

**Applicant: Mr Alex Ross**  
**PACE Sunshine Energy Limited**

**Agent : Ben Murphy**  
**Third Revolution Projects**

**Land At West Fen Farm, Whitemoor Road, March, Cambridgeshire**

**Installation of solar photovoltaic (PV) farm with battery storage, substation and associated works including 3.0m high pole mounted CCTV cameras and 4.0m high acoustic fence**

**Officer recommendation: Grant**

**Reason for Committee: Town Council comments contrary to officer recommendation**

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## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks full planning permission for the installation of a solar farm comprising 49.8MW ground mounted solar photovoltaic panels with associated 30MW battery storage, substation and ancillary plant and infrastructure, and erection of security fencing and pole mounted CCTV cameras.
- 1.2 The site comprises approximately 109.37ha of agricultural land (best and most versatile land), currently in arable production and lies north of Whittlesey Road, March, approximately 1.5km east of the village of Turves and approximately 4km west of the settlement of March.
- 1.3 The development would contribute positively to environmental sustainability, by providing a significant contribution to renewable energy generation and energy storage, contributing towards addressing climate change and improving energy security and resilience. The development would also contribute positively towards social and economic sustainability by increasing reliability of the grid to support a growing need from local residential and business properties, and by potentially contributing towards lower costs of energy provision. The development would provide additional environmental benefits resulting from a significant biodiversity net gain; and additional economic benefits resulting from employment during the construction, operation and decommissioning phases of the development. It is considered that these factors attract positive weight in favour of the application in the overall planning balance.
- 1.4 The development would not result in any significant harm in respect of residential amenity, highway safety and transport, flood risk and drainage, archaeology, fire risk, and fear of crime. It is considered that these factors attract neutral weight in the overall planning balance.
- 1.5 The development would result in some harm to the character and appearance of the area and Best and Most Versatile (BMV) land being taken out of arable production, although not necessarily completely out of agricultural use. It is considered that these factors attract some negative weight against the application, in the overall planning balance.

1.6 Whilst it is acknowledged there are some matters that weigh against the development, it is considered that the identified benefits which would result from the proposal, particularly the significant contribution towards addressing climate change, energy security and biodiversity gain attract sufficient weight to outweigh the negative aspects and any associated policy conflict.

1.7 It is therefore recommended that on balance, the planning permission should be granted.

## **2 SITE DESCRIPTION**

2.1 The site comprises approximately 109.37ha of agricultural land, currently under arable production and lies north of Whittlesey Road, March, approximately 1.5km east of the village of Turves and approximately 4km west of the settlement of March.

2.2 The site is surrounded on all sides by agricultural land. The nearest residential properties are located 300m west of the site boundary, 350m east of the site and West Fen Farm itself, at the north-eastern site boundary. The primary point of access to the site is proposed to be via the existing bound-surfaced bellmouth along Whittlesey Road, with additional access points via tracks leading from Whitemoor Road and West Fen Farm. There are no Public Rights of Way (PRoWs) within or in immediate adjacency to the site. The nearest PRoWs are Footpath 156/16, located approximately 700m north of the site, and Footpath 156/29, located approximately 540m south-west of the site. There is currently a 132kV transmission line that runs through the site in an east-west direction. The site is located nearby to the West Fen Level Crossing which is part of the railway between March and Peterborough.

2.3 The site is generally flat and largely sits below sea level at -1m AOD. The site and the wider local landscape is crossed by numerous drainage ditches. A main drain – Twenty Foot River – is located approximately 700 metres to the east of the site at its closest point. Other than grass and groundcover there are almost no trees or shrubs on the site at the present time. In the wider landscape, trees and scrub is generally limited in extent, mainly occurring around buildings and settlements and some field margins often as linear tree belts and/or hedges. The arable fields, the drainage ditches, and the small areas of grassland are the only habitats on site. The Nene Washes SSSI (Site of Special Scientific Interest) is located approximated 2.3km north of the site.

2.4 The site lies in Flood Zone 3 and in an area benefiting from flood defences.

## **3 PROPOSAL**

3.1 The application seeks full planning permission for the installation of a 49.8 megawatt (MW) ground mounted solar photovoltaic (PV) farm and a 30MW Battery Energy Storage System (BESS). The main components of the proposed development, as a whole, comprise:

- Solar PV panels mounted up to approximately 3.5 metres above ground-level on galvanised metal frames;
- 16No. Solar Inverter cabins;

- A BESS compound, containing 35No. BESS containers and 7 BESS inverter cabins, and including auxiliary systems such as fire suppression and alarm systems, ventilation and cooling systems, internal lighting and thermal control systems;
- A substation;
- Perimeter fencing (approximately 2 metres high) containing small mammal gates, vehicle entrance gates and Closed Circuit Television Cameras (CCTV);
- An equipment storage building;
- Access tracks;
- Underground engineering operations

3.2 Planning permission is sought for a temporary period of 42 years, to accommodate up to one year for construction, up to 40 years for operation and, up to one year for decommissioning. Once decommissioned, the solar panels, battery energy storage and associated infrastructure are proposed to be removed, and the land returned to its former agricultural use. The landscape and biodiversity enhancements introduced through this proposal can remain, the applicant advising that this would be compatible with continued agricultural use.

3.3 The site will connect to the grid via the 132kV transmission wires that currently run through the site. The solar array will cover almost the entirety of the site, with the BESS located at the western side of the site, adjacent to the primary access, close to the connection point with the overhead pylons. The connection point is made via a mast set within the substation area.

3.4 The applicant advises that site has been designed to enable continued agriculture in the form of grazing of small livestock, such as sheep.

3.5 Amendments and clarifications have been sought during assessment of this application, in respect of highways access, landscape improvements, drainage, fire safety strategy and the site selection in respect of flood risk and BMV land avoidance.

3.6 The application is supported by the following documents and plans.

- Planning, Design and Access Statement
- Site Justification Document
- Health Impact Assessment
- Statement of Community Involvement
- Flood Risk Assessment
- Surface Water Management Plan (including later addendum)
- Cultural Heritage Assessment
- Ecological Impact Assessment (including later supplementary note).
- Agricultural Land Classification Survey and Land Use Statement
- Landscape and Visual Assessment (including later addendum and clarifications).
- Outline Battery Safety Management Plan
- Noise Impact Assessment
- Glint and Glare Assessment
- Transport and Access Statement
- Solar and Food Security Report
- UKH618\_01 CCTV

- UKH618\_02 Battery Storage
- UKH618\_03 PV panel elevation
- UKH618\_04a Solar Inverter Cabin
- UKH618\_04b Battery Inverter Cabin
- UKH618\_05 Double Gate
- UKH618\_06 Deer Fence Typical Arrangement
- UKH618\_07 Substation Plan & Elevation Drawing
- UKH618\_07a POC-Mast Elevation
- UKH618\_08 Site Location Plan
- UKH618\_09 Site Layout (V3)
- UKH618\_09 Access Plan
- UKH618\_10 Mitigations and Enhancements Plan (V3)
- UKH618\_11 Access Track Elevation
- UKH618\_12 Acoustic Fence

3.7 Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

## 4 SITE PLANNING HISTORY

4.1	<b>Reference</b>	<b>Description</b>	<b>Decision</b>
	F/YR23/0889/SC	Screening Opinion: Installation of a solar farm	Concluded to be not EIA development

4.2 In addition to the above, the applicant entered into pre-application enquiries with the LPA, with officers concluding that the principle of the scheme is likely to be supported, subject to key considerations of Agricultural Land Classification (and justification), glint and glare, impacts on the character and appearance, residential amenity, highway safety, flood risk, biodiversity and fire safety.

## 5 CONSULTATIONS (summarised)

### 5.1 March Town Council - 17.06.2025

Objects. Whilst supportive of renewable energy., considers the land is far more valuable as agricultural land and the development is better situated on grade 4-5 land.

### 5.2 Active Travel England – 06.06.2025

Does not wish to make any comments. Advises that the views of the local highway authority should be appropriately considered prior to determining this application

### 5.3 CCC Archaeology – 26.06.2025

Advises that the development lies in an area of archaeological potential and that as per comments on the EIA screening application (F/YR23/0889/SC), they requested further archaeological evaluative information in support of any forthcoming planning application.

Advises that they have since been in receipt of an approved interim geoarchaeological report and approved geophysical survey report. The report identified a number of potential archaeological features which will need to be tested further.

Due to the archaeological potential of the site a further programme of investigation and recording is required.

A pre-commencement condition is recommended to secure this.

**5.4 CCC LLFA - 21.07.2025**

No objection on review of:

- Surface Water Management Plan, Flood Line Consulting, Ref: FCL/654/SW01, Dated: 8th April 2025
- Surface Water Management Plan Addendum, Flood Line Consulting, Ref: FCL/654/SW01a, Dated: 10th July 2025

Subject to the following conditions.

1. The surface water drainage scheme shall be constructed in full accordance with the Surface Water Management Plan and Addendum as submitted (ref: FCL/654/SW01a) dated July 2025.

2. Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be agreed prior to the first occupation of the site.

3. No development, including preparatory works, to commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been agreed.

**5.5 Middle Level Commissioners IDB - 14.07.2025**

[Following initial comments and a revised layout to move elements of the development away from the IDB's 9m easement areas]

In view of the size and location of the potential site and the sensitive nature of the local water level and flood risk management systems, it would be in the applicant's interests to discuss the proposed works with the Board via the post-application consultation process as soon as possible.

**5.6 CCC Highways – 18.08.2025**

[Following receipt of further details in respect of access layout, including provision of passing places]

No objections.

**5.7 FDC Environmental Health – 13.06.2025**

*Noise impacts*

Accepts the methodology, findings and conclusions of the submitted Noise Impact Assessment report (Report No: P23-442-RO1v2). This includes the proposed mitigation measures including acoustic barriers, their locations and design specifications. Should planning permission be granted, it is recommended that an appropriately worded condition such as the following is imposed:

*Glint and Glare*

Details provided in the Solar Photovoltaic Glint and Glare Study report (Ref: 12904A) are considered acceptable, particularly in respect of residential amenity.

### *Pollution*

Given the nature and scale of the development, there is potential for noise, dust and possible vibration to adversely impact on the amenity of the occupiers at the nearest residential properties. A Construction Environmental Management Plan is required to be agreed.

In summary, no objection subject to conditions securing the following.

- Noise mitigation measures (as proposed) shall be implemented before commencement of site use and predicted noise levels not exceeded.
- Construction Environmental Management Plan (CEMP) prior to commencement of development

#### **5.8 FDC Tree Officer - 11.06.2025**

No objection, no trees will be impacted

#### **5.9 FDC Ecology – 29 October 2025**

Would not advise that further surveys are required prior to deciding the application, but updated badger surveys are advised prior to any approved groundworks commencing.

While the application site is within 5km of the Nene Washes Special Protection Area, Special Area of Conservation and Ramsar site, the development proposal will not affect any sites specially designated for their nature conservation value, subject to mitigation measures being applied appropriately.

Advises that 8-10 m wide landscape buffer zones should be established between the ditches and the solar panel array. Built development, including the installation of solar panels, should not be permitted in these buffer zones.

### *HRA findings*

The HRA has concluded that, providing mitigation measures are required by Conditions applied to any permission which may be granted to the scheme, the development will not have any effect on the integrity of any European designated sites.

Mitigation measures advised include

- Either undertaking construction works outside of the optimum time of year for wintering birds (October to March inclusive, the preferred option) or
- If construction is to take place during the optimum time of year for wintering birds, temporary screening fencing should be required to be installed to screen active work sites from surrounding land to prevent disturbance to birds through noise or visual disturbance.

### Conditions

- CEMP(biodiversity)
- Lighting design strategy
- Avoidance or mitigation of work for wintering birds
- Updated badger survey

#### **5.10 Natural England – 03.11.2025**

[Following the Council's Ecologist completing a Habitat's Regulation Assessment (HRA)]

No objection - subject to appropriate mitigation being secured.

Natural England considers that without appropriate mitigation the application would have an adverse effect on the integrity of the Nene Washes Special Protection Area (SPA), Ramsar site and Ouse Washes SPA, Ramsar site.

In order to mitigate these adverse effects and make the development acceptable, the measures to avoid disturbance of wintering birds on surrounding land (as set out in the LPA's HRA Appropriate Assessment).

Recommends that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

#### 5.11 **Environment Agency – 13.06.2025**

No objection

##### *Flood Risk*

The site lies within Flood Zone 3a (high probability of flooding).

Has reviewed the Flood Risk Assessment (FRA) with regard to tidal and main river flood risk sources and consider this to be acceptable for the scale and nature of the proposed development. Considers that the main source of flood risk is associated with watercourses under the jurisdiction of the Internal Drainage Board, who should be consulted with regard to flood risk associated with their watercourses and surface water drainage proposals.

##### *Sequential and Exception Tests*

It is for the LPA to determine if the Sequential and Exception Test needs to be applied and whether there are other sites available at lower flood risk. Essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

##### *Battery Storage*

Energy storage will play a significant role in the future of the UK energy sector. Currently, DEFRA does not consider the need to regulate the operation of battery energy storage systems (BESS) facilities under the Environmental Permitting Regulations regime. Although these are a source of energy to the National Grid they do not result in the direct impact on the environment during normal operations. We do not generally object to battery storage proposals, however, the potential to pollute in abnormal and emergency situations should not be overlooked.

Applicants should consider the impact to groundwater from the escape of firewater/foam and any metal leachate that it may contain. Where possible the applicant should ensure that there are multiple 'layers of protection' to prevent the source-pathway-receptor pollution route occurring. In particular, proposals should avoid being situated near to rivers and sensitive drinking water sources.

Operators of battery storage facilities should be aware of the Producer Responsibility Regulations.

#### 5.12 **Network Rail**

*Initial comments 05.06.2025*

Network Rail strongly recommends the developer contacts the Asset Protection Team prior to finalising the design and any works commencing on site.

*Clarification provided 18.08.2025*

The intention was not to obstruct or delay the planning process. Engagement with Asset Protection and the BAPA process are measures that are typically addressed post-planning, once a contractor is appointed and detailed design is underway, as part of the pre-construction stage.

Requests to note that while these matters are important, they do not need to be resolved prior to the grant of planning permission. They can be secured and managed appropriately at the construction stage.

**5.13 Anglian Water Services Ltd – 25.06.2025**

Has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space, or sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

*Water Supply: Non-Domestic*

Has reviewed the Design and Access Statement and Surface Water Management Plan. The applicant states that the firefighting facility will ensure that sufficient water is available for manual firefighting, the water supply shall be able to provide a minimum of 1,900 l/min supply rate for at least 120 minutes (2 hours). The applicant does not provide details of the non-domestic water demand for the proposed development site. The site has the potential to also require non-domestic water supply for construction and operation based activities. We require the Applicant to consult with Anglian Water.

Condition: No development shall commence until a strategic water resources strategy has been agreed. The strategy will confirm non-domestic water is available to serve the development and should explore innovative solutions which may help reduce overall water demand.

*Foul network* - No comments to make

*Surface Water Disposal* – Advises to seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

Advises that Anglian Water has no public surface water sewers within the proposed development site.

**5.14 Cambs Police (Designing Out Crime) - 10.06.2025**

Advises that, nationally there has been an increase in reported thefts associated with solar farms, experience would suggest that installing large amounts of expensive and desirable equipment (E.G. Solar Panels and associated cable and infrastructure) in isolated rural locations will attract criminals. Provides comments/advice on the following matters.

*Fencing*

Concerns over deer fencing for these types of developments due to the

nature and value of the products contained within the site.

#### *CCTV*

The whole site should be covered by CCTV which must comply with BS EN 50132-7:2012+A:2013 (CCTV surveillance systems for use in security applications)

#### *Lighting*

A fully qualified lighting engineer should be able to design a lighting plan to provide security and safety of people and the property on site as well as reducing the effects on ecology and local wildlife habitat.

#### *Alarm*

If the circumstances and risk dictate, consideration could be given to installing a monitored alarm system e.g., Perimeter Intrusion Detection System to detect intruders attempting to breach the perimeter fence or boundary.

#### *Battery storage container/Sub-Station*

Battery storage and substation these should be enclosed by a 2m metal fence or with matching gate lockable to prevent unauthorised access and the fencing should benefit from vertical poles with no climbing aides.

#### *Signage*

Informing the dangers.

#### *Construction Phase Security*

Advisory Note provided

### **5.15 Cambs Fire & Rescue - 10.06.2025**

No objection

Provides generic advice on BESS

### **5.16 RSPB – 09.07.2025**

Further information is still required in order to assess this application under the Habitats Regulations. The EclIA [ecological impact assessment] does not provide the context given by historical records that a more comprehensive desk study would provide. Would encourage the applicant to obtain and present the data held by the British Trust for Ornithology from its annual Fens Wintering Swan Census. This will enable a more comprehensive assessment to be made of the relative importance of the application site and surrounding fields to the SPA citation swan populations within the Nene and Ouse Washes SPAs functionally linked habitat.

[No response was received to further consultation following conclusions of the Council's HRA]

### **5.17 Local Residents/Interested Parties**

<b>Objecting Comments</b>	<b>Officer Response</b>
1 objection received from a resident at Tydd Gote;	

Loss of agricultural land and/ or alternative sites are preferable	This is considered at 9.19-9.26 below
National grid cannot store power hence why wind turbines are being switched off	This relates to an alternative means of renewable power and is therefore not material, notwithstanding that the proposed scheme includes 30MW battery storage.

5.18 Full comments for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

## **6 STATUTORY DUTY**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the March Neighbourhood Plan (2017)

## **7 POLICY FRAMEWORK**

### **7.1 National Planning Policy Framework (NPPF) 2024**

Chapter 2: Achieving sustainable development  
 Chapter 4: Decision-making  
 Chapter 6: Building a strong, competitive economy  
 Chapter 8: Promoting healthy and safe communities  
 Chapter 9: Promoting sustainable transport  
 Chapter 11: Making effective use of land  
 Chapter 12: Achieving well-designed places  
 Chapter 14: Meeting the challenge of climate change, flooding and coastal change  
 Chapter 15: Conserving and enhancing the natural environment  
 Chapter 16: Conserving and enhancing the historic environment

### **7.2 National Planning Practice Guidance (PPG)**

Determining a Planning Application

### **7.3 Fenland Local Plan 2014**

LP1: A Presumption in Favour of Sustainable Development  
 LP2: Facilitating Health and Wellbeing of Fenland Residents  
 LP3: Spatial Strategy, the Settlement Hierarchy and the Countryside  
 LP12: Rural Areas Development Policy  
 LP13: Supporting and Managing the Impact of a Growing District  
 LP14: Responding to Climate Change and Managing the Risk of Flooding in Fenland  
 LP15: Facilitating the Creation of a More Sustainable Transport Network in Fenland  
 LP16: Delivering and Protecting High Quality Environments across the District  
 LP17: Community Safety  
 LP19: The Natural Environment

### **7.4 March Neighbourhood Plan 2017**

See 9.15 below

**7.5 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

- Policy 5: Mineral Safeguarding Areas
- Policy 10: Waste Management Areas (WMAs)
- Policy 14: Waste management needs arising from residential and commercial Development
- Policy 16: Consultation Areas (CAS)

The site does not fall within any mineral or waste safeguarding or consultation zones and due to the nature of the development, no waste is anticipated during the operational phase. As such, no policies within this Local Plan are considered material to this development proposal.

**7.6 Delivering and Protecting High Quality Environments in Fenland SPD 2014**

- DM2: Natural Features and Landscaping Schemes
- DM3: Making a Positive Contribution to Local Distinctiveness and character of the Area
- DM6: Mitigating Against Harmful Effects

**7.7 Developer Contributions SPD 2015**

**7.8 Cambridgeshire Flood and Water SPD 2016**

**8 KEY ISSUES**

- **Principle of Development**
- **Character and appearance of the area**
- **Residential amenity**
- **Highway safety and transport**
- **Flood risk and drainage**
- **Fire safety**
- **Site security**
- **Historic Environment**
- **Biodiversity (including net gain)**

**9 ASSESSMENT**

**Principle of Development**

9.1 In 2019, the Government declared a Climate Change Emergency. Recent government publications have highlighted the need to significantly increase generation from renewable energy production, to ensure that all electricity within the UK comes from low carbon sources by 2035. The Clean Power Action Plan 2030 (published December 2024) reiterates this need for a rapid deployment of new clean energy, setting an ambitious target of 45-47GW of solar power to be achieved by 2030. To achieve these targets, large-scale solar farms will be necessary.

***National Planning Policy Framework (NPPF)***

9.2 Paragraphs 125 and 187 of the NPPF state that planning decisions should recognise that some undeveloped land can perform many functions, including food production and the wider benefits from natural capital such as best and most

versatile (BMV) agricultural land and that policies and decisions should recognise the intrinsic character and beauty of the countryside.

- 9.3 Paragraph 161 of the NPPF states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts; and should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, encourage the reuse of existing resources and support renewable and low carbon energy and associated infrastructure.
- 9.4 Paragraph 163 of the NPPF states that the need to mitigate and adapt to climate change should be considered, taking into account the full range of potential climate change impacts. Paragraph 168 of the NPPF states, when determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.

*National Planning Practice Guidance (PPG)*

- 9.5 In relation to large-scale ground-mounted solar farms proposed on greenfield land, PPG (paragraph 013 Reference ID: 5-013-20150327, published March 2015) states that LPAs will need to consider whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/ or encourages biodiversity improvements around arrays. In addition, it states that LPAs will also need to consider the energy generating potential and temporary nature of the solar farm (with planning conditions enabling installations to be removed when no longer in use and the land is restored to its previous use).
- 9.6 In relation to Battery Energy Storage Systems, PPG (paragraph 032 Reference ID: 5-032-20230814, published June 2015) states that electricity storage can enable energy to be used more flexibly and decarbonise the energy system cost effectively.

*National Policy Statements (NPS)*

- 9.7 The overall NPS for Energy ('EN-1', published November 2023) states that there is an urgent need for significant amounts of large-scale energy infrastructure, including energy producing infrastructure, to meet the Government's energy objectives. NPS EN-1 states also that storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated. In addition, it states that storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. EN-1 states that proposals should seek to minimise impacts on BMV land and preferably use land of Grade 3b and below and that proposals should not be sited on BMV land without justification.
- 9.8 The NPS for Renewable Energy Infrastructure ('EN-3', published November 2023) states that there is an urgent need for new electricity generating capacity to meet the UK's energy objectives and electricity generation from renewable sources is an essential element of the transition to net zero. It states that while

land type should not be a predominating factor in determining the suitability of the site location, applicants should (where possible) utilise previously developed land, brownfield land, contaminated land and industrial land. Furthermore, EN-3 states that, where the proposed use of agricultural land is necessary, poorer quality land should be preferred to higher quality land (avoiding the use of BMV land where possible); however, importantly the development of ground mounted solar arrays is not prohibited on BMV land through any national planning policy.

9.9 Although EN-1 and EN-3 primarily relate to Nationally Significant Infrastructure Projects (NSIP), EN-1 indicates that NPSs may be a material consideration in the decision-making on planning applications and that the extent of materiality and weight to be given to them will be judged on a case-by case basis. Given that the proposed development of solar energy, as a whole, is so close to the threshold for a NSIP (50MW), it is considered that EN-1 and EN-3 are material planning considerations relevant to the determination of this application. This is consistent with a number of recent appeal decisions on this point.

#### *Government Act*

9.10 The Climate Change Act 2008 requires the UK Government to reduce UK greenhouse gas emissions by 80% compared to 1990 levels by 2050. In June 2019, the UK Government amended the 2008 Act to raise the 80% target to a 100% target by 2050. This is referred to as the 'net zero target' (for which a Net Zero Strategy was published by the Government in October 2021).

#### *Written Ministerial Statement (WMS)*

9.11 The most recent and relevant WMS relating to the balancing of competing priorities for energy security and food production ('*Solar and protecting our Food Security and Best and Most Versatile (BMV) Land*' dated 15 May 2024) indicates that due weight needs to be given to the proposed use of BMV land when considering whether planning consent should be granted for solar developments and that there is a greater onus on developers to show that the use of higher quality land is necessary.

#### *Fenland Local Plan 2014*

9.12 The overarching objectives of the Fenland Local Plan 2014 include increasing use of renewable energy sources, limiting/reducing vulnerability to climate change, and reducing emissions of greenhouses gasses and other pollutants.

9.13 Policy LP14 of the Local Plan states that renewable energy proposals will be supported and considered in the context of sustainable development and climate change. Policy LP14 specifies '*high quality agricultural land*' as being one of multiple factors which must be taken into account when considering the merits of proposals for renewable energy technology. All other factors specified within policy LP14 of the Local Plan are considered within later sections of this report.

9.14 In addition, policy LP14 of the Local Plan states that renewable energy proposals which will directly benefit a local community in the medium and long term and/ or are targeted at residents experiencing fuel poverty will be particularly supported.

#### *March Neighbourhood Plan*

9.15 There are no specific policies that seek to address development of this nature, with the Neighbourhood Plan focussing almost entirely on housing delivery, town centre-based developments and protection of formal and informal open space. However, the preamble to the Vision in the Neighbourhood Plan sets out;

### *2.1.8 - Maximising the use of renewable energy*

New development should incorporate renewable forms of energy, but large-scale wind and solar farms, including Fracking should be resisted.

9.16 It is uncertain whether para 2.1.8 is in direct reference to open space protection, given the lack of subsequent commentary or policy on this point. Ultimately however, this statement appears at odds with Local Plan Policy LP14 which does not seek to entirely rule out large-scale renewable energy schemes and is inconsistent with the aforementioned national policy and government targets to address climate change and increase renewable energy infrastructure.

9.17 The application states that the proposed solar farm would have a capacity of approximately 49.8MW and will generate and deliver electrical power to the local distribution network which would translate into generation of approximately 105.2 Gigawatt hours (GWh) of renewable energy each year, which would be offsetting over 24,520 tonnes of carbon dioxide per year. In addition, the application states that the BESS would have a capacity of 30MW which would enable the energy produced by the solar farm to be used effectively as well as providing flexibility and reliability for the grid.

9.18 It has been determined in planning appeals that an easy and readily available grid connectivity is an important material consideration. The applicant states that they have established a grid connection and the site has willing landowners, resulting in the site being available for development now and therefore being deliverable.

### *Loss of BMV land for arable production and site selection*

9.19 National and local planning policies and guidance indicate that consideration should be given to loss of BMV land; however, they do not prohibit loss of BMV land. The appropriateness of utilising BMV land is a matter of planning judgement on a case-by-case basis.

9.20 Natural England's East Region Agricultural Land Classification Map classifies the application site as Grade 2 (Very Good) and Grade 3 (Moderate grade) agricultural land. The application is accompanied by an Agricultural Land Classification report, commissioned by the applicant, which 80% of the application site as Grade 2 agricultural land and 20% as Grade 3a agricultural land. Nevertheless, almost the entirety of the application site comprises BMV land and the proposed development would result in a loss of this land being available for arable production for a period of 40 years at least. It is acknowledged that the Planning Design and Access Statement states that it is intended to also utilise the land for grazing of livestock throughout the operation period of the proposed development.

9.21 The application is also supported by a Site justification Report, which sets out how and why the site was selected, thereby aiming to justify why an area of BMV land is proposed. Discussion around the scoping of the site is also considered in the flood risk sequential test. Primarily, the site was identified having regard to available connection points offered by National Grid and the Distribution Network Operators (DNO), the proximity of the site to a viable connection point, the land area required to deliver a viable project and environmental constraints such as flood risk, residential amenity, heritage and impacts on wildlife. Also of

consideration were any local strategic allocations, which are to be scoped out, to avoid any conflict with the District's housing and employment growth ambitions.

- 9.22 The grid connection drives much of the location suitability as renewable energy developments must be located close to the connection point. In the case of this application, the Peterborough Central – West March circuit was identified as having the required grid capacity to connect the proposed development and an area of search for land within 1sqkm radius of the overhead lines was undertaken having regard to the aforementioned environmental, social and policy constraints.
- 9.23 The applicant advises that following their scoping exercise, there were no brownfield sites or rooftop sites within the catchment area to site this project. As such, the use of greenfield land appears necessary to deliver a project of this nature and scale. The applicant has also provided a Solar and Food Security Report, which considers the impact of the development (and solar farms in general) on food security and also includes comparisons on alternative green energies e.g., biogas. It also notes that for the last few years, the crops grown on the land, comprising a mixture of wheat and maize have been used for biogas and therefore has not been used for growing crops for UK food consumption. The report ultimately concludes that the development does not impact food security as, on its current trajectory, the site neither contributes to food security nor effectively delivers on energy security (citing that biogas crop takes up to 16 times more land than solar to achieve the same energy outputs).
- 9.24 Natural England has recently provided the Council with a breakdown of agricultural land classification both at a national and district level. It sets out that the district comprises around 94% (circa 51,000Ha) of Grades 1, 2 and 3 land, with only 1% grades 4 and 5, with the remainder being urban or non-agricultural land. This is stark in comparison to the national level being 65% of grades 1 to 3. Whilst grade 3 is not distinguished between 3a (BMV land) and 3b (non-BMV land), nonetheless it does illustrate that large scale development of any kind in the district is likely to impact on BMV land and particularly where certain constraints are factored in, such as in this case.
- 9.25 Furthermore, the application site represents only a very small proportion of the overall BMV land resource within the district and country in general, equating to around 0.5% of the district's grade 2 and 3 land (n.b. which also includes grade 3b land), and around 0.001% of the nation's grade 2 and 3 land. Therefore, at a national and district level, it would be difficult to argue that the impact of the temporary loss to BMV land for arable production through this development would result in a significant impact on food production and therefore food security, albeit there would be some impact. In addition, although the proposed development would result in the application site being taken out of use for arable production for a substantial period of 42 years, it is temporary and largely reversible following decommissioning and would therefore not blight the site in the longer-term and could, in any case be used for pastoral farming, albeit it must be acknowledged that its most effective use (having regard to NPPF Chapter 11) is for arable farming.
- 9.26 Therefore, it is considered that the use of agricultural land in the Fenland area is very likely necessary to accommodate developments of this nature and scale, due to the lack of poorer quality land available for the proposed development, within the district. With consideration given to the above, it is considered that the loss of BMV land for arable production, albeit only temporary, is likely

unavoidable but nonetheless attracts some negative weight against the application and this is a material consideration in the planning balance.

*Principle of development conclusion*

9.27 Provided that regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case.

9.28 In respect of the principle however, there is clear national and local policy support for renewable energy schemes such as this, with no immediate matters that would indicate that the principle of the development cannot be supported, subject to consideration of the remaining key issues and material considerations set out in this report.

**Character and appearance of the area**

9.29 The area comprises open agricultural fields divided by drainage ditches and access roads. Hedgerow is found in small relatively low-scale pockets across the site and the surroundings. The site and surrounds are typical of the Fenland character, with generally uninterrupted long-range views and limited built form which is generally confirmed to sporadic individual dwellings and associated curtilage.

9.30 As noted in paragraph 2.2, to the north of the site is a PRoW Footpath 156/16. In addition, Whittlesey Road, which runs along the immediate southern boundary of the site comprises a 'C' classified highway linking Turves to March. This highway also forms part of the National Cycle Network (NCN 63), which links March to Peterborough. As such there are a number of public vantage points from where the development will be seen

9.31 The application is supported by a Landscape and Visual Appraisal report (LVA) which seeks to analyse the likely visual impact to the character of the area during the lifetime of the development, and is supported by photo montages which aim to provide visual representation of the appearance of the development for the first 15 years, until soft landscaping has established to provide screening.

9.32 The applicant's conclusion to the LVA is that the visual effects at year 15 would on average be minor adverse, for example adjacent to the site entrance, at the PRoW and at March Road leading to Duncombe's Road to the west and from nearest residential properties. Overall, it is considered that the proposed development would have a limited effect and harm on the visual amenity of the wider landscape beyond the site boundary, once the landscaping is established.

9.33 The Council's appointed landscape consultant, Wynne-Williams Associates (WWA) reviewed the LVA and associated documents and concurred with the methodology of the LVA, which takes into account views of the development from key vantage points such as the PRoW and Whittlesey Road, amongst others. Notwithstanding, following an initial review, WWA requested further information and a more robust landscaping scheme, albeit acknowledging that continuous runs of 3m high hedgerow to screen the development would be uncharacteristic to the open character of the area. A revised Site Layout Plan, Mitigation and Enhancements Plan and addendum to the LVA was provided, along with corrected photomontages which includes a more robust soft landscaping scheme. WWA has concluded that the landscaping scheme would be sufficient to generally mitigate the visual effects of the development as far as practicable,

notwithstanding the aforementioned observations on the uncharacteristic nature of the mitigation itself.

9.34 In landscape terms, it is considered that some visual harm would occur, as it does with any development on greenfield land, as change often results in some degree of visual harm to the status quo. This development, once the soft landscaping is established would be largely screened and its urban appearance would therefore be reduced. Whilst the physical scale and appearance of the solar farm may be largely screened, this is only achievable through introduction of significant hedgerow and tree planting which is also uncharacteristic to the open Fen landscape. This conflicts with the aims of policy LP16 and in recognising the intrinsic character and beauty of the countryside as per 187 of the NPPF, is considered to carry substantial negative weight in the planning balance.

### **Residential amenity**

9.35 Policy LP16 seeks to ensure that the amenity of residents is protected through developments and potential issues such as pollutants and visual impacts are adequately mitigated, in order to ensure that high quality living environments are maintained. In this regard, the application is supported by a number of specialist reports, capturing matters of noise impacts, glint and glare and the aforementioned Landscape impact assessments.

### *Noise*

9.36 Whilst there are very few residences in close proximity to the development, the operational element of the project does have potential to emit noise, particularly during daytime when energy is being produced and stored within the batteries. This is identified to require mitigation, in order to protect the amenities of residents close by, such as at the south-western edge at 698 Whittlesey Road, those at farms to the east on Whitemoor Road. In this regard, the applicant proposes to shield residents from the potential noise source from the battery storage and inverter area, via 4m high acoustic barrier. The Council's Environmental Health team (EH) has assessed the noise assessments and suitability of the proposed acoustic fence mitigation and conclude that this is sufficient. It is considered reasonable to request final design details of the fencing to ensure its appearance is acceptable.

### *Visual Impacts*

9.37 Notwithstanding the aforementioned landscape impact assessments, it is acknowledged that the development will result in some fundamental changes to how the site is currently experienced, particularly from residents with line of sight over the development site. Whilst the right to a view is not a material planning matter, general matters of outlook and visual character are, and in this regard outlook will alter. However, the distances from the nearest residences and the perimeter of the site are over 250m and the perimeters in line of sight are proposed to be screened with dense planting. As such, it is not considered that severe visual impacts will result to nearby residents, in accordance with LP16, albeit outlook will alter.

### *Construction/ Decommissioning*

9.38 The Council's EH team has recommended a condition securing a Construction Environmental Management Plan, in order to protect residential amenity during construction. This is commonplace on such developments and would also assist in ensuring that construction traffic is routed appropriately in the interests of highway safety and to ensure the free flow of traffic is not disrupted. The CEMP

would seek to establish haulage routes, construction compounds, dust, noise and vibration control, lighting measures, operating hours and means to ensure that detritus and mud from the site does not enter the public highway. A condition requiring the same for the decommissioning element would also be necessary for the same reasons.

9.39 It is considered that subject to conditions controlling construction, the acoustic fencing and landscaping, the development would not result in unacceptable amenity impacts on local residents, either through the construction or decommissioning stages, or through the longer operational phase of the development, in accordance with Local Plan policy LP16.

### **Highway safety and transport**

9.40 Local Plan Policy LP15 seeks to ensure that development does not result in unacceptable impacts on the highway network, either in safety or capacity terms.

9.41 The development proposes its main point of access via the existing agricultural access off Whittlesey Road. The Local Highway Authority (LHA) has raised no objection to the point of access but requested that the access is improved and passing places are introduced along its length to cater, particularly, for construction traffic, to avoid any vehicle-to-vehicle conflicts and associated impacts on the highway network. The applicant has included this detail in their updated site layout and Access Plan, the latter which also details the swept paths of anticipated construction vehicles into the site and visibility splays. The details have been agreed by the LHA. The aforementioned Construction Environmental Management Plan will be important to ensure that haulage routes for construction vehicles and wheel-wash facilities are included in the scheme, along with a planning condition ensuring the access arrangements are completed prior to construction of the solar arrays and BESS, in the interests of highway safety.

9.42 In summary, the scheme raises no conflicts with policy LP15, subject to appropriate conditions.

### **Flood Risk and Drainage**

9.43 The site lies in Flood Zone 3 and therefore at a high risk of flooding. The Environment Agency has advised that they consider the main source of potential flooding would be from the watercourses under the jurisdiction of the Internal Drainage Board.

9.44 Policy LP14 of the Local Plan requires that development in areas known to be at risk from any form of flooding will only be permitted following:

- (a) the successful completion of a sequential test (if necessary), having regard to actual and residual flood risks;
- (b) an exception test (if necessary);
- (c) the suitable demonstration of meeting an identified need; and,
- (d) through the submission of a site-specific flood risk assessment, demonstrating appropriate flood risk management and safety measures and a positive approach to reducing flood risk overall, and without reliance on emergency services.

9.45 Chapter 14 of the NPPF is consistent with Policy LP14 of the Local Plan, in that it requires all development proposals to:

- Apply a sequential approach to flood risk, whereby development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- Apply an exception test to flood risk (where necessary), whereby it should be demonstrated that the development would provide wider sustainability benefits to the community that outweigh the flood risk, and that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall (as informed by a site-specific Flood Risk Assessment).

9.46 The PPG (Paragraph: 077 Reference ID: 7-077-20220825); Annex 3: Flood risk vulnerability classification, classifies the proposed development as 'essential infrastructure'. Therefore, it is necessary to apply the sequential test and then, the exception test to the proposed development.

9.47 The application is accompanied by a Flood Risk Assessment report which details the applicant's consideration of the sequential test, and a site-specific Flood Risk Assessment and a Surface Water Management Plan (in relation to the exception test).

*Sequential test*

9.48 The Site Search and Sequential Flood Test document adopts a 1-kilometre study area either side of the 132kV line to which the proposed solar farm would connect, as it considers this to be an appropriate distance to achieve a feasible and viable connection. The application states that the applicant has established a point of connection along this route at Peterborough. It has been determined in planning appeals that an easy and readily available grid connectivity is an important consideration which holds significant weight. Officers therefore consider the extent of the identified study area to be reasonable for the purposes of applying the sequential test in this case.

9.49 The Site Search and Sequential Flood Test specifies that the proposed development requires a minimum site area of approximately 70 hectares to make the proposed development financially viable and needs to be located in area with available capacity to connect to the electricity grid. In addition, it specifies physical, environmental (particularly with regard to impacts on designated sites), policy and economic and constraints which further restrict the location of the proposed development. These factors are considered alongside the recognised difficulties in finding feasible and viable sites for the proposed development at a lower risk of flooding elsewhere within the district due to the majority of the district (outside of built-up settlements) being located within Flood Zone 3.

9.50 In respect of flood risk, sites in the wider Old Bedford and Middle Level catchment are almost all located within Flood Zone 3. Whilst there are some areas within the wider area which fall within Flood Zone 1 or 2, these are generally located on the edge of settlements where a solar farm and BESS proposal could have a greater impact on the amenity of local residents and the local highway network and/ or would result in occupying land allocated for alternative development types in the Local Plan. As such, and with similarities to avoiding BMV land as set out in the Site Justification Report, there does not appear to be reasonably available land, capable of accommodating the development at a lower level of flood risk. It is therefore considered that the proposed development passes the sequential test.

#### *Exception test*

9.51 The Exception Test comprises two elements, both of which must be satisfied:

- a) development to demonstrate that it achieves wider community sustainability benefits having regard to the district's sustainability objectives, and
- b) that it can be made for its lifetime and will not increase flood risk elsewhere ('flood risk management')

9.52 The first part of the Exception Test requires that the development provides wider sustainability benefits to the community that clearly outweigh the flood risk. The second part requires that the development will be safe for its lifetime, without increasing flood risk elsewhere, and where possible, reducing overall flood risk.

#### *Wider community sustainability benefits*

9.53 The proposed development would provide substantial wider environmental and economic sustainability benefits to the community, resulting from significant renewable energy production and storage, thereby assisting with addressing climate change and energy security. Furthermore, as set out below the development, through its landscaping proposals, has potential to substantially increase biodiversity in and around the site. These matters are considered sufficient to outweigh the flood risk and the first part of the exception test is therefore passed.

#### *Flood risk management*

9.54 The site benefits from flood defences, maintained by the Environment Agency and surface water drainage which currently runs off the fields are captured by a network of drains which are management either under riparian responsibility and/ or the Internal Drainage Board. The Surface Water Management Plan (and addendum) demonstrates that surface water from the proposed development can be managed through the use of filter trenches on every 10th row of PV panels discharging into existing perimeter swales, which in turn discharge from the site into a watercourse as it presently does i.e. at greenfield run-off rate. The applicant sets out that the new swales, ditches, filter drains and French drains form an integral part of the enhancement plan for the site to prevent pollution and encourage biodiversity.

9.55 The Flood Risk Assessment, in addition to the Surface Water Management Plan, demonstrates that the proposed development will be safe for its lifetime (taking account of the vulnerability of its users, which is considered to be low given the nature of the proposed development) and will not increase flood risk elsewhere.

9.56 Taking in to account the above, it is therefore considered that the proposed development passes both parts of the exception test.

#### *Recommendations from technical consultees*

9.57 The Environment Agency has no objection to the proposed development on flood risk grounds, setting out a recommendation to consult with the Internal Drainage Board.

9.58 Middle Level Commissioners (MLC), as the Internal Drainage Board has been consulted on this application. In their initial response, they noted that the site layout involved development across the Board's 9m byelaw strip, noting that development within, over, or under a Board maintained watercourse, or within the Board's maintenance strip, requires the Board's prior written consent. A plan of the boards drains was subsequently provided to the applicant.

9.59 The applicant subsequently amended the site layout, moving any of the development outside of the 9m easement strips. Whilst MLC were re-consulted on the revised layout, their response did not provide any conclusions as to whether the layout was objectionable or not, instead recommending that it would be in the applicant's interests to discuss the proposed works with the Board via the post-application consultation process as soon as possible. It is not known whether the applicant is engaging directly with MLC at this time. Nonetheless, no objection appears to be raised by MLC on the latest layout.

9.60 The Lead Local Flood Authority has no objection to the proposed development and considers that surface water from the proposed development can be appropriately managed, subject to conditions requiring a detailed surface water drainage scheme, and details of construction drainage measures, to be agreed with the Local Planning Authority and subsequently implemented as part of the development.

9.61 Anglian Water raises no objection to the development on flood risk or drainage grounds as the proposed development does not include a connection to Anglian Water sewers. They have requested a condition which seeks to establish a strategic water resource strategy for the development, noting the supporting documents which indicate, in part, that a water supply may be necessary for any manual firefighting, noting that Anglian Water are not obligated to provide non-domestic water supply. This is considered further in the 'Fire Safety' section.

#### *Conclusions*

9.62 It is considered necessary to append the requested conditions by the LLFA to any grant of planning permission, in order to ensure that surface water is adequately managed and to prevent an increased risk of flooding.

9.63 With consideration given to the documents accompanying the application, and the recommendations of the technical consultees, it is considered that the proposed development has acceptable flood risk and drainage impacts, in accordance with Policy LP14 of the Local Plan and the provisions of the NPPF.

#### **Fire safety**

9.64 Fire risk is a relevant material planning consideration relating to BESS proposals. The application is accompanied by a Fire Strategy Report and Fire Safety Briefing which seeks to contextualise the risk of fires from BESS and details the fire risk mitigation measures that have been incorporated into the design of the development. The report sets out that a 2023 study from DNV (Det Norske Veritas, risk management providers) and IEA (International Energy Agency) estimates that fewer than 50 BESS fire incidents have occurred globally since 2017, across tens of thousands of installed systems. This equates to a fire rate of approximately 0.001% annually, or 1 in 10,000 installations per year. By comparison, petrol and diesel vehicle fires occur at a rate of 1,530 per 100,000 vehicles. EV fires occur around 25 per 100,000 vehicles. Comparatively, in nearly all cases, BESS fires have been contained within a single container. The report sets out that in the UK there has been no off-site evacuations, no community impacts, and no fire service casualties as a result of a BESS fire.

9.65 The Fire Safety Briefing sets out that fires at BESS sites typically stem from a process called thermal runaway. This happens when one battery cell overheats

and starts a chemical reaction. But for that to occur, it would mean the following preventative systems in place would have failed:

- 24/7 remote control and alert systems - monitored 24/7 by internal control systems, with automated alerts to operators and coordination procedures in place with the local fire service.
- Overcharge protection - automatic detection of overcharge which immediately isolates and switches off units
- Thermal management systems (TMS)
- Smoke and gas sensors
- Fire suppression systems

9.66 The report goes on to state that if a thermal runaway event does occur, the applicant advises that burning is usually limited to one container, lasting a few hours before the system self-extinguishes or is suppressed. As a reactive precaution, to help with the containment of a fire in the event of an incident, modern BESS containers are sealed steel units with the following;

- Integrated fire suppression systems: specified to be automated and designed based on the expected emissions rate and type of potential fire. It may include water, clean agents, or aerosol-based systems and tailored to minimise unnecessary water use.
- Pressure relief vents to manage flare-up
- Unit separation to stop fire spreading

9.67 PPG (Paragraph: 035 Reference ID: 5-035-20230814) recommends that Local Planning Authorities consult the relevant local fire and rescue service on applications for BESS of 1 MWh or over. The Local Planning Authority has therefore consulted Cambridgeshire Fire and Rescue Service.

9.68 The consultation response received from Cambridgeshire Fire and Rescue Service provides general advice relating to the prevention of fire in BESS installations and the actions and protective measures for fire service personnel, employees and the public in the event of a fire occurring; it is not tailored specifically to the proposed development. Officers have sought to understand whether Cambridgeshire Fire and Rescue Service raise any concerns or objections to the development – however they have responded by setting out that they have only provided generic advice. As such, it indicates that no objections are raised at this time.

9.69 In terms of any necessary emergency response, the report sets out that when attending an incident, fire services are trained to isolate the container, cool the surrounding units as well as the air and space between them, and let the suppression systems do the work. This is known as the 'Boundary Cooling Strategy' which also forms a part of our contaminated water strategy – with the proposed drainage strategy allowing for full containment and safe disposal of any water used for firefighting.

9.70 The report states that in the event water cannot be guaranteed from a local supplier, water can be delivered from external sources and safely stored in appropriate and contained storage.

9.71 In this regard, Anglian Water has requested a planning condition is imposed, securing a water supply strategy, noting that they are not obligated to provide a source of water for non-domestic developments. In this regard, whilst Anglian

Water may be a potential option for water supply (subject to consents) the existing watercourses may also be an option for fire service to abstract from in emergencies.

- 9.72 Furthermore, the Environment Agency in their response sets out advice and the need to consider whether any such fire suppressant measures may cause pollution risks to nearby water courses, through run-off.
- 9.73 With consideration given to fire risk mitigation being addressed within the Fire Strategy and Briefing Reports, and the absence of an objection from Cambridgeshire Fire and Rescue Service or other statutory consultees, it is concluded that there are no significant identified risks that would warrant refusal of the planning application on fire risk grounds. However, in order to ensure adequate mitigation against fire risk is secured, it is considered necessary to impose a condition requiring a Fire Safety Management Plan to be agreed with the Local Planning Authority. The plan will also need to include the water supply strategy requested by Anglian Water and means of containing any suppressant run-off into the adjacent watercourses, as noted by the Environment Agency.
- 9.74 It is therefore considered that the proposed development would not result in any unacceptable fire risk, ensuring adequate public safety, in accordance with paragraph 102 of the National Planning Policy Framework and PPG relating to fire risks from BESS.

### **Site Security**

- 9.75 Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places that are safe, where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience. Policies LP16 and LP17 of the Local Plan requires development proposals to provide safe environments and incorporates security measures to deter crime.
- 9.76 Cambridgeshire Constabulary's Designing Out Crime team (DOC) has reviewed the application in relation to crime, disorder, and the fear of crime. The Designing Out Crime Officer considers the area to be of low / medium risk in respect of vulnerability to crime and highlights that, nationally, there has been an increase in reported thefts associated with solar farms nationally.
- 9.77 The DOC team makes recommendations in respect of fencing, lighting, CCTV and alarm systems, raising specific concerns over the employment of deer fencing and its adequacy of preventing site ingress and subsequent thefts. A subsequent discussion with officers confirmed that DOC would be happy to secure general security measures via planning conditions, but that more robust fencing is needed. The applicant has confirmed that they would be happy to consider permitter fencing in more detail. It is important to note however that the security of the fencing must also be balanced with its visual appearance, given the site's countryside location. Nonetheless, a condition requiring final details of security measures can be reasonably imposed and subject to an agreed scheme, the development would have acceptable impacts in relation to crime, in accordance with paragraph 135 of the NPPF and Policies LP16 and LP17 of the Local Plan.

### **Historic Environment**

9.78 Paragraph 207 of the NPPF requires submission of an appropriate desk-based assessment, and a field evaluation (where necessary), for development sites which have potential archaeological interest. Local Plan policy LP16 requires development proposals to protect and enhance any affected heritage assets and their settings to an extent commensurate with policy in the National Planning Policy Framework and in accordance with Policy LP18.

9.79 The site and surroundings do not contain any nationally designated Scheduled Monuments, Listed Buildings, Historic Battlefields or Registered Parks and Gardens and is not within or adjacent to any Conservation Areas. Therefore, the development is not anticipated to have any material impact on the historic environment in this regard. The site however is considered to be located within an area of high archaeological potential.

9.80 As noted in the consultation section above, the applicant has engaged with the County Council's Archaeology team and has provided geophysical reports to better understand underground features of potential historic importance. As a result, the Archaeology team are satisfied that the remaining investigations can be undertaken following an agreed written scheme if investigation, to be submitted and approved prior to the development commencing. The applicant has agreed to a planning condition securing this.

9.81 With consideration given to the recommendation of Cambridgeshire County Council, it is considered that the level of archaeological detail received to date is sufficient to understand the potential impact of the proposal on the archaeological significance of the site. However, it is necessary to append the planning conditions recommended by Cambridgeshire County Council Historic Environment Team in order to ensure that the proposed development fully complies with the requirements of Policy LP18 and the NPPF.

### **Biodiversity (including Net Gain)**

9.82 Policy LP16 of the Local Plan requires development proposals to protect and enhance biodiversity on and surrounding proposal sites, taking into account locally designated sites and the special protection given to internationally and nationally designated sites, in accordance with Policy LP19. LP19 states that the Council will conserve, enhance and promote the biodiversity interest of the natural environment throughout Fenland. In addition, it states that the Council will ensure opportunities are taken to incorporate beneficial features for biodiversity in new developments, including, where possible, the creation of new habitats that will contribute to a viable ecological network extending beyond the District into the rest of Cambridgeshire and Peterborough, and other adjoining areas.

9.83 The site lies approximately 2.3km south of the Nene Washes which is a Special Protection Area, a Special Area of Conservation and a Ramsar Site and falls within a Goose and Swan Functional Land Impact Risk Zone. These areas can be frequented commonly by overwintering birds for foraging and rest. Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites, sometimes termed 'European sites', collectively form part of a suite of designated nature conservation sites known in the UK as the National Site Network. These sites are regarded as the highest tier of designated sites, carrying a high level of legal protection through the Conservation of Habitats and Species Regulations 2017 (as amended). These Regulations, widely referred to as the 'Habitats Regulations' require decision-making authorities to assess the

potential for harmful effects on European sites which may arise as a result of proposed plans or projects. This assessment process is commonly referred to as 'Habitats Regulations Assessment' (HRA).

9.84 It is recognised that Designated Sites that hold large populations of birds that forage well beyond the sites defined boundaries cannot sustain these populations without the retention of sufficient suitable foraging habitat within the birds' daily commuting ranges. The need to retain sufficient habitat to support these bird populations, some of which are significantly threatened, therefore needs to be addressed in any development proposal that may affect such habitats. Since the development proposed is considered to have the potential because of its nature, scale and duration to cause harm to the special nature conservation interests of the Nene Washes, it is subject to the need for HRA. Whilst there are a number of European Sites within 20km of the application site, only the Nene Washes was considered to have sufficient connectivity (an identifiable pathway) with the development site such that any potential for 'Likely Significant Effects' could occur, the others considered to be too far away.

9.85 The application is accompanied by an Ecological Impact Assessment (September 2025) and Wintering Birds Survey (undertaken 2022) which provides an assessment of the biodiversity value of the site and the biodiversity impacts of the proposed development, with particular regard to the aforementioned overwintering birds. The Council's Ecologist has reviewed the submission and undertaken two stages of assessment; 1. An HRA; 2. A broader review of the ecological impacts and mitigation; and, 3. A review of the Biodiversity Net Gain prediction for the development, in line with statutory requirements under the Environment Act 2021.

#### *HRA*

9.86 The Council's Ecologist confirmed that the application is supported with sufficient information to enable them to undertake a HRA. The development proposal is first 'screened' for any Likely Significant Effects (LSE) on the special nature conservation interests of the European site concerned (Nene Washes). The purpose of the Screening stage of the HRA process is to initially identify the risk or the possibility of significant adverse effects on a Designated site which could undermine the achievement of a site's conservation objectives and which therefore require further detailed examination through an appropriate assessment. If risks which might undermine a site's conservation objectives can clearly be ruled out (based on the consideration of objective information), a proposal will have no likely significant effect (LSE) and no appropriate assessment will be needed. In order for a development or project to be screened out of the HRA process the conclusions must be made 'beyond reasonable scientific doubt' that the plan or project will not have an LSE on the Natura 2000 site or its qualifying features.

9.87 If screening has identified any LSE, these LSE must be comprehensively assessed. At this stage available mitigation measures for the identified LSE can be considered. In applying the Stage 2 – Appropriate Assessment the Local Planning Authority must also consider whether there is a planning mechanism which can secure the necessary mitigation via either conditions or obligations. If Appropriate Assessment has identified LSE which cannot be mitigated, compensation for any identified harm to special nature conservation interests must be proposed. This stage of HRA is known as 'derogation'. A full copy of the Council's completed HRA can be found on public access for this application.

9.88 A number of potential impacts were considered by and scoped out the Council's Ecologist in their initial screening considerations for the HRA. The screening undertaken considered the potential of the application site to be functionally linked to the Nene Washes designated sites. Primary wintering bird surveys have been undertaken within the application site and on surrounding land. Available historic records have also been sought and assessed for the site and surrounding land. In summary, the primary bird surveys have concluded that although significant herds of swans do use land surrounding the application site, the application site itself is not used by significant numbers of notable bird species for significant periods of time. The Council's Ecologist has concluded therefore that the site cannot reasonably be considered to be functionally linked land (FFL) in this regard.

9.89 Notwithstanding, land near to the application site has been shown to be used by significantly greater numbers of swans and could be considered to be FLL. Birds using these areas could be disturbed by construction works (temporary noise and visual disturbance) and by more permanent noise associated with the operation of the battery storage facility. This potential impact has therefore been assessed further and concluded that subject to any site clearance and/ or construction occurring outside of October to March (inclusive), or work areas being screening off by temporary fencing/ hoarding, any such disturbance should be adequately mitigated. Furthermore, the proposed acoustic fence is required to reduce any disturbance during the development's operational life, on the species.

#### *General Ecology/ Biodiversity*

9.90 In addition to the HRA, the Council's Ecologist has reviewed the submission in respect of wider biodiversity impacts and opportunities and concludes that the site is dominated by cropland and agricultural grassland of rather limited ecological value, although the area involved is very large. The only notable habitats of higher value on and close to the application site include the ditch network and associated bankside vegetation. The ditch network has been shown to support the specially protected species water vole and bankside vegetation is more diverse than that found elsewhere on the site.

9.91 In order to implement the development proposals without directly affecting the ditch network, the Council's ecologist has recommended that 8-10m wide landscape buffer zones should be established between the ditches and the solar panel array (which aligns with MLC's requirements for maintenance easement areas. Furthermore, a Construction Environmental Management Plan (Biodiversity) should be agreed and implemented in full. Furthermore, it is recommended to secure a Lighting Design Strategy for Biodiversity via planning condition, to avoid harm to any nocturnal species. Additional matters necessary to be secured have been identified as; Updated Badger surveys; Gaps in security fencing to allow for free passage of mammals e.g., foxes, hare and badger; and, a Reasonable Avoidance Method Statement providing details of measures to be taken to avoid harm to amphibians and reptiles during construction works. It should also be possible to install a range of bird nesting boxes throughout the site, post-completion, as part of any detailed landscaping proposals. In particular, the site could benefit from the installation of Barn Owl nesting boxes. Barn Owls are known to use the site and the wider area and grassland enhancements associated with the solar array could benefit Barn Owls.

9.92 The above measures are considered necessary to make the development acceptable and would accord with the aims of policies LP16 and LP19 of the Local Plan and can be reasonably secured through planning conditions capturing construction management (for biodiversity), biodiversity enhancement details, boundary treatments and lighting design.

9.93 In acknowledging the findings of the Council's HRA and other ecology matters, Natural England has no objection to the proposed development, subject to the mitigation requirements as set out in the above recommendations. The RSPB has raised concerns over the survey data used for wintering birds and have suggested alternative evidence base from which to make the assessment. The RSPB are a non-statutory consultee, nonetheless, their comments are material and have been shared with the Council's Ecologist and applicant. The RSPB were subsequently reconsulted on updated information to the Ecological Impact Assessment, but no formal response was received to this, or to the Council's HRA conclusions. As such, it is reasonable to rely on the conclusions of Natural England and the Council's Ecologist in this regard.

9.94 With consideration given to the information contained within the Ecological Surveys and Impact Assessment, in addition to the recommendations of the Council's Ecologist and Natural England, it is considered that the proposed development protects and enhances biodiversity on and surrounding proposal sites, in accordance with policies LP16 and LP19 of the Local Plan.

*Biodiversity Net Gain (BNG)*

9.95 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan Policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat. In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

9.96 As per the above conclusions by the Council's Ecologist, there are clear opportunities to achieve the gain within the development site. The applicant sets out that the primary areas for gain will be achieved through the following.

- a) The creation of 0.84ha of new native (and locally appropriate species composition) tree lines and copses with associated native hedgerow/scrub understorey and edges.
- b) The creation of 4.07km of new species-rich native hedgerow.
- c) The conversion of the remaining land currently under arable cultivation to native grassland with wildflowers, under and between solar panels on raised frames. This new grassland will be managed for wildlife interest and will have unimpeded access for all wildlife with the exception of deer (deer are to be excluded to protect vegetation, including new saplings, and to prevent possible damage to panels from larger deer species such as fallow deer).

9.97 The Biodiversity Metric submitted with the application indicates that a net gain of 162% habitat units is likely achievable which would be a significant gain in biodiversity and far in excess of the statutory 10% required. Therefore whilst statutory gain can be easily achieved through the proposals, the soft landscaping that is required to mitigate the development, both through natural boundary

screening and in preparing the land for grazing, which will be required for the lifetime of the development at least, will naturally provide substantial biodiversity net gain.

9.98 In conclusion, the development would be unlikely to have any significant impacts on protected species and biodiversity in general, subject to conditions securing appropriate mitigation and biodiversity enhancement measures. These matters carry neutral weight. Furthermore, the site could deliver significant biodiversity gains, greatly in excess of statutory requirements, through the proposed landscaping design which carries substantial positive weight in the planning balance.

## **10 PLANNING BALANCE AND CONCLUSIONS**

10.1 Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with an application for planning permission the authority shall have regard to the provisions of the development plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

10.2 It is not uncommon for developments, particularly larger or more complex proposals to result in some conflict with development plan or NPPF policies. In such instances, it is for the decision maker to assess whether there are any material considerations which may outweigh the conflicts.

10.3 In respect of policy conflict, it has been identified that the development would result in a 42-year hiatus in being able to farm 110 ha of Fenland's Best and Most Versatile land for arable crop production, which would otherwise be its most effective use. Neither national or Local Plan policies prevent this occurrence and require only that LPAs give this consideration. As set out above, this is considered to carry negative weight, however it must also be noted that the land in recent years has been used to produce crop for biogas and therefore has not directly contributed toward the country's food chain in this regard. Notwithstanding, the land could continue to be farmed e.g., pastoral. Furthermore, having regard to Natural England's evidence of BMV land, the impact of the loss of this land from the nation's (and indeed Fenland's) total BMV land appears only minor. As such, the negative weight afforded to this aspect is only moderate.

10.4 Notwithstanding, the proposal would result in an incongruous form of development, which at a local level would cause harm to the character and appearance of the Fen landscape, either through the introduction of the solar array, battery storage and associated infrastructure, or through the placement of significant lengths of hedgerow which again would be uncharacteristic, albeit this harm would likely only be experienced in relatively close proximity. This carries substantial negative weight and is directly in conflict with Local Plan policy LP16.

10.5 Whilst the development would not give rise to matters of flooding, fire risk, adverse heritage impacts, residential amenity harm or highway safety impacts, these all carry neutral weight in the planning balance, as does the above noted biodiversity mitigation and enhancements.

10.6 In respect of any material considerations capable of positive weight; the development would clearly contribute to environmental sustainability, by providing a significant contribution to renewable energy generation and energy storage; contributing towards addressing climate change and improving energy security and resilience. The development would contribute positively towards social and economic sustainability by increasing reliability of the grid to support a growing need from local residential and business properties, and by potentially contributing towards lower costs of energy provision. These matters are considered to carry significant positive weight.

10.7 The development would provide additional environmental benefits resulting from a significant biodiversity net gain, in excess of 100% habitat units, on land which currently offers little in respect to local ecologies due to its intensive farming. This is considered to carry substantial weight.

10.8 Additional economic benefits resulting from employment during the construction, operation and decommissioning phases of the development is considered attract moderate weight in favour of the proposal.

10.9 In applying the planning balance, it is considered that the identified benefits which would result from the proposed development, particularly the significant contribution of the proposed development towards addressing climate change and biodiversity gains, outweighs the conflict with the development plan, in respect of landscape harm and the moderate harm to BMV land. The proposal is considered to represent a sustainable form of development when assessed against the NPPF and the Fenland Local Plan taken as a whole. It is therefore recommended that planning permission is granted, subject to conditions.

## 11 RECOMMENDATION

11.1 **GRANT**; subject to the conditions as listed at 11.3.

11.2 Section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018). The applicant has been consulted on the proposed conditions and has confirmed their agreement to these in writing. It is therefore considered that the requirements of section 100ZA(5) have been met.

11.3 The proposed conditions are as follows;

1	<p><i>Commencement</i></p> <p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p><i>Temporary permission</i></p> <p>Planning permission is hereby granted for a temporary period of 40 years</p>

	<p>from the date of the first commercial export of energy (the First Export Date). No later than 30 days after the First Export Date the applicant shall supply written notice to the local planning authority.</p> <p>Reason: As the application is proposed on a limited timescale due to the limited lifespan of solar panels, to safeguard the long term availability and quality of agricultural land and ensure the development does not result in a derelict site unable to generate energy, a temporary permission is required, in accordance with policy LP14 of the Fenland Local Plan 2014 and Chapter 15 of the NPPF (December 2024).</p>
3	<p><i>Cessation (1)</i></p> <p>The Local Planning Authority shall be notified in writing of the permanent cessation of export of the electricity to the grid from the site within 30 days of that event occurring.</p> <p>Reason: In order to ensure that the Local Planning Authority is able to monitor the requirements of Condition 4.</p>
4	<p><i>Cessation (2)</i></p> <p>Within 6 months of the cessation of the export of electricity, or within 39 years following the First Export Date (whichever is the soonest), a detailed Decommissioning Method Statement (DMS) shall be submitted to the Local Planning Authority for its written approval. The DMS shall include:</p> <ul style="list-style-type: none"> <li>a) details of the removal of the panels, supports, inverters, cables, buildings and all associated structures and fencing from the site, and a timetable for their removal;</li> <li>b) a traffic management plan to address likely traffic impacts during the decommissioning period;</li> <li>c) an environmental management plan to include measures to be taken during the decommissioning period to protect wildlife and habitats;</li> <li>d) full details of the proposed restoration of the site including a site wide restoration and aftercare scheme which details how and when the land will be restored to its former agricultural grade; and</li> <li>e) Details of the recycling and disposal of the decommissioned elements.</li> </ul> <p>The Site shall be decommissioned in accordance with the approved DMS within 12 months of the expiry of the 40-year period of planning permission.</p> <p>Reason: As the application is proposed on a limited timescale due to the limited lifespan of solar panels, to safeguard the long-term availability and quality of agricultural land in accordance with policy LP14 of the Fenland Local Plan 2014 and Chapter 15 of the NPPF (December 2024).</p>
5	<p><i>Construction Drainage</i></p> <p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p>

	<p>Reason: A pre-commencement condition is necessary to ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts, in accordance with Local Plan Policy LP14.</p>
6	<p><i>Surface water drainage</i></p> <p>The surface water drainage scheme shall be constructed in full accordance with the Surface Water Management Plan and Addendum as submitted (ref: FCL/654/SW01a) dated July 2025 prior to the First Export Date.</p> <p>Reason: To prevent an increased risk of flooding and protect water quality in accordance with policy LP14 of the Fenland Local Plan, 2014.</p>
7	<p><i>Surface Water Management</i></p> <p>Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the First Export Date. The submitted details should identify runoff sub-catchments, SuDS components, flow routes, maintenance activities and responsibilities. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.</p> <p>Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 169 and 173 of the National Planning Policy Framework and Local Plan Policy LP14.</p>
8	<p><i>Archaeology</i></p> <p>No development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include: a. the statement of significance and research objectives; b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c. The timetable for the field investigation as part of the development programme; d. The programme and timetable for the analysis, publication &amp; dissemination, and deposition of resulting material and digital archives.</p> <p>Reason: A pre-commencement condition is necessary to ensure to safeguard potential archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this</p>

	development, in accordance with national policies contained in the National Planning Policy Framework and Local Plan Policy LP18.
9	<p><b><i>Soil Management Plan</i></b></p> <p>No development shall commence until a Soil Management Plan (SMP) has been submitted to, and approved in writing by, the Local Planning Authority. The SMP shall include the following:</p> <ul style="list-style-type: none"> <li>a) Measures to protect soils during development with reference to the guidance found in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites;</li> <li>b) A works programme showing how all soil handling and trafficking operations will be undertaken and which makes allowance for poor weather/ ground conditions stoppages;</li> <li>c) Details of how construction activities will be managed across the site to minimise impact on soils; and</li> <li>d) Details of appropriate equipment and methods for stockpiling, respreading and ameliorating of soil compaction in accordance with good practice techniques to minimise the risk of soil compaction.</li> </ul> <p>The development shall be carried out strictly in accordance with the approved Soil Management Plan.</p> <p>Reason: A pre-commencement condition is necessary to protect soil quality at the site and ensure no adverse impacts arise from the construction and operation phases of the development, in accordance with policy LP14 of the Fenland Local Plan, 2014 and Chapter 15 of the NPPF (December 2024).</p>
10	<p><b><i>CEMP</i></b></p> <p>No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The CEMP shall provide for:</p> <ul style="list-style-type: none"> <li>i. Routing of all construction vehicles.</li> <li>ii. The parking of vehicles of site operatives and visitors.</li> <li>iii. Loading and unloading of plant and materials.</li> <li>iv. Storage of plant and materials used in constructing the development.</li> <li>v. The erection and maintenance of security hoarding.</li> <li>vi. displays and facilities for public viewing, where appropriate.</li> <li>vii. Wheel washing facilities.</li> <li>viii. Measures to control the emission of dust and dirt during construction.</li> <li>ix. A scheme for recycling/disposing of waste resulting from demolition.</li> <li>x. Location(s) of construction works compound.</li> <li>xi. Details of any lighting required for the period of construction (locations and levels/ directions of luminance).</li> <li>xii. Security measures during construction including contact details for site manager and site security personnel.</li> </ul> <p>Reason: A pre-commencement condition is necessary in order to ensure that the initial and continued construction takes place in a suitable manner and to ensure that amenities of existing residents are protected as far as reasonable, in accordance with LP2 and LP16 of the Local Plan.</p>

11	<p><b>CEMP (Biodiversity)</b></p> <p>No development shall commence, including vegetation clearance or any ground works, until a Construction Environmental Management Plan for Biodiversity (CEMPb) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMPb shall include the following:</p> <ul style="list-style-type: none"> <li>a) Updated badger survey which is no older than 6 months.</li> <li>b) Risk assessment of potentially damaging construction activities;</li> <li>c) Identification of relevant biodiversity protection zones and buffer zones;</li> <li>d) Practical measures (both physical measures and sensitive working practices) to avoid, reduce or mitigate the impacts on important habitats and protected species during construction* (see also below);</li> <li>e) The location and timing of sensitive works to avoid harm to biodiversity features;</li> <li>f) The times during construction when specialist ecologists need to be present on site to oversee works;</li> <li>g) Responsible persons and lines of communication;</li> <li>h) Use of protective fences, exclusion barriers, warning signs and sensitive lighting; and</li> <li>i) Protected species licencing requirements (if any).</li> </ul>
	<p>*Construction works shall be undertaken outside of the optimum time of year for wintering birds (October to March inclusive). If construction is necessary to be undertaken during the optimum time of year for wintering birds, temporary screening fencing (details of which are first to be agreed by the Local Planning Authority) shall be installed to screen active work sites from surrounding land to prevent disturbance to birds through noise or visual disturbance.</p> <p>The approved CEMPb shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.</p> <p>Reason: A pre-commencement condition is necessary in order to protect biodiversity in and around the development site at the initial and longer-term stages of construction, in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
12	<p><b>Biodiversity Enhancement</b></p> <p>No development shall proceed above ground level, until a Biodiversity Enhancement Plan (BEP) has been submitted to, and approved in writing by, the Local Planning Authority. The BEP shall include details of all species enhancements including relevant scale plans and drawings showing the location, elevation and type of features as appropriate. All enhancements should be delivered prior to the First Export Date and retained thereafter in accordance with the approved details.</p> <p>Reason: To enhance biodiversity in and around the development site in accordance with policy LP19 of the Fenland Local Plan, 2014.</p>
13	<p><b>Landscaping</b></p> <p>Full details for the provision of hard and soft landscape works on the site shall be submitted to and approved in writing by the Local Planning Authority prior to any works proceeding above ground level.</p> <p>The details shall follow the principles established in plan UKH618_10 V3</p>

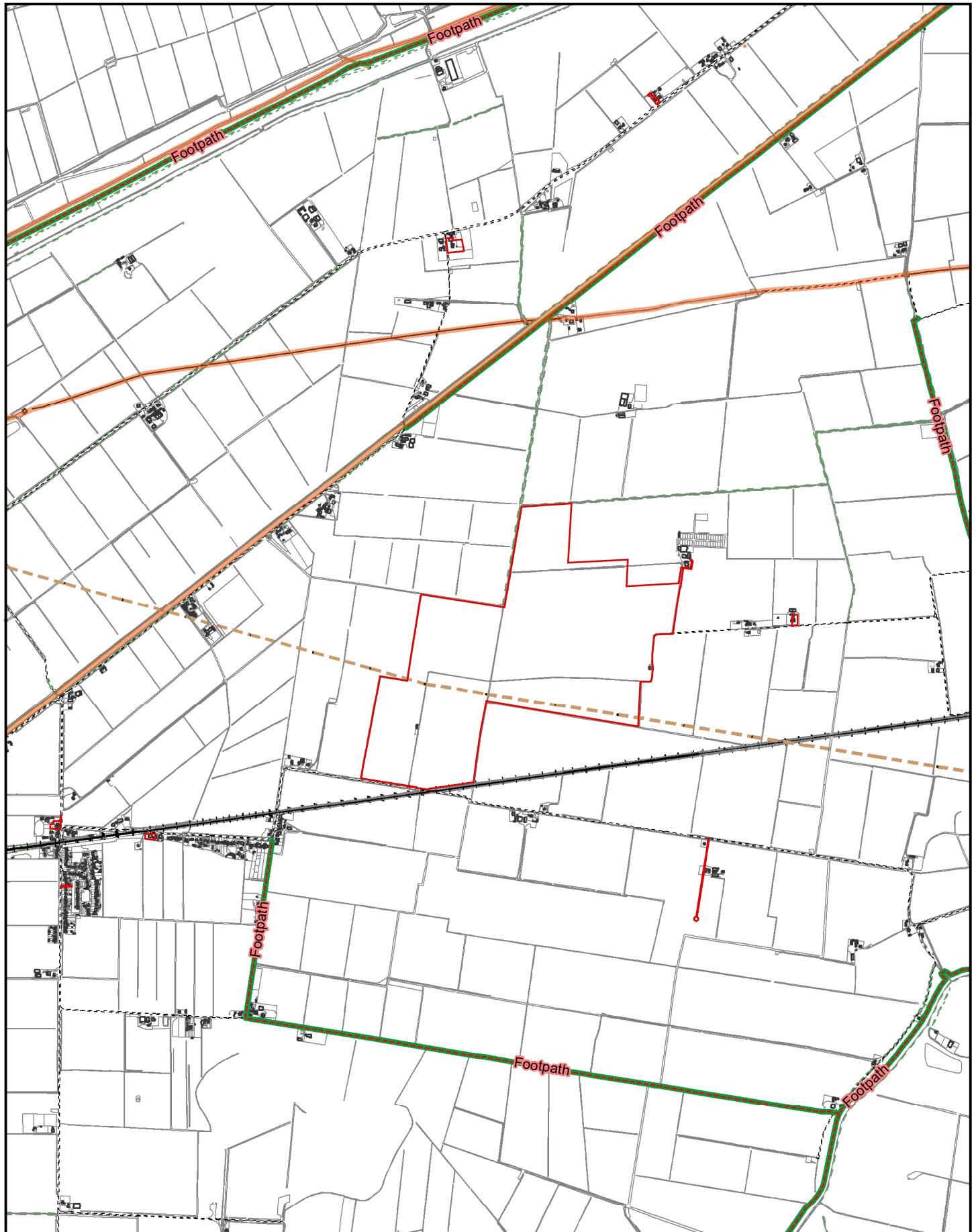
	<p>and shall include:</p> <p>For the soft landscaping;</p> <ol style="list-style-type: none"> <li>1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.</li> <li>2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.</li> <li>3) Details of the aftercare and long-term maintenance (including re-planting where losses occur) programme.</li> </ol> <p>The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the First Export Date.</p> <p>For the hard landscaping;</p> <ol style="list-style-type: none"> <li>4) Details of paved surfacing, with materials finishing and edgings</li> <li>5) Details of street furniture, with designs materials and dimensions</li> </ol> <p>The hard landscape works shall be carried out as approved prior to the First Export Date and retained and maintained as such thereafter.</p> <p>Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
14	<p><i>Boundary Treatment</i></p> <p>Notwithstanding any plans submitted, no development shall proceed above ground until full details of the site boundary fencing and any associated access gates have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall include mammal access points/squeezes, security specification, and external colour finishes. The approved boundary treatments shall be erected prior to the First Export Date and shall thereafter be retained strictly in accordance with the approved details.</p> <p>Reason: In the interests of reducing the impact and fear of crime, and in the interests of biodiversity and visual amenity, in accordance with Policies LP16 and LP17 of the Fenland Local Plan (2014).</p>
15	<p><i>Acoustic Fencing (Pre-Energisation of the BESS)</i></p> <p>Notwithstanding any plans submitted, the Battery Energy Storage System (BESS) shall not be energised until full details of the acoustic fencing have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall include the location, height, construction, noise performance specification, and external colour finishes. The approved acoustic fencing shall be installed prior to energisation of the BESS and shall thereafter be retained in accordance with the approved details.</p> <p>Reason: To ensure the effective mitigation of operational noise impacts</p>

	and to safeguard residential amenity, in accordance with Policies LP16 and LP17 of the Fenland Local Plan (2014).
16	<p><b>Materials</b></p> <p>Prior to their erection on site, details of the proposed materials and finish, including colour, of all solar panels, frames, ancillary buildings, equipment, and enclosures shall be submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details and shall be maintained as such for the lifetime of the development hereby permitted.</p> <p>Reason: In the interests of visual amenity, in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
17	<p><b>Access delivery</b></p> <p>No works involved in the preparation for and delivery of any solar photovoltaic panels, frames, battery storage, substation and associated works shall commence until the vehicular access at Whittlesey Road and including the passing bay has been fully constructed in accordance with the details set out on plans UKH618_09 (including V3). The approved access and visibility splays shall be retained for the duration of the development.</p> <p>Reason: In the interest of highway safety in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
18	<p><b>Fire Safety Management Plan</b></p> <p>Prior to the delivery and siting of any batteries to the Site, a detailed Fire Safety Management Plan (FSMP) shall be submitted to and approved in writing by the local planning authority. The FSMP shall incorporate the following details;</p> <ul style="list-style-type: none"> <li>a) detailed risk reduction strategy covering the construction and decommissioning,</li> <li>b) details of battery units design and testing to inform provisions for containment, detection and monitoring, and any deflagration prevention and venting, and suppression systems.</li> <li>c) a Fire Emergency Response Strategy,</li> <li>d) design measures to mitigate fire spread,</li> <li>e) access arrangements including for emergency services,</li> <li>f) water supply,</li> <li>g) a fire water management plan to include provision for fire water run-off to be contained within the Site, tested before release and removed from the Site to be treated,</li> <li>h) a vegetation control management plan,</li> <li>i) an assessment of hazards and risks not only at the Site, but also to the wider area and to the local community.</li> </ul> <p>The FSMP shall be implemented in strict accordance with the approved details for the duration of the Development.</p> <p>Reason: To ensure fire risks are managed accordingly, in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
19	<b>Contaminated Land</b>

	<p>If during development contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved, and a written verification report submitted thereafter to the local planning authority for approval in writing.</p> <p>Reason: To protect harm human health, in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
20	<p><b>Security strategy</b></p> <p>Prior to the installation of any solar panels or battery storage, details of a crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be implemented in accordance with the approved strategy prior to the First Export Date and shall thereafter be retained for the duration of the Development.</p> <p>Reason: To provide a safe environment and incorporate security measures to deter crime, in accordance with policy LP17 of the Fenland Local Plan 2014</p>
21	<p><b>Lighting</b></p> <p>No external lighting shall be installed on the site (other than temporary construction lighting agreed via condition 10) or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design, beam orientation, measures to control light spillage and intensity of illumination, taking into account nearby residential properties and nocturnal fauna.</p> <p>The lighting details shall also include a "lighting design strategy for biodiversity" in accordance with ILP Publications' "Guidance Note 8 Bats and artificial lighting". The strategy shall:</p> <ul style="list-style-type: none"> <li>i). Identify those areas /features on site that are particularly sensitive for bats and other nocturnal wildlife that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</li> <li>ii). Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.</li> </ul> <p>Only the approved details shall be installed. Any lighting, which is so installed, shall thereafter be maintained and operated in accordance with the approved details and shall not be altered other than for routine maintenance.</p> <p>Reason: To protect and enhance biodiversity, in accordance with policies LP16 and LP19 of the Fenland Local Plan 2014.</p>
22	<p><b>Biodiversity Net Gain</b></p>

	<p>No development shall commence until a Biodiversity Gain Plan (BGP) and Biodiversity Management and Monitoring Plan (BMMP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The approved BGP shall demonstrate that the Development is designed to deliver habitat creation and enhancement equivalent to at least 100% biodiversity net gain, as measured using the statutory Biodiversity Metric.</p> <p>Of this, a minimum biodiversity net gain of 10% for habitat units shall be allocated to the development and maintained for a period of at least 30 years commencing from the First Export Date. Any biodiversity uplift delivered in excess of this minimum shall not be relied upon to discharge the biodiversity net gain requirement for the Development.</p> <p>The BGP and BMMP shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. Monitoring reports shall be submitted to the Local Planning Authority during years 2, 5, 10, 20 and 30 from the First Export Date, demonstrating how the BGP is progressing towards achieving its objectives, along with evidence of any necessary specific arrangements and rectifying measures.</p> <p>The BGP and BMMP shall also include details of the legal and funding mechanism(s) by which their implementation shall be secured for the duration of the Development with the management body(ies) responsible for their delivery.</p> <p>Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021) and in order to realise biodiversity net gains proposed and evidenced through the Development, in accordance with Policy LP19 of the Fenland Local Plan (2014).</p>
23	<p><i>Approved Plans</i></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents.</p>

Reference	Title
UKH618_01	CCTV Elevations
UKH618_02	Battery Energy Storage
UKH618_03	PV Panel Elevations
UKH618_04a	Solar Inverter Cabin Details
UKH618_04b	Battery Inverter Cabin Details
UKH618_05	Double Gate Elevation
UKH618_11	Access Track Elevation
UKH618_09	Proposed Site Layout (Block plan) (revision V3)
FCL/654/SW01	Surface Water Management Plan (revision A - Issue 1)
UKH618_08	Location Plan
UKH618_09	Access Plan
FCL/654/SW01A	Surface Water Management Plan (revision A Addendum)
UKH618_07	Substation Plan & Elevation (revision V0)




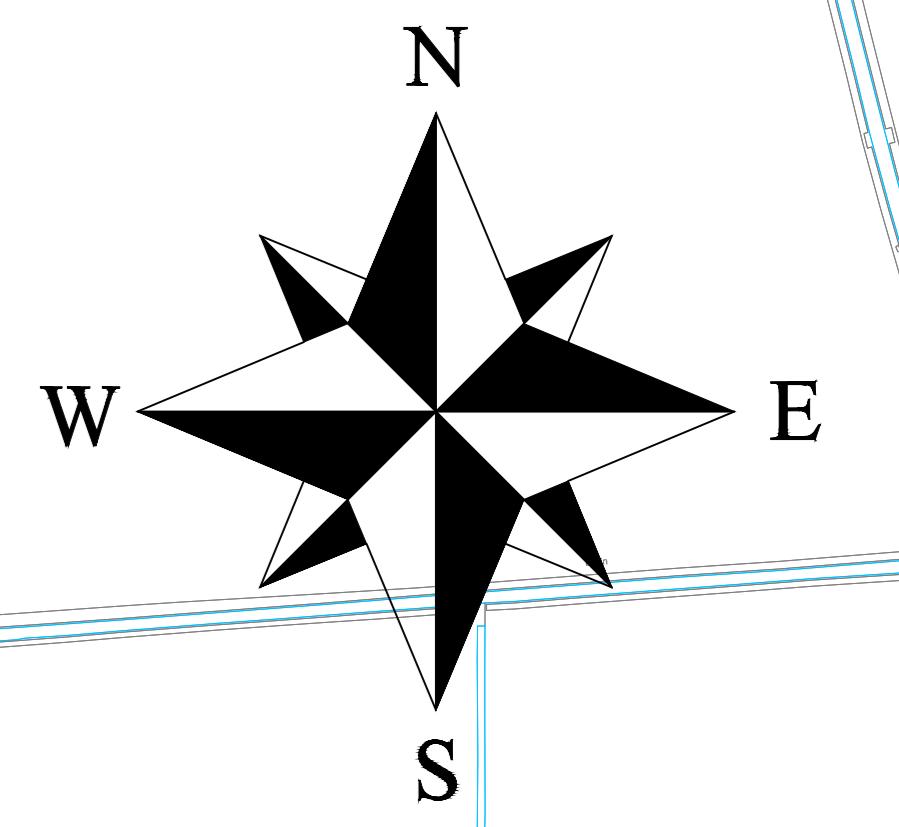
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 **Fenland**  
CAMBRIDGESHIRE  
Fenland District Council



UKH618 Middle Fen

Redline area 109.37ha

Size 49.8 MW

DET/AR 29/08/2025

UKH618\_09 Layout Plan - V3.0

UKH618.dwg

#### Key

Planning Application Area:



Acoustic Barrier:



Solar array:



CCTV Pole:



Fence:



Access Gate:



Solar Inverter Cabin:



BESS Inverter Cabin:



Battery Energy Storage Container:



Existing Road:



New road:



Proposed hedgerows:



Proposed Planting:




Point of Connection:



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# UKH618\_10 Mitigation and Enhancements Plan

## Key

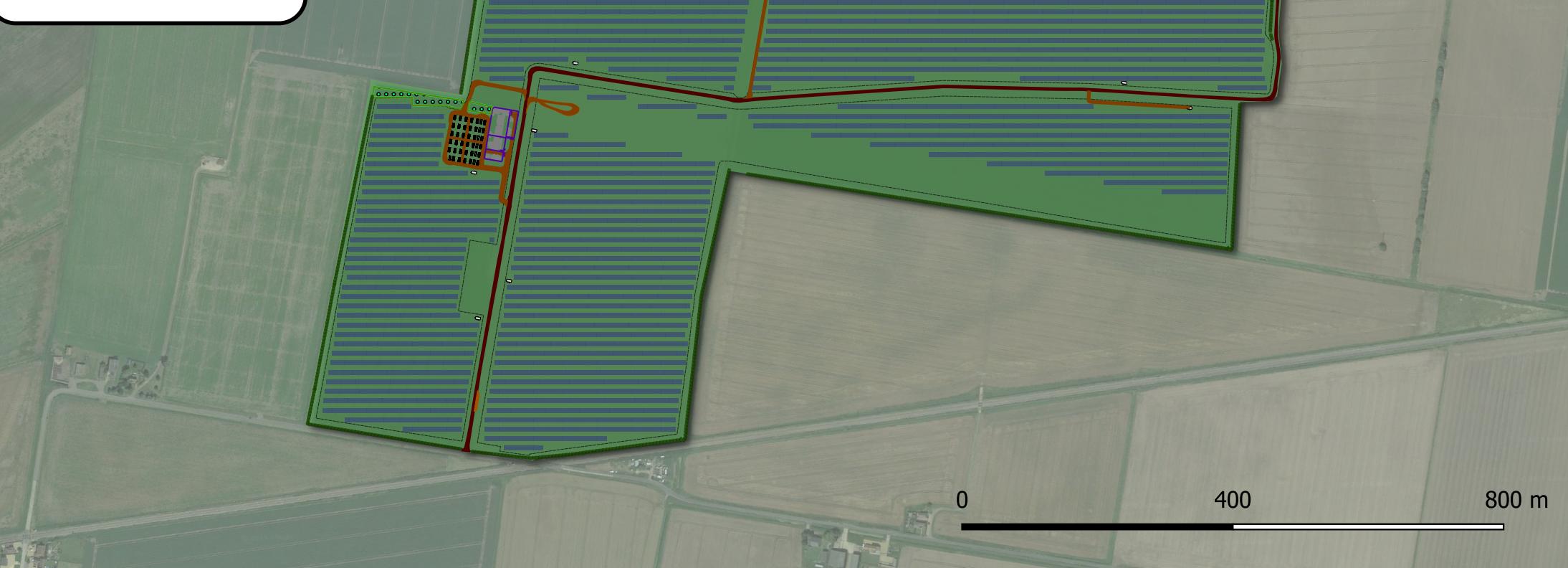
- Solar Panels
- New hedges/structure planting
- Proposed fencing
- Existing access track
- Proposed access track
- Tree/Shrub specimens

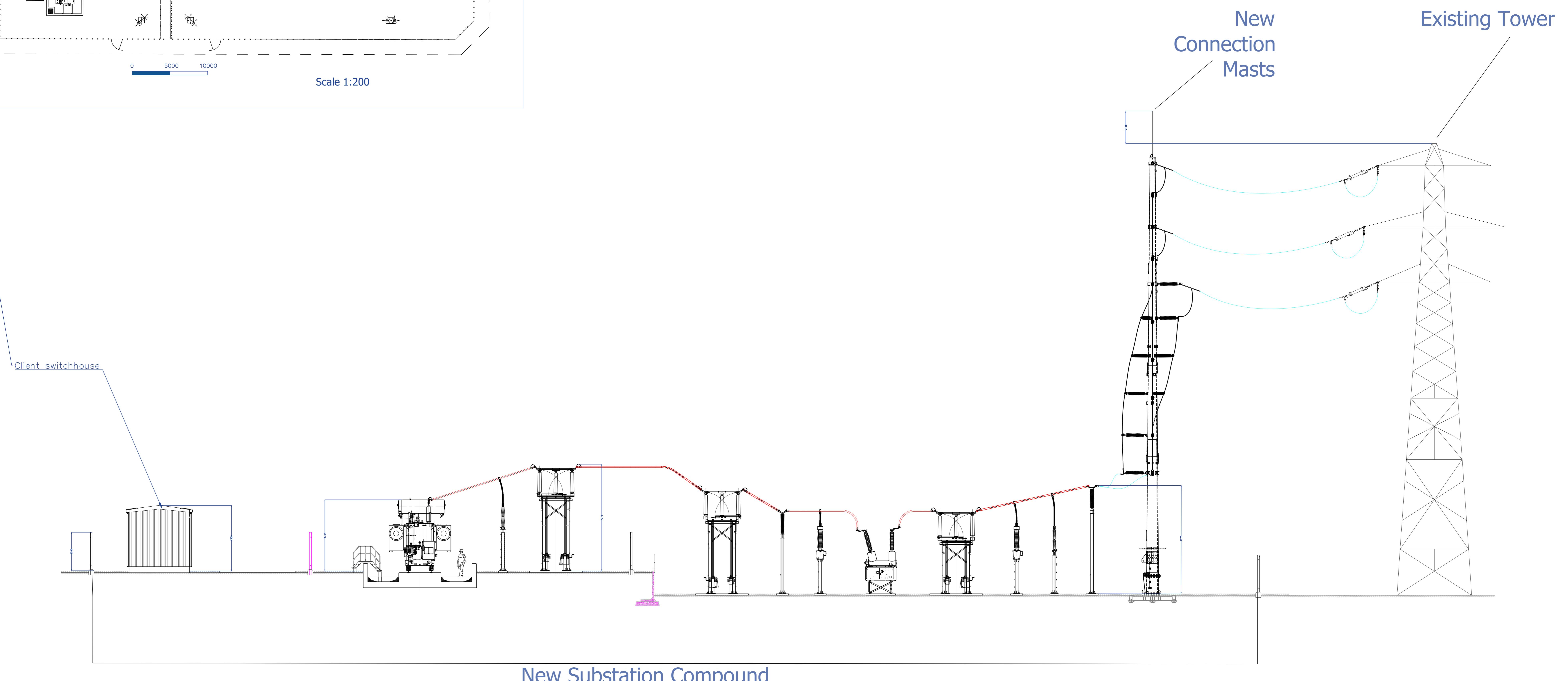
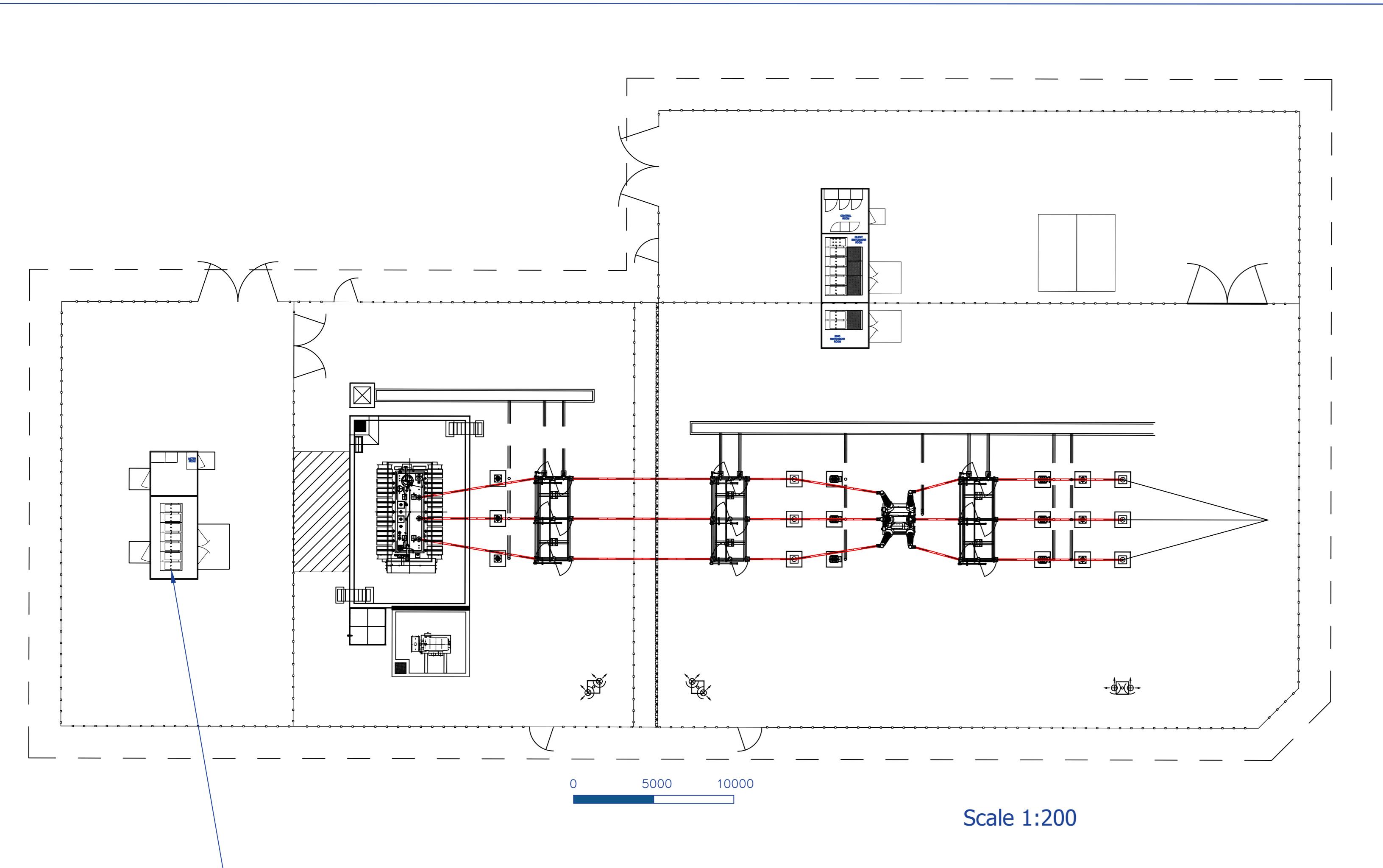
Date: 29/08/2025



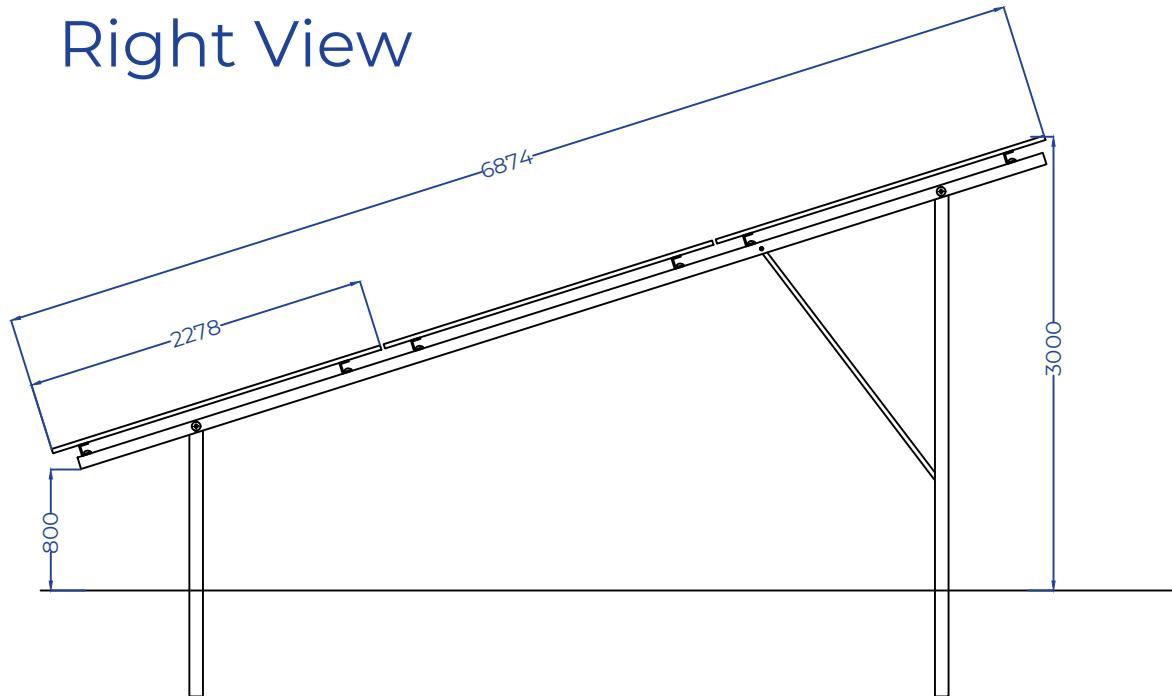
Revision: V3

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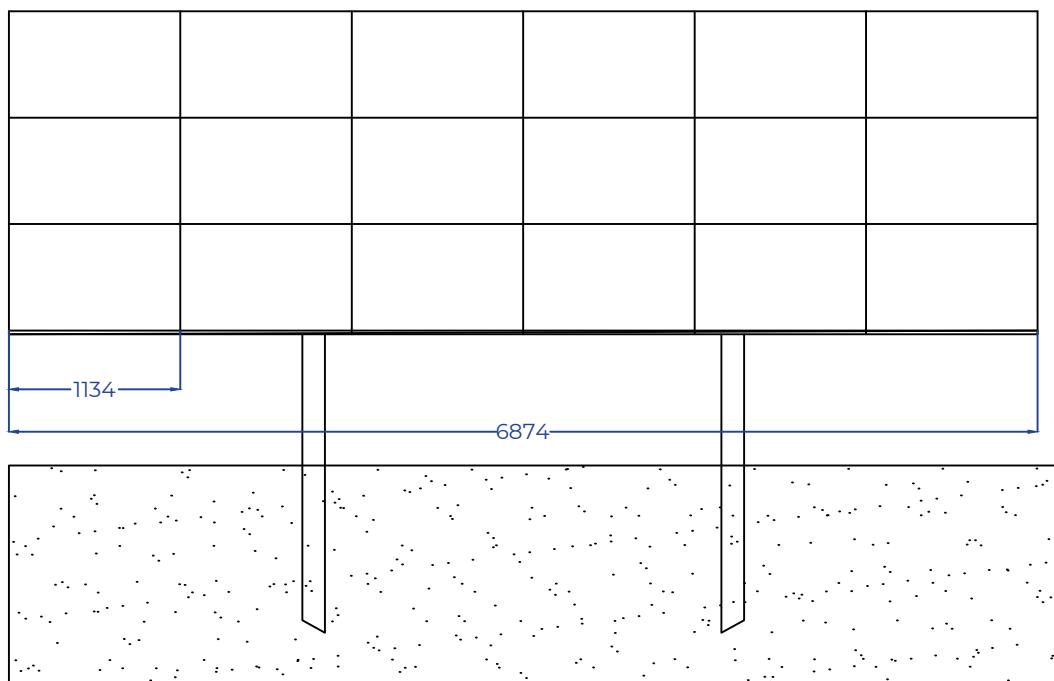




## Right View



## Front View



## Top View

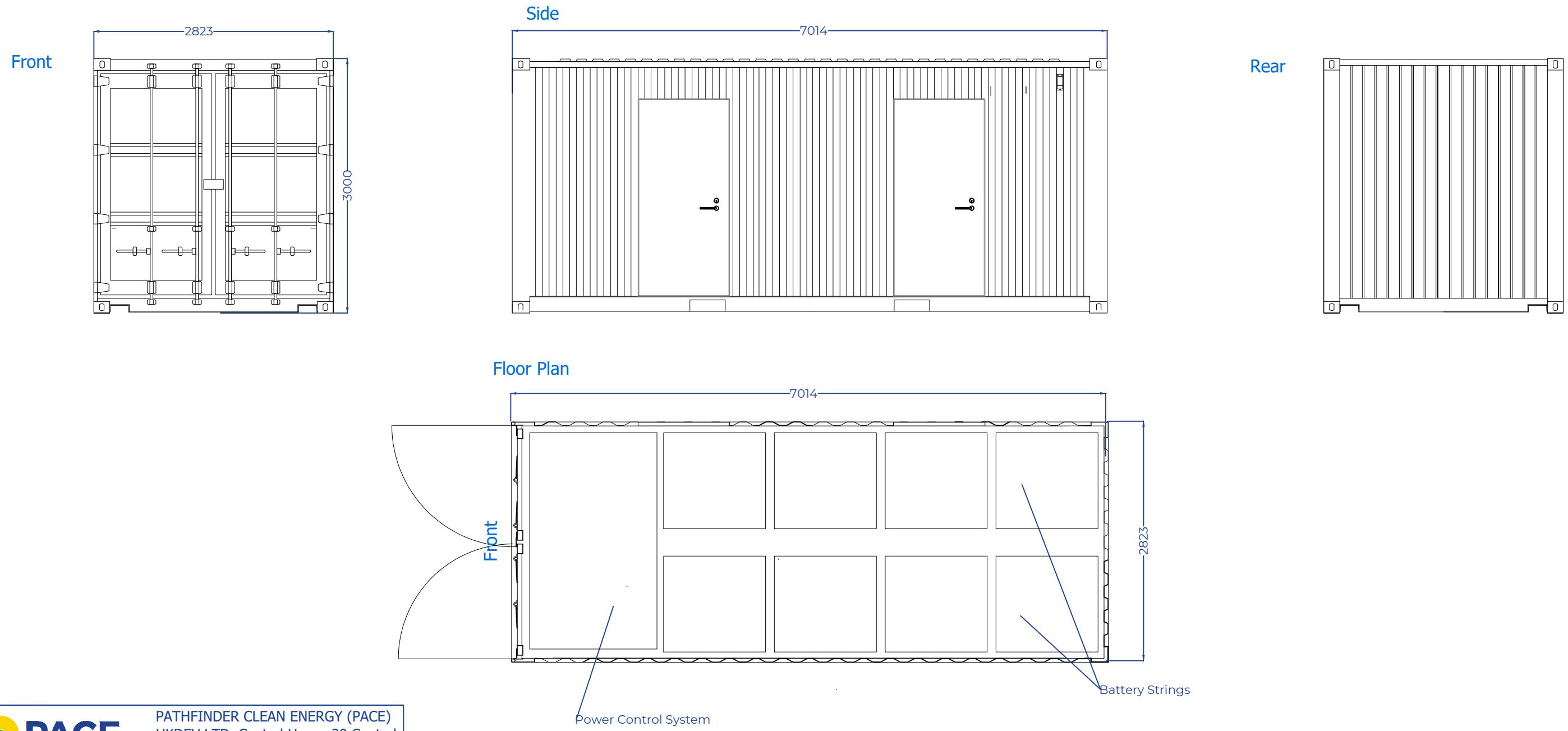


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**TITLE:** UKH618\_03 PV Panel Elevation (South Facing)

CODE	UKH618	PAGE SIZE	A3
DATE	2025-03-12	REVISION	V0
		SCALE	1:50
<hr/>			
FILE NAME	UKH618.dwg		

NOTE : Arrays have been designed using a solar panel type that could reasonably be used to construct the development today. However, the final choice of panel will be made prior to construction and will depend on availability and other factors. This will affect the layout of the arrays and number of panels used



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TITLE: UKH618\_02 BATTERY ENERGY STORAGE

CODE	UKH618	PAGE SIZE	A3
DATE	2025-03-12	REVISION	V1
		SCALE	1:50
FILE NAME		UKH618.dwg	

0 1 2 3 4

Note:  
The Battery Station is a steel  
structure, Colour: TBC