

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

MONDAY 17 JUNE 2013
5.00 PM

Reception Room - Town Hall

AGENDA

Page No

- 1. Apologies for Absence**
- 2. Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

- 3. Development Control and Enforcement Matters**

- 3.1 12/01905/R3FUL - Installation of Solar Farm, Land to the East of Black Drove, Thorney, Peterborough** **3 - 72**

Emergency Evacuation Procedure – Outside Normal Office Hours

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268 as soon as possible.

Committee Members:

Councillors: Serluca (Chairman), Harper (Vice Chairman), Hiller, North, Simons, Todd, Shabbir, Sylvester, Lane and Harrington

Substitutes: Councillors: Kreling, Martin and Ash

Further information about this meeting can be obtained from Gemma George on telephone 01733 452268 or by email – gemma.george@peterborough.gov.uk

CASE OFFICERS:

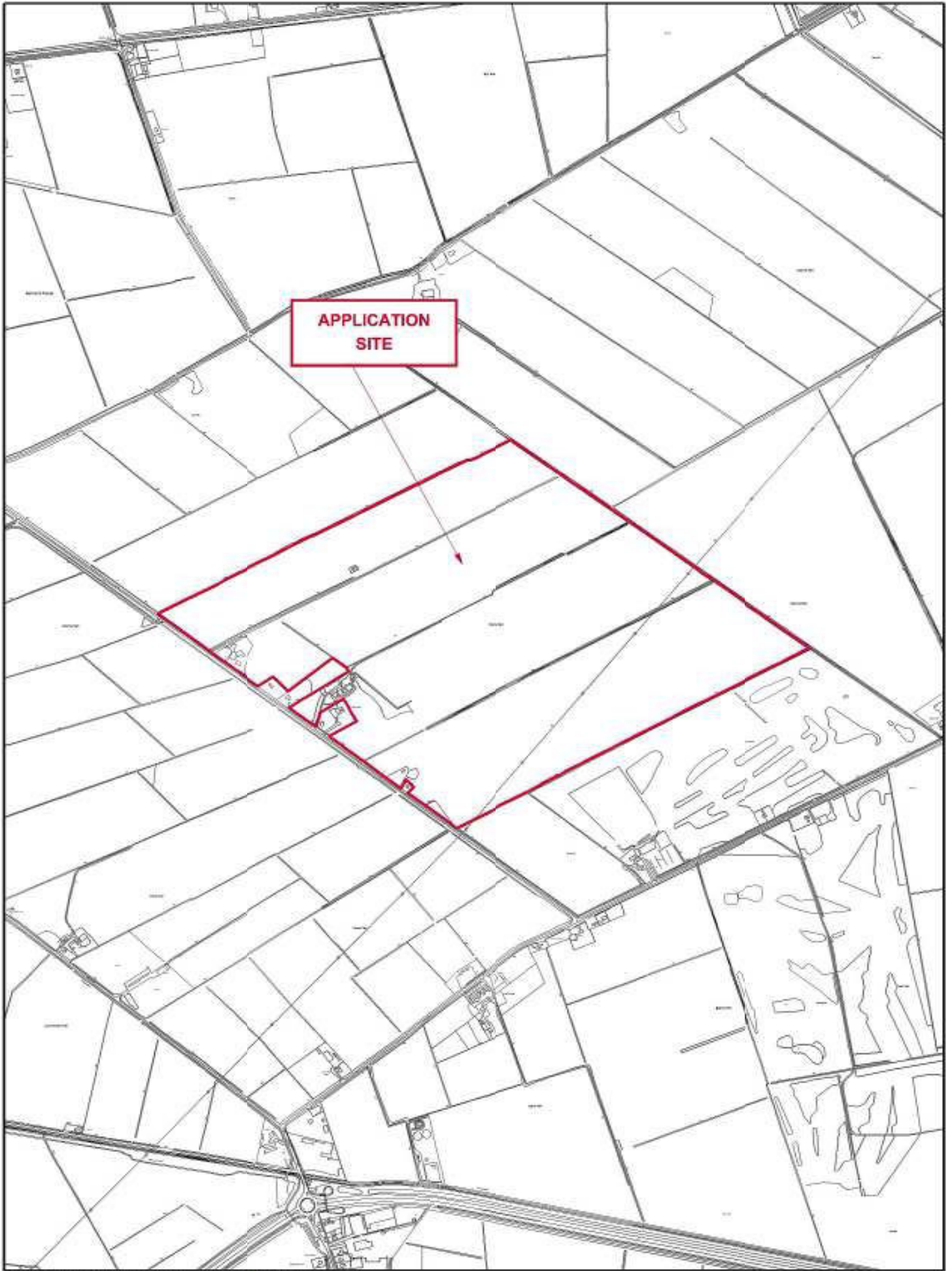
Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet Maclennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

Minerals and Waste: Theresa Nicholl, Alan Jones

Compliance: Nigel Barnes, Anthony Whittle, Karen Cole, Julie Robshaw

NOTES:

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer or Head of Planning, Transport and Engineering Services as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.



LOCATION PLAN 12/01905/R3FUL
Land to the East of Black Drove, Thorney, Peterborough

Scale NTS **Date** 6/6/2013 **Name** AA **Department** Planning Services



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Application Ref: 12/01905/R3FUL

Proposal: Installation of a solar farm with an installed power capacity of up to 26MW, comprising the installation of photovoltaic panels, associated boundary fencing, security and CCTV cameras, site access and associated electrical infrastructure including inverter units; transformer and temporary construction compounds, electricity substation and 2no. terminal towers.

Site: Land to the East of, Black Drove, Thorney, Peterborough

Applicant: Ms Michelle Drewery
Peterborough City Council

Agent: Mr David Cassells
AECOM

Referred by: Head of Planning, Transport and Engineering

Reason: In the wider public interest

Site visit: 04.01.2013

Case officer: Miss A McSherry

Telephone No. 01733 454416

E-Mail: amanda.mcsherry@peterborough.gov.uk

Recommendation: (1) **An appropriate assessment is not required** under Regulation 61 of the Conservation of Habitats and Species Regulations 2010, as the proposal is not likely to result in a significant effect on the Nene Washes SPA/SAC and the birds that use it.

(2) **GRANT** permission subject to:

- a) The satisfactory completion of the geophysical archaeological assessment on that part of the site not yet assessed, the undertaking of any trial trenching and mitigation required as a consequence and the undertaking of public consultation
- b) The conditions as given in this report as may be required to be amended as consequence of (2) a) above

1 **Description of the site and surroundings and Summary of the proposal**

Site Description

- The site area is approximately 100.6ha, which is predominantly Grade 2 agricultural land
- To the west of the application site are residential properties which run parallel to Black Drove, one of which (Thorney Lodge) is Grade 2 Listed.
- To the south is Thorney Golf Club, which benefits from partial screening by an established row of conifers. To the south-east is Priest Farm.
- The site is located within the Peterborough Fens character area (Policy CS20 of the Peterborough Core Strategy DPD (2011)). To the north and east, as with the immediate surroundings, the landscape is predominantly flat/level with open drainage ditches within and adjacent.
- The Nene Wash, a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and RAMSAR site is located approximately 6km south of the application site. Within 1km of the application site there are several sites of known archaeology.
- The site is within a Flood Zone 3 and a Mineral and Waste Safeguarding Zone.

Proposal

Permission is sought for;

- 144,060 panels, which would be arranged in sections of either 50m x 5.85m or 16.7m x 5.85m and would stand at 700mm above ground level and 3.4m to highest point;
- The panels would be affixed to piled metal frames;
- Within a Substation compound would be the control building and operation centre (40m (l) x 15m (w) x 6.5m (h) and two switch stations and transformers, surrounded by a 3m high palisade fence;
- Twenty-three invertors buildings each with a floor area of 5.4m (w) x 3m (l) and a height of 2.8m;
- A 2.4m high mesh fence to surround the site;
- Underground cables to a depth of 1.15m;
- 18 x CCTV stands at 5m in height; and
- A network of internal roads to be compacted hardcore.
- Access to the site from Black Drove, at the southern most point of the application site.

The proposal would create 14 full time equivalent jobs and produce up to 26MW of electricity.

Amendments

In response to the Local Planning Authority's concerns the site compound and its control building, associated apparatus and access has been relocated to the eastern edge of the application site (Drwg S2-ENG-301 B).

As indicated by drawing NTS-2(R) A3 the parcel of land west of Black Drove is no longer proposed for development. This has led to a reduction in the overall site area and the number of proposed solar panels.

Other 'solar farm' development applications

The following applications for planning permission have also been submitted to the Local Planning Authority;

- 12/01904/FUL - Installation of a solar farm with an installed power capacity of up to 8MW, comprising the installation of photovoltaic panels, associated boundary fencing, security and CCTV cameras, site access and associated electrical infrastructure including a switch station, inverter units and transformer and temporary construction compounds at Land To The South Of America Farm, Oxney Road, Peterborough (Pending Consideration).
- 12/01906/R3FUL - Installation of a solar farm with an installed power capacity of up to 49MW, comprising the installation of photovoltaic panels, associated boundary fencing, security and CCTV cameras, site access and associated electrical infrastructure including a switch station, inverter units and transformer and temporary construction compounds at Land To The East Of Peterborough Road, Crowland, Peterborough (Pending Consideration).

These proposals are potentially relevant to this application, in the context of potential cumulative environmental impacts resulting from the proposals in combination.

2 Planning History

No relevant planning history

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations, including national policy documents, indicate otherwise.

THE DEVELOPMENT PLAN

Peterborough Core Strategy DPD (2011)

CS01 - Settlement Hierarchy and the Countryside

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

CS10 - Environment Capital

Development should make a clear contribution towards the Council's aspiration to become Environment Capital of the UK.

CS11 - Renewable Energy

Opportunities to deliver on site or decentralised renewable or low carbon energy systems will be supported on appropriate sites where there are no unacceptable impacts.

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

CS17 - The Historic Environment

Development should protect, conserve and enhance the historic environment including non scheduled nationally important features and buildings of local importance.

CS20 - Landscape Character

New development in and adjoining the countryside should be located and designed in a way that is sensitive to its landscape setting, retaining and enhancing the distinctive qualities of the landscape character area and sub area in which it would be situated.

There are six landscape character areas which have been identified in the Peterborough Landscape Character Assessment and illustrated on Map 2. These are the Nene Valley, Nassaburgh Limestone Plateau, Welland Valley, Peterborough Fens, Peterborough Fen Fringe, South Peterborough and Claylands character areas.

CS21 - Biodiversity and Geological Conservation

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

CS22 - Flood Risk

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)

CS26 – Mineral Safeguarding Areas

Development will only be permitted where it has been demonstrated that ... the development will not inhibit extraction if required in the future.

CS27 – Mineral Consultation Areas

Development will only be permitted where it is demonstrated that this will not prejudice existing or future mineral extraction.

CS30 – Waste Consultation Areas

Development will only be permitted where it is demonstrated that this will not prejudice existing or future waste management operations.

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

PP12 - The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

PP18 - Ancient, Semi-Natural Woodland and Ancient and Veteran Trees

Permission will not be granted for development which would adversely affect an area of ancient, semi-natural woodland or an ancient or veteran tree unless the need for it or public benefits outweigh the loss.

PP19 - Habitats and Species of Principal Importance

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

PP20 - Development on Land affected by Contamination

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

Peterborough Tree and Woodland Strategy, Document 1: Policies and Priorities 2012

CTWG6 – Tree Cover

The Council will encourage an increase in tree cover by new and replacement planting, placing great emphasis on use of appropriate tree species.

MATERIAL CONSIDERATIONS

National Planning Policy Framework (2012)

Section 4 - Assessment of Transport Implications

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

Section 7 - Good Design

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

Section 10 - Renewable Energy Development

Applications for energy development should not be required to demonstrate the overall need for renewable or low carbon energy. Applications should be approved (unless material considerations indicate otherwise) if the impacts are or can be made acceptable.

Section 10 - Development and Flood Risk

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

Section 10 - Adapting and Mitigating Climate Change

Energy efficiency improvements to existing buildings should be supported. New development should comply with local policies for decentralised energy supply unless it can be demonstrated that this is not feasible or viable. Account should be taken of the landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Section 11 - Natural and Local Environment

Should be enhanced through the protection and enhancement of valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity. New and existing development should not contribute to or be put at unacceptable risk by unacceptable levels of soil, air, water or noise pollution and land instability.

Section 11 - Development on Agricultural Land

Where deemed necessary areas of poorer quality land should be used in preference to that of a higher quality.

Section 11 - Biodiversity

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

Section 11 - Contamination

The site should be suitable for its intended use taking account of ground conditions, land stability and pollution arising from previous uses and any proposals for mitigation. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Section 11 - Noise

New development giving rise to unacceptable adverse noise impacts should be resisted; development should mitigate and reduce to a minimum other adverse impacts on health and quality of life arising. Development often creates some noise and existing businesses wanting to expand should not be unreasonably restricted because of changes in nearby land uses.

Section 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

Section 12 - Development Effecting Non-Designated Heritage Assets

A balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Where the asset is demonstrably of equivalent significance to a Scheduled Monument it should be subject to the policies for designated heritage assets.

Section 13 - Unacceptable Adverse Impacts

Should be avoided on the natural and historic environment, human health and aviation safety. The cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality must be taken into account.

Section 13 - Noise, Dust and Particle Emissions

Including any blasting vibrations must be controlled, mitigated or removed at source. Noise limits for extraction in proximity to noise sensitive properties should be established.

Section 13 - Restoration and Aftercare

Should be provided for at the earliest opportunity and carried out to high environmental standards

through the use of appropriate conditions.

Section 13 - Mineral Safeguarding

Non mineral development proposals should not normally be permitted in Mineral Safeguarding Areas (MSAs) where they may constrain potential future use of the minerals.

Other material considerations

A Climate Change Strategy for Peterborough, Peterborough City Council (2007)

Circular 06/05 'Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System'

Sustainable Community Strategy 2008-2021, Greater Peterborough Partnership (2008)

The UK Low Carbon Transition Plan: National Strategy for Climate and Energy (2009)

The UK Renewable Energy Strategy, HM Government (2009)

Relevant legislation

Bern Convention 1979 (The Convention on the Conservation of European Wildlife and Natural Habitats)

Climate Change Act (2008)

Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds

Energy Act 2008

Energy Bill 2012

Flood and Water Management Supplementary Planning Document (SPD) 2012

Habitats Directive (*European Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna*)

Hedgerow Regulations 1997

Natural Environment and Rural Communities (NERC) Act 2006

The Conservation of Habitats and Species Regulations 2010 (as amended)

The Wildlife and Countryside Act (WCA) 1981 (as amended)

Ramsar Convention 1971 (as amended)

4 Consultations/Representations

PCC Conservation Officer - No objection – Thorney Lodge (TF 20 NE 6/585) to the west of the application site is a Grade 2 listed building. The listed building is set back a distance from Black Drove in a large curtilage with mature landscaping, limiting direct views of the property. Any harm to the setting of the listed building is outweighed by the public benefit of the scheme. The

conservation officer supports the deletion of the site, west of Black Drove, and the relocation of the substation to the south east corner of the site.

PCC Archaeological Officer - No objection - Based on the results from the partial geophysical survey and aerial photographic assessment, which have produced very limited evidence of archaeological activity in this area. A condition to secure the completion of the geophysical works and minimum trial trenching, with further work to follow, if necessary is recommended.

PCC Wildlife Officer - No objection – Further to receiving the completed ornithological surveys it is noted that there is no indication that the site is visited regularly by a large number of SPA qualifying species. The proposal therefore will not result in loss of important habitat needed for these birds. Table 3 (Ecological Habitat Enhancement) sets out habitat creation and species lists. Monitoring the effectiveness of the mitigation measures and impact of the development on the sites ecology should be for the lifetime of the development. Considering the potential cumulative effect with other proposed development the project would not have a significant effect on the Nene Washes SPA/SAC.

Requests that all relevant ecological avoidance, mitigation and enhancement measures, identified as being necessary, are provided as part of a detailed Construction Environmental Management Plan, Operational Environmental Plan (including a Habitat Management Plan for the proposed areas of biodiversity) and Restoration Strategy. A detailed Ecological Monitoring Programme should be prepared. All the above measures may be secured via suitably worded planning conditions.

PCC Drainage Team - No objection - Subject to a condition being attached with respect to providing a scheme for the provision and implementation of surface water drainage.

PCC Landscape Officer - No objection - Requests a condition be attached with respect to the submission of a landscaping scheme, landscaping establishment and landscape management plan.

PCC Transport and Engineering Services - No objection - Requests conditions and informatives with respect to the submission of a construction management plan which dictates haul routes, hours of construction and dealing with issues of noise and dust; highway assessment for any abnormal loads that require access to the site; off-site highway works; highway condition survey, ensuring any damage to roads during the construction phase are repaired once works are completed; junction details and visibility splays; access gradient details; and provision and retention of parking for future users.

PCC Engineers (Bridges) - No objection - Requests a prior to commencement of development condition be attached with respect to strengthening works to bridges.

PCC Minerals And Waste Officer (Policy) - No objections - Subject to ensuring a satisfactory restoration of the site which does not sterilise the underlying mineral reserves in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS26.

PCC Pollution Team - No objections - Subject to works being undertaken in accordance with the Construction Environmental Management Plan (CEMP). Requests a condition be attached with respect to operational noise and a condition with respect to uncovering unsuspected contamination during construction.

PCC Rights of Way Officer - No comments – There are no public rights of way which cross the application site.

PCC Landscape Architect (Enterprise) - No objection - The modifications involving a reduction in the site area, reduces the landscape and visual impact; the additional planting on the northern boundary is supported.

South Holland DC - No comments received

English Heritage - No objection - The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Environment Agency - No objection - The revised FRA states that surface water from the proposed development site will drain to the Internal Drainage Board (IDB) network. The detailed surface water drainage design therefore needs to be agreed with the North Level IDB to ensure their system has available capacity to accommodate any potential increase in volume of surface water. On uncontaminated land, soakaways would be permissible for the disposal of clean surface water subject to Percolation tests.

Natural England - Consultation Service - No objection – Satisfied that since the site has not been identified as a significant foraging area for birds associated with the Nene Washes SPA/SAC/Ramsar site, and given the amount of land still available to these species within a 7km zone, it is considered that the effects of this project, through arable land-take, whether on its own or in combination with any other development proposal, will not have a significant effect on the Nene Washes SPA. The proposal will not result in the permanent loss of more than 20 hectares of the best or most versatile agricultural land (para 112 of the NPPF). The panel arrays would be installed with limited soil disturbance, being secured through pins in to the ground every few metres, and could be removed when planning permission expired with no likely permanent loss of agricultural land quality in the long term. The application is for 25years only with the site being returned to agricultural use thereafter. Therefore the mainly temporary loss of agricultural land is not considered to be contrary to planning policy. An Environmental Management Plan, including details of all mitigation, enhancement and monitoring proposals, should be provided through a planning condition. Mitigation measures to minimise collision risk e.g. non reflective panels, colour markings etc should be secured by condition. Monitoring surveys should carry on beyond the first two years.

The Wildlife Trusts (Cambridgeshire) – No objection – The Wildlife Trust is now satisfied a thorough assessment of potential cumulative impacts has been undertaken. They are pleased to see that detailed species mixes have been proposed for the grassland creation under the solar panels and that the species mix (if using seed of UK native origin) has the potential to develop into neutral grassland BAP priority habitat. Strict conditions should be imposed to ensure that the proposed environmental enhancements are implemented and that the operational environmental management plan does deliver the proposed environmental benefits. Key to this will be sufficient on-going monitoring throughout the development period.

RSPB (Eastern England) - No objection - RSPB considers that there is sufficient information to confirm that the proposal will not have an adverse impact on nature conservation interests alone, with appropriate mitigation. The RSPB agrees that there is sufficient information to confirm that the proposal 's contribution to this cumulative effect will be *de minimis*. However, does not consider that sufficient evidence has been presented to provide reasonable certainty that the cumulative effect of loss of a possible c.15% of potentially functionally linked land will not have a likely significant effect (LSE) on the integrity of the Nene Washes Special Protection Area. A condition to cover proposed mitigation and enhancement options should be imposed.

Health & Safety Executive - No objection - The HSE does not wish to be consulted on applications for Solar Farms as they would not lead to a material increase in the number of people in the vicinity, unless they were proposed within a Detailed Emergency Planning Zone of a licensed nuclear installation.

National Grid - No objection - National Grid has advised several tolerances the developers are required to adhere to with respect to operational implementation, such as no works to be undertaken within set distances to known infrastructure. Any works within these distances require separate consent from the National Grid.

North Level District Internal Drainage Board - No objection - Subject to no development permitted within 9 metres of the Boards Watercourses. If run-off is increased, then a development levy may be payable, and if as a result of the development the land is no longer in agricultural production, the areas involved will be subject to a special levy for rating purposes.

Civil Aviation Authority - No objection – The CAA have requested a safety assurance document for any aerodromes which are located within 5km of the application site.

Defence Infrastructure Organisation (MOD - Statutory) - No objection

National Air Traffic Services - No objection

Peterborough And Spalding Gliding Club - No objection

Fenland Air Traffic - No comments received

Cambridgeshire Constabulary Air Operations Unit - No comments received

Police Architectural Liaison Officer - No objection - The proposed CCTV and fencing are considered necessary and commensurate to address potential risk of crime.

Anglian Water Services Ltd - No comments received

Fire Community Risk Management Group - No objection - Requests a note to applicant be attached to ensure the buildings have appropriate warning signage to alert attending crews to any risk.

Ramblers (Central Office) - No objections - Subject to no rights of way being obstructed.

Secretary of State - No comments received

Councillor D McKean - Objects – Further to the following, it is requested that Officers work with rural communities and stakeholders in formulating the proposals, and consider how their suggestions can be incorporated into the solar project.

- Concern that double height Solar Panels when compared to those at the Whittlesey visit site have been submitted. The comment made to me was that this allowed extra width between panels to enable possible agriculture if the site has not been submitted for dual use e.g. solar and agriculture then the panels should be lowered to the height at Whittlesey to reduce the visual impact.
- Concern that weed killer was being used under Solar panels at the Whittlesey site and this would mean approx half the site size would have weed killer applied I am seeking an assurance from PCC that they would not do this and use a more environmental friendly approach, this has still not been resolved
- I have not had a response as to the outcome of consulting the Royal Air Force as to whether there would be a risk of aircraft collision danger with Solar Panel reflections to Local RAF / USAF aircraft that regularly undertake dog fight exercises above Eye / Newborough and Thorney area e.g. being dazzled when undertaking inverted manoeuvres by sun reflections from the panels

Councillor D Sanders - Objects – The proposal would take away Grade 1 and 2 agricultural land for industrial use, contrary to Peterborough City Council local plan policy.

Newborough And Borough Fen Parish Council - Objects – Failure to consult effectively, loss

of Grade 1 and 2 agricultural land, scheme should be determined by Secretary of State, threat to wildlife (electrical noise and waves), panels could resemble large water body and could distract aircraft during manoeuvres, visual impact, traffic, health and safety, risk of crime, change of use and 2.4m high fencing not in keeping with countryside environment, area has history of farming, inconsistent with local plan; dwellings would not be permitted on this site, flooding, increased run off and risk of chemicals polluting the water course, in the future the land could be reclassified; economically untenable to continue farming the land, viability concerns.

Thorney Parish Council - Objects – Failure to consult effectively, loss of Grade 1 and 2 agricultural land, scheme should be determined by Secretary of State, threat to wildlife (electrical noise and waves), panels could resemble large water body and could distract aircraft during manoeuvres, visual impact, traffic, health and safety, risk of crime, change of use and 2.4m high fencing not in keeping with countryside environment, area has history of farming, inconsistent with local plan; dwellings would not be permitted on this site, flooding, increased run off and risk of chemicals polluting the water course, in the future the land could be reclassified; economically untenable to continue farming the land, viability concerns.

Deeping Gate Parish Council - Objects – No justification for wind turbines. Solar panels do not make sense in our climate, misuse of irreplaceable resources. Concern more land adjacent to Deeping Parish will be used for more solar panels.

Local Residents/Interested Parties

Newborough Landscape Protection Group - Objects – The main objection is on the grounds of the loss of high Grade 2 (best and most versatile) agricultural land which is contrary to both Local and National planning policy and guidance. Approval of this would set an undesirable precedent for loss of further agricultural land. Changing weather patterns, could result in reduced crop yields putting further pressure on UK food production. This will cast doubt on the applicant's figures in terms of economic and agricultural values in the ES. There is insufficient justification for the loss of Grade 2 land. The fact that it would be more costly for the applicant to carry out the development on an alternative site is not sufficient justification to allow the loss of Grade 2 agricultural land on this site. The economic model behind the proposal may not be accurate. The sustainability claims for the scheme are questioned, in view of the general decarbonisation of the UK electricity industry and planned reductions of CO₂. It is considered a greater contribution to the sustainability of Peterborough could be achieved by improvement of the energy efficiency of buildings and housing stock within the Peterborough rather than this proposal. Considers that some of the application form is inaccurate, and so the application should be rejected or re-submitted. The planning drawings submitted are inaccurate and out of date and do not accurately show neighbouring properties and boundaries. There will be a major detrimental visual impact on Black Drove and English Road. The landscaping scheme proposed is insufficient, it will take years to mature and will not provide screening in winter. Earth bunds should be used to give all year round screening. This harmful visual impact is contrary to planning policy. There will be a dramatic impact and harm on the living conditions of local residents and will adversely impact on the character and appearance of the local area. The CCTV cameras will unacceptably intrude into the privacy of neighbouring sites. Alternative security measures should be proposed. The ES has deliberately excluded the works required to connect the development to the electricity grid. The ES is bias, misrepresents the impacts on local residents, ecology and therefore does not propose suitable mitigation. Increased risk to users of the Green Wheel. The site has only been chosen because of the ease of the applicant to obtain the land from the tenant farmer and not because it is the best location for the development. The group would like to speak at the Planning Committee.

176 objections have been received in total which includes 15 additional objections made following further consultations undertaken between 8th February 2013 and 26th March 2013 and 17 letters of objection and 209 signed objection letters received following consultation undertaken between 22nd March 2013 – 18th April 2013. The main reasons for objections are summarised below:

Loss of agricultural land

- Loss of grade 2, best and most versatile agricultural land which should be reserved for food production
- A small area of land will be lost but this areas gives a high yield
- There is a world shortage of food, this would reduce food supply while population increases
- Weather patterns around the world will lead to reduction in yields, food prices will rise further and there are concerns over food security
- The loss of agricultural products would entail imports – a matter of national concern – there would be less monitoring and lower food quality
- DEFRA encouraging the production of more food in UK
- It would be more appropriate to use Grade 3 agricultural land/poorer quality agricultural land/brownfield land
- The government have spent multi-million pounds on drainage grants to make it more productive
- The detrimental impact is the value of total agricultural production lost – the loss of that food will have to be replaced elsewhere – this is not mentioned
- The Government has encouraged farming to take account of the environment by leaving uncropped areas, planting trees and hedges
- Unethical to not use Grade 1 land for food production

Long term capability of soil

- The application is presented as a temporary use however; there is no guarantee that the long term capacity of this agricultural land will be safeguarded.
- The soil structure and water infiltration is likely to be seriously compromised by failure to retain organic matter levels, soil is likely to become compacted and existing land drainage is unlikely to be properly maintained
- Excessive run off, not be properly diverted will lead to soil erosion.
- The loss of high grade agricultural land is most likely to be permanent
- The land will become polluted with toxins and electrical waves
- How will the land be returned to agricultural use?
- Corrosion of the pilings which secure the panels will change the chemical balance of the soil and reduce yield
- Some solar products use Cadmium – a heavy metal that accumulates in plant and animal tissues and a probable carcinogen in humans/animals making land unfit for future agricultural use
- After 25 years of agronomic neglect would take years for the land to be productive again
- Will the top soil be wasted?

Use of land between panels

- The suggestion of farming around/under turbines/panels is merely tokenism; and low intensity livestock farming is unlikely to be viable for farmers
- Grazing is not the best use of grade 1 and 2 agricultural land

Livelihood of the tenant farmers

- Loss of livelihood and income for the tenant farmers
- The hard work of farmers is disregarded
- Relocation of farming operations that have endured for decades will cause disruption and there is a lack of suitable alternative land.
- It is immoral to deprive people of their right to follow the traditions they have strived for
- The personal circumstance, hardship and difficulties of the occupiers of the land are material to the planning process

Impact on local economy

- Loss of employment and income for the local economy
- 'knock on affect' to supporting industries that rely upon farming for their survival

- Declining infrastructure will result in prices rising making farming unsustainable for the remaining farmers
- The proposal threatens to undermine the Country's rich farming heritage/employment opportunities in farming for future generations
- It will reduce the amount of arable acreage available to farm for future generations
- The NFU, Young Farmers club and Tenant Farmers Association actively raise profile of agriculture as a career choice to fill the skills gap
- Displacement of families resulting in impact on children's schooling and looking after elderly relatives

Impact on the wildlife in the area

- This is the countryside, home to nature which should not be put at risk by manmade danger
- The land which provides food, habitat and nesting area will be lost
- Threatens a diverse ecosystem which supports, rare species including Great White Egret, Barn Owls, Great Crested Newts, bats, active badger setts, brown hares, rare moths, butterflies
- Impact on Owls that have been encouraged to nest and breed - the area has one of the most important populations of Barn Owls in the country
- Barn Owls have not been properly recorded/evaluated as surveys are undertaken during the day when they do not hunt
- Insufficient information has been submitted to assess the impact on wintering birds; surveys should be undertaken over 4 seasons
- The three sites taken together would have a cumulative detrimental impact on birds and wildlife
- The solar panels will resemble water from the air resulting in death of animals trying to land
- Insects may attempt to settle, breed and lay eggs on solar panels; this will reduce their reproductive success and food availability for birds.
- The solar panels emit noise and large-scale emissions of electrical waves which will impact on wildlife
- The proposal would have a detrimental impact on Nene Valley Washes Ramsar, SPA and SSSI which supports populations of wintering wildfowl and waders which are internationally important
- Morris Fen and the Farms of Newborough are within 6.5km of the Local Nature Reserve at Eye Green
- The impact on wildfowl waders due to habitat loss and displacement, this is played down due to there being an abundance of arable habitat elsewhere
- Little monitoring has been undertaken of the potential for birds/bats to strike and collide with solar panels
- Security fencing could become a barrier to movement of wild mammals and amphibians also a collision risk for birds
- Accidental spillages into drains that have the potential to support otter, water vole, grass snake, common toads, great crested newts and bats.
- There is also a pond within the development site with the potential to support great crested newts which could also be affected.
- There is a real lack of information as to the true impact of solar parks on wildlife and ecology
- The mitigation measures proposed do not go far enough
- There is very little planting proposed between the PV arrays, which may mitigate collision risk
- a lower density of PV panels would offer greater scope for environmental gain and reduce collision risk.
- How would overhead power lines, wires and supports be designed to minimise electrocution and collision risk.
- Local people get great pleasure from seeing Barn Owls, White Egret, Plovers, Skylarks and Deer which will be lost.
- Noise, glare and maintenance of panels will have a negative impact on, and will disturb, wildlife
- Impact on Wildfowl flying to and from the English Heritage Decoy?
- Glare from panels will affect Owls

- The loss of wildlife would be a loss of an educational resource for children
- Wildlife will be restricted from accessing the site in fear of damaging wires, cells and associated infrastructure

Change of Use of land

- Agricultural land would be turned into industrial land
- Once converted into a solar farm it will be classified as a brownfield site, making it easy for developers to buy huge areas of farmland, increasing saleability and preventing its conversion back to agricultural use
- Once the use has changed it cannot return to agricultural use again re the CAP
- This is an overdevelopment of the site

Impact on trees

- Hedgerows and trees that are currently used as habitation will also be destroyed and impact on wildlife
- How will the tree planting be managed to ensure dead trees are replaced?

Drainage Systems

- Concern regarding the maintenance of drainage systems which have evolved over the years prevent flooding – how will the dykes and drainage be maintained?
- If the drainage system is not maintained it will impact on adjacent farm land
- The developers have no experience of farming and how farming the land manages flooding
- The resulting flooding will impact on thousands of homes across the affected area – affecting value of property and insurance costs
- The run-off from the panels will change the water distribution resulting in flood risk
- The Environment Agency has advised that the Flood Risk Assessment is not sufficient to assess flood risk arising from the development.
- Large concrete foundations on an industrial scale will lead to flooding
- No information has been provided regarding the disposal of site run-off water
- Crops absorb the moisture reducing flooding
- A lot of investment has gone into the drainage of the land due to soil quality

Landscape and Visual Amenity

- The height of PV panels, substation, inverter units, CCTV, fencing and associated equipment and works is inappropriate in the open countryside and would be a massive incursion into the otherwise undeveloped character of this area.
- The commercial solar farms are industrial in character and the fencing which will appear institutional in character.
- The panels will change the Fen landscape and the public view will be completely ruined
- The impact is exacerbated by the cumulative impact of the three sites in close proximity; giving rise to a total of 478,900 solar PV panels across 863 acres of land.
- The developments exceed guidance by Natural England in their Technical Note TIN101 on solar parks in term of scale and location
- The site falls within the Peterborough Fens Landscape Character Areas where it is necessary to “*restrict tall buildings and structures that will visually impact over a large area where not suitably mitigated*”.
- The impact is dismissed on the basis that it is reversible in the long term however there is no guarantee this will happen
- The proposed mitigation planting will be an alien feature in this landscape character area and would create a physical barrier to the “*wide views to distant, often dramatic skies*”.
- The trees and man-made structures will impact on the character of the conservation village.
- The solar farms will dominate the village and will be highly visible from many aspects.
- It will be worse than a few acres of polytunnels

- Impact on wide open views of horizon blighted by massive lakes of black grass surrounded by metal fencing; picturesque views will be destroyed
- The vision of solar panels and wind turbines will be an eyesore
- Panels should be a maximum of 2m high and screened by earth banks
- Wind turbines would have a significant adverse effect on the landscape character
- Cumulative impact of proposal combined with other renewable energy schemes in the area will completely surround Thorney; panels should be located in the City on brownfield sites
- Proposal would result in an industrial desert

Peterborough City Council (PCC) Planning Application

- Insufficient time given from publication of the proposal and the planning meeting
- PCC are desperate to get consent without too many people knowing
- PCC would be granting itself planning permission; this is a matter for central government/Secretary of State to ensure an unbiased decision
- PCC has a financial interest and is expediting this planning application in order to secure consent before the cut backs in the Government's Feed-In Tariff.
- PCC has failed to give proper consideration to the impact of the development and the views of local stakeholders
- Planning Officers are under pressure to get the application through – they should be impartial
- A S106 planning obligation cannot be imposed and so no appropriate mechanism to ensure mitigation measures are implemented
- PCC has only considered alternative sites within its ownership and failed to assess the potential of more suitable alternative sites with less detrimental impact
- The council is ignoring its own policy advice regarding loss of agricultural land
- Although the scheme was presented to the Overview and Scrutiny Committee the application and information differs from that presented
- No private developer would be allowed to turn hundreds of acres of agricultural land into an industrial estate – if PCC grants itself planning permission how can others be refused?
- AECOM cannot be independent
- It is time to take stock and consider all the rushed projects and mistakes overseen by PCC
- PCC supports reducing food miles (that is an energy saving scheme)
- Concerns about the ability of the preferred bidder – the only bidder. A contract should never be won as a result of a tender from just one company
- It is for energy companies to provide energy not councils.
- Breaking the application into 3 chunks to avoid the application being approved by Central Government
- The Leader of the council has conflicts with this proposed energy park
- Just because it is council owned land doesn't mean the land should be laid to waste
- Determination to implement this scheme when PCC heels dragged over other proposals
- Have PCC acted appropriately or even legally
- The need for PCC to investigate alternative income streams should not be a material planning consideration and should be judged on planning policy grounds
- Members of the consulting team did not have access to some of the land because it was still covered by crops
- It has not been put out to tender correctly
- Concern regarding the experience of the proposed contractor to best minimise the impact upon the local community
- Concern that costs of project are unknown which could ultimately impact on completion of works and its maintenance to a good standard.
- When essential services are being cut this is an appalling use of council tax payer's money
- Like Peterborough City Hospital this is a municipal vanity project and should be ignored.
- Erroneous information has been given; local residents would not benefit by cheap electricity and it will be sold to the national grid

- Incorrectly told that the PCC already use roofs on buildings i.e. the Freemans Warehouse – which is not the case
- Panels are not very efficient at producing energy
- Who will be responsible for removal of the panels in 20-25 years?
- If solar panel technology improves, this would make the proposed technology obsolete
- Contrary to the wishes of the local Community
- Other forms of energy generation will be required

Quality of submission

- There are inconsistencies and discrepancies between documents submitted with the application and concern regarding the quality of the plans, particularly the differing layers. The public are therefore not fully aware of the proposal and lack of clarity for the planning department to make an informed decision
- There are insufficient details i.e. design of panels and all the components that will collect the power and pass to the grid
- Little thought has gone into the practical operation of the site for example, basic facilities for site workers, improvement of access roads, turning arrangements, drainage of solar panels
- The applicant has not complied with the conditions set out in the screening opinion for archaeological survey, wildlife/bird surveys
- Application has been submitted with incomplete feasibility studies i.e. archaeology/bird surveys/insufficient Flood Risk Assessment
- PCC has an obligation to scrutinise the application but is prepared to accept incomplete and flawed information
- A plan shows meteorological masts for wind turbines; this is not in the description and other meteorological masts required planning permission
- The development will have significant leeway to alter the plans
- There is no decommissioning strategy/costs

Consultation Process

- Only one week' notice was given for formal consultation event
- Pre-application consultation gave rise to 78 written responses; the applicant has failed to give due consideration to the comments received.
- At the consultation meetings presented by AECOM the staff lacked the relevant facts about the Energy Farms and misrepresented the size of the Solar Panels.
- The Council was not present at consultation events leaving Consultants floundering and unable to answer questions
- There have been serious shortcomings in the consultation process and questions have not been adequately answered/concerns are being ignored
- Specialist consultees have not been provided with correct information i.e. bird surveys/archaeological surveys. The application should be deferred until full information is provided
- Why is the badger and owl survey confidential?
- The Council have failed to keep those residents affected fully informed.
- Too little time to consider this huge application. The consultation period should be extensive – possibly spanning several years
- Peterborough Planning Department have not met their legal requirements to inform and consult on this application
- No plans were included with the consultation letter, which discriminates people without access to a computer with hard copies available for a fee.
- At the Bedford Hall presentation no maps were available to take away
- Notices advertising the Bedford Hall presentation on 9th January were not posted in the village until 10th January
- At meetings, financial facts could not be examined and scrutinised

- Impossible to obtain accurate figures for projected costs due to inadequate time for consultation and lack of information available and swathes of reports are blacked out due to 'commercial sensitivity'
- Concern that the council ignored the 1st Feb deadline and wanted all comments by 16th Jan
- Council officials attending exhibitions were evasive and unable to answer pertinent questions – was this deliberate?
- Planners seem as much in the dark as we do
- Area for consultation not wide enough - people in Crowland were not consulted - if wider consultation undertaken there would have been more objections
- Two sets of rules depending on whether you are a resident or owner
- The Localism Bill states that applications should not be approved if the community is opposed to it
- LPA failing to expertly address all considerations
- The lack of response to questions raised is a deliberate attempt to conceal information

Crime Implications

- The metal and lucrative materials would be a target for theft and the proposal would exacerbate current levels of crime and vandalism putting pressure on already stretched local police resources
- The land will be occupied by the travelling communities whilst under development and beyond
- The fear of crime will stress and worry local residents

Rubbish

- Rubbish will gather in the security fencing and encourage more fly tipping – cost to council to remove it

Impact on Listed Buildings/Heritage Assets

- The proposal will impact on the context and setting of Thorney Lodge, a Grade II listed building and would be entirely unrelated to the historic features of the building.
- The proposal fails to consider the impact on the surroundings in which the asset is experienced as required by the NPPF.
- The benefits for this scheme do not outweigh the harm to this listed building
- No attempts have been made to mitigate harm

Archaeology

- Despite this potential for impact on archaeological assets, none of the sites have been the subject of systematic archaeological investigation as required by the NPPF. The application should not be determined until a full evaluation has been undertaken
- The site has so much history – the area is prize for Bronze age findings i.e. bowl barrows

Safety

- Concern regarding the health and safety of children
- The development could prove to be dangerous and lethal if not maintained properly
- The areas are used for military aircraft training and civil aviation and the visibility of pilots will be affected by glare from panels

Health implications

- There is little research on the potential long term effects on health, i.e. chemicals in the ground, the rays from the sun and electro-magnetic radiation – has this been considered?

Interference

- Will electro-magnetic radiation interfere with WiFi /telephone signals or wireless alarm systems
- Which Electromagnetic standard is to be applied and how will compliance be demonstrated?

Highway implications

- Insufficient information has been submitted regarding the site access
- Uncertainty regarding impact of glare from panels on highway users
- Heavy construction vehicles will damage local roads which are single track and are unsuitable for these vehicles
- Construction traffic will impact on the character of the conservation village of Thorney
- Large imposing fences will limit road user's vision
- Rural roads already struggle to cope with volume of traffic
- No reassurance that during construction health and safety of passing motorists will be considered
- Construction traffic will impact on commuter traffic
- Construction traffic will be dangerous to pedestrians as no footpaths along our roads

Experience of operator

- Mears are a maintenance business with no experience of farming
- The contractor has no track record of such large installations

Viability of Solar Panels

- Solar panels will produce limited electricity with high costs - no sunlight no energy
- The whole project is risky for the area and Peterborough Taxpayers – how do we know it will make any money?
- Further investigation and robust assurances concerning the financial option/viability should be undertaken which should take account of reduction in feed-in tariffs in the future, before a decision is made. There is no evidence that the benefits of the scheme have been properly calculated or considered against the impacts
- The scheme requires an electricity provider to manage and distribute power – the charges of this are not fully understood
- *Support renewable energy innovation in the UK rather than wasting money*
- The income generated by food production would far exceed that for electricity generation
- The local power station is on standby and Kings Lynn is off line
- The figures quoted will not give the return stated
- The scheme and along with subsequent wind turbine applications should be considered in the broader context of similar proposed developments within the local area
- This is not a viable option as farming has been for many years
- This will become the most expensive solar farm development in Europe – at a time of severe austerity
- There is clearly scope for some of the generated electricity to be used by the agricultural tenants without prejudicing the owner's income from the Feed-in tariff

Contrary to policy

The proposal is contrary to the following national and local planning policies:

- NPPF (para 98) which states that approval for renewable energy proposals is contingent upon the impact being acceptable or capable of being made acceptable
- NPPF (para 17) planning principles to recognise the intrinsic character and beauty of the countryside
- NPPF (para 112) which states that poorer quality land should be developed in preference to higher quality. This is repeated in the Natural England Technical Information Note TIN049. DEFRA's Natural Environment White Paper "The Natural Choice: securing the value of nature" (June 2011)
- NPPF (para 118) Conserve and enhance biodiversity
- Contravention of Governments NPPF where there is strong and clear emphasis on sustainability

- Policy CS11 of the Adopted Peterborough Core Strategy which requires renewable energy projects to be assessed according to the local and wider environmental, economic, social and other considerations of the development
- Policy CS1 which restricts development to that which is demonstrably essential to the operation of local agriculture, horticulture, forestry, outdoor recreation and access to natural greenspace, transport or utility services.
- Policy CS20 which requires the development to recognise and enhance the character and qualities of the landscape. This is particularly the case given the cumulative impact of the three individual solar farms.
- Policy CS21 The proposed development would not conserve or enhance biodiversity and fail to meet the objectives of policy CS21 of the Core Strategy
- Contrary to Policies LNE3 'Loss of Agricultural Land', LNE4 'Layout and Design to Safeguard Landscape Character', LNE5 'Area of Best Landscape', LNE6 'Buffer Zone to Development Bordering the Countryside' LNE19 'Protection of Species' and U14 'Energy from renewable sources' of the Adopted Peterborough Local Plan (First Replacement).
- Approving the application would make a mockery of the extensive consultation undertaken during the development plan process

Residential Amenity

- The proposal will impact on the visual amenity of the 17 residential properties located on the edges of the application site and users of the Golf Club.
- Will impact on the amenity of the users of the adjacent Golf Course
- This proposal will harm my living conditions as I will be surrounded by steel fencing, which will resemble a High Security Prison.
- They are too near people's homes
- CCTV will cause loss of privacy
- There would be vibration and noise
- Heavy construction vehicles will cause disturbance to nearby occupiers and disrupt local quality of life
- It is criminal to enclose peoples properties with these eyesores
- The panels will reflect light into my property
- The 2 terminal towers will have a detrimental impact on my life

Value of properties

- The development would have a disastrous effect on the value of properties are residents being compensated?
- Wind turbines would devalue my property
- I recently purchased my house and there was no mention of the development on my searches
- Vibration from construction vehicles will affect precarious foundations/integrity of nearby buildings

Precedent

- Allowing the development would set a dangerous precedent
- Council will find it difficult to resist other solar proposals having allowed their own

Alternative sites/solutions

- There are ample brownfield sites which would be optimal for siting solar farms or the solar panels should be put on commercial buildings, along railway lines, roads or industrial areas, landfill sites. The applicant has failed to demonstrate that alternative sites would not be sequentially preferable
- The public benefit of any of the three sites beyond that of other sites has not been demonstrated
- Better to enact requirement for all new builds to provide energy sources
- Every household should have solar panels to avoid such an amount of land

- Glasshouses could be glazed with transparent solar panels
- It is possible that simpler open structures could support panels above and between conventional agricultural spaces.
- Renewable projects should be spread evenly through the District. Politically, schemes would not be proposed to the West of the City.

Expansion of site

- Concern that once approval has been granted further land would be developed for this use
- Concern that it is PCCs aspiration for wind power will be the second phase application
- Cumulatively wind turbines would have a substantial adverse impact on the fenland landscape
- Are there any planning guidance which would assess the capacity of the landscape to absorb developments for these forms of renewable energy

Mitigation

- Why is there no mention of raised banking around the site to screen it?
- The proposed tree screening will take years to establish - need to plant mature trees not saplings

Sustainability

- The council wants to be the green capital – how green are solar panels compared to fields full of crops. The land already produces environmentally sustainable crops
- Importing the solar panels is not good for the environment or economy
- The expensive equipment has been created using fossil fuel
- They will not result in a reduction in global warming
- We should not be dependent on other countries for food in case of natural disasters or wars
- The loss of grade 2 agricultural land is not sustainable
- The city council has not sought to integrate renewable energy with their farm estate food production
- To manufacture turbines and solar panels the environment will be damaged irreversibly
- It will not reduce carbon footprint as crops will be brought from elsewhere increasing CO² emissions.

Suggested conditions

- Details of decommissioning strategy and full restoration of the quality of the land to agricultural use. This should be secured by way of a bond for the cost of the works should the operator go into insolvency
- The parameters of the Proposed Development in terms of its nature and extent and in particular the height of the solar panels and related infrastructure should be carefully conditioned in order to minimise the impact of the development.
- Anti-reflective treatment to the solar panels and its maintenance
- Landscape Conditions proposed by the Council's Landscape Officer should be imposed.
- Detailed habitat and environmental management plans for the site (including the wet and dry drains) with on-going monitoring.
- Buffer zones around habitats and other sensitive areas (including barn owl nest sites) should also be conditioned.
- Reduction of the collision risk for panels and fencing, together with the provision of mammal access gates.
- The Council's Wildlife Officer has identified that there may be a need for off-site mitigation for the loss of open arable fields, which is dependent on the results of the further bird surveys.
- Detailed archaeological investigations
- Traffic management plan
- Mature screening should be planted around the whole of the site and a maintenance plan approved

- No works commence and no tenant is removed until all surveys have been completed and the results evaluated
- A revised application is submitted for approval which addresses all inconsistencies and anomalies
- Further consideration given to drainage issues/panel run off
- Basic amenities for workers be included in the scheme
- The generator site to the west of Black Drove be relocated to the main site
- Road surfaces be upgraded including the provision of turning and passing areas
- Restrict further development on the site, including precluding any future residential or wind farm development

5 Assessment of the planning issues

a) Background

The proposal forms part of the Peterborough City Council's (PCC) Renewable Energy Project which has been set up to enable the Council to meet its legal obligations in contributing to the required target of 15% renewable energy generation by 2020. As part of the Council's Environment Capital Agenda it is seeking to produce green energy in the city through its Energy Services Company (ESCo). The ESCo was established in 2010 and is an independent agency that develops, installs and finances projects designed to improve energy efficiency.

In addition, the development is intended to generate additional sources of income to help alleviate projected budget deficits and to maintain the Council's ability to deliver future front line services. However Members should be aware that this is not a material planning consideration, and as such no weight should be accorded to it, when determining the planning application.

The installation of PV panels has already been completed on a number of buildings around the city however, these alone will not produce the returns required to achieve the council's environmental objectives or reduce future financial pressures. The potential development of its agricultural estates is part of a package of measures that will enable the council to reduce its carbon footprint, minimise its associated taxation and financial penalties incurred against it as well as safeguarding it against uncertain and fluctuating energy prices in the future. The council undertook a search of its land holdings; land not in council ownership was excluded due to additional costs in acquiring the land. The Council does not own any land in the urban area that would be suitable for this type of development. Six sites were identified – Nene Park, Sewerage Farm Ham Lane Wittering, Splash Lane Castor, America Farm, Morris Fen and the Farms of Newborough and each site was assessed against basic criteria - (i) Land lease issues (i.e. length of leases); (ii) Size of the site (in terms of its viability for large scale renewable energy projects); (iii) Proximity to aviation sites; (iv) Presence of any designated protected, landscape, conservation and heritage areas; (v) Proximity to settlements; and (vi) A high level assessment of flood risk. The sites that met the criteria progressed to a more detailed feasibility assessment.

Morris Fen is one of three sites which progressed to a detailed feasibility stage. Separate applications for America Farm (ref. 12/01904/R3FUL) and The Farms of Newborough (ref 12/01906/R3FUL) have also been submitted. A summary of the relevant factors which were considered in relation to each site is provided below.

Morris Fen (109 hectares)

- There are 2 tenant farmers on this site who are on different leases
- The site is not located within any landscape designations
- There is one site of known archaeology within the site boundary however the site is considered to be of negligible significance
- There is a 132kV over head line that crosses the site – this could be buried.
- To the north of the site there is a high pressure gas main; a series of drains traverse the site
- There are 5 residential properties on or adjacent to the site

- There is a pond on the site that has the potential to support great crested newts - a buffer zone could protect any potential habitats.
- The site is located approximately 6km to the northwest of the Nene Valley Washes Ramsar, SPA and SSSI which supports populations of wintering wildfowl however the potential for the site to be used by foraging wildfowl and waders is low.
- The majority of the site is classified as Grade 2 agricultural land.
- The site is located within the Minerals and Waste Local Development Framework (LDF) safeguarded area. However the proposal is temporary and does not prevent future extraction.
- Most of the site falls within the River Nene Functional Floodplain (Flood Zone 3b). This is a potential constraint to any development on this site. Flood mitigation could involve raising the panels so that they are not submerged in the event of a flood.

America Farm: (35 hectares)

- The site is not located within any landscape designations and there are no sites of known archaeology within the site boundary.
- The site is located near to the Flag Fen, part of which is a Scheduled Monument. The majority of the site is classified as Grade 1 agricultural land with small areas of Grade 2 and 3, however it was considered that a justification for the use of agricultural land could be demonstrated.
- The site is located within the Minerals and Waste Local Development Framework (LDF) safeguarded, however, as the proposal is temporary and does not prevent future extraction..
- The site has a single tenant farmer who has a lifetime tenancy that can be rescinded after 3 months after the grant of planning permission.
- The site is located approximately 1km to the north of the Nene Valley Washes Ramsar, SPA and SSSI which supports populations of wintering wildfowl and waders. However, given the distance from these sites the potential for the site to be used by significant numbers of foraging wildfowl and waders is low.
- The site is traversed by a series of land drains and there are several farm buildings with the potential to support bats and barn owls. The introduction of a buffer zone could protect any potential habitats.
- Most of the site falls within the River Nene Functional Floodplain (Flood Zone 3b). This is considered to be a potential constraint to any development on this site as flood mitigation could involve raising the panels so that they are not submerged in the event of a flood.

Farms of Newborough (1066 hectares)

- There are 6 tenant farmers affected all of whom are on a variety of leases.
- The site is of a sufficient size for renewable energy development.
- The site is not located within any landscape designations
- There are several Scheduled Monuments within and close to the site boundary
- There are several non-designated archaeological sites within the site including medieval boundary stones and WWII defences. With careful design and siting, physical impacts can be avoided.
- There is a series of drains that traverse the site and there is a pond on the site that has the potential to support great crested newts. A buffer zone could protect any potential habitats.
- Most of the site falls within the River Nene Functional Floodplain (Flood Zone 3b). This is considered to be a potential constraint to any development on this site as flood mitigation measures could involve raising the panels so that they are not submerged in the event of flood.
- The site is located approximately 6km to the northwest of the Nene Valley Washes Ramsar, SPA and SSSI which supports populations of wintering wildfowl and waders. It was considered that the potential for the site to be used by significant numbers of foraging wildfowl and waders is low.
- All of the farms of Newborough that amount to 1066 hectares are classified as Grade 1 and 2 agricultural land while that part of the farm at Newborough which is the subject of an application is some 203 hectares, and Grade 2 agricultural land.

- The site is located within the Minerals and Waste Local Development Framework (LDF) safeguarded area however, as the proposal is temporary it will not prevent extraction in the future.

It was considered that the potential constraints which arise for each of these three sites could be overcome, and therefore the sites progressed to detailed feasibility stage.

A range of other renewable energy initiatives were also considered including anaerobic digestion and biomass CHP plants, but these were not considered to be viable alternatives.

The proposal is the subject of an Environmental Impact Assessment which has identified the magnitude of environmental impacts resulting from the proposed development and proposes appropriate mitigation measures where possible.

b) Community Involvement/Consultation

The applicant has undertaken a pre-application public consultation exercise incorporating a variety of techniques including public exhibitions/drop in sessions, a dedicated proposal website, press releases and media briefings, information mailings, letters and email responses, council meetings open to the public and meetings with stakeholders and local groups. Events were advertised through the local media, postcards, posters and direct mailings. Full details of pre-application consultation have been provided in a statement of community involvement which has been submitted in support of the application. The details include a chronology of the events held and consultation letters issued, including letters to tenant farmers directly affected by the proposal. The document also includes a section summarising the main concerns raised and ways in which the proposed developments have been revised to take account of the responses received. The consultation process accords with the NPPF.

A number of representations received as part of the planning application process have referred to the pre-application community consultation undertaken by the applicant and have raised a number of shortcomings in respect of the timescales given for the events, inadequate information available and questions remaining unanswered. This process was not undertaken by the Planning Department. However, the Planning Department held two public exhibitions one at Bedford Hall, Thorney on 9th January 2013 and one at Newborough Village Hall on 18th January 2013. At these events all of the application material was available for public viewing and the Planning Officers in attendance were able to provide help with any queries raised. Where it was not possible to provide answers to queries the Planning Officers have endeavoured to find answers and respond to the queries raised.

As part of the planning application process the Planning Authority has undertaken a targeted consultation exercise involving 94 properties. Many of these properties are isolated and were identified by a site visit to ensure all affected properties were included. Copies of the application documents are available at the Central Library and Bayard Place and full copies of the application were sent out to the relevant Parish Councils. In addition the application was listed in the local press and the full details of the application were and continue to be available on the PCC website. The Planning Authority has fully complied with its statutory obligation to carry out full consultation.

c) Peterborough City Council Application

There have been concerns raised regarding the decision making process and issues of impartiality due to Peterborough Local Planning Department determining a Peterborough City Council application. All major City Council applications are considered and determined by the Planning and Environmental Protection Committee. This enables the application to be open to public, democratic debate and to be decided by Members acting on behalf of their respective constituents. The application, as would be the case with any application, has been considered on its own planning merits and all of the planning issues/constraints are considered against planning policy along with advice provided by specialist and statutory consultees. The application is also subject

to wide public consultation where all issues raised are considered. The Secretary of State has been consulted on the application and is fully aware that the City Council is both the applicant and the Local Planning Authority and the Secretary of State has the right to call the application in for his own determination. The Local Planning Authority cannot request that the Secretary of State determine the application.

It is acknowledged that in order for the council to be able to benefit by the higher Government Feed-in Tariff a decision has to be made by a certain deadline however this is not a material planning consideration. This is a major application and the Local Planning Authority has a 13 week deadline to determine the application. Due to the wider public concern arising from the application and the application being submitted just prior to the Christmas period an extended 6 week consultation period was given instead of the usual 3 week period. Subsequent consultations have been undertaken on the 8th February 2013 following revisions to the scheme and on 26th March 2013 following receipt of the final Wintering Bird Survey. In addition the determination date for the application has been put back several months, allowing sufficient time for all the supporting information to be considered. It is considered that the Local Planning Authority has fully fulfilled its statutory obligation regarding consultation.

Representations have raised concerns regarding the tender process and competency of the chosen contractor. This is not a material planning consideration.

d) Renewable energy

The Annual Energy Statement 2012 advises that around 87% of the UK's energy needs are met by oil, gas and coal however the UK's reserves of oil and gas are declining making it a net importer. As the UK becomes increasingly dependent on imported fuels it highlights the need for transition to a low carbon economy. According to research the UK's energy demand of circa 65GW will start outstripping the supply in 2015 creating an 'energy gap'. A key part of the Government's strategy is therefore to reduce CO2 emissions, and switch away in part away from the use of fossil fuels to a much higher reliance on renewable and low carbon energy.

The UK is committed to reducing greenhouse gas emissions by 80% from 1990 levels by 2050, and at least 34% by 2020 through the Climate Change Act.

The anticipated proposed annual energy output from the proposed development at Morris Fen will provide enough energy to supply the need of somewhere between circa 5,510 and 7,400 households annually.

The development would play a significant role in contributing to the UK renewable energy targets and reduction in carbon emissions and although not a material planning consideration has the additional benefit of generating income to ultimately provide a more stable position in order to deliver front line services. The generation of renewable energy proposed is therefore in accordance with Policies CS11 and CS10 of the Peterborough Core Strategy and the NPPF.

e) The Loss of Farmland

Impacts

The proposed development would be located on Grade 2 agricultural land and is classed as the best and most versatile agricultural land. The land produces crops including cereals, potatoes and sugar beet. Para 112 of the 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.*"

At the same time the proposal is also assessed against both national and local policy regarding the presumption in favour of sustainable development and the government's view that there is an clear

need to promote renewable energy technologies and support such schemes. Policy CS11 of the Adopted Peterborough Core Strategy supports and encourages development involving the provision of renewable and/or low-carbon technologies, except where the proposal would have unacceptable impacts.

A significant number of objections have been received regarding the loss of agricultural land, particularly as the population is increasing and there is a need to be self-sufficient and to not be over reliant on food imports which is not sustainable and could result in concerns over food security. The applicant acknowledges in the supporting planning statement, the important role agriculture plays in the UK Economy and the domestic agricultural sector makes an important contribution to the global food supply and to the diversity and resilience of the domestic food supply. The UK is reliant on food imports and whilst there is a need for self-sufficiency, total reliance on this would not insulate the UK against disruptions to its domestic supply chain and would open up the UK to risks of adverse weather events, crop failure and animal disease outbreaks. The UK's food chain also relies on various forms of energy much of which is imported.

The loss of agricultural land represents approximately 0.76% of the total amount of available grade 2 agricultural land in the Peterborough area. It is considered that this is a relatively small amount of land that would be lost. The loss of use and value of this land would be temporary for the duration of the 25 year operational lifespan of the development and relatively speaking only a very small area will be directly covered by solid structures; approximately 0.5 ha. Following decommissioning the site can be returned as agricultural land. Natural England raises no objection to the loss of the agricultural land because of its loss is on a temporary basis only, with decommissioning and reversion back to agricultural use at the end of the 25 year temporary period.

It has been argued that alternative agricultural land of a lower grade should have sought for the proposed development. As stated in section a) of this report to ensure the viability and deliverability of the project the City Council only considered sites within its ownership. A large site area would be necessary to accommodate the project and there is no land of adequate size available within the urban area. Three other sites were also considered, two of which would not have resulted in the loss of agricultural land. The first was Nene Park which was of sufficient size although the site is subject to a 999 year lease to the Nene Park Trust. The main constraints with this site are, first, that the site lies within the River Nene Functional Floodplain (flood zone 3b) which might have involved raising the panels out of the floodplain; and second, that the land lies within the Nene Valley high amenity landscape area and therefore a development of this scale would be likely to have a significant adverse visual impact on the character of this area contrary to policy PP15 of the Adopted Peterborough Planning Policies DPD. The site is also a County Wildlife Site and forms part of the Ferry Meadows Country Park and is on a designated Scheduled Monument.

Secondly, Sewage Farm, Hall Lane, Wittering was also considered – the benefits of this site were that it was located at a sufficient distance from the nearest village and would be screened from view by the proposed allocated housing and employment site to the east of the site and located at a sufficient distance to designated land. However the 2 hectare site was considered to be too small for a large scale solar energy project.

The third site considered at Splash Lane, Castor would have involved Grade 2 agricultural land. There were a number of constraints with the site including the site being subject to a 999 year lease to the Nene Park Trust, and significant parts of the site were within a Scheduled Monument, thus requiring significant buffer zones. The developable area of the site would have been too small to accommodate the large scale renewable energy development proposed. In addition, the site falls within the Nene Valley high amenity landscape area, is within the floodplain, is part of a County Wildlife Site, and Nature Improvement Area.

It is considered that the proposed site is necessary for this large-scale development, and although other sites were potentially available to the City Council, those sites were considered to be less

appropriate, and were pursued.

The proposed development would not give rise to a permanent loss in Grade 2 agricultural land. Given the relatively small amount of land as a proportion of similar land in the authority's area, and given the reversible nature of the proposed use, it is considered that the proposal does not contravene national policy advice.

The Environmental Statement concludes that the loss of grade 2 agricultural land due to the footprint of the infrastructure will be relatively small. In addition, during the lifetime of the development, the grade 2 land on the development site will be managed as grassland and its quality is likely to improve.

Objectors to the scheme also make reference to the amount of fossil fuel required to manufacture and import the solar panels. This is acknowledged. However as stated in supporting planning statement the farming industry is also reliant on imports. It is considered that the benefits of the scheme and the production of green energy outweighs the use of fossil fuels in either the manufacture of the solar panels or their transportation.

There have been a significant number of objections raised regarding the temporary nature of the development and the potential longer term capacity of the soil to return to agricultural use. The issues include compaction of soil, excessive run off, soil erosion, failure to maintain existing drainage, failure to retain organic matter, pollution, reduction in yields. Natural England has produced a technical note (TIN101) providing advice on maximising the environmental benefits of solar parks which highlights the importance of soil protection and husbandry in order to maintain the longer term capability of the agricultural land. The planting of meadow grass and enhancement to the native trees would enhance the biodiversity potential for the site; this will be discussed below. It is considered that the mitigation measures proposed in the Environmental Statement including minimal soil disturbance, appropriate drainage to incorporate SUDS, control of pollution, re-vegetation of disturbed soils and grass coverage between panels would ensure that the longer term capacity of the soil is maintained. These requirements would be required by condition along with details of a decommissioning scheme.

The change of use of land designation has also been raised as an issue particularly with regard to the land becoming a brownfield site with the potential for future industrial use. The use of the land as a solar farm does not under current policy make it more likely to be suitable for other built development.

The issue of setting an undesirable precedent has also been raised however any subsequent application whether on private land or council land would be judged on its own merits taking into account all the planning considerations.

There is no advice from Government which guides local authorities on whether food security is more important than energy security so each case must be considered on its merits by the LPA. It is not within the Local Planning Authority's remit to determine alternative sites for replacement food production. It is considered that subject to the proposal meeting the criteria of other relevant planning policy and material planning considerations the temporary loss of agricultural land is outweighed by the benefits the development would provide in terms of sustainable energy and the proposal accords with policies CS10, CS11 of the Adopted Peterborough Core Strategy DPD and the National Planning Policy Framework.

f) Ecology

Impacts

There are no internationally or nationally protected sites within 5km of the development site. The closest Internationally protected site to the development site is the Nene Washes

SPA/SAC/Ramsar site which is located approximately 6km to the south of the development site at the closest point.

The Nene Washes is designated at a national, European and international level and is one of the most important freshwater wetland sites for wintering and breeding bird populations in lowland England.

The Nene Washes qualifies under Article 4.1 of the Birds Directive by sustaining nationally important breeding populations of spotted crane and ruff, and under Article 4.2 by virtue of its nationally important population of breeding black-tailed godwits. The Washes also support internationally important wintering populations of Bewick's swan and qualifies under Article 4.2 of the Directive by supporting an internationally important assemblage of wintering waterfowl, of at least 20,000 birds. This assemblage includes whooper swan, golden plover (Appendix 1 species2), wigeon and lapwing.

The proposal lies within the Thorney Farmland Bird Friendly Zone (TFBFZ). TFBFZ is a landscape scale nature conservation project covering an area of over 3,500 hectares, centred on the village of Thorney, that aims to balance the needs of farmland wildlife with those of farm businesses. The scheme is helping to conserve 6 species of declining farmland birds; corn buntings, tree sparrows, turtle doves, lapwings, grey partridges and yellow wagtails, as well as other wildlife.

Due to the distance of the proposal from the Nene Washes, there will be no possibility that the proposal would have any direct impact on this protected site. However the application site may be used by birds that use the Nene Washes therefore the proposal may have indirect impacts.

The closest Local Nature Reserve (LNR) is Eye Green, approximately 6.5km south west. The LNR incorporates the SSSI Eye Gravel Pit, a geological Site of Special Scientific Interest, a lake and areas of woodland, finger lakes and reed beds. There are resident swans, geese and other waterfowl and the lake is also a stopping off point for many migratory geese. The Environmental Statement considered that these sites will not be impacted by the proposed solar farm, due to their distance from the development site and the lack of connectivity (no pathways identified for impacts to occur). Officers are in agreement with this assessment.

There are no county wildlife sites (CWSs) and no Regionally Important Geological Sites within 2km of the development site. There are no ancient or semi-natural woodland present on the site.

The ecological assessment undertaken identified the presence of badgers, barn owls, water voles, brown hares and the potential for Great Crested Newts and bats. The site also accommodates a number of wintering and nesting birds.

The site's nature conservation value is assessed as medium (Regional) due to the presence of several protected species e.g. great crested newts, brown hare and water vole, and the potential use of the site by wintering birds associated with the Nene Washes Special Protection Area.

The solar farms layout has been designed to avoid the removal and disturbance of semi-natural habitats wherever possible; mature trees and hedgerows will be retained and buffer zones will be implemented along drains.

There is potential for birds to collide with the panels, although the RSPB briefing note on solar farms states that there is no firm evidence that bird strikes are directly associated with the presence of solar panels. The panels themselves are to be non reflective, which will help to reduce the panels being mistaken by birds for water. The possibility of using white coloured panel frames rather than black to help reduce the possibility of bird strikes has been suggested by RSPB and Natural England. The applicant is willing to look into the possibility of different coloured panel frames. It is considered that the panel frame colour is an issue that could be dealt with by planning condition should Members be minded to approve the proposal.

Mitigation

Mitigation and enhancement measures are proposed to ensure as far as possible that the requirements of relevant wildlife and ecology legislation are not contravened and any ecological impacts are minimised as far as possible.

The residual impact of the development on ecological receptors identified within the development site itself has been assessed as between Moderate Adverse and Slight Beneficial following implementation of proposed mitigation and enhancement measures. These mitigation and enhancement measures include:

- The Construction Environmental Plan (CEMP) which is proposed to be secured by a planning condition, would seek to ensure best practice working methods during construction, and that the location and presence of protected species e.g. barn owls, badgers, water voles etc are suitable protected and remain undisturbed by the on site works.
- Buffer zones of 10m from wet drains and pond, and 5m from dry drains are proposed, these areas will be protected by fencing to prevent encroachment during construction works.
- Retention of wet drains and pond.
- No nocturnal working and no on site operational lighting
- Grassland and woodland areas will be fenced to protect them damage.
- There will be a 50m exclusion zone of works to protect bat roosts on site.
- Fencing will be designed to allow faunal species access under the fencing e.g. brown hare
- Bird surveys will be carried out work construction to determine the presence of any nesting birds during the bird breeding season.
- Habitat enhancement measures e.g. new hedgerows, wildlife friendly planting, existing grass margins widened, new grassland on site, etc.

Assessment

The Environmental Statement submitted, including the Wintering Bird Survey Assessment Addendum 2, have been used by the local planning authority, as Competent Authority, to assess whether the proposed development is likely to have a significant effect on the Nene Washes SPA/SAC, for the purposes of regulation 61 of the Conservation of Habitats and Species Regulations 2010, and in doing so determine whether or not an appropriate assessment is required because of the implications on the SPA/SAC.

The ES and the Wintering Bird Survey Assessment Addendum 2 assess the potential effects of the proposed development on the Nene Washes SPA/SAC.

The additional wintering birds survey work undertaken has shown that Morris Fen is not an area used frequently or by large numbers of birds associated with the Nene Washes SPA. Morris Fen in isolation would result in a loss of approximately 0.32% of arable land within the 10km distance band from the SPA and 0.70% within the 7km distance band. In combination with other developments and site allocations there could be a loss of 8.69% of arable land within the 10km distance zone which leaves 91.31% of arable land available to birds within the 10km distance zone. For the 7km distance zone there could be a loss of 15.19% of arable land within the 7km distance zone which leaves 85% of land available to birds within the 7km zone. As Morris Fen has not been identified as a significant foraging area for birds associated with the SPA and with the amount of land still available to these species within the 7km zone it is considered that this proposed development, whether on its own or in combination with other proposals, will not have a significant effect on the Nene Washes SPA/SAC.

Officers are in agreement with the conclusions of the Applicant's assessment. The assessment of the Council, as Competent Authority, required by regulation 61 of the Conservation of Habitats and Species Regulations 2010, is set out in an Appendix to this report, but in summary Officers are satisfied that the proposal is not likely to have a significant effect one the Nene Washes SPA/SAC.

The Applicant's assessment identified evidence of badger activity on the site and surrounding area. Officers are satisfied that the mitigation measures proposed, which includes the provision of badger gates in the proposed fencing and careful consideration any works in proximity to setts, are satisfactory, to ensure their protection, and their continued use of the site should the development be approved.

The mitigation measures proposed to ensure the protection of bats e.g. the 50m set back distance of works from trees or buildings with the potential to support bat roosts, the creation of buffer zones around wet drains etc, are considered to be acceptable, and the provision of additional roosting habitats on mature trees is welcomed.

One of the ponds on site and the wet ditches are suitable habitats for great crested newts. Therefore the assumption has been made that they are present on site and 10m buffer zones are proposed for their protection. Water Voles have also been found on site, so the 10m buffer zones are also required for their protection. The buffer zones are considered adequate because with the intensive agricultural nature of the land, the extent of foraging areas for great crested newts and water voles will be limited.

Brown Hares have been recorded on the site. Therefore the security and stock fencing proposed, needs to be designed and installed to allow the free movement of hares and other small mammals e.g. by raising the fences 150mm off the ground to allow access. This will be secured by way of a planning condition to any granted consent.

There are records of Barn Owls breeding in close proximity to the site, and it is expected that a range of other breeding birds (including Birds of Conservation Concern Red List species) will also be nesting across the site. If works are to take place during the bird nesting season appropriate on site investigation by a suitably qualified ecologist would be required to ensure there are no disturbance to breeding birds. This can be secured by way of a planning condition to any granted consent. The mitigation measures proposed for Barn Owls e.g. buffer zones during construction, buffer zones along drains to protect foraging habitat etc are considered to be acceptable and could be dealt with by the imposition of a planning condition.

The ecological enhancement measures in the Environmental Statement are considered by Officers to be acceptable. To help deliver priority Biodiversity Action Plan (BAP) habitats the proposed additional planting, buffer zones along the drainage ditches and grassland management will improve the biodiversity of the site.

There are no scientific studies or evidence which demonstrate that solar farms have harmful impacts on microclimates. In the absence of this evidence, refusal of planning permission on the grounds that there would be a significant adverse effect on microclimate could not be substantiated.

Objectors have questioned the validity of the ecological assessment submitted, in the absence of a year long supply of ecological survey data. However Officers, Natural England and RSPB are satisfied with the amount of survey work undertaken and do not require any further ecological surveys to be able to assess the impact of the proposal.

All the relevant ecological avoidance, mitigation and enhancement measures, proposed in the Environmental Statement should be provided as part of a detailed Construction Environmental Management Plan (CEMP), Operational Environmental Plan (including a Habitat Management Plan) and Restoration Strategy. A detailed Ecological Monitoring Programme should also be prepared. These can all be secured by way of planning conditions.

Policy PP19 of the Planning Policies DPD requires any development that is likely to have an impact on a habitat or species of principal importance for conservation of nature to include measures to maintain and, where possible, enhance the status of the habitat or species. The proposed development accords with the requirements of this policy, by identifying the areas of

potential ecological harm and then proposing suitable biodiversity mitigation and enhancement measures to address this harm.

Policy CS21 seeks to conserve, enhance and promote the biodiversity interest of the area. By avoiding demonstrable harm to habitats or species which are important to biodiversity and requiring the inclusion of beneficial features for biodiversity. The proposal is in compliance with the requirements of this policy by proposing suitable protection and retention of existing habitats and species using the site, and by proposing additional landscaping features and suitable landscape management practices for the grassland on site.

The area clearly provides a habitat and food sources for a number of bird, animal etc species. However there is no evidence that development will be significantly harmful to them and in actual fact the scheme will bring about a number of biodiversity enhancement benefits. .

Officers are therefore of the view that subject to the imposition of conditions 6, 7, 8, 9, 12, 28 and 29, the proposal would be in accordance with Policy PP19 of the Planning Policies DPD and Policy CS21 of the Core Strategy.

g) Landscape and Visual Amenity

Impacts

A landscape and visual assessment was undertaken as part of the Environmental Statement to identify the significance of the potential landscape and visual effects of the proposed development upon the development site and surrounding area.

The application site falls entirely within the National Character Area 46: The Fens. The Regional landscape character type is Planned Peat Fen, and the local landscape character description is Peterborough Fens. Within local landscape character area of Peterborough Fens, the site is located within the Thorney Island sub category.

Some of the key characteristics of the Peterborough Fens land character designation are as follows:; flat extensive and open landscape with panoramic views and large skies; rectilinear field patterns reflecting the artificial drainage pattern; predominately arable farmland; and organic pattern of fields with stronger hedgerows around Thorney. The Thorney Island's main characteristic is an area of slightly elevated ground on clay soils with an intact pattern of hedges and organic fields.

The Environmental Statement assessed the landscape and visual effects of the proposed development on the immediate physical landscape, and on the landscape character designation that the site falls within and is adjacent to.

The Environmental Statement identifies the landscape and visual effects of the proposed development on the immediate physical landscape and predicted them to be significant. These effects are as a result of the direct loss of open agricultural land. However once the proposed development has been decommissioned these effects will be entirely reversible. Key landscape elements on site such as vegetation and drainage ditches are to remain and habitat loss across the development site is to be kept to a minimum to ensure that changes in the character of the development site are minimised. The Environmental Statement acknowledges that Landscape and visual effects change over time as (mitigation e.g. planting proposed as part of the development) establishes and matures, and existing landscape external to the development evolves. Officers agree with these findings.

Any development of this scale is likely to give rise to some effects on landscape character and visual amenity. The Environmental Statement acknowledges that whilst there may be a range of landscape and visual effects within the 3km study area, potentially significant changes to the landscape and visual resources are restricted to more localised visual effects of within about 500m

of the proposed development, generally at the very edges of the development site area. Officers consider this is a fair assessment.

The Environmental Statement concluded that the proposed development effect on the 'Peterborough Fens sub category Bedford North Level, and Thorney Island' and ' Peterborough Fen Fringe sub category Eye Fen fringe and Peaty fens' landscape character units would not be significant. Officers are in agreement with this conclusion.

The scheme has been amended at Officers request to remove the small parcel of land to the west of Black Drove from the proposal, thereby relocating the substation to the south east corner of the main site area on the east side of Black Drove. The landscape impact of the development on this parcel of land was not identified by the Environmental Statement as being significantly adverse, however Officers considered it had a poor relationship to the main development site on the others side of Black Drove. This small site was also part of a larger area of agricultural fields, with a very open aspect, with no separating fence or landscape boundary treatments. It was therefore considered the proposed redevelopment in this instance could appear visually intrusive to the existing open character, due to the site's small size and shape and relationship to the remaining open field landscape that surrounds it. There was concern also that the introduction of the proposed boundary landscape buffers on this relatively small parcel of land within a larger field network would not site comfortably within the surrounding landscape, visually.

Various viewpoints were considered in the ES and the table below (Environmental Statement Vol.1, P10-31, 10.11.8 table 10.9) summaries the level of impact and the resultant levels of significance.

Vpt No.	Viewpoint	Receptor Groups	Impact Summer year 5	Impact summer year 15	Significance
1	Thorney Golf Centre (3rd Green)	recreational users	Minor - Moderate Adverse	Minor - Moderate Adverse	Not significant
2	Black Drove	vehicle users	Minor Adverse	Negligible - Minor Adverse	Not significant
3	Junction of Bell Drove and Green Drove	vehicle users	Negligible-Minor Adverse	Negligible	Not significant
4	Hangman's Corner	vehicle users	Minor - Negligible Adverse	Negligible	Not significant
5	Green Drove	vehicle users	Negligible	Negligible	Not significant
6	B1040 near Sports Pitches	recreational users, vehicle users	No effect	No effect	Not significant
7	Pedestrian overbridge, A47 / Thorney Bypass	Pedestrians	No effect	No effect	Not significant
8	Black Drove	vehicle users	Minor Adverse	Negligible - Minor Adverse	Not significant
9	Junction of Black Drove and English Road	vehicle users	Negligible	Negligible	Not significant
10	Thorney Golf Centre (NE corner)	recreational users	Minor – Moderate Adverse	Minor – Moderate Adverse	Not significant

The assessment found none of the 10 viewpoints would be likely to experience significant residual effects as a result of the proposed development. It found that there would be no significant cumulative effects on the landscape and visual resource, within the study area, for either existing or planned cumulative developments. As the operational requirements of the solar farm do not require the scheme to be illuminated, there will be no resulting light pollution generated. The assessment's conclusion was that impacts on the landscape and visual resource as a result of the solar farm development would be very localised in their impact and the overall integrity of the landscape and visual resource of the wider study area will remain largely unaffected by the project. Officers consider that these assessments are reasonable.

Mitigation

- The landscape mitigation proposals include:-
 - Native species rich hedgerow
 - Native woodland screen planting
 - Infill hedgerow and tree planting
 - Rough grassland between and under planting
 - Grassland buffers along wet and dry drains

Officers consider the proposed landscape mitigation planting would be sympathetic to the existing landscape structure and character. The option of proposing earth bunds rather than landscaping on site boundaries was considered, but discounted on the basis that they were not a landform characteristic in this surrounding area, whereas hedge and tree boundary planting were. Officers considered landscape bunds would result in greater landscape harm, than native landscape planting, even taking into account the time it would take for planting to mature and offer the greatest site screening.

Assessment

Officers consider that the Landscape Visual Impact Assessment carried out in the Environmental Statement has been thorough and its methodology is in accordance with good practice. Officers are in agreement that the effect upon wider landscape character designations are limited because of the low level nature of the development and the generally flat landscape and so can be considered as not significant. The site currently benefits from a good degree of screening from the hedge on the boundary with Black Drove. The amended scheme omitting the land to the west of Black Drove significantly reduces the landscape and visual impact of the proposal. The additional landscape buffer to the northern boundary of the site will reduce the impact of the proposed development. The impact of the proposed development on the ten viewpoints considered to be representative of local views of the site and was deemed not be significant.

Policy CS20 of the Core Strategy requires new development in the countryside to be located and designed in a way that is sensitive to its landscape setting, retaining and enhancing the distinctive qualities of the landscape character area and sub area in which it would be situated. Officers consider that the revised scheme, which benefits from screening by existing landscape boundary planting, and which proposes enhanced landscape planting, would accord with the requirements of this policy by being sensitive to its landscape setting and retain and enhance distinctive landscape features of the site.

It is considered the proposed development would also accord with Policy CS20 by retaining and enhancing the on site drainage ditches and boundary hedge and landscape planting; proposing new landscape boundary features, retaining and enhancing the ecological habitats of wildlife including some protected species, not detracting from any important views, not impacting on the setting of any settlements; and proposing appropriate landscape mitigation proportion to the scale of the development.

h) Archaeology

Impacts

The assessment submitted examined the known archaeology as well as considering the potential for previously unrecorded archaeological remains. For the assessment of archaeological remains, the study area comprised the application site and a 1km zone around it.

The assessment in the Environmental Statement, used a mixture of desk based assessments and on site surveys. This included the use of aerial photography and on site geophysical surveys.

The assessment identified find spots of flint flakes have been recorded, dating from Mesolithic or Neolithic period. It found no evidence of Bronze Age or Iron Age date within the study area. There were also no recorded sites of Roman date recorded within the study area, or sites of early medieval date. There were no medieval sites recorded within the study area, and only the Grade II Listed building Thorney Lodge post-medieval period.

A geophysical survey was undertaken on site of over half of the development site. Approximately 45 hectares was under deep plough and so unsuitable for survey. The results from this survey did not indicate a large amount of possible archaeological anomalies.

The table below (Environmental Statement Vol.1, P6-9, 6.5.55 table 6.5) summarises the current visibility of archaeological sites within the study area and the predicted likelihood of further discovery:-

<u>Period</u>	<u>Visibility</u>	<u>Presence/Absence</u>	<u>Likelihood of further discovery</u>
Prehistoric	Poor – Revealed by field investigation, aerial photographs and artefacts	Present – Limited	Medium
Roman	Limited – Revealed by field investigation, aerial photographs and artefacts	Absent	Medium
Early Medieval	Limited – Generally only revealed by archaeological fieldwork and artefacts	Absent	Low
Medieval	Limited – Continuity of settlement means later occupation often built over earlier	Absent	Low
Post-Medieval	Good – Remains still present and fair cartographic coverage	Present – Limited	Low

Mitigation

- A programme of trial trenching, informed by the desk top assessment and geophysical works is recommended to be secured by a planning condition to any granted planning permission to identify the presence or otherwise of any important archaeological remains.

Assessment

The Local Planning Authority, given what it knew which indicated the low archaeological potential of the site asked for only a desk top assessment to be undertaken of the site. The desktop assessment confirmed the low potential of the site. The applicant exceeded the Council's information request and provided a geophysical assessment of over half the site. This again confirmed that the archaeological potential of the site as low..

Whilst suggested by the applicant and the City Council's Archaeologist, it is not appropriate to grant planning permission for development and then require by way of planning condition additional investigative works. It is therefore recommended to committee that prior to the issue of planning permission, a geophysical survey is completed for that part of the site which has not been subject to such a survey, that trial trenching be undertaken as may be directed by the survey results and that satisfactory mitigation be provided if identified as necessary as a consequence of the findings. This will all be subject to public consultation.. A watching brief condition is proposed in respect of works relating to the construction of the sub station, access, tracks, cable / utility etc trenches and inverter buildings.

Policy CS17 of the Core Strategy identifies the importance of identification and protection of important archaeological sites. It is considered the archaeological assessment work carried out to date have shown the site to be of low archaeological potential. Subject to the completion of the geophysical survey, the undertaking of any necessary trial trenching and appropriate mitigation, the proposal would not have a significant impact of archaeological remains. On this basis the proposal is considered to be in accordance with Policy CS17 of the Core Strategy.

i) Impact on Listed Buildings/Heritage Assets

Impacts

The Environmental Statement submitted carried out the cultural heritage assessment by a combination of desk based assessment and site visits. The assessment submitted examined the built heritage in the area, and for assessing the setting of designated sites, a 3km buffer zone around the site was considered.

The assessment firstly identified the value of any heritage asset, and then considered the magnitude of change resulting from the proposed development for each heritage asset. It then combined the value of the cultural heritage asset with the predicted magnitude of change, to determine the significance of the effect.

An assessment of the predicted significance of effect is made both prior to the implementation of mitigation and after the implementation of mitigation to identify residual effects. This first highlights where mitigation may be appropriate and then demonstrates the effectiveness of mitigation and provides the framework for the assessment of significance which takes mitigation measures into consideration.

There are no World Heritage Sites, Scheduled Monuments, Registered Battlefields or Conservation Areas within the study area. The Conservation Area of Thorney is located to the south, just outside the study area.

In respect of the assessment of the proposal on the designated heritage assets within a 3km radius of the site, it was concluded that the only site with potential to have their setting affected was the Grade II Thorney Lodge. The Local Planning Authority are in agreement with this.

The listing description advises that Thorney Lodge may have been built as a hunting lodge for the Duke of Bedford by the architect Samuel Teulon. The significance of the building in conservation terms is clearly its architectural form and appearance and historical association with Teulon and the 19th Century rebuilding of Thorney.

The setting of the listed building and its curtilage have most likely changed over time. Present hedges, trees and other planting to the boundaries and eastwards have impacted on the setting of the building from what was likely a more open Fen landscape. To an extent the present site is surrounded by a substantial landscaping and there are no key views of the building from Black Drove. If an open landscape was part of the buildings early context, that landscape has now changed.

Thorney Lodge, due to its Grade II Listed status, is a high value asset. The change to its setting was considered to be intermediate negative.

Mitigation

The use of screen planting as a mitigation measure to reduce the impact on the setting of Thorney Lodge may in itself impact on the setting of the cultural heritage asset, therefore this is not considered to be a suitable form of mitigation. The Local Planning Authority is in agreement with this.

The significance of effect on the setting of Thorney Lodge, without mitigation, is moderate adverse.

The revised scheme, which omits development of the land to the west of Black Drove, has reduced the significance of effect on the setting of Thorney Lodge from moderate adverse to slight adverse.

Assessment

In addition to Core Strategy policy CS17 and policy PP17 of the Planning Policies DPD, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering granting planning permission for development which affects the setting of a listed building special regard should be had to the desirability of preserving the building or its setting.

National planning policy in the National Planning Policy Framework (NPPF March 2012) (Para 129) advises that in determining applications Local Planning Authorities should identify and assess the particular significance of the heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). Paragraph 134 of the NPPF recognises that where there is less than substantial harm the public benefit of the proposal should be weighed against the harm caused to the significance of the heritage asset.

In respect of Thorney Lodge, the proposal does not impact on the building other than in respect of its setting. And the Council has a statutory duty to give special regard to the desirability of preserving that setting.. The proposal provides mitigation by way of setting back the solar panels from the curtilage of the Listed Building and providing landscaping. It is not considered that there is scope for additional mitigation measures that could be introduced to reduce the impacts on the setting of this asset, therefore the magnitude of change cannot be reduced further. However the significance of effect on this asset has reduced as a result of the deletion of development to the west of the asset from moderate adverse to slight adverse. The impacts on the setting will be limited to the 25 year lifespan of the development and will be removed on decommissioning.

The Council is required, by virtue of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have *special regard* to the desirability of preserving the setting of a listed building, setting, when considering granting planning permission for development which affects its setting. In the case of Thorney Lodge the impact upon the setting of that building is considered to be moderate adverse, and whilst special regard has been given to the desirability of preserving the setting unchanged, the Council considers that the temporary nature of the development together with the benefits of sustainable energy production outweighs the weight to be accorded to the desirability of preserving the setting.

Overall, it is considered that the effect of the proposed development would introduce some harm to the wider setting of the listed building, beyond its immediate curtilage. That harm will however be less than substantial harm in the terms of the NPPF, and in accordance with paragraph 134 of the NPPF, the harm needs to be weighed against the wider public benefits arising from the proposal. The public benefit in this instance would be the supply of renewable energy. It is considered that the public benefit that this scheme would deliver would outweigh the predicted level of harm to the

setting of the listed building. On this basis the proposal is considered to be in accordance with the NPPF, and Core Strategy Policy CS17 and Policy PP17 of the Planning Policy DPD.

j) Flood Risk/Drainage/Surface water drainage

Flood Risk Impacts

The application site falls within a high risk designation on the Environment Flood Risk Maps when the extent of the floodable area is drawn on the basis of the existing flood management infrastructure is not present. In a 1 in 100 year flood event, the depth of water would be 3m. However, given the nature of the development, the limited human presence on site and the managed nature of the flood management infrastructure, the residual risk of flood is considered low.

Mitigation

The proposed panels are elevated 0.7 above existing ground level and are water resistant. Also the inverter buildings and substation will have a floor level 250mm above ground level.

Assessment

Whilst the NPPF technical appendix does not specifically state which class of development solar farms fall under, as wind turbines are classes as 'Essential Infrastructure', it is reasonable to consider that a solar farm would fall in to the same category (though the applicant takes the view that the use is 'less vulnerable' in character on the basis that the solar panels are water resistant and it is not a requirement for the inverters units which convert DC electricity to AC electricity, to remain operational in times of flood). As the site is in a high risk flood area and of 'essential infrastructure' character, the development needs to be subject to the 'sequential test' and, if passed, the 'exceptions' test. The objective of national policy is to direct development away from locations that are at high risk of flooding, but where development is necessary it should be safe and not result in flooding elsewhere.

In terms of the Sequential Test, there are no significant areas to the north, north east or east of the City that are at lesser flood risk than the application site which are:

1. known to be available for the use and scale of development proposed by the application
2. not otherwise allocated or have planning permission for or are in use for an alternative use such as urban extensions, employment developments, mineral extraction, waste management

There are no significant areas to the south of the City that are at a lesser flood risk than the application site which are:

1. known to be available for the use and scale of development proposed by the application
2. not otherwise allocated or have planning permission or are in use for an alternative purpose such as urban extensions, employment developments, country parks

To the west and north west of the City there are areas that are at a lesser flood risk than the application site. However, those areas are either not available for the use and scale of development proposed by the application, or are already in an existing use. It should also be noted that the area west and north of the city is of a significant higher landscape quality than the application site the nature of which means that it would not be possible to accommodate the scale of the development proposed without significant harm.

Whilst the site falls within a high flood risk flood area, the extent of the flood risk area has been drawn on the basis of the existing flood protection measures not being present (i.e. a worse case scenario is presented by the flood maps). When the maps are redrawn with the flood protection

measures in place then the application site falls outside the high or medium flood risk areas i.e. it is in a low flood risk area. For the application site to flood, it would take effectively the whole of the fen water management system to fail which is exceptionally unlikely. In addition, it should be noted that the lifespan of the development is only 25 years when compared to the likelihood of an extreme flood event.

On the basis of the above, it is concluded that the proposal passes the sequential test.

It is then necessary to assess the development against the exceptions test. For the test to be passed, it has to be demonstrated that:

1. if there are areas of the site at lower risk than others, then the most vulnerable development should be located there unless there are overriding reasons
2. the development is flood resilient / resistant, with safe escape routes, management of residual risk(including emergency planning) with priority to sustainable drainage.

The site has the same flood risk over the whole site area so it is not possible to locate more vulnerable parts of the development to 'safer' locations. The panels are water resistant and are located some 0.7m above the ground and the inverter buildings and sub station will have a floor level 250mm above ground level. Consequently there is some 'headroom' in the event of a flood event. As the site is not a generally manned site, there is no need to require escape route / emergency planning measures as part of any planning approval. The operator will in any event have appropriate systems in place. The proposal will not result in any significant increase in surface water run off and given the nature of the development, it will not result in any significant increase in flood risk elsewhere.

As stated previously it should also be noted that whilst the site falls within a high flood risk flood area, the extent of the flood risk area has been drawn on the basis of the existing flood protection measures not being present (i.e. a worse case scenario is presented by the flood maps). When the maps are redrawn with the flood protection measures in place then the application site falls outside the high or medium flood risk areas. For the application site to flood, it would take effectively the whole of the fen water management system to fail which is exceptionally unlikely. In addition, it should be noted that the lifespan of the development is only 25 years when compared to the likelihood of an extreme flood event (one in a hundred years i.e.1% probability in any one year). On this basis it is considered that the exceptions test is satisfied.

The Environment Agency raises no objection to the proposal. The revised Flood Risk Assessment (FRA) submitted addresses the request for additional information and is now considered to be in accordance with the Technical Guidance of the NPPF. The revised FRA states that surface water from the proposed development site will drain to the Internal Drainage Board (IDB) network.

Drainage/ Surface Water

Impacts

The revised scheme which has relocated the substation will have no impact on the surface water drainage strategy for the site as surface water will continue to soak away to surrounding land at the new location, conversely the reduction in area of the development site by approximately 5.47ha will be beneficial and more of the site would stay as green field.

Cumulative impacts: The proposed development site and the two other solar farm schemes are situated in a predominantly rural location characterised by numerous watercourses and drainage channels which are managed by the local IDB, Environment Agency or the agricultural tenant. None of the identified cumulative development schemes are within 3km of the site and all require a FRA.

Mitigation

Infiltration drainage will be designed in accordance with BRE 365 and grass established beneath the solar panels. No further mitigation is recommended to reduce flood risk, however the North Level IDB has requested a 9m buffer be observed from the brink of the board's watercourses to the nearest point of any structure. A 10m buffer would be maintained from all wet ditches.

Assessment

Surface water run off from developments is managed sustainably and restricted to an allowable discharge rate and volume which ensures receiving watercourses can discharge freely in accordance with local Environment Agency and IDB byelaws. Should excess surface water from other development schemes exceed allowable discharge rates then water would be intercepted by other drainage channels, and the overall impact on the proposed development site would be limited.

The PCC drainage engineer raises no objections to the proposal subject to appending a condition requiring details of a drainage scheme. The IDB raise no objection, subject to there being no development being within 9 metres of the Board's watercourse. A development levy may apply to the change of use but this is a private matter between the developer and the IDB and does not need to be duplicated by way of a planning condition/legal agreement.

It is considered that given the nature of the proposal there would be no significant increases in surface water run off. The proposed mitigation measures include infiltration drainage and grass to be established between the panels are acceptable and the development will not result in any significant increase in flood risk elsewhere. Hence the proposal accords with Policy CS22 of the Adopted Peterborough Core Strategy DPD and the NPPF.

k) Geology, soils and hydrogeology

Impacts

The Environmental Statement has assessed the potential impacts of the development on geology, soils and hydrogeology and consideration has been given to geology: drift and bedrock, soils and agricultural land classification, groundwater, contamination, waste and minerals and geology. Baseline conditions were established through collection of a wide range of data and information from published material, plus consultations with statutory bodies, such as the Environment Agency, PCC, and other stakeholders. In addition, a walkover survey was undertaken in November 2012 to assess the ground conditions and verify the findings of the data collated during the desk based studies.

A contamination Assessment Report has been produced and submitted in support of the application. The report concludes with a recommendation for precautionary gas protection for structures however given the essentially Greenfield nature of the land and insensitivity of the proposed end use, no further investigative work has been recommended.

Approximately 75% of the site lies within a Mineral Safeguarding Area where there are known deposits of sand and gravel that are considered to be of current or future economic importance. The proposal is therefore assessed against policy CS26 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy. Development in these areas will only be permitted if it fulfils at least one of a number of requirements as stated in the policy, including, for example, that development will only be permitted where it has been demonstrated that "the development will not inhibit extraction if required in the future. These deposits will not be exploitable during the lifetime of the proposed development but the deposits will not be permanently sterilised and can be extracted, if required, after decommissioning of the proposed development. It is also the view of the Minerals and Waste Officer that there are sufficient allocated sites to ensure that the provision of sand and gravel reserves to the end of the plan period in 2026.

The construction, operation and decommissioning phases of the proposed development, without appropriate mitigation could potentially have adverse impacts on geology, soils and hydrogeology and these are identified in the following tables:

Table 9.10 (Vol 1 – ES pg 9-16) – Magnitude of Effects (Construction)

Resource	Attribute	Potential Effect	Magnitude of Effect
Best and Most Versatile Agricultural Land	Soils	Excavations/ Removal	Minor Adverse
		Chemical Pollution	Minor Adverse
		Compaction and Erosion	Minor Adverse
Sand and Gravel Mineral Safeguarding Area	Geology	Chemical Pollution	Negligible Adverse
Superficial Deposits – Secondary Undifferentiated Aquifer	Groundwater	Changes to Hydrogeological Regime	Minor Adverse
		Chemical Pollution	Minor Adverse
Archaeological Features	Archaeological	Changes to Hydrogeological Regime	Major Adverse
		Chemical Pollution	Minor Adverse

Table 9.11 (Vol 1 – ES pg 9-18) – Magnitude of Effects (Operation)

Resource	Attribute	Potential Effect	Magnitude of Effect
Best and Most Versatile Agricultural Land	Soils	Chemical Pollution	Negligible Adverse
		Quality Improvement	Minor Beneficial
Sand and Gravel Mineral Safeguarding Area	Geology	Chemical Pollution	Negligible Adverse
Superficial Deposits – Secondary Undifferentiated Aquifer	Groundwater	Changes to Hydrogeological Regime	Minor Adverse
		Chemical Pollution	Negligible Adverse
Archaeological Features	Archaeological	Changes to Hydrogeological Regime	Major Adverse
		Chemical Pollution	Negligible Adverse

Decommissioning: the potential effects arising from decommissioning activities are likely to be similar to those for construction activities.

Mitigation

Mitigation measures to address potential effects over the construction, operation and decommissioning phases of the proposed development have been provided and discussed in the following sections.

Design:

- Buffer zones between infrastructure and Internal Drainage Board watercourses (as per Flood Risk mitigation).
- A detailed drainage design will be carried out to ensure that drainage of the land to the present level is maintained. This will entail the design of a new drainage system in accordance with Sustainable Urban Drainage System (SUDS) methodologies.

Construction:

- The CEMP will outline activities and compliance with relevant Pollution Prevention Guidance (PPG), detailed drainage design (SUDS), pollution incident response plans and ground gas as protection measures as required.
- If, in the unlikely event, during the course of the development, any contamination is found which has not been previously identified, an appropriate risk assessment will be prepared. Any actions resulting from the risk assessment will be agreed with the local planning authority along with any remedial measures. These remedial measures will be adopted as part of the scheme.
- Environmental Clerk of Works will be appointed to oversee the construction phase and implementation of the CEMP.
- Construction phase will follow the CIRIA and EA publications as well as BS6031:2009 'Code of Practice for Earthworks'
- The CEMP will include a Pollution Prevention Plan including measures to minimise discharge rates and remove suspended solids from surface water.
- All areas of unused and / or exposed soil will be reseeded or otherwise covered as soon as possible and erosion protection matting used.
- An inventory of all chemicals, fuels and oils will be kept and spill contingency plans created for each of the items alongside warning notices and appropriate spillage containment equipment and materials. Materials will be stored in secure and designated storage areas in accordance with the appropriate regulatory requirements, including the Control of Pollution (Oil Storage) (England) Regulations 2001 and COSHH Regulations 1994.
- Staff will be given appropriate training, and site specific procedures will be developed, e.g. staff being made aware of their statutory responsibility under Section 85 of the Water Resources Act 1991 and Regulations 38(1) and 12(1) of the Environmental Permitting Regulations 2010.

Operation:

- As part of the OEMP, a plan will be prepared to address the management of drainage for the duration of the development's operation and decommissioning.

Decommissioning:

- Similar mitigation measures to the construction phase are anticipated during decommissioning. Details will be presented in the Restoration Plan and implemented as and when appropriate.

The Environmental Statement concludes that there are not expected to be any significant residual adverse effects on geology, soils and hydrogeology during either the construction, operational or decommissioning stages of the proposed development.

Assessment

The Pollution Control Officer has assessed the Environmental Statement and Contamination Report and accepts the conclusions and recommendations of the reports. The panels themselves are in a solid state and so no leaching of contaminants is likely.

It is considered that any contamination and pollution issues for the site have been properly assessed and appropriate mitigation measures would avoid any significant impact on the environment. There could be major adverse impacts on archaeology during construction and operation if there were any changes to the Hydrogeological regime. The local high groundwater levels have led to the preservation of organic archaeological remains. Any change to groundwater levels could be detrimental to these remains. Mitigation measures are proposed in the Environmental Statement to address this. In order to ensure the lowering of the groundwater table does not occur, access tracks and cable trenches have been designed to avoid the need of excavations below the groundwater table, the use of pumps for dewatering and the creation of preferential flow paths below the base of the existing drains. The maximum depth for cables is to be between 1m and 1.5m, and the access tracks are to be constructed directly on the existing topsoil. Officers are in agreement with the findings of the Environmental Statement, that the mitigation measures proposed ensures a neutral significance of effect. The proposal would not sterilise the land for future sand and gravel extraction. Hence the proposal accords with para 120 of the NPPF, policy CS26 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy and policy PP20 of the Adopted Peterborough Planning Policies DPD.

l) Socio-economic assessment

Impacts

The Environmental Statement has assessed the socio economic effects of the proposal in terms of on the local and regional community, including employment generated during construction and operation, effects on agricultural land use and tenancies, effects on community cohesion and wellbeing, energy production and contribution to sustainability strategies.

Table 12.10 (Vol 1 – ES pg 12.10) – Summary of the potential impacts to the local community and region during construction

Potential effect	Sensitivity	Magnitude	Effect
Employment generated during construction	Low	Medium	Moderate Beneficial
Influx of workers from outside the region changing community structure	Low	Negligible	Neutral/None
Influx of workers from outside region changing community structure	Low	Negligible	Neutral/None
Public use and access of recreational and tourist sites	Low	Low	Neutral/None
Contribution to sustainability strategies	Medium	Medium	Moderate Beneficial
Contribution of revenue of solar generation to improved community services and facilities	Medium	Medium to High	Moderate to major beneficial
Overall impact of loss of business and relocation of tenant farmers to local community	Medium	Medium	Moderate Adverse
Opposition to development affects community wellbeing and cohesion	Low	Low	Minor Adverse

Table 12.16 (Vol 1 – ES pg 12-14) Summary of potential impacts to local community and region during operation and decommissioning

Potential effect	Sensitivity	Magnitude	Effect
Employment generated during operation	Low	Medium	Moderate Beneficial

Annual energy output generated	Low	High	Moderate Beneficial
Value of MWh of energy generated	Low	High	Moderate Beneficial
Number of home electricity needs catered for per annum by energy generated	Low	High	Moderate Beneficial
Annual premium value associated with solar energy output	Low	High	Moderate Beneficial
Loss of agricultural land	Medium	Low	Minor adverse
Loss of value of agricultural production	Medium	Low	Minor adverse
Loss of FTE agricultural jobs and associated income	Low	Low	Minor Adverse

It is estimated that approximately 1.4 full time equivalent (FTE) agricultural jobs will be lost as a result of the proposed development with subsequent loss of agricultural income in the area. It is estimated that the value of agricultural incomes lost to the area will total circa £32,000 annually. Overall, there will be a minor adverse effect resulting from loss of agricultural jobs and income.

The proposed development will result in the displacement of two farming tenancies from the 100.65ha site where the park is to be developed. An estimate has been produced of the annual gross value of the agricultural output from the affected hectares, which is estimated to total approximately £149,800. It should be noted however, that there will also be an associated reduction in the input (labour, fertilisers, sprays, machinery etc.) costs required to produce the output. When account is taken for the input costs that will no longer be required, the net value associated with the loss of the use of agricultural land in the area is estimated to total circa £37,000 annually.

Mitigation

For the proposed development at Morris Fen, it is estimated that 14 FTE jobs will be created compared to the loss of 1.5 FTE agricultural jobs. These new 14 FTE jobs could involve a combination of full and part-time employees, thereby resulting in more 'persons' being employed. Also, in addition to this, it is considered that the proposed development could have a short term moderate beneficial effect on employment in the local and regional community during construction, where opportunities to maximise local labour can be utilised. Roles that could be well serviced locally include landscaping, fencing, electrical and ground works. The council will commit to ensuring that, where possible, a proportion of these new job opportunities are taken by local people.

The proposed development will result in the production of 25,908MWh of solar energy annually. The market value of 25,908MWh of conventional energy is £1.24m, at 2012 prices, based on average energy retail wholesale price of £48 per MWh. However, owing to the fact that the energy produced is solar in nature, with associated environmental and sustainability benefits which are reflected in the additional subsidies the UK Government have put in place for solar energy, an additional environmental and sustainable value is attributed to the annual Morris Fen solar energy output totalling £2.41m. As such, the total annual value of the energy produced by the proposed development totals £3.65m.

Where significant adverse effects have been identified, mitigation is proposed to reduce or alleviate the extent of the impact that could be experienced.

Construction:

Impacts to the long-term family tenancy located within the development site represent a significant adverse socio-economic effect identified in this study. An Early Tenancy Cessation Plan will be developed in consultation with the affected tenant which will outline the process and outcomes of

compensation and/or relocation to offset the business and livelihood impacts. The plan will also outline Peterborough City Council's commitment to fair and respectful treatment of the affected tenant and include provision for ongoing consultation.

A consultation plan to keep the community up to date and enable community feedback will be implemented for each phase of the development. The plan will provide accessible, timely and up to date information in managing inconvenience, disruption and uncertainty that may arise from the construction of the development. The plan will be particularly important during construction periods when disruption to the local community is likely to be most acute. The plan will include contact details that allow issues and concerns from the community to be raised and addressed by the client and/or contractor.

Operation/Decommissioning:

Methods to retain some agricultural use on the development site will be explored and implemented where feasible, as described in Chapter 7 of the Environmental Statement.

Assessment

The applicant's socio-economic assessment has identified beneficial effects in terms of employment opportunity and renewable energy production. A significant adverse impact has been identified in relation to the impact of the loss of a farming business and tenancy in the local community. However, the loss of prime agricultural land for a 25 year period represents a neutral to minor effect due to the low proportion of land affected compared to the overall area available in Peterborough Unitary Authority.

A number of objections have referred to the impact of the development on farming heritage and loss of opportunities for a career in farming for future generations. As stated within this report the loss of agricultural land is relatively small; and represents 0.07% of the total of grade 1-3 agricultural land in the Peterborough area and therefore would not significantly alter the availability of land to pursue these options.

The proposal will bring about benefits associated with the construction and operation of the development and it is considered that these will outweigh the disbenefits associated with the temporary cessation of agricultural production in its current form.

m) Transport

Potential Impacts

The immediate road network (Black Drove, English Drove and Station Road) is considered sufficient to carry construction traffic and accommodate associated HGV manoeuvres; any impact on the travel network during construction would be short or medium term, therefore the impact would be localised. Construction routes would include the A47 / A1139 / A15; site access would be via the A47 > B1040 Station Road > English Drove > Black Drove.

In conjunction with the Guidelines for the Environmental Assessment of Road Traffic (1993) Driver Delay and Accidents and Safety are considered most relevant to the proposed scheme.

Effect	Type of Effect	Probability of Effect Occurring	Exposure of Effect	Magnitude of Effect	Significance Level	Rational
Driver Delay	Adverse	Unlikely	Low	Low	Minor	Low construction traffic generation. Impacts are temporary. Provision of suitable passing location on Black Drove. Deliveries scheduled to avoid conflict and busiest periods.
Accidents and Safety	Adverse	Unlikely	Low	Low	Minor	Impacts are temporary. Provision of suitable passing location on Black Drove to allow vehicles to safely pass each other. Traffic Management Plan would assist in reducing risk of accidents.

(Summary of Effects, Residual Impact, ES Vol. 1, AECOM, pg 13-4)

Construction – It is anticipated that construction would take place over 26 weeks from occupying the site and a maximum of 16 HGV deliveries per day (32 movements in and out). However it is anticipated only 22 HGV delivery movements would actually occur on a daily basis (AECOM (2012) ES: Vol 1, Paragraph 13.6.4). A further 32 staff vehicle movements are anticipated per day.

Operation – Once operational, the site would be visited by a service engineer once every three months. Once operational, trip generation is therefore considered to have a negligible impact on the road network.

Decommissioning – It is not anticipated that traffic movements would exceed movements experienced during the construction period. Details of decommissioning would be required by way of condition, which can put in place sufficient mitigation measures to prevent the decommissioning works from overloading the existing network.

Proposed Mitigation

Wheel washing facilities would be provided at the site exit to prevent mud/debris from being dragged on the road. Further, a passing place would be provided on Black Drove to ensure two 16.5m HGV vehicles could pass one another. Both wheel wash facilities and passing place would form part of a Traffic Management Plan, which could be secured by way of condition.

Assessment

Letters of representation have raised concerns that the construction traffic would impact on existing commuter traffic. Given the proposed number of movements over the working day and the direction of site related traffic, it is not considered the proposal would hinder existing local traffic during the commuter period to a significant degree.

The Local Highways Authority and Bridges team have raised no objection to the proposal; however they have requested a number of conditions and informatives be attached to any grant of planning permission, with respect to:

- A construction management plan: this would secure details of construction and operation, such as managing noise and controlling dust generated by construction works, hours of construction and parking for contractor parking.
- A highway assessment: a full assessment of the existing carriageway, to deal with any abnormal loads.
- Off-site highway works: this would provide details of widening works to the highway, any new kerbs, drainage, signage and any strengthening works to existing bridges
- A highway condition survey: a survey of the existing road network which would be used by construction vehicles, if any damage were caused repairs would be undertaken at the cost of the developer.
- Junction details and visibility splays and access gradient
- Provision and retention of parking for future users
- A condition survey for any existing bridges before construction to identify any strengthening works.

These conditions would address matters identified by the Local Planning and Highway Authorities, as well as concerns raised in letters of representation. These matters include details of site access, any associated fencing which would surround the application site and could impact driver visibility, the introduction of heavy delivery vehicles, and the potential to cause damage to roads and capacity within the immediate network

Concerns relating to glare from the panels have been raised, which could cause distraction to passing highway users. The panels would be covered by an anti-glare film, which further to reducing the visual appearance of a large water body, would mitigate any detrimental impacts such as glare. However, a condition shall be attached to put mitigation measures in place should the panels become a source of annoyance to highway users. These could include, for example, additional planting.

A further concern which has been raised is the impact construction traffic would have on Thorney Conservation village. As part of the Traffic Management Plan this would dictate the direction of all construction traffic (A47 / A1139 / A15). The conservation area is located 300metres south from the A47 / Station Road roundabout; given the distances involved, limited period of works and localised nature of the works, as well as the amount of traffic this trunk road already experiences, it is not considered construction traffic would detract from the Thorney conservation area.

Health and safety of members of the public during construction has also been raised. It should be emphasised that during construction the site operators would be responsible for all health and safety matters on and off site. Once construction traffic is on the public highway drivers would be bound by laws separate to planning control.

The provision of a passing bay on Black Drove, the creation of a Traffic Management Plan secured by planning condition, and the negligible effect on the traffic network once operational, lead Officers to the conclusion that residual impact of the proposal would be minor adverse. Further,

given the construction period of the works proposed, the cumulative impact of this development with other developments in the local area is considered to not be significant.

Subject to the conditions requested by the Local Highway Authority and the proposed mitigation methods outlined as part of a Transport Management Plan, the proposal would not result in an unacceptably adverse highway safety hazard, and would accord with Policy CS14 of the Peterborough Core Strategy DPD, the NPPF and PP12 and PP13 of the Peterborough Policies DPD.

n) Amenity

Impacts

Concerns raised include impact to visual amenity, user amenity of the adjacent golf course, living conditions of existing and future occupiers, proximity of the proposed development to neighbour properties, impact of heavy vehicles on adjacent occupiers' quality of life, as issues of glare from the proposed solar panels to residential properties, and 'enclosure' of adjacent properties by the proposed development.

The visual impact assessment undertaken included an assessment of those residential properties located on the edges of the development site. The table below (taken from the submitted environmental statement) details the results of this assessment:-

Residential property/Property group	Address	Impact Summer year 5	Impact summer year 15	Significance
P1	English Drove	No effect	No effect	N/A
P2	English Drove	Minor Adverse	Negligible – Minor Adverse	Not significant
P3	English Drove	Minor Adverse	Negligible – Minor Adverse	Not significant
P4	English Drove	No effect	No effect	Not significant
P5	English Drove	No effect	No effect	Not significant
P6	English Drove	No effect	No effect	Not significant
P7	English Drove	No effect	No effect	Not significant
P8	English Drove	No effect	No effect	Not significant
P9	English Drove	No effect	No effect	Not significant
P10	Green Drove	Negligible – Minor Adverse	Negligible – Minor Adverse	N/A
P11	English Road	No effect	No effect	Not significant
P12	Black Drove	Moderate – Major Adverse	Minor Adverse	Not significant
P13	Black Drove	Moderate Adverse	Minor – Moderate Adverse	Not significant
P14	Black Drove	Moderate Adverse	Minor – Moderate Adverse	Not significant
P15	Black Drove	Moderate Adverse	Negligible – Minor Adverse	Not significant
P16	Black Drove	Minor Adverse	Negligible – Minor Adverse	Not significant
P17	Black Drove	Moderate – Major Adverse	Negligible – Minor Adverse	Not significant

The table above details that none of the 17 property receptors considered above was assessed as experiencing significant effects.

Mitigation

Concerns relating to visual amenity were raised, however the proposed solar panels would be located in excess of 100 metres from any dwelling. There are no set guidelines on distances with respect to residential properties and the siting of solar panels. No. 43 Black Drove was identified in

the EIA as the most affected property; however the impact has been mitigated by the relocation of the proposed panels, substation, compound and associated infrastructure from the west side of Black Drove to the east of the application site.

With the exception of the site compound the scheme would utilise 2.4m high mesh fencing, which is considered to be visually permeable. At the nearest points, fencing would be located approximately, 58 metres north of The Barn, Lodge Farm, 72 metres north of 43 Black Drove and 84 metres west of the Bungalow. Planting is proposed to the north of both the Lodge and No. 43 Black Drove, and the west and north of the Bungalow, therefore given the visually permeable nature of the proposed fencing, the distances to residential properties, and the proposed landscaping scheme, the proposal is not considered to result in an unacceptably adverse visual impact to adjacent occupiers. It is confirmed that no residential property would be fully enclosed by the proposed panels or fencing.

Address	Approximate distance to fencing	Mitigating screening proposed?
43 Black Drove	84 metres north	Yes
Lodge Farm House	168 metres north	Yes
The Barn, Lodge Farm	58 metres north	Yes
39 Black Drove	172 metres north	Yes
40 Black Drove	180 metres north	Yes
The Bungalow	84 metres west, 188 metres north	Yes

The existing electricity pylons which currently stand on site would be removed, and the cables would be run underground. The proposed switch bay stations and transformers have been relocated to the eastern corner of the site. Given the distances and heights proposed, the revised location would not have an unacceptably adverse impact on adjacent occupiers.

Assessment

The Peterborough City Council Landscape Architect has responded advising the visual impact would not be significant and would be mitigated by the proposed landscaping scheme.

With respect to the users of the adjacent golf course, given the existing boundary treatment along the north-western boundary of the golf course, the height of the proposed panels and substation compound, as well as the low predicted noise levels generated by any operational equipment, the amenity of golf course users is not considered to be subject to significant adverse impact.

Construction works would be over a 26 week period. HGV deliveries are anticipated to be between 22 (expected) and 28 (maximum) daily movements. Any impact would be mitigated given the number of movements would be spread over the working day. As such construction traffic is not considered to significantly impact the existing road network.

The site would be surrounded by a number of CCTV columns. Concerns relating to loss of privacy have been raised. Details will be required to be provided by the developer, by way of planning condition, to control each camera's field of view. This would protect the amenity of adjacent occupiers and overcome any unacceptable adverse relationship.

Concerns relating to glare from the panels have been raised, which could cause reflection into primary windows of surrounding properties. The panels would be covered by an anti-glare film, which would mitigate any detrimental impacts. However, a condition shall be attached to any grant

of planning permission to require mitigation measures should the reflection become a source of annoyance to surrounding dwellings.

It is not considered the proposal would result in an unacceptably adverse impact to these properties, either by virtue of loss of light, privacy, visual amenity or outlook. The proposal is considered to accord with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012).

n) Noise & Vibration

Impacts

The proposed development could lead to issues of noise and vibration generated by construction activities, traffic and operational noise.

BS 5228:1997 'Noise and Vibration Control on Construction and Open Sites' states 'noise levels between 07:00-19:00, outside the nearest window of the occupied room closest to the development site boundary should not exceed ... 70dB(A) in rural ... areas away from main road traffic...'. The submitted noise assessment has demonstrated that this can be complied with.

The construction process of facilitating the proposed development has been broken down into 5 phases within the submitted ES: Vol.1, which indicates the predicated noise level at the nearest noise sensitive receptor during each phase. These are 1) constructing the construction compound (56dBA), 2) constructing the access track (59dBA), 3) installing the solar panels (68dBA), 4) constructing the electrical infrastructure (56dBA) and 5) providing the grid connection (45dBA).

Operational noise - The rating level of noise emitted from the site shall not exceed 35dB LAeq,1 hour between 07:00 and 23:00 Monday to Friday and 35dB LAeq,5 minutes at any other time. With respect to the substation compound and associated transformers the noise levels shall not exceed 75dB(A) at one metre; this would ensure a maximum noise level of 35dB(A) at the nearest noise sensitive receptor (Priest Farm, 500 metres). Noise levels of the invertors would not exceed 65dB(A) at 1m.

Mitigation

During the construction phase it is estimated that there will be 22 - 28 HGV movements (11-14 in and 11-14 out) per day. To mitigate the impact on residents the hours of construction and routes to be taken by all HGV vehicles will be controlled by condition.

The Construction Environmental Management Plan (CEMP) would ensure recommended Best Practice, such as works to operate between 08:00 and 18:00 Monday-Fridays, and 08:00 and 13:00 on Saturdays and noise levels at nearest noise sensitive receptors to not exceed 70dB(A).

Assessment

Concerns relating to noise have been raised; however during the construction period noise would be restricted to not exceed the standard in BS 5228:1997 'Noise and Vibration Control on Construction and Open Sites', which is 70dBA in rural areas. It has been demonstrated that during piling works, noise levels would not exceed 68dBA at the nearest noise sensitive receptor. The level of vibration from piling equipment would be variable, but would be within acceptable limits.

It is considered the construction activities, traffic and operational noise would be in accordance with BS 5228:1997 'Noise and Vibration Control on Construction and Open Sites'. The Environmental Health Officer has not objected to the proposal, but has requested that a Construction Environmental Management Plan (CEMP) is secured by condition.

Subject to securing a CEMP via condition the proposal would not result in an unacceptable

adverse impact on adjacent occupiers during construction or operation of the site, and the proposal would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011), the NPPF (2012) and PP3 of the Peterborough Policies DPD (2012)

o) Crime

Impacts

The impact of the development is the risk of attracting crime, and therefore there is a need to protect the site from potential thefts and vandalism.

Objections have been raised on the basis that the panels and associated infrastructure would be constructed using metal and lucrative materials, therefore the site would be a target for theft, and would exacerbate current crime levels and vandalism in the area.

Mitigation

To address this, the proposed development incorporates 23 x 5 metre high CCTV columns, which would be strategically placed around the site, to monitor any unauthorised access or intruders. Further, the site would be surrounded by a 2.4m high weld mesh fence, and the substation compound would be surrounded by a 3m high palisade fence to offer a secure boundary to the site. The site would be monitored remotely, should any intruders be identified the CCTV operators would contact the Police

Assessment

The Police Architectural Liaison Officer (PALO) is in support of the proposal, advising that the cameras and fencing are necessary and commensurate to address potential risk of crime. He considers the proposed measures are sufficient to address the risk of crime. As the site would be permanently monitored 24 hours a day, 7 days a week, by the proposed security cameras it is not considered the proposal development should increase the fear of crime amongst local residents. Whilst there would be 23 cameras erected, standing at 5 metres in height, it is considered given the slender appearance of the poles, and their relationship within the wider landscape, the visual appearance of the proposed CCTV security system is accepted.

Another concern raised was the possibility of the site being occupied by the travelling community during the construction phase. The security of the site during the construction phase would be a matter for the landowner to address, and is not a material planning consideration.

It is considered that suitable mitigation measures are being proposed e.g. security fencing and CCTV cameras, to as far as is reasonable practical, reduce the risk of crime on the site, in accordance with Policy CS16 of the Peterborough Core Strategy DPD, the NPPF and PP2 of the Peterborough Policies DPD.

p) Miscellaneous

Other issues raised by objectors not specifically referred to in the above report

The Officers' responses to these points are set out in italicised text.

Loss of agricultural land

- The government have spent multi-million pounds on drainage grants to make it more productive: *As discussed in this report, very little agricultural land would be permanently lost as a result of the proposed development, the majority of the land would revert back to agricultural use after the 25 year period.*

Long term capability of soil

- Corrosion of the pilings which secure the panels will change the chemical balance of the soil and reduce yield: *There is no evidence that what corrosion does take place would have significant impacts.*
- Some solar products use Cadmium – a heavy metal that accumulates in plant and animal tissues and a probable carcinogen in humans/animals making land unfit for future agricultural use: *It is not known if the panels to be used will contain the material. Leaching would only happen if the panels were broken and exposed to water which would be clearly not normally be the case.*

Change of Use of land

- Once the use has changed it cannot return to agricultural use again re the CAP. *There are no planning reasons why after the end of the 25 years of solar panels being on site the land cannot revert back to agricultural use. The future of CAP is not assured long term.*

City Council application

- A S106 planning obligation cannot be imposed and so there are no appropriate mechanisms to ensure mitigation measures are implemented. *The mitigation measures shall be secured by way of planning conditions.*
- Although the scheme was presented to the Overview and Scrutiny Committee the application and information differs from that presented. *The Local Planning Authority is required to make its determination based on the information that has been submitted.*
- AECOM cannot be independent. *The information provided by AECOM for this application has been considered by officers and that there is no reason to doubt its accuracy.*
- It is time to take stock and consider all the rushed projects and mistakes overseen by PCC. *The Local Planning Authority has a statutory duty to determine all planning applications submitted to it.*
- Concerns about the ability of the preferred bidder – the only bidder. A contract should never be won as a result of a tender from just one company. *The tendering process for any contracts are not material planning considerations.*
- It is for energy companies to provide energy not councils. *This is not a material planning consideration.*
- Breaking the application into 3 chunks to avoid the application being approved by Central Government. *The Secretary of State has been notified of all three planning applications. They have requested copies of the Committee Reports when available for consideration and reserves the right to call in any of the applications for determination.*
- The Leader of the council has conflicts of interest with this proposed energy park. *As the Leader is not a Member who sits on the Planning Committee there is no conflict.*
- Determination to implement this scheme when PCC heels dragged over other proposals. *As discussed in the above report it was hoped that determination of this application would be able to be done within the Government's Statutory timescales, however as with other applications in this instance this has not been possible.*
- Members of the consulting team did not have access to some of the land because it was still covered by crops. *It is not clear as to what sections of land this refers to, however the submitted information is sufficient for the Local Planning Authority to reach an informed and balanced recommendation.*
- Concern that costs of project are unknown which could ultimately impact on completion of works and its maintenance to a good standard. *This is not a material planning consideration.*
- When essential services are being cut this is an appalling use of council tax payer's money. *This is not a material planning consideration.*
- Like Peterborough City Hospital this is a municipal vanity project and should be ignored. *This is not a material planning consideration.*

Consultation process

- Specialist consultees have not been provided with correct information i.e. bird surveys/archaeological surveys. The application should be deferred until full information is provided. *The outstanding bird surveys have now been received. Archaeology investigation shall be secured by way of planning condition.*
- Why is the badger and owl surveys confidential? *Because of their Protected status they are confidential.*
- Impossible to obtain accurate figures for projected costs due to inadequate time for consultation and lack of information available and swathes of reports are blacked out due to 'commercial sensitivity'. *The financial figures of the scheme are not material planning considerations.*
- Concern that the council ignored the 1st Feb deadline and wanted all comments by 16th Jan. *The first round of consultation expired on 1st February 2013. A second round of consultation took place between 8th February 2013 – 22nd February 2013. A third round of consultation took place on 22nd March 2013 – 18th April 2013.*
- Council officials attending exhibitions were evasive and unable to answer pertinent questions – was this deliberate? *The public consultations were undertaken to make the submitted information available to members of the public who may not have access to the Internet or the publicly available copies of the Application(s). Hard copies were available at the Town Hall, City Library and Bayard Place.*
- Planners seem as much in the dark as we do. *The submitted information is sufficient for the Local Planning Authority to reach an informed and balanced recommendation.*
- Area for consultation not wide enough - people in Crowland were not consulted - if wider consultation undertaken there would have been more objections. *Neighbour consultation was undertaken in accordance with the Town and Country Planning (Development Management Procedure) (England) (2010). Adjacent properties were notified in writing and site notices were erected around the application site. Site notices were also erected within Crowland at the Doctors Surgery Car Park, South View Garden Centre, at the Junction between North Street and East Street, outside Crowland Library and Crowland Garden Centre.*
- Two sets of rules depending on whether you are a resident or owner. *It is not clear as to what this comment refers to.*
- The Localism Bill states that applications should not be approved if the community is opposed to it. *Whilst the Localism Bill does aim to de-centralise decision making, it seeks to do so through the creation of Neighbourhood Plans. The new National Planning Policy Framework has a presumption in favour of sustainable development, and planning law requires that applications must be determined in accordance with the development plan unless material considerations indicate otherwise.*
- LPA failing to expertly address all considerations. *The submitted information is sufficient for the Local Planning Authority to reach an informed and balanced recommendation.*
- The lack of response to questions raised is a deliberate attempt to conceal information. *It is not clear as to what this comment refers to. The Local Planning Authority have responded to and/or directly addressed concerns raised.*

Quality of submission

- There are inconsistencies and discrepancies between documents submitted with the application and concern regarding the quality of the plans, particularly the differing layers. The public are therefore not fully aware of the proposal and lack of clarity for the planning department to make an informed decision. *The submitted information is sufficient for the Local Planning Authority to reach an informed and balanced recommendation.*
- There are insufficient details i.e. design of panels and all the components that will collect the power and pass to the grid. *These outstanding details shall be secured by way of planning condition.*
- Little thought has gone into the practical operation of the site for example, basic facilities for site workers, improvement of access roads, turning arrangements, drainage of solar panels. *These outstanding details shall be secured by way of planning condition.*
- The applicant has not complied with the conditions set out in the screening opinion for

archaeological survey, wildlife/bird surveys. *The bird survey's have been submitted and have been assessed as part of the application. Archaeological investigation shall be secured by way of condition.*

- Application has been submitted with incomplete feasibility studies i.e. archaeology/bird surveys/insufficient Flood Risk Assessment. *The bird survey's and a revised Flood Risk Assessment have been submitted and have been assessed as part of the application. Archaeological investigation shall be secured by way of condition.*
- PCC has an obligation to scrutinise the application but is prepared to accept incomplete and flawed information. *The submitted information is sufficient for the Local Planning Authority to reach an informed and balanced recommendation.*
- A plan shows meteorological masts for wind turbines; this is not in the description and other meteorological masts required planning permission. *It is not clear as to which plan this refers too. A meteorological has previously been granted planning permission. This application is for the installation of a solar farm and associated infrastructure.*
- The development will have significant leeway to alter the plans. *It is not clear as to what this comment refers too.*
- There is no decommissioning strategy/costs. *Costs are not material planning considerations, however decommissioning details shall be secured by way of planning condition.*

Rubbish

- Rubbish will gather in the security fencing and encourage more fly tipping – cost to council to remove it: *This is a site management issue and will be dealt with by condition.*

Safety

- Concern regarding the health and safety of children. *The site will be secured by a 2.4m high mesh fence.*
- The development could prove to be dangerous and lethal if not maintained properly. *This is not a material planning consideration and would be the responsibility of the future operator.*
- The areas are used for military aircraft training and civil aviation and the visibility of pilots will be affected by glare from panels. *The Military of Defence were consulted as part of this application, specifically with respect to glare from the proposed panels and whether it would affect military or civil aircraft. No response was received, however the panels would be coated in an anti-glare film or coating. Details of anti-glare shall be secured by way of planning condition.*

Health implications

- There is little research on the potential long term affects on health, i.e. chemicals in the ground, the rays from the sun and electro-magnetic radiation – has this been considered? *There has been no studies/evidence available to suggest that the proposed solar panels would be a risk to human health that the Government have said must be considered under planning applications.*

Interference

- Will electro-magnetic radiation interfere with WiFi /telephone signals or wireless alarm systems. *There is no evidence that problems will arise.*
- Which Electromagnetic standard is to be applied and how will compliance be demonstrated? *This is not a material planning consideration*

Viability of Solar Panels

- Solar panels will produce limited electricity with high costs - no sunlight no energy. *This is not a material planning consideration*
- The whole project is risky for the area and Peterborough Taxpayers – how do we know it will make any money? *This is not a material planning consideration*
- Further investigation and robust assurances concerning the financial option/viability should be undertaken which should take account of reduction in feed-in tariffs in the future, before a

decision is made. There is no evidence that the benefits of the scheme have been properly calculated or considered against the impacts. *This is not a material planning consideration.*

- The scheme requires an electricity provider to manage and distribute power – the charges of this are not fully understood. *This is not a material planning consideration.*
- Support renewable energy innovation in the UK rather than wasting money. *This is not a material planning consideration.*
- The income generated by food production would far exceed that for electricity generation. *This is not a material planning consideration.*
- The local power station is on standby and Kings Lynn is off line. *This is not a material planning consideration.*
- The figures quoted will not give the return stated. *This is not a material planning consideration.*
- The scheme and along with subsequent wind turbine applications should be considered in the broader context of similar proposed developments within the local area. *There is no reason why this application can not be determined prior to the other 2 City Council solar farm applications and any future wind farm proposals on the sites (particularly as it is not known if the wind farm proposals will reach application stage).*
- This is not a viable option as farming has been for many years. *This is not a material planning consideration.*
- This will become the most expensive solar farm development in Europe – at a time of severe austerity. *This is not a material planning consideration.*
- There is clearly scope for some of the generated electricity to be used by the agricultural tenants without prejudicing the owner's income from the Feed-in tariff. *This is not a material planning consideration.*

Alternative sites/solutions

It has been suggested that other brownfield sites should be considered for the panels for example on commercial buildings, along railway lines, roads or industrial areas, landfill sites. It is the application site that is under consideration by the Local Planning Authority which is under the control of the applicant and an explanation as to site selection is given under section a) of this report. The City Council seeks to encourage all new development to contribute to the Environmental Capital agenda to include renewable energy i.e. solar panels under planning policies CS10 and CS11 of the Adopted Peterborough Core Strategy DPD. However, new developments alone will not meet the city council's aspirations for energy production/reduction in emissions.

- Glasshouses could be glazed with transparent solar panels. *The Local Planning Authority must consider the acceptability of the application submitted and cannot consider it against alternative elsewhere.*
- It is possible that simpler open structures could support panels above and between conventional agricultural spaces. *The Local Planning Authority must consider the acceptability of the application submitted. It is not required to consider whether there are any alternatives to the technology which is proposed to be used.*

Expansion of site

- Concern that once approval has been granted further land would be developed for this use. *The Local Planning Authority can only consider the information presented to it, and must consider each planning application on its own merits. Any future proposals for extensions or other developments would be considered on their own merits.*
- Concern that it is PCCs aspiration for wind power will be the second phase application. *Wind power does not form part of the submitted proposal; the Local Planning Authority can only consider the application submitted.*
- Cumulatively wind turbines would have a substantial adverse impact on the fenland landscape. *Wind turbines do not form part of the submitted proposal; the Local Planning Authority can only consider the application submitted.*

- Are there any planning guidance which would assess the capacity of the landscape to absorb developments for these forms of renewable energy. *The Local Planning Authority has considered the proposal against relevant National and Local Policies.*

Microclimate effect: there is no scientific evidence that the solar farm would have any impact on the microclimate. *As advised within the Ecological section, monitoring of the site will be secured by way of planning condition, which could include monitoring of the sites microclimate, and would include a mechanism for implementing mitigation should any be required.*

Value of properties

- The solar parks/wind turbines would have a disastrous effect on the value of properties are residents being compensated?: *The value of properties and compensation are not material planning considerations.*
- I recently purchased my house and there was no mention of the development on my searches: *Applications on land adjacent to properties being bought are only picked up on searches once a planning decision has been made and when a request has been specifically made to include adjacent land in the search.*
- Vibration from construction vehicles will affect precarious foundations/integrity of nearby buildings: *The immediate road network (Black Drove, English Drove and Station Road) is considered sufficient to carry HGV's and there is no evidence that harm will arise.*

6 Conclusions

That 'appropriate assessment' of the proposal is not required as the site does not form a significant habitat for birds associated with Nene Washes SPA/SAC and is not likely to have a significant effect upon the SPA/SAC.

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- There is no advice from Government which guides local authorities on whether food security is more important than energy security, so each case must be considered on its merits. Officers therefore consider that the temporary loss of agricultural land is outweighed by the benefits the development would provide in terms of sustainable energy provision. It is therefore considered that the proposal would accord with Policies CS10 and CS11 of the adopted Peterborough Core Strategy and the National Planning Policy Framework;
- The application site has not been identified as a significant foraging area for birds associated with the SPA, and with the amount of land still available to these species within the 7km zone it is considered that this proposed development, whether on its own or in combination with other proposals, is not likely to have a significant effect on the Nene Washes SPA/SAC.
- There are a number of Protected and non protected species that have been identified on the site. A comprehensive scheme of mitigation measures are proposed and would be secured by condition. Ecological enhancements are also to be secured by condition to improve the biodiversity of the site. The proposal is therefore in accordance with Policy PP19 of the Planning Policies DPD, Policy CS21 of the Core Strategy and the National Planning Policy Framework;
- It is considered the proposed development would accord with Policy CS20 by retaining and enhancing the on site landscape features; not detracting from any important views, not impacting upon the setting of any settlements, and proposing appropriate landscape mitigation;

- The archaeological potential of the site has been shown to be low and consequently a condition requiring a scheme of further investigation and recording, would ensure that any potentially unknown archaeological remains on site could be protected. The proposal is therefore considered to accord with the National Planning Policy Framework, policy CS17 of the adopted Core Strategy and policy PP17 of the Planning Policies DPD;
- It is considered that the public benefit that this scheme would deliver in terms production of renewable energy would outweigh the predicted level of harm to the setting of the Thorney Lodge Listed building. On this basis the proposal is considered to be in accordance with the NPPF, and Core Strategy Policy CS17 and Policy PP17 of the Planning Policy DPD;
- Although the site is within a high risk flood area and the nature of the proposal is 'essential infrastructure', it has been demonstrated that the proposal satisfies both the sequential and exceptions tests. In addition, the site can be adequately drained and will not give rise to an increased risk of flooding in accordance with policy CS22 of the adopted Peterborough Core Strategy and the National Planning Policy Framework;
- It is not expected that there would be any significant residual adverse effects on geology, soils (including in terms of contamination) and hydrogeology, during either the construction, operational or decommissioning stages of the proposed development. The proposal would not sterilise the land for future sand and gravel extraction. The proposal therefore accords with the National Planning Policy Framework, policy CS26 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy and policy PP20 of the Adopted Peterborough Planning Policies DPD;
- A significant adverse impact has been identified in relation to the impact of the loss of a farming business and tenancy in the local community. However, the loss of prime agricultural land for a 25 year period represents a neutral to minor effect due to the low proportion of land affected compared to the overall area available in Peterborough Unitary Authority;
- Subject to the conditions requested by the Local Highway Authority and the proposed mitigation methods outlined as part of a Transport Management Plan, the proposal would not result in an unacceptably adverse highway safety hazard, and would accord with Policy CS14 of the Peterborough Core Strategy DPD, the NPPF and PP12 and PP13 of the Peterborough Policies DPD;
- It is not considered the proposal would result in any unacceptable adverse impact in planning terms to the residential amenity of surrounding residential properties. The proposal therefore accords with Policy CS16 of the Peterborough Core Strategy DPD and PP3 of the Peterborough Policies DPD;
- Subject to securing by condition a Construction Environmental Management Plan, the proposal would not result in an unacceptable adverse noise and vibration impact on surrounding residents during construction or operation of the site, and the proposal would accord with Policy CS16 of the Peterborough Core Strategy DPD the NPPF and PP3 of the Peterborough Policies DPD;
- It is considered that the security measures proposed e.g. boundary fencing and CCTV, will help to reduce the crime risk of the site in accordance with Policy CS16 of the Peterborough Core Strategy DPD, the NPPF and PP2 of the Peterborough Policies DPD.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that:-

(1) As set out in Appendix 1, **an appropriate assessment is not required** under Regulation 61 of the Conservation of Habitats and Species Regulations 2010, as the proposal is not likely to have a significant effect on the Nene Washes and the birds that use it.

(2) Planning permission is **GRANTED** subject to

a) The satisfactory completion of the geophysical archaeological assessment on that part of the site not yet assessed, the undertaking of any trial trenching and mitigation required as a consequence and the undertaking of public consultation

b) The following conditions:

Conditions

C1 The development hereby permitted shall begin not later than three years from the date of this decision. The permission is granted for a period from the date of this decision until the date occurring 25 years after the date of the first export of electricity of the site. Written notification of the date of export shall be given to the local planning authority no later than 14 days after the event.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended) and in the interests of restoring the land to its former state and the visual amenity of the area, in accordance with Policies CS16, CS20 and CS21 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP2 and PP16 of the Peterborough Policies DPD (2012).

C2 The development shall not be carried out otherwise than in complete accordance with the approved plans;

- 6027 1594-S2-PLA-100 Rev B
- 6027 1594-S2-PLA-101 Rev B
- 6027 1594-S2-ENG-301 Rev B
- 6027 1594-S2-ENG-301.1 Rev B
- 6027 1594-S2-ENG-301.2 Rev B
- 6027 1594-S2-ENG-302 Rev B
- 6027 1594-S2-ENG-303 Rev B
- 6027 1594-S2-ENG-303.1 Rev B
- 6027 1594-S2-ENG-303.2 Rev B
- 6027 1594-S2-ENG-304 Rev B
- 6027 1594-S2-ENG-304.1 Rev B
- 6027 1594-S2-ENG-304.2 Rev B
- 6027 1594-S2-ENG-305 Rev B
- 6027 1594-S2-ENG-305.1 Rev B
- 6027 1594-S2-ENG-305.2 Rev B
- 6027 1594-S2-ENG-306 Rev A
- 6027 1594-S2-ENG-307 Rev A
- 6027 1594-S2-ENG-310 Rev B
- 6027 1594-S2-ENG-311 Rev A
- 6027 1594-S2-PLA-010 Rev B
- Figure 10.7 (R)

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C3 **No later than 12 months prior to the end of this permission , a site restoration scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include a programme of works to remove the solar panels and related equipment, and shall be fully implemented within 12 months of the expiry of this permission.**

Or

In the event of the development not exporting electricity for a period of 12 months, the solar panels and related equipment shall be removed from site within 12 months (starting from the end of the 12 month period in which electricity has not be exported) in accordance with a scheme to be submitted to and approved by the local planning authority.

Reason: To ensure the land is restored to its former state in accordance with Policies CS16, CS20 and CS21 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP2 and PP16 of the Peterborough Policies DPD (2012).

- C4 **No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work (watching brief) in accordance with a written scheme of investigation including a timetable which has been previously submitted to and approved in writing by the local planning authority.**

Reason: In the interests of recording any undiscovered archaeology in accordance with Policy CS17 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP17 of the Peterborough Policies DPD (2012).

- C5 **No development shall take place until detailed elevations and plans of the solar panels frames, supporting structures and equipment housings (including confirmation of material and colour finishes and measures to prevent birds mistaking the panels as a body of water) 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: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C6 **Notwithstanding the Boundary fencing details hereby approved, the fencing shall be made permeable to wildlife through the provision of gaps 300mm wide by 150mm in height to be provided at a minimum of once every 20 metres.**

Reason: In the interests of promoting biodiversity of the site, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

- C7 **No electricity shall be exported from the site until the approved landscaping scheme (Drwg 10.7 (R)) has been planted. All hedging shall be double or tripled**

planted, utilising a native species mix.

Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policies CS20 and CS21 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP16 of the Peterborough Policies DPD (2012).

- C8 Prior to the commencement of development details of the proposed grassland habitat planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the grassland habitat planting shall be implemented in accordance with the approved details.**

Reason: Reason: In the interests of enhancing biodiversity of the site in accordance with Policy CS21 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP16 of the Peterborough Policies DPD (2012).

- C9 Prior to the commencement of development all trees and hedgerows illustrated as to be retained (and strengthened) on Drwg Figure 10.7 (R) A3 shall be protected during each phase of development in accordance with BS5387 (2012). Protection methods shall be retained throughout each phase of development to the satisfaction of the Local Planning Authority.**

Reason: In the interests of preserving and enhancing the biodiversity value and visual appearance of the site, in accordance with Policies CS20 and CS21 of the Peterborough Policies DPD (2011), the NPPF (2012) and PP16 of the Peterborough Policies DPD (2012).

- C10 Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to the local planning authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. The following also needs to be submitted as part of any approved works/scheme:**

- Full and up to date design details of the proposed drainage systems for this development should be forwarded for approval. Including detailed specifications of any drainage elements
- Clear details of the ownership and responsibility of maintenance of all drainage channels for the lifetime of the development.

Appropriate consents need to be obtained from North Level Drainage Board and Peterborough City Council in relation to works affecting watercourses in line with local byelaws and the Land Drainage Act.

Reason: To reduce the impact of flooding on the proposed development and future occupants in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C11 The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 7 (Ecology) of the Morris Fen (Environmental**

Statement: Volume 1: Main Text) submitted by AECOM (February 2013) and wintering bird survey documents.

Reason: In the interests of protecting protected species and promoting biodiversity gain, in accordance with Policy CS21 of the Peterborough Core Strategy, the NPPF (2012) and Policies PP16 and PP19 of the Peterborough Policies DPD (2012).

- C12 **A scheme for Ecological Monitoring (including bird and bat mortality) of the site shall be submitted to and approved in writing by the Local Planning Authority. The study shall include a list of targets that shall be undertaken throughout the life of the development. Monitoring work shall be undertaken on an annual basis throughout the life of the development, of which updated reports shall be made available to Local Planning Authority annually.**

Reason: In the interests of protecting and promoting biodiversity gain, in accordance with Policy CS21 of the Peterborough Core Strategy, the NPPF (2012) and Policies PP16 and PP19 of the Peterborough Policies DPD (2012).

- C13 **Notwithstanding the approved details the proposed CCTV cameras shall be designed to ensure they do not overlook the windows or private amenity spaces of any adjacent neighbour properties.**

Reason: In the interests of protecting neighbour amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2011).

- C14 **Notwithstanding the details hereby approved the solar panels shall utilise anti-glare covering, which shall be maintained throughout the lifetime of the development.**

Reason: To ensure the development does not result in an unacceptably adverse highway safety hazard or unacceptably affect neighbour properties, in accordance with Policies CS14 and CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Core Strategy DPD (2012).

- C15 **Notwithstanding the details hereby approved the piled foundations for the solar panel frames shall not exceed two metres in depth.**

Reason: In the interests of protecting undiscovered archaeology in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011) and PP17 of the Peterborough Core Strategy DPD (2012).

- C16 **Prior to the commencement of development the floor levels of all ancillary buildings shall be submitted to and approved in writing by the Local Planning Authority, in accordance with the submitted Flood Risk Assessment. Thereafter the buildings shall be laid out in accordance with the approved details.**

Reason: To reduce the impact of flooding on the proposed development and future occupants in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and the NPPF (2012).

- C17 **There shall be no external lighting on site unless in accordance with details submitted to and approved by the local planning authority.**

Reason: In the interests of the visual appearance of the development and the protection of biodiversity in accordance with Policies CS20 and CS21 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP16 of the Peterborough Policies DPD (2012).

- C18 **The rating level of noise emitted from the site shall not exceed 35 dB $L_{Aeq, 1 \text{ hour}}$ between 07:00 and 23:00 Monday to Friday and 35 dB $L_{Aeq, 5 \text{ minutes}}$ at any other time. The noise levels shall be determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS:4142:1997.**

Reason: In the interests of protecting neighbour amenity and biodiversity of the site, in accordance with Policies CS16 and CS21 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP3 and PP16 of the Peterborough Policies DPD (2012).

- C19 **If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.**

Reason: In the interest of protecting existing watercourses from contamination in accordance with Policies CS21 and CS22 of the Peterborough Core Strategy DPD (2011), the NPPF (2011) and PP16 and PP20 of the Peterborough Policies DPD (2012).

- C20 **Prior to the commencement of the development unless otherwise agreed in writing with the Local Planning Authority, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:**

- a noise management plan including a scheme for the monitoring of construction noise;
- a scheme for the control of dust arising from building and site works;
- a scheme of chassis and wheel cleaning for construction vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
- a scheme of working hours for construction and other site works;
- a scheme for construction access from the Parkway system, including measures to ensure that all construction vehicles can enter the site immediately upon arrival, adequate space within the site to enable vehicles to load and unload clear of the public highway and details of any haul routes across the site;
- a scheme for parking of contractors vehicles;
- a scheme for access and deliveries including hours.

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C21 **Notwithstanding the submitted information, if any of the deliveries to the site are classed as 'Abnormal Loads', prior to the commencement of the solar farm development a full highway assessment of the existing carriageway of English Drove and Black Drove and associated structures along the proposed construction route from the A47 to the site shall be submitted to and approved by in writing by the Local Planning Authority.**

Reason: In the interests of Highway safety and to ensure that the existing highways are suitable to accommodate the proposed types of vehicles and their loads, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the

C22 Following the highway assessment (as referred to in condition 21) and prior to the commencement of the development hereby approved detailed geometric and construction plans for a scheme of highways works to ensure that all vehicles to be used in the construction period can safely access the site shall be submitted and approved in writing by the Local Planning Authority, the plans shall include the following as appropriate:-

- **Details of widening works to the highway including tying-in of kerbs, construction layers and edgings as appropriate.**
- **Provision of new kerbs, edgings, drainage, signs and lining and new bridges/structures.**
- **Details of strengthening of existing culverts/bridge structures.**
- **Removal and reinstatement of any highways structures and signs.**
- **Details of the proposed passing bays on Black Drove.**

Reason: In the interests of Highway safety and to ensure that the existing highways are suitable to accommodate the proposed types of vehicles and their loads, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

C23 Prior to the commencement of any works on site and after the construction phase has been completed, joint surveys of the construction route shall be carried by the developer and the Local Highway Authority. The surveys shall consist of a fully detailed written and photographic report created by the developer of the construction route from (and including) English Drove east of the Concrete Company entrance to its junction with Black Drove, and Black Drove from its junction with English Drove to the site entrances. The reports shall be submitted to and approved writing by the Local Planning Authority and shall identify any remedial works required to the route as a result of damage caused by construction vehicles. The developer shall be responsible for undertaking these works.

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD (2012)

C24 Development shall not begin until details of the junction between the proposed access road and the highway have been approved in writing by the Local Planning Authority; and development of the solar farm shall not be commenced until that junction has been constructed in accordance with the approved details.

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD (2012).

C25 Visibility splays clear of any obstruction over a height of 600mm above verge level shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 215m measured along the channel line of the public highway from the centre line of the proposed access road. (N.B. The channel line comprises the edge of the carriageway or the line of the face of the kerbs on the side of the existing highway nearest the new access).

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough

Planning Policies DPD (2012)

- C26 **The gradient of the access shall not exceed 1 in 30 for a distance of 20m from the edge of the existing carriageway.**

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD (2012).

- C27 **An adequate space shall be provided within the site to enable vehicles associated with the maintenance and operation of the solar farm to park, turn, load and unload clear of the public highway. This provision shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy and PP12 of the Adopted Peterborough Planning Policies DPD.

- C28 **Prior to the commencement of the development, an Operational Management Plan (OMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include but is not limited to:-**

- **Planting and management proposals for Grassland habitat, to include wild bird seed mixtures, rough grassland mixtures and nectar mixtures along field margins.**
- **Planting and management proposals for wet and dry drain buffers.**
- **Details of the installation of bird and bat boxes.**
- **Planting and management proposals of hedgerows.**
- **Details of the management measures to ensure protection of any species and their habitats on site.**
- **Details of specific habitat enhancement measures relating to protected species**
- **Details of the Ecological Monitoring Programme to be implemented throughout the lifetime of the development**

Thereafter the OMP shall be implemented in accordance with the approved details.

Reason: In the interests of the visual appearance of the development and the protection and enhancement of biodiversity in accordance with Policies CS20 and CS21 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP16 of the Peterborough Policies DPD (2012).

- C29 **Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include but is not limited to:-**

- **Details of the proposed on site construction best practice working practises to protected species and habitats on site.**
- **Details of the protective fencing measures proposed.**
- **Details of the construction buffer zones to protect wildlife on site.**
- **Thereafter the CEMP shall be implemented in accordance with the approved details.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policies CS20 and CS21 of the Peterborough Core Strategy (2011), the NPPF (2012) and PP16 of the Peterborough Policies DPD (2012).

Informatives:

1. The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licensed under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Peter Brigham – Street Works Coordinator on 01733 453578.
2. The development involves extensive works within the public highway. Such works must be the subject of an agreement under Section 278 of the Highways Act 1980. **It is essential that prior to the commencement of the highway works**, adequate time is allowed in the development programme for; approval by the council of the designer, main contractor and sub-contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Highway Control Team on 01733 453421 or the Peterborough City Council website at the following address;
http://www.peterborough.gov.uk/traffic,_travel_and_parking/roads_and_pavements/estate_roads_constructed.aspx
3. The wheel cleansing equipment shall be capable of cleaning the wheels, underside and chassis of the vehicles. The road between the cleaning equipment and the public highway shall be surfaced either in concrete or blacktop and be maintained free of mud, slurry and any other form of contamination whilst in use.
4. It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
5. If any thing is so deposited on a highway as to constitute a nuisance, the local authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
6. The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Copy to Councillors Sanders and McKean

Morris Fen photovoltaic proposal - assessment for the purposes of regulation 61 of the Conservation of Habitats and Species Regulations 2010

1) Description of development

Installation of a solar farm with an installed power capacity of up to 26MW, comprising the installation of photovoltaic panels, associated boundary fencing, security and CCTV cameras, site access and associated electrical infrastructure including inverter units; transformer and temporary construction compounds, electricity substation and 2no. terminal towers.

2) Which European site could potentially be affected

The Nene Washes SSI, which is part of the Nene Washes Special Protection Area (SPA) and Special Area of Conservation (SAC) is within approximately 6km of the site. The Nene Washes SPA/SAC is designated for international significant numbers of breeding and wintering birds, including birds that use arable land for foraging such as Berwick's swan and lapwing. Possible impacts of the proposed solar farm, may include loss of foraging habitat, displacement and collision.

3) The requirement in Regulation 61 of the 2010 Regulations

A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
(b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

The competent authority, the Local Planning Authority in this instance, must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body.

If the competent authority considers it appropriate, they should take the opinion of the general public, and if they do so, they must take such steps for that purpose as they consider appropriate.

In the light of the conclusions of the assessment, and subject to regulation 62 (considerations of overriding public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

4) The Applicant's assessment of the potential impacts of the proposed development upon the SPA/SAC,

The site's ecological value for wintering birds of the Nene Washes SPA (swans, waders and other waterfowl) is low. There were no records of Berwick's swan or Whooper swan on any of the wintering bird surveys. Only occasional records were made of small numbers of teal and wigeon. There was a one off presence of a large mixed flock of golden plover and lapwing, which suggests this, was a

roaming flock of feeding waders and that such events probably occur on an occasional and opportunistic basis.

There is no evidence from the data obtained during the surveys to suggest that the proposed development lies within a flyway or commuting route regularly used by these species, such as during regular movements between the Nene Washes and feeding areas on farmland surrounding the SPA. There is also no evidence to suggest that the proposed development site or its immediate surroundings provide an important or regularly used feeding resource for these species. The impact of habitat loss and displacement of foraging swans and ducks in winter is negligible in magnitude and neutral significance.

There is no evidence that the proposed development would displace waders from an important or regularly used feeding area, and neither do waders appear to visit or fly across the site regularly. Nevertheless the surveys demonstrate that flocks of waders do occasionally forage opportunistically within the environs of the proposed development. The risk of collisions with solar panels and displacement of waders from feeding areas is therefore judged to be Minor negative magnitude. The overall impact significance for these species is Slight Adverse. The impact of habitat loss and displacement of foraging waders in winter is therefore minor negative in magnitude and slight adverse significance.

An operational environmental management plan will be prepared for the development site, which will ensure that the habitats established will be managed to enhance biodiversity at the site and that management is continued throughout the life of the solar array development. This will include details regarding habitat and species monitoring. For birds the main aim of monitoring would be to assess if birds still use the site during winter and the breeding season, to assess the interaction of birds with the solar panels and to assess the success of the proposed enhancement measures.

Cumulative impacts are considered where the presence of other projects of a similar type and scale lie within the 5km Study Area or may have an impact on the ecology and nature conservation value of that area. Where information is available, proposed projects that fall within 10km of the Nene Washes SPA are also considered to assess the in-combination loss of arable land available to bird's associated with the SPA.

The application site is within the 7km distance band from the Nene Washes SPA and will result in 0.70% of land available to birds being lost. In combination with other developments a total of 5.34% of arable land within the 7 km distance band will no longer be available to birds which may be associated with the SPA. It is considered that this would not have a detrimental impact on birds associated with the Nene Washes SPA with significant areas of arable land still available to these birds.

Survey work has shown that Morris Fen is not an area used frequently or by large numbers of birds associated with the Nene Washes SPA. Morris Fen in isolation would result in a loss of 0.32% of arable land within the 10km distance band from the SPA and 0.70% within the 7km distance band. For both distance bands this is considered to be minimal land take. In combination with other developments and site allocations there could be a loss of 8.69% of arable land within the 10km distance zone which leaves 91.31% of arable land available to birds within the 10km distance zone. For the 7km distance zone there could be a loss of 15.19%

of arable land within the 7km distance zone which leaves 85% of land available to birds within the 7km zone. As Morris Fen has not been identified as a significant foraging area for birds associated with the SPA and with the amount of land still available to these species within the 7km zone it is considered that the in-combination effects of this project will not have a significant effect on the Nene Washes SPA.

(Ground Mounted Solar Proposal at Morris Fen, Thorney – Wintering Bird Survey Assessment Addendum 2)

5) Responses provided by Natural England /RSPB/Wildlife Officer/Wildlife Trust

National England – The wintering bird surveys undertaken and the review of the RSPB swan count data, have identified the sites ecological value for wintering birds of the Nene Washes SPA (swans, waders and other waterfowl) is low hence the impacts of the proposal are not considered to be significant.

The mitigation measures to minimise collision risk e.g. no reflective panels, colour markings or white borders around the panels and hedging around and within the site should be implemented.

We are satisfied that since Morris Fen has not been identified as a significant foraging area for birds associated with the SPA and with the amount of land still available to these species within the 7km zone it is considered that the in-combination effects of this project, through arable land-take, will not have a significant effect on the Nene Washes SPA.

RSPB – Recognises that no Bewick's or whooper swans were recorded at the application site itself and the combination of this with other factors and existing best available data provides sufficient information to confirm that the application proposal will have a *de minimis* effect on the Nene Washes SPA.

Details of proposed mitigation measures to reduce collision risk and provide ecological enhancement should be secured by condition.

City Council Wildlife Officer – I note that ten ornithological surveys have now been completed (27th Sept 2012 to 21st February 2013). I am therefore satisfied that sufficient information has now been provided and accept that there is no indication from these surveys that the site is visited regularly by large numbers of SPA qualifying species.

I consider the Revised Ecological Impact Assessment Summary for Ornithology (Table 4) to be acceptable. Equally I consider the Cumulative Impacts (section 7) to have been adequately assessed and am satisfied, subject to Natural England's advice, with the conclusion that this project will not have a significant effect on the Nene Washes SPA.

Wildlife Trust – The additional information provided for the application has included a much more thorough assessment of cumulative impacts of renewable energy projects, urban extensions and minerals sites. These demonstrate that the proposed developments cumulatively will affect between 6-14% of the arable land within each zone of influence and the solar farms only a relatively small proportion of this (less than 1%). The assessment also points out that much of this loss of land is on the urban edge in areas that would not be favoured by

many of the key bird species associated with the Nene Washes, which is a fair assessment. The Wildlife Trust is now satisfied that a thorough assessment of potential cumulative impacts has been undertaken.

Strict conditions should be imposed to ensure environmental enhancements and sufficient ecological management plans are secured.

6) Conclusion on the first test in regulation 61 (i.e. is a significant effect upon the European Site likely).

Based on the information submitted and the comments received Officers have concluded that there is not likely to be a significant effect upon the Nene Washes European site, and as such an appropriate assessment is not required.