

<p>Reference: 17/01435/CV</p>	<p>Site: South Ockendon Quarry and Landfill Site Medebridge Road South Ockendon Essex</p>
<p>Ward: Ockendon</p>	<p>Proposal: Application for the variation of condition nos. 2 (accordance with approved plans), 3 (duration of temporary permission), 10 (scheme of landscaping]), 18 (penetrative construction methods) of planning permission ref. 14/00836/FUL (Erection of solar Photovoltaic (PV) arrays with associated infrastructure (ancillary equipment includes inverters, transformers and substations), access tracks, fencing, security including pole mounted CCTV on Ockendon Landfill Site).</p>

Plan Number(s):		
Reference	Name	Received
OC001	Location Plan	21 November 2017
OC003	Site constraints and opportunities	21 November 2017
OC005A	Mitigation and Enhancements Plan	21 November 2017
PL005	Technical details – invert transformer station	21 November 2017
PL006	DNO switchstation	21 November 2017
PL006.1	Client side switchstation	21 November 2017
PL007	Gate, fence and construction road detail	21 November 2017
EP1242-1-50000GA 27072017REVA	PV General Arrangement	21 November 2017

The application is also accompanied by:

- Planning Statement
- Environmental Statement Vol 1 – Non-technical summary
- Environmental Statement Vol 2 – Text and drawings
- Environmental Statement Vol 3 – Technical Appendices
- Environmental Statement Addendum October 2017

<p>Applicant: REG Ockendon Solar Ltd</p>	<p>Validated: 21 November 2017 Date of expiry: 20 February 2018</p>
<p>Recommendation: Grant permission subject to referral to the Secretary of State, the completion of a deed of variation to the existing s.106 legal agreement and planning conditions.</p>	

The application has been referred to the Planning Committee because the original planning consent (14/00836/FUL) was approved by the Committee.

1.0 DESCRIPTION OF PROPOSAL

1.1 *This application seeks to vary condition nos. 2, 3, 10 and 18 attached to planning permission reference 14/00836/FUL for the erection of solar photovoltaic (PV) arrays with associated infrastructure. The current application, submitted pursuant to s73 of the Planning Act, proposes changes to the approved plans which incorporate an increase in the footprint of the arrays and position of the substation. There would be revisions the technical piling details and to the proposed landscaping. Additionally, the operating life of the solar facility would increase from 27 to 40 years.*

1.2 The rationale of these amendments would be to maximise the energy generation of the site and increase the viability of the scheme. These changes are promoted by the applicant in the context of the removal of Government subsidies for solar energy since the original application was submitted in 2014, which undermined the development economics of the scheme.

2.0 SITE DESCRIPTION

2.1 The site extends to 98.44 hectares and is located within the Green Belt. The application site (referred to hereon as ‘the site’) comprises seven land parcels located to the west of Orsett Fen and to the north east of South Ockendon, some 500m east of the western boundary of Brandon Groves.

2.2 The southern half of the site was originally a minerals extraction site which was then used for waste landfill. These areas of the site have been filled, capped and restored to agricultural use, although landfill gas extraction and leachate management activities are ongoing.

2.3 The northern tip of the site comprises a single arable field (Agricultural Land Classification (ALC) Grade 3B) marked along the eastern and southern boundaries by Public Right of Way (PRoW) No. 136. is made up of a small arable field and

areas of scrub and bushes. These areas are undisturbed by landfill and clay quarrying. The northern tip of the site is generally flat and low lying at between 5 and 12m AOD.

- 2.4 To the immediate west of this area and outside the site is a clay extraction pit and landfill area. Clay extraction is currently suspended however planning permission remains for further extraction with restoration due to be completed by 2042. The area affected by clay extraction comprises a water filled pit and land which is not restored to natural levels. Further to the west of the clay pit is a mothballed landfill site. Whilst most of the area has been permanently restored, capacity remains on part of the site for landfilling and these areas are restored temporarily. PRow 136 runs along the southern boundary of the landfill and clay pit.
- 2.5 To the south of the PRow 136 is a large field proposed to be used for installation of solar PV. This area has been landfilled but has been capped with clay and topsoil and is currently in arable use (ALC Grade 3B). Site area D is the largest and most prominent, being formerly used as landfill and rising to around 24m AOD, bounded by tracks and field hedgerows. To the north-west of Area D is a landfill gas extraction and flare facility.
- 2.6 At the southern extremity of site there is a weighbridge, a landfill gas electricity generation plant and control building and a building used by Veolia for site management and security.
- 2.7 There are small blocks of mature woodland and tree belt planting located within and along the periphery of the site include a mix of primarily deciduous species.
- 2.8 The land to the south, east and north east of the site is fenland and characterized by low-lying and level landform. The settlement boundary of South Ockendon is located around 500 metres to the west of the site and in between a number of scattered dwelling houses and other properties on roads leading out of the village. Surrounding land uses also include Grangewaters Water Sports Centre to the south west. Ockendon Hall is a residential property located around 300 metres from the western boundary of the site and near to the mothballed landfill area. Next to Ockendon Hall, is a Grade II listed building and two Scheduled Monuments, a Medieval moat and Roman barrow.
- 2.7 Existing access to the site is via Medebridge Road which is accessed directly from the A13. Medebridge Road is a substantial two-lane tarmacked road. Beyond the entrance to the site is a private metalled road providing access between the various areas for HGVs. This eventually crosses PRow 136 and provides access to the clay pit. PRow 136 is a gravelled track passing between the clay pit, landfill and Area A to the north and Area D and landfill gas facilities to the south. PRow 136 is

the only publically accessible area within the site and links South Ockendon with the Mar Dyke to the east.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
14/00836/FUL	Erection of solar Photovoltaic (PV) arrays with associated infrastructure (ancillary equipment includes inverters, transformers and substations), access tracks, fencing, security including pole mounted CCTV on Ockendon Landfill Site.	Approved
17/00735/CONDC	Application for the approval of details reserved by condition nos. 6 (details of CCTV), 8 (Construction Environment Management Plan), 10 (soft landscaping), 12 (habitat creation), 13 (habitat management) and 20 (surface water management) of planning permission ref. 14/00836/FUL (Erection of solar photovoltaic (PV) arrays with associated infrastructure (ancillary equipment includes inverters, transformers and substations), access tracks, fencing, security including pole mounted CCTV on Ockendon Landfill Site)	Advice Given

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

4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which has been displayed nearby. The application has been advertised as a major development, a departure from the development plan, as affecting a public right of way, as affecting the seating of a listed building and as being accompanied by an Environmental Statement.

Two neighbour letter responses have been received; one comment was in support and one was an objection. The concerns raised potential visual, noise and light pollution.

4.3 CADENT:

No objection.

4.4 ENVIRONMENT AGENCY:

No objection.

4.5 ENVIRONMENTAL HEALTH:

No objection.

4.6 ESSEX COUNTY COUNCIL – ARCHAEOLOGY:

No objection.

4.7 FLOOD RISK MANAGER:

No objection.

4.8 HISTORIC BUILDINGS ADVISOR:

No objection.

4.9 HISTORIC ENGLAND:

No objection.

4.10 HIGHWAYS ENGLAND:

No objection.

4.11 HIGHWAYS:

No objection.

4.12 LANDSCAPE AND ECOLOGY ADVISOR:

No objection.

4.13 NATURAL ENGLAND:

No objection.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

5.2 The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 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. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

5.3 The following headings and content of the NPPF are relevant to the consideration of the current proposals;

1. Building a strong, competitive economy
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
7. Requiring good design
8. Promoting healthy communities
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

5.4 Planning Practice Guidance (PPG)

5.5 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance 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. PPG contains 48 subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application comprise:

- Climate change
- Conserving and enhancing the historic environment
- Design
- Environmental Impact Assessment
- Flood Risk and Coastal Change
- Land affected by contamination

- Light pollution
- Natural Environment
- Open space, sports and recreation facilities, public rights of way and local green space
- Renewable and low carbon energy
- Use of Planning Conditions

5.6 The 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 the local community to influence decisions that affect them”*.

5.7 The PPG sets out criteria for assessing ground-mounted solar project planning applications. The following 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:*

1. *Encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value.*
2. *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 on solar energy: protecting the local and global environment made on 25 March 2015..*
3. *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.*
4. *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.*
5. *The extent to which there may be additional impacts if solar arrays follow the*

daily movement of the sun.

6. *The need for, and impact of, security measures such as lights and fencing.*
7. *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.*
8. *The potential to mitigate landscape and visual impacts through, for example, screening with native hedges.*
9. *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’.

5.8 UK Solar PV Strategy

5.9 The Government has produced a UK Solar PV Strategy which set out the 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.

5.10 **Local Planning Policy**

5.11 Thurrock Local Development Framework

5.12 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” (as amended) in 2015. The Adopted Interim Proposals Map shows the site within the Green Belt. The following Core Strategy policies apply to the proposals:

Spatial Policies

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

Thematic Policies

- CSTP9: Well-being: Leisure and Sports
- CSTP15: Transport in Greater Thurrock
- CSTP18: Green Infrastructure
- CSTP19: Biodiversity
- CSTP20: Open Space
- CSTP21: Productive Land
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP24: Heritage Assets and the Historic Environment
- 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
- PMD4: Historic Environment
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities
- PMD6: Development in the Green Belt
- PMD7: Biodiversity, Geological Conservation and Development

- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment
- PMD16: Developer Contributions

5.13 Focused Review of the LDF Core Strategy

5.14 This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014 and the Core Strategy Focused Review was approved on 15 October 2014. The Inspector has found that, provided modifications are made, the Thurrock Core Strategy Focused Review is sound.

5.15 Draft Site Specific Allocations and Policies DPD

5.16 This Consultation Draft "Issues and Options" DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD 'Further Issues and Options' was the subject of a further round of consultation during 2013. The application site has no allocation within either of these draft documents. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

5.17 Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

5.18 The above report was considered at the February 2014 meeting of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

5.19 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. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the 2018.

6.0 ASSESSMENT

6.1 This is an application under section 73 of the Town and Country Planning Act 1990 to vary conditions attached to a grant of planning permission. Where an application submitted under S.73 of the 1990 Act is approved, the effect is to issue a new grant of planning permission, whilst leaving the original planning consent unaffected. Accordingly, if the current application is approved both 14/00836/FUL and 17/01435/CV would be self-contained planning permissions, although the latter permission can be assumed to represent the more up to date consent.

6.2 When considering an application under s.73, the Council as local planning authority should consider matters related to the conditions only and not the planning permission itself.

6.3 *The principle of the development has been established by the grant of planning permission in 2016 and there has been no material change in planning policy since. In resolving to approve application 14/00836/FUL Members considered there to be a number of site specific factors that weighed in favour of the development, and ultimately the proposal was found to be acceptable, subject to conditions the signing of a legal agreement and following referral to the Secretary of State.*

6.4 *This application seeks variation to the wording of a number of planning conditions and the nature and implications of these variations are described below. As the original application was accompanied by an Environmental Statement (ES), an addendum to that Statement accompanied the current submission and considers the environmental impact of the proposals with reference to landscape and visual impact, ecology, cultural heritage, agriculture, flood risk, ground conditions, transport, air quality, noise and climate change.*

Condition 2 (accordance with approved plans)

6.5 The proposal seeks revisions to condition wording to:

- substitute drawing EP1242 1-SOOOGA 27072017 Rev. A (PV General Arrangement) for drawing OC004 Site Design Plan);
- substitute drawing OC005 (Mitigation and Enhancements Plan) for drawing OC005 Rev. A;
- delete drawing PL008 (Racking system); and
- delete drawing PL009 (Indicative 132Kv compound).

The changes proposed are principally revisions to the proposed layout of solar arrays and ancillary infrastructure across the site, including an increase in footprint of arrays. This will increase the maximum generating capacity from circa 38Mw to circa 49MW, although the position of the solar arrays in relation to the boundaries of the site would be largely unchanged.

- 6.6 Revisions to the proposed layout would remove previously proposed access tracks between arrays allowing for more solar arrays within the site. Low-pressure vehicles would be used during construction, which do not require dedicated tracking. This in turn would lead to less construction activity and on-site storage requirement relating to laying of tracks. There are some benefits to this change as there would be less construction activity and on-site storage requirement relating to laying of tracks.
- 6.8 The revised layout also proposes to remove a previously proposed construction compound from the site and revises the layout to relocate a new substation compound on the north east boundary of the site area A, in an area previously illustrated as being partially within a solar array. The ES considers the impact of these changes on landscape and visual receptors. Although the area within the site boundary would be more intensively developed (i.e. the rows of PV panels would be closer together), there would also be a reduction in the height of the panels from 2.6m to 1.8m above ground level. The proposed amendment to the 'Mitigation and Enhancements Plan' principally proposes the relocation of new native hedgerow from the centre of one of the land parcels ('D') to a new location adjacent to the northern, western and southern boundaries of this plot. The ES concludes that the environmental impacts of the proposed changes are not material when compared to the original assessment accompanying 14/00836/FUL. Comments received from relevant consultees (Natural England, Landscape & Ecology Advisor, Historic England, Archaeology Advisor, Heritage Advisor) raise no objections. Consequently it is considered that the proposed variation of condition no. 2 to vary drawing numbers is acceptable.

Condition 3 (duration of temporary permission)

6.10 The current planning approval gives temporary permission for 27 years from the commencement of the development. This application seeks permission for the duration of the development to be extended to 40 years from the date of commencement of the development. The applicant's rationale behind this proposal is the scheme's financial viability. It is considered that the extension to the time period would be beneficial to provision of sustainable energy and is acceptable. If approved, the benefits of providing renewable energy would be extended for a further 13 year period. New landscaping planted as part of the proposals would also have a longer time period to develop and mature. These benefits will need to be judged against the impact on the openness of, and any other harm to the Green Belt. In submitting the original planning application the applicant did not refer to the temporary nature of the proposals to support the scheme. Furthermore the Officer report considered by Planning Committee concluded that the delivery of renewable energy, the mitigation of climate change and positive benefits for biodiversity and delivery of Green Grid improvements were factors outweighing harm to the Green Belt. These benefits remain and therefore, as a matter of judgement, the proposed extended lifetime of the development is considered to be acceptable.

Condition 10 (scheme of landscaping)

6.11 The application seeks to change part VII of this condition as follows:

Delete: *'Reinstatement of hedgerows running perpendicular to each other across field D in the location of historic field boundaries'*

Insert: *'New native hedgerow planting along the western and southern edges of Site area D, western edge of Site area A+ and between Site areas C and D'.*

This proposed variation would revise the landscape strategy, principally replacing proposed hedgerows through centre of Site area D with new hedgerows along western and southern edges of Site area D, western edge of Site area A+ and between Site areas C and D, in response to the changed layout of solar arrays and ancillary infrastructure.

6.12 Significant hedgerow planting and ecology benefits are still proposed in line with the original consent. The ES addendum reassesses the effects on landscape and visual amenity and ecology. The Council's Landscape and Ecology Advisor has stated the conclusions of the LVIA and ecology assessment are considered appropriate. It is concluded that the proposed changes will not have significant impacts compared to the previously approved scheme. These changes are considered acceptable. Although the arrays will be closer to the site boundaries they will be lower and so any visual effects will be offset.

Condition 18 (penetrative construction methods)

- 6.13 Condition no. 18 of the original consent requires any penetrative construction methods (i.e. piling) to be undertaken in accordance with the details submitted with application ref. 14/00836/FUL, such that the clay cap layer above the former landfill is not compromised. The original ES assumed that the development would be largely constructed above ground level using metal frames set onto concrete blocks set on the ground. In discussion with the Environment Agency the applicant is now considering the use of piled foundations to a maximum depth of 800mm below ground level. For information, records suggest that the depth of material above the clay cap on-site varies between 900-1600mm. Although the applicant has not suggested test of the rewording of this condition, they are aware that rewording may be required to provide assurance regarding the final design of the piling. It is therefore suggested that condition no. 18 is varied to read:

'In the event that piling or any other foundation designs using penetrative methods are proposed, piling operations shall not commence unless a report has first been submitted to, and agreed in writing by, the local planning authority demonstrating that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.'

Reason: To protect the water environment in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015)'.

Planning Obligations

- 6.14 A deed of variation to the existing s106 legal agreement is required to ensure the existing obligations (Green Grid contribution / permissive bridleway) is linked to any new planning permission. At the time of writing this report the Council is awaiting a submission from the applicant for the deed of variation.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

The proposals to vary condition nos. 2 (accordance with approved plans), 3 (duration of temporary permission), 10 (scheme of landscaping) and 18 of planning permission ref. 14/00836/FUL are considered acceptable and would not materially change the assessment of environmental impacts undertaken previously.

8.0 RECOMMENDATION

8.1 That the application is approved subject to:

- A Referral to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009;
- B the completion of a deed of variation to the existing s106 agreement (ref. 14/00836/FUL) to ensure that the obligations apply to any new planning permission;
- C the following planning conditions:

1. The development hereby permitted shall begin no later than three years from the date of this decision. Written notification of the date of commencement of the development hereby permitted shall be given to the local planning authority no later than 14 days after the event.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reference	Name
OC002	Site Boundary
OC003	Site constraints and opportunities
OC005A	Mitigation and Enhancements Plan
PL005	Technical details – invert transformer station
PL006	DNO Switchstation
PL006.1	Client side switchstation
PL007	Gate, fence and construction road detail
EP1242 1-5000GA 27072017 Rev A	PV General Arrangement

REASON: For the avoidance of doubt and to ensure that the development is in accordance with the details to which the application has been assessed.

3 Planning permission is hereby granted for a temporary period of 40 years from the commencement of development. On the 40th anniversary of the commencement of development the use shall cease. Prior to the 40th anniversary of the commencement of development the solar panels and all ancillary equipment shall be decommissioned and removed from the site in accordance with the Decommissioning Method Statement agreed 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.

- 4 Notwithstanding condition 3, within three months of the cessation of power production on the site (measured by way of export to the electricity distribution network) for a period in excess of six months or during the 3 months period prior to the 40th anniversary of the commencement of development (whichever is sooner) a Decommissioning Method Statement shall be submitted to and approved in writing by the local planning authority. The Decommissioning Method Statement shall include;
- the timing for decommissioning of the solar farm.
 - the measures for decommissioning. Such measures shall include the removal of all development hereby permitted (with the exception of landscaping and ecological works unless otherwise agreed) including solar panels, support structures, buildings, plant, fencing and equipment and any ancillary structures and hardstanding,
 - a timetable for completion of decommissioning including the removal of all structures from the site.

In the event of cessation of power production (measured by way of export to the electricity distribution network) for a period in excess of six months following first power generation, the Decommissioning Method Statement shall set a timescale for decommissioning within 12 months of its submission unless power production is to resume within the temporary period of the permission and evidence is provided with regard to the resumption. If power production is not resumed within 3 months of the date provided, then a Decommissioning Method Statement shall be submitted and agreed in writing with the local planning authority setting out works of decommissioning to be fully undertaken within 12 months of its submission.

Decommissioning shall be carried out in accordance with the approved Decommissioning Method Statement including the timing of works.

REASON: In the interests of the character and openness of the Green Belt. To ensure the satisfactory restoration of the site in accordance with the NPPF and paragraph 27 of "Planning practice guidance for renewable and low carbon energy".

- 5 The land around and beneath the installed solar panels and within the confines of the fenced areas (excluding grid connection cabin and transformation enclosures) shall at all times be made available for agricultural purposes during the operational phase of the development, unless otherwise forming part of the agreed biodiversity or landscape improvements.

REASON: To ensure the continuation and retention of the land for agricultural purposes in addition to the solar farm and to safeguard countryside protection policies in accordance with LDF Core Strategy Policy CSTP21 (Productive

Land).

- 6 The development shall be undertaken in accordance with the details for CCTV poles and cameras submitted and approved via the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, and retained thereafter unless otherwise agreed in writing by the local planning authority.

REASON: In order to minimise the impact of the development on the Green Belt and local landscape.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fencing or means of enclosure (other than temporary fencing associated with and purely for the period of the construction and decommissioning phases) shall be erected other than that which is detailed on the approved plans or has been expressly authorised pursuant to conditions attached to this permission.

REASON: In order to retain the character and openness of the Green Belt.

8. The construction of the development shall be undertaken in accordance with the details within the Construction Environment Management Plan submitted and approved via the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, unless otherwise agreed in writing by the local planning authority.

REASON: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policies PMD1, PMD9, CSTP19 and PMD7 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2015) and to accord with the Environmental Statement (inc para 7.8.3, 7.8.13)

- 9 No external artificial lighting or security lighting other than those agreed as part of this permission (i.e. temporary lighting during construction / decommissioning, passive infrared sensor controlled lighting on the switch-station and emergency lighting brought to the site an emergency event) shall be installed during the operation of the site as a solar PV facility without the prior written agreement of the Local Planning Authority.

REASON: To minimise the potential for pollution and disturbance to local amenity and wildlife in accordance with LDF Core Strategy policies PMD1 (Minimising Pollution and Impacts on Amenity), PMD2 (Design and Layout), CSTP19 (Biodiversity) and PMD7 (Biodiversity and development) and Paragraph 27 of the Planning practice guidance for renewable and low carbon energy and the Environmental Statement (para 7.6.1).

- 10 No development shall take place until full details of soft landscaping and its management have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
- (a) plans for establishing hedgerows, understorey vegetation and trees around the perimeter of the site and wildflower areas including
 - I. Hedgerow along the northern boundary of field A+ gapped up and allowed to grow to a height above the solar panels.
 - II. New planting along the northern and western boundaries of field A in the form of a new hedgerow allowed to grow to a height above the solar panels.
 - III. New planting in the gap in the tree belt along the eastern edge of Site area A
 - IV. New native planting along parts of the northern and southern boundaries of footpath 136 to fill the gap in the planting between South Ockendon Hall and the edge of field D.
 - V. New native planting in a line across the northern part of field D, running parallel to the south of footpath 136, offset by 50m south.
 - VI. New tree planting along the eastern edge of field C
 - VII. New native hedgerow planting along the western and southern edges of Site area D, western edge of Site area A+ and between Site areas C and D.
 - (b) written specifications (including cultivation and other operations associated with tree and plant establishment);
 - (c) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
 - (d) an implementation programme.
 - (e) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas,

The landscaping and its management shall be carried out as approved. Any new trees or plants, which within a period of five years from the completion of the development die, 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 biodiversity enhancement opportunities, in accordance with LDF Core Strategy policies PMD1 (Minimising Pollution and Impacts on Amenity), PMD2 (Design and Layout), PMD4 (Historic Environment), PMD6 (Development in the Green Belt) and PMD7 (Biodiversity, Geological Conservation and Development). To accord with the mitigation measures set out in the Environmental Statement (including paras 4.6.6 + 6.4.69).

- 11 There shall be no storage of materials or hard standing formed beneath the canopy spread of the trees.

REASON: In the interests of the health and stability of adjacent landscaping, in the interests of visual amenity and to comply with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

- 12 The development shall be implemented and operated in accordance with the details of the Habitat Creation Method Statement submitted and approved via the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, unless otherwise agreed in writing by the local planning authority.

REASON: To accord with Core Strategy Policies CSTP19 (Biodiversity) and PMD7 (Biodiversity and development) which require development to include measures to contribute positively to the overall biodiversity in the Borough and part 7 and para 4.6.2 of the Environmental Statement.

- 13 The development shall be operated in accordance with the details of the Habitat Management Plan submitted and approved via the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, unless otherwise agreed in writing by the local planning authority.

REASON: To accord with Core Strategy Policies CSTP19 (Biodiversity) and PMD7 (Biodiversity and development) which require development to include measures to contribute positively to the overall biodiversity in the Borough and in accordance with the Environmental Statement (7.8.6).

- 14 All solar panels shall be set a minimum of 5m away from hedgerows, woodland, standing water and ditch features which could provide ecological habitat for protected species. Plantation woodland and hedgerows on site shall be afforded a buffer of 5 meters from the solar panels and roads to prevent root compaction.

REASON: To prevent harm to habitats and trees. To accord with the mitigation measures set out in the Environmental Statement (4.5.7 & 7.6.1).

- 15 Construction and clearance of vegetation or other potential bird nesting sites shall not be undertaken within the breeding season of birds (i.e. within 1st March to the 31st July) except where a suitably qualified ecological consultant has confirmed in writing that such clearance works would not affect or disturb any nesting birds. In the event that an active bird nest is discovered outside of this period and once works have commenced, then a suitable standoff period and associated exclusion zone shall be implemented until the young have fledged the nest.

REASON: To ensure effects of the development upon the natural environmental are adequately mitigated and in order to comply with LDF Policies CSTP19 and PMD7 and the Environmental Statement (7.8.14).

- 16 The perimeter security fence will be designed to facilitate the passage of small mammals in accordance with the approved details.

REASON: In the interest of the ecology and to accord with the Environmental Statement (7.6.1).

- 17 During the construction and decommissioning phase, a watching brief shall be maintained during these periods for any exposure of gross contamination or odorous material arising from the landfill. If any gross contamination or odorous material is exposed during either the construction and decommissioning phases as a result of the works, construction or decommissioning work shall cease, that contamination shall be made safe and reported immediately to the local planning authority. Prior to the recommencement of work of construction or decommissioning, an investigation shall be undertaken and a contingency scheme shall be submitted to and agreed in writing with the local planning authority. Such agreed measures shall be implemented.

REASON: To ensure that any potential contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to satisfactorily deal with contamination in the interests of amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

- 18 In the event that piling or any other foundation designs using penetrative methods are proposed, piling operations shall not commence unless a report has first been submitted to, and agreed in writing by, the local planning authority demonstrating that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect the water environment in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015).

- 19 Within 12 months of the commencement of development details of an Archaeological Interpretation Panel Board providing information on the Medieval moated manor Scheduled Monument at South Ockendon Hall together with details of its construction and location shall be submitted to and agreed in writing with the Local Planning Authority. This shall be erected in accordance with details to be agreed in writing with the LPA and thereafter retained and maintained for the duration of the permission.

REASON: To accord with Section 12 of the NPPF and LDF-CS Policies CSTP23 (Thurrock Character and Distinctiveness), CSTP24 (Heritage Assets and Historic Environment) and PMD4 (Historic Environment).

- 20 The development shall be implemented and operated in accordance with the details of the Surface Water Management Strategy submitted and approved via

the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that adequate measures for the management of surface water are incorporated into the development. To protect the water environment in accordance with policy PMD1 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2015).

- 21 Vehicular access to the proposed development shall be from the existing access to the site off Medebridge Road only and there shall be no other means of vehicular access to the site except in the case of an emergency.

REASON: In the interests of highway safety and amenity in accordance with policy PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

- 22 During the construction and decommissioning phases, soils handling and conservation should be undertaken in accordance with the relevant chapters in "The Good Practice for Handling Soils" (MAFF 2000) and "The Code of Practice for the Sustainability of Soils on Construction Sites" (Defra 2009) or the adopted government guidance prevailing at the time

REASON: In the interest of protecting the soil resource and the continued use of the site for agriculture, in accordance with LDF Core Strategy Policy CSTP21 (Productive Land) and the measures set out in part 9.9.2 of the Environmental Statement.

- 23 An easement strip along the route of the underground gas pipeline passing under the north east parcel of land as detailed on drawing No.11 Drawing OC003 shall be established and kept free of development. Access to the pipeline easement shall be maintained for the duration of the development.

REASON: To protect existing assets and accord with the mitigation measures set out in the Environmental Statement (4.5.8)

- 24 The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement submitted with the planning application, unless otherwise provided for in any of the conditions or subject to any alternative mitigation measures as may be approved in writing with the Local Planning Authority, provided that such measures do not lead to there being any significant environmental effects other than those assessed in the Environmental Statement.

REASON: To ensure that the development is carried out in accordance with the principles of mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development and ensure compliance with a range of development plan policies set out within the planning committee report.

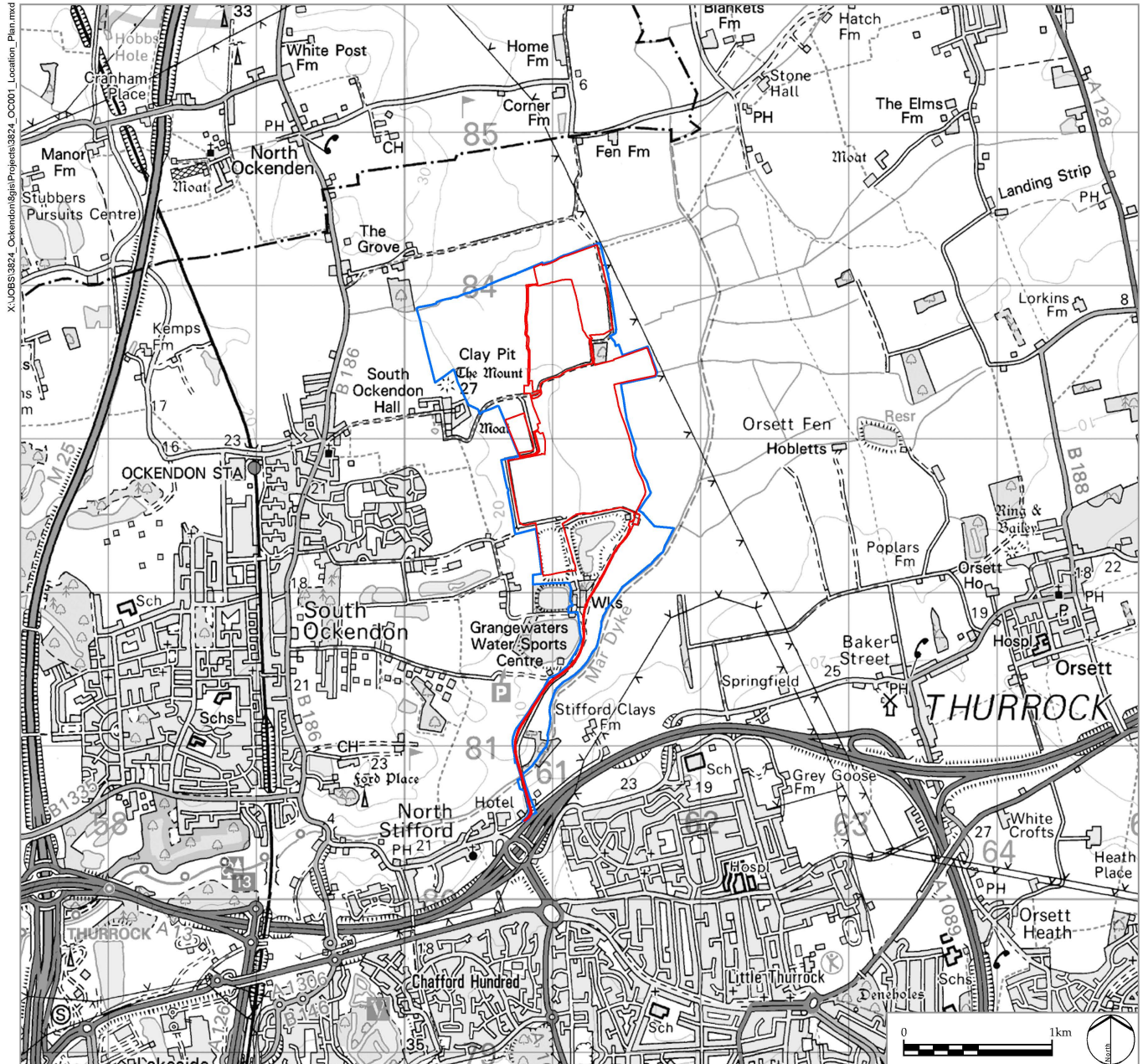
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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



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