

<p>Reference: 24/00141/FUL</p>	<p>Site: Infinis Ltd Aveley Landfill Sandy Lane Aveley Essex RM15 4XP</p>
<p>Ward: Aveley And Uplands</p>	<p>Proposal: Construction and operation of a photovoltaic solar array, battery energy storage system and other ancillary development</p>

Plan Number(s):		
Reference	Name	Received
3254-01-01	Location Plan	5th February 2024
3254-01-02	General Arrangement	5th February 2024
3254-01-03	Indicative Landscape Scheme	5th February 2024
3254-01-04	Client Side Switching Station	5th February 2024
3254-01-05	DNO Substation	5th February 2024
3254-01-06	Transformer Station	5th February 2024
3254-01-07	Module Racking System	5th February 2024
3254-01-08	Gate Fence and CCTV Details	5th February 2024
3254-01-09	Maintenance-Access Tracks	5th February 2024
3254-01-10	Indicative Inverter Details	5th February 2024
3254-01-11	Auxiliary Transformer BESS	5th February 2024
3254-01-12	CATL Battery	5th February 2024
3254-01-13	MV Skid and PCS Inverter	5th February 2024
3254-01-14	General Storage Unit	5th February 2024
FIGURE 2	Site Layout	22nd February 2024
FIGURE 1	Location Plan	22nd February 2024
5615-100-P4	Preliminary Surface Water Drainage	26th April 2024

The application is also accompanied by:

- Application form (Dated 08.02.2024)
- Planning design and access (Dated 21.02.2024)
- Appendix A – EIA Screening Request (Dated 22.02.2024)
- Appendix B – EIA Screening Opinion (Dated 22.02.2024)
- Appendix C - Pre-Application Request (Dated 22.02.2024)
- Appendix D - Pre-Application Advice (Dated 22.02.2024)
- Appendix E - Statement of Community Engagement (Dated 22.02.2024)
- Appendix F - Transport Statement (Dated 22.02.2024)
- Appendix G - Ecological Appraisal (Dated 22.02.2024)
- Appendix G5 – Factual Bat Report (Dated 22.02.2024)
- Appendix G6 – Factual Breeding Bird Survey Report (Dated 22.02.2024)
- Appendix G7 – Factual Invertebrate Report (Dated 22.02.2024)
- Appendix H - Landscape and Visual Appraisal (Dated 05.02.2024)
- Appendix I – Flood Risk and Drainage Assessment (Dated 05.02.2024)
- Appendix J – Glint and Glare Assessment (Dated 27.02.2024)
- Appendix K - Preliminary Risk Assessment (Dated 22.02.2024)
- Appendix L - Construction Traffic Management Plan (Dated 05.02.2024)
- LVA Figure 3.1 Viewpoint 1: Sandy Lane Farm (Dated 05.02.2024)
- LVA Figure 3.2.1 Viewpoint 2 Existing View: Willow Farm (Dated 05.02.2024)
- LVA Figure 3.2.2 Viewpoint 2 Photomontage: Willow Farm (Dated 05.02.2024)
- LVA Figure 3.3 Viewpoint 3: A1306 bridge over the A13 (Dated 05.02.2024)
- LVA Figure 3.4 Viewpoint 4: Wennington (Dated 05.02.2024)
- LVA Figure 3.5 Viewpoint 5: Rainham (Dated 05.02.2024)
- LVA Figure 3.6 Viewpoint 6: Kennington Park (Dated 05.02.2024)

Applicant:

Mrs Liz Russell

Validated:

5 February 2024

Date of expiry:

12 July 2024 (Extension of time agreed with applicant)

Recommendation: Delegate authority to the Chief Planning Officer to Grant Planning Permission subject to the following:

- (i) Referral to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2024; and

- (ii) Subject to the application not being called-in by the Secretary of State for determination, grant planning permission subject to the conditions set out in this report.

This application has been scheduled for determination by the Council's Planning Committee because the application represents a departure from the Development Plan which would require referral to the Secretary of State (in accordance with Chapter 5, Part 3 (b), 2.1 (a) of the Council's Constitution).

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission to construct and operate a photovoltaic solar array with associated battery storage and ancillary development.
- 1.2 The static solar photovoltaic (PV) panels to be installed are to be mounted onto a pre-constructed steel and aluminium frame at an angle of approximately 10-20° and be south facing. The solar PV support frames would be arranged into rows known as strings comprising of approximately 45 strings as seen within the General Arrangement Plan. Panels are to be set approximately 2m to 6m apart, with a maximum height of the panels along the back edge being of up to 3m. String inverters are to be secured to the rear of each PV panel, which are anticipated to be approximately 1.1, wide, 0.66m high and 0.36m deep. The development would see the inclusion of 5 individual transformer stations and other associated infrastructure towards the southwestern corner of the site. The proposed transformer stations are to be 2.896m tall, 6.958m long and 2.438 wide.
- 1.3 Deer/stock fencing of a 2m height is proposed to surround the perimeter of the site and pole mounted CCTV cameras of a maximum height of 3m are also to surround the site.
- 1.4 When operational, the solar array would export up to 16 MW of renewable electricity to the Distribution Network Operators during peak operation. The grid connection is already in place at the site. The proposed development would be operational over a 40-year period after which it would be decommissioned, with all associated development removed and the site restored.

2.0 SITE DESCRIPTION

- 2.1 The site is made up of approximately 23 hectares of land in a broadly rectangular shaped plot. Formerly the land was used as part of the Aveley Landfill, the use of which ceased in 2006/7, and has since been restored with unimproved grassland and a miscanthus crop covering a vast majority of the site. The applicant currently

operates a network of gas infrastructure on the site. The site is bordered to its south by Sandy Lane (B1335) where access to the site is also gained. Kennington Park sits directly east of the site with Peartree Farm to its west and with Ingrebourne Links Golf & Country Club, open fields and commercial properties to its north. The site is within the Green Belt (GB). There are no statutory ecological designations affecting the site and the site does benefit from screening through trees and shrubbery to the northern, southern and western boundaries of the site.

3.0 RELEVANT HISTORY

3.1

Application Reference	Description of Proposal	Decision
22/01621/SCR	Request for Environmental Impact Assessment (EIA) Screening Opinion: Proposed solar park at Aveley Landfill	EIA Not Required
19/00210/NMA (western corner of proposal site)	Application for a non-material amendment to convert an existing landfill gas engine (Engine No.4) to use for natural gas relating to planning permission ref. 98/00034/FUL.	Approved
17/01116/CV (western corner of proposal site)	Application for the variation of condition no. 2 (duration of permission) and 11 (approved use of buildings and site in connection with the control and utilisation of landfill gas generated from the adjoining and nearby landfill sites) of planning permission ref. 98/00034/FUL (The installation of equipment to generate electricity from landfill gas and extension of an existing landfill gas flare compound/improved flare for landfill gas control.)	Approved
06/01290/TTGCND (Aveley 3 – to east of proposal site)	Variation of condition 2 of consent 02/00174/MIN to allow for the restoration of the site to be completed by 31st December 2007.	Approved
03/01200/FUL (western corner of proposal site)	Construction of extension to the gas utilisation compound to add two further IMW gas engines and an extension to the gas control compound to allow	Approved

	replacement of existing flame stacks	
02/00174/MIN	Variation of conditions 5 and 6 of planning permission ESS/THU/30/95 and ESS/THU/31/95/ to extend by 3 years period for landfill and restoration and revised scheme of working and landscaping	Approved
98/00034/FUL	The installation of equipment to generate electricity from landfill gas and extension of an existing landfill gas flare compound/improved flare for landfill gas control.	Approved
95/00030/ESS	Restoration to predetermined levels by infilling with controlled waste. the winning and working of clay, use of land for agricultural, forestry and open space, retention of existing infrastructure under consent ESS/74/94/THU	Approved

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council’s website via public access at the following link: www.thurrock.gov.uk/planning

PUBLICITY:

4.2 This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which have been displayed adjacent to the site. The proposals have been advertised as a major development and as a departure from the Development Plan. No representations have been received.

4.3 ARCHAEOLOGY:

No objections.

4.4 ENVIRONMENT AGENCY

No objections, subject to conditions for unforeseen contamination and no drainage

systems for the infiltration of surface water.

4.5 ENVIRONMENTAL HEALTH:

No objections, subject to conditions for a CEMP and compliance with mitigation methods within the contamination report

4.6 FLOOD RISK MANAGER:

No objections, subject to condition for a surface water management plan.

4.7 HIGHWAYS:

No objections.

4.8 LANDSCAPE AND ECOLOGY:

No objections, subject to conditions for a Construction Environment Management Plan (CEMP) covering biodiversity, a Landscape and Ecology Management Plan and a landscape condition.

4.9 LONDON BOROUGH OR HAVERING:

No response received.

4.10 LONDON CITY AIRPORT

No response received.

4.11 NATIONAL GRID:

No response received.

4.12 NATIONAL HIGHWAYS:

No objection.

4.13 NATURAL ENGLAND:

No objections.

4.14 THAMES CHASE

No response received.

4.15 TRANSPORT FOR LONDON

No objections.

5.0 POLICY CONTEXT

National Planning Guidance

5.1 National Planning Policy Framework (NPPF)

The revised NPPF was published in December 2023. Paragraph 11 sets out a presumption in favour of sustainable development, and states that for decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF sets out the Government's planning policies. Paragraph 2 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

- 2. Achieving sustainable development
- 11. Making effective use of land
- 12. Achieving well-designed places
- 13. Protecting Green Belt land
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

5.2 National Planning Practice Guidance (PPG)

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance (PPG) web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. The PPG contains subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Before submitting an application
- Climate change
- Design: process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Flood Risk and Coastal Change
- Green Belt
- Hazardous Substances
- Historic environment
- Making an application
- Natural Environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Renewable and low carbon energy
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

5.3 PPG states that the need for renewable or low carbon energy does not automatically override environmental protections. The first part of the Solar PV Strategy, published in October 2013, states that solar PV should be *“appropriately sited, give weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local community to influence decisions that affect them”*.

5.4 PPG sets out criteria for assessing ground-mounted solar project planning applications. The following extract is taken from the guidance (Paragraph: 013, Reference ID: 5-013-20150327):

“The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a

well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

Particular factors a local planning authority will need to consider include:

- *encouraging the effective use of land by focusing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;*
- *where a proposal involves greenfield land, 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. See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013 and Written Ministerial Statement – Solar energy: protecting the local and global environment – made on 25 March 2015.*
- *that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;*
- *the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;*
- *the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;*
- *the need for, and impact of, security measures such as lights and fencing;*
- *great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;*
- *the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;*
- *the energy generating potential, which can vary for a number of reasons including, latitude and aspect.*

The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.”

5.5 UK Solar PV Strategy

Part 1 of the Government's (Department for Energy and Climate Change – DECC) UK Solar PV Strategy (2013) set out the four guiding principles for deployment of solar in the UK. These principles are:

- Support for solar PV should allow cost-effective projects to proceed and to make a cost-effective contribution to UK carbon emission objectives in the context of overall energy goals – ensuring that solar PV has a role alongside other energy generation technologies in delivering carbon reductions, energy security and affordability for consumers.
- Support for solar PV should deliver genuine carbon reductions that help meet the UK's target of 15 per cent renewable energy from final consumption by 2020 and in supporting the decarbonisation of our economy in the longer term – ensuring that all the carbon impacts of solar PV deployment are fully understood.
- support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them.
- Support for solar PV should assess and respond to the impacts of deployment on: grid systems balancing; grid connectivity; and financial incentives – ensuring that we address the challenges of deploying high volumes of solar PV.

5.6 Part 2 of the DECC's UK Solar PV Strategy (2014) refers to ambitions for deployment, including large-scale ground-mounted solar PV deployment. The Strategy highlights the planning guidance for renewable energy development provided by PPG.

5.7 There are a number of other Government directions on solar, including:

- Committee on Climate Change (9 December 2020) published its Sixth Carbon Budget which indicated that in order to achieve the UK's legally-binding commitment of net zero carbon by 2050, the UK should target 85GW of installed solar by that date, enough to generate some 10-15% of the nation's electricity.
- The Energy White Paper (December 2020) noted the importance of solar in future energy generation.

Local Planning Policy

5.8 Thurrock Local Development Framework (as amended) 2015

The Council adopted the "Core Strategy and Policies for the Management of Development Plan Document" in (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY:

- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock

SPATIAL POLICIES:

- CSSP3: Sustainable Infrastructure
- CSSP4: Sustainable Green Belt
- CSSP5: Sustainable Greengrid

THEMATIC POLICIES:

- CSTP15: Transport in Greater Thurrock
- CSTP18: Green Infrastructure
- CSTP19: Biodiversity
- CSTP20: Open Space
- CSTP21: Productive Land
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP25: Addressing Climate Change
- CSTP26: Renewable or Low-Carbon Energy Generation
- CSTP27: Management and Reduction of Flood Risk
- CSTP33: Strategic Infrastructure Provision

POLICIES FOR THE MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD6: Development in the Green Belt
- PMD7: Biodiversity, Geological Conservation and Development
- PMD8: Parking Standards
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD 14: Carbon Neutral Development
- PMD15: Flood Risk Assessment

5.09 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for

Sites' exercise. In December 2018, the Council began consultation on an 'Issues and Options (Stage 2 Spatial Options and Sites)' document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan. In December 2023, the Council began Initial Proposals Consultation (Regulation 18).

5.10 Thurrock Design Strategy

In March 2017, the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD), which supports policies in the adopted Core Strategy.

6.0 ASSESSMENT

6.1 Procedure:

With reference to procedure, this application has been advertised as being a departure from the Development Plan. Should the Planning Committee resolve to grant planning permission, the application will first need to be referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2024. The reason for the referral as a departure relates to Green Belt development and therefore the application will need to be referred under paragraph 4 of the Direction. The Direction allows the Secretary of State a period of 21 days within which to 'call-in' the application for determination via a public inquiry. In reaching a decision as to whether to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies.

6.2 Assessment:

The assessment below covers the following areas:

- I. Principle of the development and impact on Green Belt
- II. Visual impact upon the area
- III. Traffic impact, access and parking
- IV. Effect on neighbouring properties
- V. Flood Risk
- VI. Ecology
- VII. Contaminated Land
- VIII. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT AND IMPACT ON THE GREEN BELT

- 6.3 There is a need for energy production in the UK and this is supported within planning policies to secure production, including energy from varied and low carbon sources. Paragraph 157 of the NPPF states *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It 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, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”*. Paragraph 160 states plans should seek *“To help increase the use and supply of renewable and low carbon energy and heat”*. CSTP26 states *“As part of the shift to low-carbon future and to tackle climate change, the Council will encourage opportunities to generate energy from non-fossil fuel and low-carbon sources. Part. II of CSTP26 requires that “The Council will promote the delivery of renewable and low-carbon energy developments utilising technology such as solar panels, biomass heating, small-scale wind turbine, photovoltaic cells, Combined Heat and Power and other methods”*. However, this encouragement of renewable energy generation is still subject to GB policies.
- 6.4 Under this heading, it is necessary to consider to the following key questions:
- i. Whether the proposals constitute inappropriate development in the Green Belt;
 - ii. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and
 - iii. Whether the potential harm to the Green Belt by reason of inappropriateness and any other harm result from the proposal is clearly outweighed by other considerations to amount to the ‘*Very Special Circumstances*’ necessary to justify inappropriate development.
- i. Whether the proposals constitute inappropriate development in the Green Belt
- 6.5 The site is identified on the LDF Core Strategy Proposals Map as being within the GB where policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that the Council will *‘maintain the purpose function and open character of the Green Belt in Thurrock’*, and Policy PMD6 states that the Council will *‘maintain, protect and enhance the open character of the Green Belt in Thurrock’*. These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the GB to accord with the requirements of the NPPF.

- 6.6 Paragraph 142 within Chapter 13 of the NPPF states that the Government attaches great importance to GBs and that the *“fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”*. Paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the GB.
- 6.7 Paragraph 156 states *“When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”*.
- 6.8 In considering the above, the development would comprise inappropriate development with reference to the NPPF and Policy PMD6.
- ii. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it
- 6.9 Having established that the proposals are inappropriate development, it is necessary to consider whether there is any other harm to the GB and the purposes of including land therein.
- 6.10 As noted above, paragraph 142 of the NPPF states that the fundamental aim of GB policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of GBs being described as their openness and their permanence. The proposal would comprise a substantial amount of new development in an area which is currently open. Consequently, there would be harm to the spatial dimension of openness.
- 6.11 Advice published in NPPG (Published July 2019 and updated December 2023) addresses the role of the Green Belt in the planning system and, with reference to openness, cites the following matters to be taken into account when assessing impact:
- openness is capable of having both spatial and visual aspects;
 - the duration of the development, and its remediability; and
 - the degree of activity likely to be generated, such as traffic generation.
- 6.12 In considering the bullet points above, the spatial aspect would be affected given the proposal would impose the installation of PV panels and associated infrastructure across a portion of what is presently open GB land. In terms of the visual aspect of openness, due to the screening in the form of trees and shrubbery which borders much of the perimeter of the site, there are to be limited vantage points where the

proposal would be viewable in its entirety from the public realm, minimising any potential harm in terms of the proposal's visibility.

- 6.13 Relating to the second point, the duration of the proposal is for a fixed time period of up to 40 years. The site would then be returned to its present 'open' state. Whilst 40 years is a significant period of time, the deconstruction of the solar farm would be a relatively easier process than that of a permanent building and therefore means the land would eventually be returned to undeveloped GB.
- 6.14 The degree of activity to be generated by the development would be most intense during the construction phase which is expected to last 7 months. However, for the operation phase for when the solar farm is producing electricity there would be none to limited activity, such as servicing work.
- 6.15 Paragraph 143 of the NPPF sets out the following five purposes which the GB serves:
- a. to check the unrestricted sprawl of large built-up areas;
 - b. to prevent neighbouring towns from merging into one another;
 - c. to assist in safeguarding the countryside from encroachment;
 - d. to preserve the setting and special character of historic towns; and
 - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.16 In response to each of these five purposes:
- a. to check the unrestricted sprawl of large built-up areas.
- 6.17 The site is located within a rural area on the outskirts of Aveley. For the purposes of the NPPF, the site is considered to be outside of any 'large built up areas'. It would not therefore result in the sprawling of an existing built-up area, but it would nonetheless represent the addition of built form on the site, albeit temporary. There is no conflict with this purpose.
- b. to prevent neighbouring towns from merging into one another.
- 6.18 The site lies to the west of Aveley and sits to the north-east of a commercial area located within Purfleet. The application site does not, however, directly adjoin either of these areas and whilst the proposal would see a degree of merger between these two areas, any harm would be limited due to the temporary nature of the proposal. There is no conflict with this purpose.
- c. to assist in safeguarding the countryside from encroachment

6.19 With regard to the third GB purpose, the proposal would involve built development on parts of the site which are currently open and free of any built form. The term “countryside” can conceivably include different landscape characteristics (e.g. farmland, woodland, marshland etc.) and there can be no dispute that the site comprises “countryside” for the purposes of applying the NPPF policy test. It is considered that the proposals would constitute an encroachment of built development into the countryside at this location. The proposal conflicts with this purpose.

d. to preserve the setting and special character of historic towns.

6.20 The site does not lie in close proximity to either a Conservation Area or any protected Heritage Assets and the site is not considered to serve a need to preserve the setting and special character of an historic town. There is no conflict with this purpose.

e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.21 In general terms, the development could occur in the urban area, but there is unlikely to be this amount of land available for use for a solar farm. There is a spatial imperative why GB land is required to accommodate the proposal. There are no available sites in the urban area of 23 hectares which have convenient access to a grid connection with the scale of sub-station required. Therefore, the proposed development does not conflict with this purpose of the GB.

6.22 In light of the above analysis, it is considered that the proposals would clearly be harmful to GB openness and would be contrary to purpose (c) of the above listed purposes of including land in the GB. Substantial weight should be afforded to these factors.

iii. Whether the potential harm to the Green Belt by reason of inappropriateness and any other harm result from the proposal is clearly outweighed by other considerations to amount to the ‘Very Special Circumstances’ necessary to justify inappropriate development.

6.23 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise ‘very special circumstances’ (VSC), either singly or in combination. However, some interpretation of VSC has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. ‘very special’ is not necessarily to be interpreted as the converse of ‘commonplace’). However, the demonstration of VSC is a ‘high’ test and the circumstances which are relied upon must be genuinely ‘very special’. In considering whether VSC exist, factors put forward by an applicant which are generic or capable

of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of VSC which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being VSC. Ultimately, whether any particular combination of factors amounts to VSC will be a matter of planning judgment for the decision-taker.

- 6.24 With regard to the NPPF, paragraph 152 states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 153 goes on to state that, when considering any planning application, local planning authorities *"should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations"*.
- 6.25 The Planning Statement sets out the applicant's VSC case which is listed and then assessed below:
- i) Need to Address Climate Change and Achieve Net Zero by 2050
 - ii) The need for energy security (Economic Benefits)
 - iii) Availability of land with a suitable grid connection
 - iv) The wider environmental benefits of the scheme which will deliver a significant biodiversity net gain well above the 10% target.
 - i) Need to Address Climate Change and Achieve Net Zero by 2050
- 6.26 The Climate Change Act 2008 (2050 Target Amendment) Order 2019 sets a legally binding target to reduce emissions by at least 100% from the 1990 baseline by 2050.. In response to the UK's Sixth Carbon Budget from the Climate Change Committee, on 20 April 2021 the UK Government announced that it would set in law a more ambitious target of cutting carbon emissions by 78% by 2035 compared to 1990 levels.
- 6.27 The Government published the 'Net-Zero Strategy: Build Back Greener' in October 2021, which sets out policies and proposals for decarbonising all sectors of the UK economy to meet the net-zero target. It seeks to accelerate deployment of low-cost renewable generation, such as wind and solar, and to ensure that the planning system supports the deployment of low carbon energy infrastructure.
- 6.28 The Climate Change Committee (CCC) published their annual report in June 2023, titled 'Progress in reducing UK emissions' which was highly critical of UK progress towards reaching Net Zero. The CCC Report identifies that Solar PV is the only key indicator against which the UK is 'significantly off-track' in delivery to deliver net zero

energy supply. The CCC Report considers that: “*The planning system must have an overarching requirement that all planning decisions must be taken giving full regard to the imperative of Net Zero.*” The deployment of Solar PV is absolutely critical to meeting the UK commitments to Net Zero and providing a resilient secure British energy network.

- 6.29 The applicant has stated that the Government’s legally binding commitment to net zero by 2050 means that significant new investment will be required in renewable energy projects across the UK to deliver these ambitious objectives.
- 6.30 The proposed development is deliverable in the short-term and would make a significant contribution towards decarbonising the energy sector. The applicant considers that very substantial weight should be given to the contribution that the proposed development would make towards the delivery of the above policy objectives and targets for the transition to low carbon energy and the associated reduction in CO2 emissions.

Consideration

- 6.31 The generation of renewable energy is promoted throughout local and national planning policies. Paragraph 163 of the NPPF confirms that applicants do not need to demonstrate the need for renewable or low carbon energy. Even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. The NPPF states that commercial scale projects outside of planned areas, need to demonstrate that the proposed location meets the criteria used in identifying suitable areas.
- 6.32 The proposal is for a large-scale solar farm and policy CSTP26 *Renewable or Low-Carbon Energy Generation* states that the Council will promote the delivery of renewable and low-carbon energy developments utilising technology such as solar panels. It is considered that the provision of a large-scale solar farm and the benefits of renewable energy generation can be given significant weight in the planning balance.
- ii) The need for energy security (Economic Benefits).
- 6.33 The British Energy Security Strategy as published on the 7 April 2022, in response to rising global energy prices and demand. This defines a need for the UK to boost sources of homegrown energy. The Strategy sets out ambitious renewable energy targets for offshore wind and solar in the short to medium term. At the time of publication, the UK had approximately 14 GW of Solar generation capacity. The British Energy Security Strategy aims to increase this five-fold to 70 GW by 2035. The applicant therefore deems that substantial weight should be given to the need to

boost sources of homegrown energy for greater energy security and the contribution that the proposed development will make towards this.

Consideration

6.34 There is an undisputed need for new energy generation sources including renewables. A large resource such as that proposed would aid both energy security and the amount of energy provided by renewable sources within the borough as required by national and local policies. It is agreed that the contribution to energy security should be afforded significant weight in the planning balance.

iii) Availability of land with a suitable grid connection.

6.35 For a site to be considered to host a solar energy farm, the site must fit two criteria, that being located in close proximity to an existing substation which has the available capacity to import the required amount of power into the National Grid. Secondly, be located close enough to the identified substation to remain viable both in terms of cable deployment for the grid connection, and to ensure that minimal transmission losses occur. These principles are supported by the NPS for Renewable Energy (EN-3).

6.36 A solar development must therefore be located in close proximity to an identified point of connection to remain viable both in terms of cable deployment, and to ensure that minimum transmission losses occur. The applicant already has immediate connection to the Grid at the site and thus believes substantial weight should be given to this.

Consideration

6.37 Whilst it is not clear whether other sites have been investigated, it is understood that the availability of sites of the necessary scale in order to accommodate the size of solar array farm sought, which also has adequate infrastructure facilities to support connects to the National Grid are limited. The site already benefits from an existing substation connected to the national grid and provide ample space for the number of PV panels sought. It is considered that some weight should be afforded to the suitability of the land for the proposed intended use.

iv) The wider environmental benefits of the scheme which will deliver a significant biodiversity net gain well above the 10% target.

6.38 Paragraph 150 of the NPPF is clear that local planning authorities should plan positively and for enhancing the: “beneficial use of the Green Belt.” This includes: *“looking for opportunities to provide access; to provide opportunities for outdoor sport*

and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged or derelict land.”

6.39 The applicant has sought to positively enhance the site through the proposed on-site landscaping which would accord with landscape character guidelines at a local level to conserve and restore the landscape fabric. This would not only provide a significant biodiversity net gain well above the national target of 10%. It would also provide a long-term management plan for the site. The environmental enhancements and biodiversity net gain are significant benefits of the proposed development.

Consideration

6.40 Both the NPPF and Core Strategy Policy PMD7 require, when determining planning applications that local planning authorities aim to conserve and enhance biodiversity by applying a number of principles including the encouragement of opportunities to incorporate biodiversity in and around developments. The Council’s Landscape and Ecology Advisor has confirmed that the proposed landscape scheme would see Other Neutral Grassland established over nearly all the site which would increase biodiversity net gain of the site substantially. Whilst this is a benefit it is also standard planning policy requirement to achieve Biodiversity Net Gain. Taking account of the Council’s Landscape and Ecology Advisor comment it is considered that this should be afforded limited weight within the planning balance.

6.41 A summary of the weight which has been placed on the various GB considerations is provided below:

Summary of Green Belt Harm and Very Special Circumstances			
Green Belt Harm	Weight	Factors Promoted as Very Special Circumstances in favour of the development	Weight
Inappropriate development, harm to openness and conflict with Green Belt – purpose c.	Substantial	i) Increasing Renewable Energy Generation	Significant weight
		ii) Energy Security	Significant weight
		iii) Grid Connections	Some weight
		v) Biodiversity	Limited weight

6.42 In reaching a conclusion on GB issues, a judgement as to the balance between harm and whether the harm is clearly outweighed must be reached. In this case there is harm to the GB with reference to inappropriate development and loss of openness.

Several factors have been promoted by the applicant as considerations and it is for the Committee to judge:

- i. the weight to be attributed to these factors;
- ii. whether the factors are genuinely 'very special' (i.e. site specific) or whether the accumulation of generic factors combine at this location to comprise 'very special circumstances'.

6.43 Taking into account all GB considerations, Officers are of the opinion that the identified harm to the GB is clearly outweighed by the accumulation of factors described above, so as to amount to the very special circumstances in this case.

II. VISUAL IMPACT UPON THE AREA

6.45 A Landscape and Visual Appraisal (LVA) has been submitted with this application, which provides an appraisal of the landscape and visual effects likely to be associated with the proposed development, a summary of landscape and visual mitigation embedded within the site selection, layout and design, and a summary of proposed additional landscape and visual mitigation.

6.46 The site is located within an urban fringe landscape on the eastern extent of London. The area has a transitional appearance, comprising a raised area of land which is a former landfill and now formed of unimproved grassland and a miscanthus crop. The general appearance is of a fragmented landscape on the edge of a major urban conurbation. Pylons, wind turbines, modern industrial buildings and elevated roads are some of the urban features visible within a 'busy' landscape that demonstrates distinct variety in appearance.

6.47 A local level landscape character assessment (LCA), the Thurrock Landscape Capacity Study (2005), undertaken by Thurrock Council covers the site. The site is within the Aveley/ South Ockendon Urban Fringe LCA. This notes that that the local landscape is generally a degraded, impoverished working landscape subjected to a diverse range of land uses including recreation, transport and utility corridors, agriculture, mineral extraction, landfill and equestrian uses. The LVA has attributed the proposal as falling within the small-scale category due to the low level nature of the photovoltaic solar panels. The LCA describes the level of sensitivity towards small scale urban developments as low due to the already strong influence and visual prominence of the two existing settlements of Aveley and South Ockendon adjacent to the character area.

6.48 The Zone of Theoretical Visibility (ZTV) is relatively limited due to the low level height of the development, as this is made up of mostly solar panels of a maximum 3 metre height. The site is an area of more elevated land than its surroundings reaching

approximately 40m AOD (above ordnance datum) while much of the landscape in the study area is no greater than 10m AOD. This elevated height of the site increases its theoretical visibility. However, screening in the form of belts of hedgerow and trees exist to much of the perimeter of the site. Therefore, there are limited vantage points where the proposal would be visible. The remaining area within the ZTV would be views from the A1306 to the west of the site, possible glimpsed views from the golf course to the north of the site and from pedestrians from B1335 during winter months when trees are not in leaf.

- 6.49 The proposals limited potential landscape and visual impact relies on the retention of the site boundary trees and shrubbery. The proposal would lead to minimal physical alteration to the existing site and would only see the loss of a small immature, partly self-seeded, tree planting in an area between the centre and south-eastern corner of the site.
- 6.50 Planting is to be undertaken as part of the proposal which would include extensive grass seeding replacing the existing cropland and species-poor grassland to species-rich grassland. New woodland tree planting is also proposed to the north-eastern corner of the site to ensure replacement of the small extent of clearance of immature, partly self-seeded, trees on the site. The biodiversity net gain provided with the proposal would be secured by planning condition.
- 6.51 The landscape character change associated with the proposed development is limited to a localised increase in urban infrastructure. This is because development is to be mostly visually contained, avoiding influence on the wider character area. This is in part due to the retention of tree planting along the majority of its boundary, which would screen views of the proposed development from much of the ZTV study area. There would be no removal of trees or hedges as a result of the development. Whilst the solar panels would alter the appearance of the site, the underlying grassland would remain visible. Therefore, the scale of landscape character change associated with the proposed development immediately after its construction would be small. After 15 years, when the additional planting has been established, the visual impact would be even lesser.
- 6.52 The LVA has concluded that due to the screening effect of trees, transitional and fragmented nature of the landscape, the lack of publicly accessible locations from which views of the site are achieved and the lack of residential receptors which are located within the ZTV, the development would be visually contained giving rise to minimal harm to the existing landscape character and visual amenity. The Landscape and Ecology Advisor agrees with these conclusions and considers the scheme would have low to negligible effects on landscape character and visual amenity so long as the existing vegetation screen is maintained.

- 6.53 By virtue of the concealed nature of the site; the low level nature of the proposed solar panels and associated infrastructure; and the provision of additional planting to the perimeter of the site, it is considered the development would have an acceptable impact to the landscape and visual appearance of the area.

III) TRAFFIC IMPACT, ACCESS AND PARKING

- 6.54 The planning application is accompanied by a Transport Statement (TS). The site currently benefits from a private access off Sandy Lane to the western corner of the site. This access road provides a connection to a compound area and to the internal road layout within the restored landfill site which historically accommodated HGV traffic relating to the ceased landfill use.
- 6.55 Traffic generation at the site would at its height be experienced during the construction phase which is expected to last 7 months. Construction works would occur between Monday and Friday 7:30 – 18:00 and on Saturdays/Sundays 7:30 – 16:00. Construction traffic would utilise the A13 and A1306, in order to reach the single access within Sandy Lane. The TS indicates that within the first four weeks of construction it is expected that the total average daily two way trips would be 61, comprising of 60 light good vehicles (LGV) and 1 Heavy good vehicle (HGV). Construction weeks five to twenty-eight would see a slight increase to 63 daily two way trips, comprised of 60 LGV movements and 3 HGV. It is expected that once the solar farm is fully operational, only 2 two-way LVG movements would be expected per month for maintenance purposes.
- 6.56 The access road within Sandy Lane would have a 5 metre width. This would not be able to accommodate two-way traffic flow of the largest vehicles expected to access the site. However, given that at most only 3 two-way HGV movements are expected in a day and these would be booked within pre-arranged delivery slots, the likelihood of two HGVs needing to access the site at the same time would be low.
- 6.57 The Council's Highways Officer has been consulted on the proposal and has raised no objections in terms of the proposals impact upon Thurrock's highway network. Traffic routing includes junctions within the London Borough of Havering's, Transport for London (TfL) and National Highways jurisdiction. There have been no objections from these consultees.
- 6.58 On the basis of the information submitted in the TS and in the absence of any objections from the relevant bodies, the proposal is considered acceptable in terms of its highway's impacts.

IV. EFFECT ON NEIGHBOURING PROPERTIES

- 6.59 The Council's Environmental Health Officer has not raised any issues relating to any undesired impact by reason of noise or air quality. The nearest residential dwellings are situated 150 metres to the west at 'Peartree Farm' and 300m to the east beyond Kennington Park on Romford Road. Considering the distance retained between the site and these neighbours, the proposal is unlikely to cause any material harm to neighbouring amenity with regard to noise, vibration or overshadowing. There are no hazardous, toxic or noxious substances emitted during the operational phase of a solar farm and as such there are no implications for air quality.
- 6.60 The Environmental Health Officer has recommended that if permission is granted, a planning condition requiring the submission and approval of a Construction Environment Management Plan (CEMP) should be imposed to ensure that any adverse impacts by way of noise, dirt and dust is adequately mitigated.
- 6.61 A further consideration under this heading is the potential for incongruous glint and glare from the panels. A number of appeal decisions for similar schemes have all concluded that the potential for harmful glint or glare is insignificant. A Solar Photovoltaic Glint and Glare Study has also been submitted with this application which concludes that no harm would be incurred by way of the Glint and Glare from the solar panels. Therefore, it is considered no Glint and Glare mitigation is required for this proposal.

V. FLOOD RISK

- 6.62 The application site is located in Flood Zone 1. A Flood Risk Assessment (FRA) was submitted in support of the planning application. In accordance with the NPPF, the proposed scheme is classified as 'essential infrastructure' using the flood risk vulnerability classification.
- 6.63 The Local Lead Flood Manager has no objections subject to the requirement of a surface water management plan condition.
- 6.64 The scheme is considered to be acceptable in terms of its impact upon flood risk and surface water drainage, complying with the NPPF and policies CSTP27 and PMD15, subject to appropriate conditions.

VI. ECOLOGY

- 6.65 An Ecology Appraisal has been submitted which includes a habitat assessment as well as bat, invertebrate, and breeding bird surveys. Features of ecological interest at the site include the woodland and scrub associated with the Moor Hall Farm, which is to the north of the site boundary. The applicant has advised that matters of ecological importance recorded at the site include seven species of protected/notable

invertebrate and breeding birds, including Cetti's Warbler, which are protected under Schedule 1 of the Wildlife and Countryside Act. Historically, great crested newts have been recorded within 250m of the site. The submitted appraisal suggests that potential locations for roosting bats are limited to trees on the site boundaries and Bat activity levels recorded within the site indicate that the site is of low value with no notable indication that bat populations are located on or nearby to the site.

- 6.66 Mitigation measures to be carried out as part of the development would include appropriate root protection zones, replacement of cropland with species rich grass land, limiting loss of scrub and woodland habits. In addition, it is proposed that artificial bat boxes would be mounted on retained trees or on poles and tree clearance works would only be carried out during non-bird breeding seasons.
- 6.67 The Council Landscape and Ecology Advisor has raised no objections to the proposal. They have indicated that the vegetation on the roadside boundary includes significant quantities of elm and ash which is prone to disease, creating risks to the effectiveness of the screen, particularly at the eastern end of the site where there is a single line of trees. Therefore, new planting would be necessary to help reinforce this screen and there may need to be some management of the existing trees to help facilitate this planting.
- 6.68 The advisor has further stated that it is not clear how the grassland would be maintained following the installation of the panels, and that whilst the ecological appraisal provides some examples of specific habitat measures for invertebrates (e.g. maintaining areas of bare soil for Pantaloon bee and other species). There would be scope to include other habitat features such as log and stone piles to increase the range of specialist features present.
- 6.69 In order to mitigate the points raised above, the advisor has requested that conditions requiring the submission of a Construction Environmental Management Plan (Biodiversity), Landscape and Ecology Management Plan and details of the proposed seed mix and new tree and scrub planting for agreement by the LPA prior to any works commencing.
- 6.70 Overall, no objections to the proposal are raised on landscape or ecology grounds subject to relevant conditions.

VII. CONTAMINATED LAND

- 6.71 A Preliminary Geo-Environmental and Geotechnical Risk Assessment has been submitted alongside this application. It is noted that the application site is on a former landfill and as a result the Council's Environmental Health Officer has advised that the mitigation measures outlined in the risk assessment must be adhered to. The Environment Agency, alongside the Council's EH Officer, require a watching brief for

unexpected contamination throughout the groundworks. Should contamination be encountered work should stop and a method for its assessment and mitigation will need to be submitted to the local planning authority before groundworks can resume. With conditions, the development is acceptable in terms of contaminated land.

VIII. OTHER MATTERS

- 6.72 The application site is a former quarry and because of this the Council's Archaeology Advisor has confirmed there would be no archaeological recommendations for the current proposal.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

- 7.1 The proposal would constitute inappropriate development in the GB which would incur a loss of openness at the application site that would, to a degree, be harmful to purpose c) of including land within the Green Belt. Substantial weight should be attached to this harm in the balance of considerations.
- 7.2 However, the applicant has put forward factors which are promoted as comprising very special circumstances which are considered to outweigh the harm to the GB. It is considered that significant weight should be attached to the benefits towards addressing climate change and achieving Net Zero by 2050, also towards energy security within the UK. Weight is also given to the site's proximity to existing suitable grid connections and the increased biodiversity that would be incurred through the proposal.
- 7.3 On balance, it is concluded that the benefits of the proposals clearly outweigh the substantial harm to the Green Belt described above, and there are no other harms that would result from the proposed development with regard to the other material considerations listed above. As such the proposal is considered acceptable is recommended for approval.

8.0 RECOMMENDATION

- 8.1 Delegate authority to the Chief Planning Officer to Grant Planning Permission subject to the following:
- (i) Referral to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2024; and
 - (ii) Subject to the application not being called-in by the Secretary of State for determination, grant planning permission subject to the following conditions:

TIME LIMIT

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

Reason: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

PLANS LIST

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):		
Reference	Name	Received
3254-01-01	Location Plan	5th February 2024
3254-01-02	General Arrangement	5th February 2024
3254-01-03	Indicative Landscape Scheme	5th February 2024
3254-01-04	Client Side Switching Station	5th February 2024
3254-01-05	DNO Substation	5th February 2024
3254-01-06	Transformer Station	5th February 2024
3254-01-07	Module Racking Sytyem	5th February 2024
3254-01-08	Gate Fence and CCTV Details	5th February 2024
3254-01-09	Maintenance-Access Tracks	5th February 2024
3254-01-10	Indicative Inverter Details	5th February 2024
3254-01-11	Auxiliary Transformer BESS	5th February 2024
3254-01-12	CATL Battery	5th February 2024
3254-01-13	MV Skid and PCS Inverter	5th February 2024
3254-01-14	General Storage Unit	5th February 2024
FIGURE 2	Site Layout	22nd February 2024
FIGURE 1	Location Plan	22nd February 2024
5615-100-P4	Preliminary Surface Water Drainage	26th April 2024

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved with regard to policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

TEMPORARY PERIOD

3. Planning permission is hereby granted for a temporary period of 40 years from the first commercial export of energy. No later than one week before the first commercial export of energy the applicant shall supply written notice of the first commercial event. On the 40th anniversary of the first commercial export of energy the use shall cease. The site shall thereafter be decommissioned in accordance with the Decommissioning Method Statement approved pursuant to Condition 4.

Reason: In order to accord with the terms of the submitted planning application and to ensure the satisfactory restoration of this Green Belt site.

DECOMMISSIONING METHOD STATEMENT

4. The development hereby permitted shall be removed from the site if the generation station is no longer in use or after a period of 40 years from the first commercial export of energy, whichever occurs earlier. No later than six months before the end of the 40-year period from the first commercial export of energy, or within six months of the generation station being no longer in use, a Decommissioning Method Statement (DMS) for the decommissioning and site restoration, including a timetable for its implementation, shall be submitted for the written approval of the Local Planning Authority. The DMS shall make provision for the removal of the solar panels and associated works approved under this permission, and for the reinstatement of the land quality. The DMS shall include a Decommissioning Traffic Management Plan (DTMP). The DTMP shall include the number of HGV movements, routing of decommissioning vehicles and the timing of HGVs accessing the site. The DMS, as approved, shall be implemented in accordance with the approved details.

Reason: To ensure the satisfactory restoration of the site in the Green Belt in accordance with policy PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

CONSTRUCTION TRAFFIC MANAGEMENT PLAN [CTMP]

5. Construction and decommissioning works on site shall only take place in accordance with the Construction Traffic Management Plan (CTMP) (ref. 3254-01-CTMP01a dated January 2024).

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN [CEMP]

6. No construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP should contain or address the following matters:
- a) Dust mitigation and management measures.
 - b) The location and operation of plant and wheel washing facilities
 - c) Measure to reduce demolition and construction noise including, where applicable, noise trigger levels & monitoring and a plan to show where the nearest noise sensitive premises are in relation to the site.
 - d) Hours of operation
 - e) Details of a complaints procedure with a designated person on site responsible for complaint handling
 - f) Other site specific Environmental Protection issues as requested on a case by case basis
 - g) Details of measures to minimise impacts on biodiversity during construction
 - h) The development shall be undertaken in full accordance with the details approved under Parts a-g

Works on site shall only take place in accordance with the approved CEMP.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN (LEMP)

7. No development shall commence until a landscape and ecological management plan, including management responsibilities and maintenance schedules for upkeep of all landscaped areas, has been submitted to and approved in writing by the local planning authority. These details shall include:
- 1) Details of proposed schedules of species of trees and shrubs to be planted, seed mixes planting layouts with stock sizes and planting numbers/densities.
 - 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
 - 3) Details of habitat enhancement measures
 - 4) Details of the aftercare and maintenance programme

The development shall be carried out in accordance with the approved details. Any trees or plants, which within a period of five years from the completion of the development dies, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species unless the Local Planning Authority approves alternatives in writing.

Reason: To protect and improve the appearance of the site in the interests of visual amenity of the area and to provide ecology and biodiversity enhancement opportunities, in accordance with policy PMD1, PMD2, PMD6 and PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

SURFACE WATER DRAINAGE PLAN (LLFA & EA)

8. No works shall take place until a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy, has been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- a) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
 - b) Supporting calculations confirming compliance with the Non-statutory Standards for Sustainable Drainage, and the agreed discharge rate of 1.0l/s and the attenuation volumes to be provided.
 - c) Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.
 - d) The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.
 - e) Infiltration tests to be carried out in line with BRE 365 for the locations where SUDS are proposed.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

CONTAMINATED LAND

- 9 The measures and procedures set out within Section 7.3 of the submitted Appendix K - Preliminary Risk Assessment (Dated 22.02.2024) shall be implemented during the construction and operational phases of the development and maintained throughout the lifetime of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

UNFORESEEN CONTAMINATION

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified construction works must stop and the contamination reported in writing immediately to the Local Planning Authority. No further development shall commence until a remediation strategy detailing how the contamination is to be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

BATTERY SAFETY MANAGEMENT PLAN (BSMP)

11. Development of the battery compound and installation of the battery-based electricity storage system shall not commence until a Battery Safety Management Plan (BSMP) has been submitted to and approved in writing by the Local Planning Authority. The BSMP shall demonstrate how the operator has consulted with the Health and Safety Executive and the Fire and Rescue Service in prescribing and implementing the measures set out in the BSMP, which shall facilitate safety during the construction, operation and decommissioning of the battery storage facility, including the transport of new, used and replacement battery cells both to and from the development hereby permitted. The BSMP shall be implemented as approved. Thereafter, an updated BSMP, incorporating best practice guidance, policy and/or regulation at that time, shall be submitted to the Local Planning Authority for written approval every five years

throughout the lifetime of the development. The most up to date approved BSMP shall be fully implemented at all times.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of amenity of the area in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development

Informative(s)

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Wildlife and Countryside Act 1981

2. The applicant is reminded that under the Wildlife and Countryside Act 1981 [section 1] it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Both the RSPB booklet "Wild Birds and the Law" and the Guidance Notes relating to Local Planning and Wildlife Law produced by Natural England are useful.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning

