

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 11 JANUARY 2023, AT 7.00 PM

PRESENT: Councillor B Deering (Chairman)
Councillors D Andrews, T Beckett,
R Buckmaster, B Crystall, M Brady,
R Fernando, I Kemp, S Newton, T Page,
P Ruffles and T Stowe

ALSO PRESENT:

Councillors G Williamson

OFFICERS IN ATTENDANCE:

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| Richard Freeman | - Interim Development Management Team Leader |
| Steven King | - Finance Management Trainee |
| Peter Mannings | - Democratic Services Officer |
| Karen Page | - The Service Manager (Development Management and Enforcement) |
| Claire Spendley | - Senior Environmental |

Victoria Wilders Health Officer
- Legal Services
Manager

296 APOLOGIES

An apology for absence was submitted on behalf of Councillor Redfern. It was noted that Councillor Brady was substituting for Councillor Redfern.

297 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's Announcements. He made a number of safety related announcements for the benefit of the large number of public in the room.

298 DECLARATIONS OF INTEREST

Councillor Newton said that whilst it did not relate to application 3/21/2601/FUL, she wanted to mention the following for the purposes of transparency and openness. Her family owned land north of Ware Park Farm which was subject to a screening request in relation to a solar farm development by an independent company in 2022. She said that no full application had been submitted by this company yet and she wanted to put on record that this had no bearing on her ability to determine application 3/21/2601/FUL and she had come to this meeting with an open mind.

299 MINUTES - 7 DECEMBER 2022

Councillor Ruffles proposed and Councillor Page

seconded, a motion that the Minutes of the meeting held on 7 December 2022 be confirmed as a correct record and signed by the Chairman.

After being put to the meeting and a vote taken, the motion was declared CARRIED. Councillor Beckett abstained from voting as he had not been present at the meeting on 7 December 2022.

RESOLVED – that the Minutes of the meeting held on 7 December 2022, be confirmed as a correct record and signed by the Chairman.

300 3/21/2601/FUL - ERECTION OF A SOLAR PHOTOVOLTAIC FARM WITH AN OUTPUT CAPACITY NOT TO EXCEED 49.9MW OF ENERGY, WITH SUPPORTING INFRASTRUCTURE AND BATTERY STORAGE, INVERTERS AND TRANSFORMERS, FENCING AND LANDSCAPING WORKS AT WICKHAM HALL ESTATE, HADHAM ROAD, BISHOP'S STORTFORD

The Head of Planning and Building Control recommended that in respect of application 3/21/2601/FUL, planning permission be granted subject to the conditions detailed in the report.

The Interim Development Management Team Leader introduced the application and presented a detailed series of plans and visuals in respect of the application. He summarised the planning history and detailed the key features of the scheme. Members were referred to the additional representations summary and the reworded conditions.

Members were advised that the solar panels,

associated infrastructure and ancillary equipment would be removed after the lifespan of the solar panels and the proposed biodiversity improvements were permanent. The Interim Development Management Team Leader said that the biodiversity net gain target was 10 percent and this application would result in an 82 percent net gain as 10,000 trees would be planted along with improvements to footpaths and hedgerows.

The Interim Development Management Team Leader set out the material planning considerations and summarised several key considerations for Members. He said that water would naturally integrate into the ground between the solar panels and there would be very little highways impact.

Mr Horner addressed the committee in objection to the application. Mr Hilton and Mr Urquhart spoke for the application.

Councillor Klimowicz addressed the committee on in her capacity as the Vice-Chairman of Albury Parish Council. Councillor Williamson addressed the committee as the local district councillor for Little Hadham ward.

Councillor Page said that he was also a local ward Member and made the point that he could not attend this meeting as a Member of the Development Management Committee with his mind made up. He asked how construction traffic would be managed and asked for confirmation as to whether there would be any detrimental effect in respect of historic heritage

assets.

Councillor Page said that the conditions being applied in respect of flooding could not be seen as the Lead Local Flood Authority (LLFA) being supportive of those conditions. He asked for confirmation as to how the applicant would be monitored in terms of the application of the conditions.

The Interim Development Management Team Leader said that the LLFA had not removed their objections and had recommended conditions 17, 18, 19 and 20 that were included in the recommendation.

The Interim Development Management Team Leader said the conservation and urban design team had not objected to the application. He said that a transport statement had been submitted that set out how the construction would occur and condition 5 was for the submission of a construction management plan. He drew attention to condition 10 and said that there had been no objection from Hertfordshire Highways.

Councillor Beckett asked about conditions in respect of archaeological digs prior to the development of the land. He mentioned the comments of the crime prevention design advisor in respect of certified fencing. He asked how the decommissioning enforcement plan would be triggered.

The Interim Development Management Team Leader said that a desktop survey had been undertaken by the applicant and the council's archaeological team were satisfied subject to trench work conditions.

Members were advised that crime prevention and CCTV was covered in the report and the conditions and a balance had been struck between controlling crime and ensuring a diversity of species. A solid fence would have a much greater landscape impact.

The Interim Development Management Team said that conditions 1, 2 and 3 covered the matter of the decommissioning of the proposed solar farm. He said that enforcement action would be taken if there were any breaches of planning control or breaches of the conditions.

Councillor Newton commented on paragraph 2.4 of the report and asked for clarification regarding the loss of footpaths and bridleways. She asked for some clarity in respect of the grading of the agricultural land.

The Interim Development Management Team Leader said that there would be no loss of bridleways or footpaths and existing ones would be maintained. He updated the committee in respect of the grading of the agricultural land and said that the mesh fencing would ensure that deer were excluded from the site and would ensure that smaller animals could pass through the site.

Councillor Crystall asked for some clarity in respect of conditions 3 and 4 and the returning of the site to its current situation after the lifespan of the solar farm. He also asked for some clarity in respect of the status of written ministerial statements. Councillor Buckmaster asked for some clarity in respect of the

permanent rights of way during the construction phase for the solar farm. She asked about condition 4 in respect of the restoration of soil quality.

The Interim Development Management Team Leader said that matters regarding the decommissioning of the solar farm were covered by condition 4 and Members were reminded that there was no right to a view in planning terms and this was not a material consideration.

The Interim Development Management Team Leader said that written ministerial statements were material planning considerations and Members should be aware of the hierarchy of the available policy guidance. The Service Manager (Development Management) said that planning policy was moving towards further supporting renewable technology.

Councillor Kemp commented on several issues that were pertinent to the application. The Interim Development Team Leader stated that Hertfordshire Fire and Rescue was not a statutory consultee and fire control measures generally were controlled outside of the planning system.

The Interim Development Team Leader said there was no statutory requirement for the applicant to consult and this duty fell to the local planning authority. The Service Manager (Development Management) explained that there was no requirement for sequential testing for a solar farm. Members were advised that there was no evidence of criminal vandalism of solar farms.

Councillor Kemp proposed and Councillor Crystall seconded, a motion that application 3/21/2601/FUL be granted planning permission, subject to the conditions detailed in the report and the amended conditions detailed in the additional representations summary, with the following additional conditions:

- A diary system be set up with reminders for the Senior Planning Officers in respect of the decommission of the site and the enforcement of the conditions.
- A condition in respect of permission paths be worked up in consultation with the Chairman and Vice-Chairman of the Committee.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that in respect of application 3/21/2601/FUL, planning permission be granted subject to the conditions detailed in the report and subject to the additional informative included in the additional representations summary, with the following additional conditions:

- A diary system be set up with reminders for the Senior Planning Officers in respect of the decommission of the site and the enforcement of the conditions.
- A condition in respect of permission paths

be worked up in consultation with the Chairman and Vice-Chairman of the Committee.

301 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non-determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing Dates; and
- (D) Planning Statistics.

302 URGENT BUSINESS

There was no urgent business.

The meeting closed at 9.26 pm

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| Chairman |
| Date |