

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

3 December 2014

**AUTHOR/S:** Planning and New Communities Director

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**Application Number:** S/1687/14/FL

**Parish(es):** Thriplow

**Proposal:** Solar Farm and Associated Development

**Site address:** Land to the East of Church Street

**Applicant(s):** G.R. Smith

**Recommendation:** Delegated Approval

**Key material considerations:** Green Belt  
Countryside  
Landscape Character  
Heritage Assets  
Archaeology  
Ecology  
Biodiversity  
Trees and Landscaping  
Flood Risk  
Public Footpaths

**Committee Site Visit:** No.

**Departure Application:** Yes

**Presenting Officer:** Karen Pell-Coggins

**Application brought to Committee because:** Major Application of Local Interest

**Date by which decision due:** 12 November 2014

### Update

1. This application was deferred at the November planning committee meeting to seek a legal opinion on the claims in the letter from the environmental lawyer referred to in paragraph 30 of the original report (see appendix) in relation to whether the screening opinion on the need for an Environmental Impact Assessment to be submitted with the application meets the criteria set out in the regulations and case law
2. At the time of writing, comments from the legal officer are awaited. Members will be updated at the meeting about the legal officer's view.

## Recommendation

3. It is recommended that the Planning Committee grants officers delegated powers to approve the application (as amended) subject to the comments of the legal officer in relation to the validity of the screening opinion and the following conditions and informatives: -

### Conditions

- i) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- ii) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers to be confirmed.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- iii) The development, hereby permitted, shall be removed and the land restored to its former condition or to a condition to be agreed in writing by the Local Planning Authority on or before 30 years of the date of the first operational use of the development in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.  
(Reason - Approval of the proposal on a permanent basis would be contrary to Policy NE/2 of the adopted Local Development Framework 2007 and the land should be reinstated to facilitate future beneficial use.)
- iv) All development must be removed from site within 6 months of the solar farm ceasing to be operational.  
(Reason - The application site lies in the open countryside and it is important that once the development has ceased the site is brought back into a full agricultural use in accordance with the provisions of the NPPF and policy NE/2 of the adopted Local Development Framework 2007.)
- v) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- vi) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- vii) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from [the date of the first occupation of the dwellings hereby approved].
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
- (Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- viii) The development shall be carried out in accordance with the Traffic Management Plan reference (to be confirmed).  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- ix) No development shall commence until a revised Biodiversity Management Plan has been submitted to and approved in writing by the Local Planning Authority. The developments shall be carried out in accordance with the approved details.  
(Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
- x) The development shall be carried out in accordance with the Flood Risk Assessment reference (to be confirmed).  
(Reason - To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- xi) The development shall be carried out in accordance with the Written Scheme of Investigation Archaeological Evaluation reference (to be confirmed).  
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
  
- xii) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Submission March 2014
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References S/1687/14/FL, S/2080/13/FL and S/2363/13/FL

**Case Officer:** Karen Pell-Coggins- Senior Planning Officer  
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