain opportunities for local business, additional worker spend in the local economy, employment opportunities both during construction phase and during operation (the applicant cites research by the BRE that shows an average of 7FTE jobs created per MW for ground mounted projects)
- Education benefits – solar farms can be a resource for local schools. The applicants on other sites provide opportunities for school visits to understand impacts of climate change and technological matters. A condition has been suggested to deal with this.

### ***Landscape and visual amenity***

The land consists primarily of arable fields at present, interspersed by mature hedgerows and woodlands. There is a degree of urbanisation to the site boundaries including dwellings, industrial buildings to the east and the railway line to the north, but these are of a peripheral visual impact.

More significant are the landscaped elements within the boundaries, including marshy grassland on the northern end, Worlds End Black Poplar Wood in the centre of the site, and other hedgerows and green corridors around the fringes of the existing fields. Other than minor interventions in existing hedgerows to allow for access, all key landscape features have been identified and are retained. All building work is set so as to be located at least 5 metres from existing woodland and retained hedgerows for their protection, and to allow for landscape enhancement. The marshy grassland at the lower northern end is retained wholly free from development.

Landscape enhancements proposed also recognise the key visual impact of the development will be experienced from PRow's crossing the site. The proposals include planting native hedgerows to screen the structures from these routes, as well as enhancements to existing hedgerows. No changes are proposed to site levels or general topography.

As outlined above, views across the entire site are somewhat limited and the development will be viewed in a localised context, particularly as a result of the single storey built form and its topographical character. The proposal reflects the existing layout of the land, with panels laid out within the existing fields.

In the short term, the development will have a significant visual impact. Landscape enhancements are however substantial and as the screen hedgerows grow the immediate visual impact will recede, albeit creating more limited vistas than currently available across those parts of the site that can be viewed from the footpath network. However, longer views are limited and overall visual impact in the medium to long term would be moderate, helped by the consistent horizontal low level emphasis the development creates. The use generates little regular activity beyond routine maintenance and the impact on the character of the area will not disrupt the general tranquility of the setting for residents and walkers.

Visual impact from local roads would be significantly less. The site has limited road frontage and none of the frontage is served by footways. Established tree screens and hedgerows provide a degree of screening which reduces significantly the visual prominence to passing motorists.

### ***Ecology and biodiversity***

The character of the site enables the nature of the existing ecological character to be understood relatively simply. The open fields used for arable growing have a lower habitat value, while the landscape features also support a more diverse range of flora and fauna. The site also lies close to the Lee Valley SPA and Ramsar site, and to Hunsdon Mead SSSI.

Ecology guidance on the application submission has been provided by Essex County Council Place Services (Ecology) Team.

The application includes a no development buffer along the northern edge to protect the SSSI, supplemented by precautionary pollution prevention measures, protective fencing, and sensitive clearance methods.

Surveys for the presence of Great Crested Newts found a pond approximately 50 metres from the site showing potential presence. The applicants have provided appropriate site registration evidence such that appropriate mitigation measures can be introduced. Similarly, the application identifies presence of protected and priority species including skylarks, bats, badgers, brown hare and hedgehog.

Mitigation and enhancement measures are identified in the submission, including landscape measures discussed above, new wildflower planting, improved hedgerow planting, mammal gates, bird and bat boxes, and use of existing gps in hedgerows for access points. The measures are supported by the Ecologist at ECC, subject to measures being secured by condition. The applicants submits that the measures amount to a biodiversity net gain of around 78%, and an increase in hedgerow units of around 103% - while the figures are not verified, they serve to demonstrate a substantial biodiversity enhancement.

### ***Loss of agricultural land***

To assist in assessing land quality, the Ministry of Agriculture, Fisheries and Food (MAFF) has developed a method for classifying agricultural land in order to support the most efficient use for food production. This grades land from 1 to 5 (Grade 3 being divided into two subgrades), where Grade 1 provides best quality.

The applicants have submitted a soil report. This identifies a small area of the northern part of the application site (around 1.7ha, 2% of the site area) as being of Grade 2 standard (described by MAFF as land that *has minor limitations which affect crop yield, cultivations or harvesting. It can support a wide range of agricultural and horticultural crops but there can be some reduced flexibility on land within the grade, which causes difficulty in the production of more demanding crops e.g. winter harvested vegetables and arable root crops*). This land is high yielding but may be lower or more variable than Grade 1.

All remaining farmland falls with Grade 3 – around 23% within Grade 3a, the most significant portion of which also lies north of Harlow Road (*land that is capable of consistently producing moderate to high yields of a narrow range of arable crops (e.g. cereals) or moderate yields of a wide range of crops (e.g. cereals, grass, oilseed rape, potatoes, sugar beet and less demanding horticultural crops)*) with 73% within Grade 3b (*land is capable of producing moderate yields of a narrow range of crops (mainly cereals and grass) or lower yields of a wider range of crops, or high yields of grass*).

Officers consider that as the amount of Grade 2 land available is very limited, also taking account of the majority of the Grade 3a land being to the north of Harlow Road, the amount of better quality land equates to around 10ha; given modern farming techniques it is difficult to see this land being farmed on its own. The overall site area represents a very small amount of farmland in the District (the applicant submits around 0.3%), much of which is likely to be of significantly higher quality and capable of being efficiently worked.

Thus, officers consider the loss of the land for agriculture will be of limited significance, and likely to be outweighed by the wider benefits in terms of energy supply.

### ***Drainage and flooding***

Primary concerns around potential for impacting local natural drainage relate to the northern part of the site which lies within the flood zone of the River Stort. The issues faced in the area are well documented, as are the opportunities that arise from the marshland environment that naturally occurs. No development is proposed in the flood plain however.

Much of the development raises few issues around the wider implications for surface water drainage. The panels are constructed on piled struts, while the built structures occupy 0.001% of the site area. The access roads represent the only substantive built element that may impact the flow of surface water, but such surfaces can be designed to be either permeable or to have simple run off areas adjacent. The submitted revised Flood Risk Assessment proposes such a permeable surface, and sets out principles localised management of run-off adjacent to buildings.

The development has been the subject of consultation with Essex County Council as Lead Local Flood Authority (LLFA), and in house Environmental Protection & Drainage Team. Both consultees, considering different aspects of the drainage, are satisfied that subject to conditions, the development will not affect surface water drainage in the local area.

### ***Transport and highways***

It is noted that the Highway Authority have not objected to the application, and there seems little reason why they should.

The construction phase is expected to last around 20 weeks, during which time around 4-6 HGV movements are anticipated. The Transport Statement accompanying the application identifies the primary route for these vehicles are being from the east via the M11 and A414, avoiding the need for vehicles to pass through Roydon village. A construction management plan can be secured by condition.

Once construction is complete, vehicle activity is limited to servicing and maintenance visits. The applicants estimate from comparable schemes that this would be 2-3 vehicles a week, with occasional visits by large vehicles to deliver replacement equipment. Tracks and roadways will be of lightweight construction.

The site lies outside the wider EFSAC area and is assessed in term of operational use in terms of air quality. It is noted in the assessment that vehicle activity is comparable with the existing use in terms of vehicle movements on a day to day basis; while movements linked to the farm are generally more localised, movement of produce can be anticipated to be over a wider area, including through the

EFSAC area. Taking account of the low level of trip generation that results from the operational use, an appropriate assessment has been complete, as under:

### **Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended)**

A significant proportion of the Epping Forest Special Area of Conservation (the EFSAC) lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest Local Plan Submission Version (LPSV).

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concludes that there are two Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact are disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development).

Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of parts of the methodology underpinning the appropriate assessment HRA 2019, no issues were identified in relating to the screening of the LPSV or the Pathways of Impact identified. Consequently the Council, as competent authority under the Habitats Regulations, is satisfied that the Pathways of Impact to be assessed in relation to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

- 1) Recreation activities arising from new residents (recreational pressures); and
  - 2) Atmospheric pollution as a result of increased traffic using roads through the EFSAC.
- As this application is for non-residential development it has been screened in relation to the atmospheric pollution Pathway of Impact only and concludes as follows:

- 1) The development would not result in a net increase in traffic using roads through the EFSAC. The Council is therefore satisfied that the application proposal would not result in a likely significant effect on the integrity of the EFSAC. Having undertaken this first stage screening assessment and reached this conclusion there is no requirement to undertake an 'Appropriate Assessment' of the application proposal or seek financial contributions toward mitigation and monitoring measures.

### ***Residential amenity***

The solar panels are passive during operation, having no running parts or external illumination. All operational plant is located within the buildings and away from any residential properties. These buildings can in any event be insulated. A Noise Assessment accompanying the application supports this, demonstrating that the operation does not generate noise above ambient levels. Vehicular movements during operation will similarly have little amenity impact, other than in emergencies all routine activity will be during normal working hours.

Construction disturbance should not normally be considered as part of the planning application process, however residents raise legitimate concerns around large vehicles using Roydon Village for access. However, the site has good links to the M11 through the main road network and conditions can be imposed to ensure the final Construction Management Strategy includes adequate provision to ensure this remains the route for all large vehicles. Beyond this, the construction phase is relatively short.

Greatest potential impact directly on surrounding occupiers will be from the change in the visual environment. From close quarters, there will be a significant change in outlook. This will be somewhat tempered however over the medium to long term by the increasing significance of the additional planting. Very few properties would in any event have direct views that are not partially obscured by existing boundary vegetation or the landscape enhancements proposed. As a result, the direct harm from the introduction of the works would not appear to be so significant to outweigh other benefits.

Objectors raise issues of glint and glare from the panels. The panels are designed to absorb light rather than to reflect and do not therefore reflect light in the same way as conventional or mirrored glass. A glint and glare study emphasises the angle at which the panels are constructed does not provide for direct reflection at the relatively low levels of surrounding dwellings, and that other than a small area north of Harlow Road, panels are not oriented towards any nearby properties. Taking account of existing and proposed landscaping in the most affected area, there is little to support the suggestion that dwellings will experience solar reflection.

While the development will result in a change in the outlook from residential properties, in residential amenity terms the level of direct harm is minimal.

### ***Heritage and conservation***

The site is located approximately 300m east of Roydon Conservation Area and directly north of Nazeing and South Roydon Conservation Area. Additionally, the site abuts Eastend Farmhouse, a Grade II Listed farmhouse, and adjacent to Mount Pleasant, a locally listed manor house subsequently significantly enlarged and altered. The site is also within the setting of a designated Scheduled Monument which includes the standing and buried remains of a Cold War Heavy Anti-aircraft battery (c.1949-50).

The Roydon Conservation Area Character Appraisal (2006) noted that the rural setting to the east of the conservation area contributes significantly to its setting. While this remains the case, the area between the Conservation Area and the development is interspersed by frontage built development that creates a degree of separation which the proposal does not impinge on the core area, which is more clearly defined by the open area west of the pumping station which lies outside of the site boundaries.

The listed Eastend Farm has been substantially added to over an extended period with the introduction of more modern farm buildings. Historically, the setting of the building has taken advantage of extended views to the north across the open fields to the Stort Valley. This has been recognised, and the area directly opposite the listed building remains free of any solar panels. Intervention here is limited to the site entrance and a short section of the access road. Further, the land to the west of the listed building is similarly treated with the area remaining free of panels and only the access road, much of which is already in place to support the agricultural use, impedes on this space.

Impacts on the heritage assets have been fully considered. While any development of this scale will have an impact, the key assets will be protected in as far as is reasonably practical.

### **Conclusion and Green Belt balance:**

The application relies on the case made that the very special circumstances that would support development clearly outweigh the level of harm to the Green Belt in particular and other amenity concerns. In this regard, officers have attached substantial and significant weight to a number of benefits arising from the development:

- The contribution the development makes to the supply of renewable energy and to reducing greenhouse gases, particularly the annual reduction of carbon of around 11,200 tonnes per annum.

- The importance of solar energy in current measures to increase the supply of renewable energy – technology may move on over the coming years, but at present solar represents one of the more efficient energy supply sources.
- The proximity of the point of contact to the national grid – minimising disruption from the additional off site works.
- The works are temporary – while those who frequent the area will not perceive the works as temporary, there is a general acceptance that the works have a limited use and ultimately will be removed.
- The limited extent of the physical works – the buildings occupy a minute portion of the site area and the solar panels are mounted on struts requiring minimal groundworks. These works have limited physical impact and are reversible.
- The loss to agriculture is limited – much of the land is of moderate agricultural value and the need for deliverable renewable energy significantly outweighs this loss
- Landscape and biodiversity considerations – the proposals have taken account of existing landscape and biodiversity features and propose no disruption to these features. Significant enhancements in landscape and biodiversity are proposed.
- Other than the relatively short duration of the construction phase, the operation of the site will involve little activity at or in the vicinity of the site.

Officers do recognise that the development has a harmful visual impact in general terms, by virtue of the change in the visual character of the site and the loss of openness in the Green Belt. However, the general open character free of substantial built form will remain. The development also has a limited direct impact on residential amenity and local heritage assets.

The very special circumstances arguments are seen to be compelling and it is concluded that development accords with the renewable energy objectives in national and local planning policy.

***Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:***

***Planning Application Case Officer: Ian Ansell  
Direct Line Telephone Number: 01992 564481***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

**Conditions: (32)**

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: DZ-01 Rev 3, PLE-01 Rev 10, SD-01 Rev 02, SD-02 Rev 02, SD-04 Rev 02, SD-05 Rev 01, SD-06 Rev 01, SD-07 Rev 02, SD-08 Rev 02, SD-15 Rev 01, SD-16 Rev 01, SD-17 Rev 01, and edp7471-d011f

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (EDP, August 2022), Winter Bird Survey Report (Dominic Mitchell, April 202) and the Breeding Bird Survey Report (Dominic Mitchell, August 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and to accord with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF 2021.

- 4 No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
  - Limiting discharge rates to 1.28l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
  - Detailed engineering drawings of each component of the drainage scheme.
  - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
  - A written report summarising the final strategy and highlighting any minor changes to the approved strategy. The scheme shall subsequently be implemented prior to occupation.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy RP3 of the adopted Local Plan and Alterations 1998 & 2006.

- 5 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy RP3 of the adopted Local Plan and Alterations 1998 & 2006.

- 6 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF paragraphs 163 and 170, and Policy RP3 of the adopted Local Plan and Alterations 1998 & 2006.

- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. The parking of vehicles of site operatives and visitors
2. Loading and unloading of plant and materials
3. Storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
5. Measures to control the emission of dust and dirt during construction, including wheel washing. With regards to dust control measures and wheel washing, reference shall be made to the Institute of Air Quality Management (IAQM) best practice Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction.
6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

- 8 No works shall commence until a construction environmental management plan (CEMP: Biodiversity) is submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) 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 timing 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.

i) Containment, control and removal of any Invasive non-native species present on site

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

9 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development [or specified phase of development]. The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed.

b) Ecological trends and constraints on site that might influence management.

c) Aims and objectives of management.

d) Appropriate management options for achieving aims and objectives.

e) Prescriptions for management actions.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with Policies DM1 and DM3 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

10 1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the Local Authority archaeological advisors.

3. A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the local planning authority following the completion of the archaeological evaluation.

4. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the local planning authority.
5. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: The site is an Archaeological site where any remains are irreplaceable and are an interest of acknowledged importance which may be highly vulnerable to damage or destruction. Unless the Authority is satisfied that a proper scheme for investigation has been agreed the remains should be left undisturbed, in accordance with Policy DM7 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy HC1 of the adopted Local Plan and Alterations 1998 & 2006.

- 11 The development hereby permitted shall not be commenced until such time as a soil management plan has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason Soil compaction can cause increased run-off from the site. Therefore a soil management plan should show how this will be mitigated against, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF paragraphs 163 and 170, and Policy RP3 of the adopted Local Plan and Alterations 1998 & 2006.

- 12 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

- 13 Prior to commencement of any above ground works, a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
  - a) Purpose and conservation objectives for the proposed enhancement measures;
  - b) detailed designs to achieve stated objectives;
  - c) locations of proposed enhancement measures by appropriate maps and plans;
  - d) persons responsible for implementing the enhancement measures;
  - e) details of initial aftercare and long-term maintenance (where relevant).The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 14 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

- 15 No external lighting, including lighting required for construction and decommissioning, shall be installed at the site until such time as a lighting strategy for biodiversity has been submitted to and approved in writing by the local planning authority. All external lighting shall be installed in accordance with the details agreed in the strategy and shall be maintained thereafter in accordance with the agreed details, subject to any such variation that may be agreed with the Local Planning Authority. No additional external lighting shall be installed without prior written consent from the local planning authority.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 16 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2 & DBE1 of the adopted Local Plan 1998 & 2006.

- 17 Prior to commencement of groundworks, existing waste material on the site detailed in Section 8 of the Phase 1 Contaminated Land Report shall be removed from the site and safely disposed of. Following the completion of the remediation works and prior to the first operation of the development, a verification report of the removal by a suitably qualified contaminated land practitioner shall be submitted to 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 DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP4 of the adopted Local Plan and Alterations 1998 & 2006.

- 18 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

- 19 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy ST4 of the adopted Local Plan and Alterations 1998 & 2006.

- 20 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped and an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced) shall be undertaken. If any contamination is found then the site shall be remediated. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

Reason: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. To ensure the 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 is carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP4 of the adopted Local Plan and Alterations 1998 & 2006.

- 22 Notwithstanding any details approved under construction management conditions above, all construction traffic shall access and exit the site from the east, and measures shall be put in place on site to prevent vehicles exiting the site and travelling to the west through Roydon Village.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

- 23 Prior to commencement of the use, a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

- 24 Prior to their construction, details of the construction of the site accesses, visibility sight splays, dropped kerb vehicular crossings of the footway and details of measures to prevent surface water discharge onto the highway, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the access points shall be constructed ready for use prior to first

export to the National Grid in accordance with the approved details. The accesses shall be permanently retained in accordance with the agreed form at all times.

Reason: To ensure that appropriate access, vehicle parking and turning is provided. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies ST4 & ST6 of the adopted Local Plan and Alterations 1998 & 2006.

- 25 All plant and machinery shall be operated and maintained to ensure that noise does not exceed background noise levels when measured 1m from the closest noise sensitive premises.

Reason: To maintain reasonable levels of protection for neighbouring occupiers of the development from external noise, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

- 26 Fences and gates hereby permitted shall not be infilled or enclosed by, or supplemented by any fence, screen or other means of enclosure without prior consent from the local planning authority through submission of a planning application.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2 & DBE1 of the adopted Local Plan 1998 & 2006.

- 27 No unbound material shall be used in the surface treatment of the vehicular access hereby permitted within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety and to accord with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies ST4 & ST6 of the adopted Local Plan and Alterations 1998 & 2006.

- 28 All repairs, maintenance and servicing shall take place between 8am and 6pm Mondays to Saturdays, and at no times on Sundays, Bank or Public Holidays.

Reason: To protect the amenities of surrounding residential occupiers, in accordance with policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies DBE2 and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

- 29 The site operator must maintain yearly logs of SuDs maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason:- To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure

mitigation against flood risk, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy RP3 of the adopted Local Plan and Alterations 1998 & 2006.

- 30 The planning permission hereby granted shall be limited to a period of 40 years commencing from the date electricity generated by the solar panels is first exported to the National Grid. At the end of this 40-year period, the development shall be removed, and the land restored to its previous agricultural use in accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority. The applicant/developer shall notify the Local Planning Authority in writing within 10 working days of electricity being generated from the development being first exported to the National Grid (in order to calculate the 40 year period)

Reason: To allow for the site to return to agricultural use at the end of the planned design life for the development, and to allow the Local Planning Authority to ensure the very special circumstances which justified the development can be reconsidered for any alternative use, in accordance with Policy DM4 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy GB2A of the adopted Local Plan and Alterations 1998 & 2006.

- 31 No later than six months prior to the expiry of the planning permission, or within six months of the cessation of electricity generation at the site, whichever is the sooner, a detailed scheme of works for the removal of the development (excluding the approved landscaping and biodiversity works) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The scheme of works shall include the following: (a) a programme of works; (b) a method statement for the decommissioning and dismantling of all equipment and surfacing on site; (c) details of any items to be retained on site; (d) a method statement for restoring the land to agriculture; (e) timescale for the decommissioning, removal and reinstatement of the land; (f) a method statement for the disposal/recycling of redundant equipment/structures. The scheme of works shall be undertaken in accordance with the approved details and timescales. The operator shall notify the Local Planning Authority in writing within five working days following the cessation of electricity generation.

Reason: In order to ensure any redundant works are removed and the land reinstated in a timely manner, in accordance with Policy DM4 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy GB2A of the adopted Local Plan and Alterations 1998 & 2006.

- 32 If the solar farm ceases to export electricity to the grid for a continuous period of more than twelve months the use shall cease. Within a period of no more than three months from the end of the twelve-month period, a scheme shall be submitted to the Local Planning Authority for its written approval for the removal of the solar farm and associated equipment and the restoration of (that part of) the site to agricultural use. The approved scheme of restoration shall then be fully implemented within nine months of the written approval being given.

Reason: In order to ensure any redundant works are removed and the land reinstated in a timely manner, in accordance with Policy DM4 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy GB2A of the adopted Local Plan and Alterations 1998 & 2006.

## **Informatives: (4)**

33 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 determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

34 Any works to or within eight metres of open and/or piped watercourses will require Land Drainage Consent. For further information on the Land Drainage consent process or to find the application forms the applicant should visit the link below. It is highly likely that numerous works across the site will be subject to such consents.

<https://www.eppingforestdc.gov.uk/environment/land-drainage-consent/>

35 Essex County Council strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below. <https://www.essex.gov.uk/protectingenvironment>

Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. planning application with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures Flood risk assessments: climate change allowances - GOV.UK ([www.gov.uk](http://www.gov.uk))

Full details as to the construction makeup of the permeable access/roads/tracks including the method of conveyance and disposal for the surface water. The applicant has indicated a degree of infiltration within the site, but as the underlying geology of the area is predominantly clay, I would expect to see the results of percolation testing if infiltration proposed across the site. II. Further information in relation to the management of surface water for any buildings across the solar array. The report indicates attenuation will be located adjacent to individual parcels of hardstanding and some further clarity is required on how this is managed. III. Details of final modelling and calculations for all areas of the drainage system. The system must be designed for all storm events up to and including the 1 in 100 year plus climate change allowance. IV. The design must be detailed in a written statement for the site and a detailed drainage plans for each individual catchment / developed area (buildings/tracks/hardstanding) across the site.

36 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.