

**Written Update 24 July Planning Control Committee**  
**Agenda Item 6 - 24/02455/FP – Land Opposite Wymondley Grid Station and to the South of Sperberry Hill, Sy Ippolyts**

1. 22/03231/FP – Land North East of Wandon End Hertfordshire – Appeal Decision:

- NHC received the appeal decision for the above planning application on the 15<sup>th</sup> of July 2025.
- The proposal is for the *“Construction, operation and decommissioning of a solar farm with the capability to export and import up to 49.9MW of electricity at any time, comprising the installation of ground mounted fixed solar panels, associated energy storage and ancillary development including customer and DNO substation, inverter and transformer stations, fencing, security cameras, landscape planting and associated works including grid connection (amended plans).”*
- The appeal was allowed and planning permission granted.
- The inspector considered the site to be grey belt (a policy which did not exist when that application went to committee last year) on the grounds that the inspector considered that the site made a moderate contribution to purpose (a) (the area of disagreement between the parties) due to its containment by rural roads, being free from development and 'near' to a large built up area. the inspector therefore considered the site at Wandon End to comprise grey belt land; the development was therefore not inappropriate (paragraph 26 of the appeal decision). Limited weight was given to the 2016 Green Belt Review and update in 2018 due to its purpose and age, which pre-dates the latest NPPF and grey belt policy (paragraph 18 of the appeal decision).

2. Wymondley Parish Council Second Objection Letter:

- A second objection letter from Wymondley Parish Council was received on the 12<sup>th</sup> of June 2025 in response to the applicants 'Updated Grey Belt Assessment' document.
- The letter contends that the land is not Grey Belt. The Officer report covers the Green Belt assessment.

3. The agent has confirmed agreement to the pre-commencement conditions.

4. In paragraph 4.5.64 of the officer report, it states that the Green Belt Review assesses sub-parcel 10a as having a 'moderate' contribution to purpose (a) of the paragraph 143 of the NPPF, a 'limited' contribution to purpose (b) and a 'limited' contribution to purpose (d). The Green Belt Review categorises sub-parcel 10a as having a 'significant' contribution to purpose (a), a 'significant' contribution to purpose (b), and a 'limited' contribution to purpose (d).

It should be noted that despite the change, paragraph 4.5.65 of the officer report states:

*“Whilst the Green Belt Review is noted, the PPG, as set out in paragraph 4.5.55 of this report, requires that an assessment should be made as to whether the “site” strongly contributes to the Green Belt purposes rather than the wider area as found within the North Herts Green Belt Review.”*

Further to the above, in paragraph 18 of the Wandon End appeal decision (noted above), the inspector refers to the status of the North Herts Green Belt Review and its relevance to their decision:

*“these reviews were undertaken to guide decisions as the LP was being developed and in particular to review the current boundaries of the Green Belt and assess potential development sites as it was recognised that the level of growth needed in the district would be unlikely to be accommodated on non-Green Belt land. Given their age, they were not giving consideration to whether land was Grey Belt or not and their assessment of the contribution of land to the purposes was not informed by the criteria set out in the PPG for this purpose. As such I give little weight to their findings.”*

The change to paragraph 4.5.64 does not change my overall recommendation for approval. The site is still considered grey belt and not inappropriate development in the Green Belt.

### **Updated List of Conditions:**

Below is the full list of suggested conditions. Conditions that have been altered are either highlighted in **red** or ~~struck through~~. Conditions added are highlighted in **green**.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of 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 wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The permission hereby granted shall be limited to a period of 40 years from the date when electricity is first exported from the solar panels to the electricity grid. Written notification of the first operation shall be given to the local planning authority within 30 days of the site becoming operational.

Reason: The proposal seeks permission for a temporary period only.

4. No development **approved by this planning permission** shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the 2024 Ecological Assessment and a pre-construction badger survey and include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to harm to biodiversity features.

- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the impact of the construction process on the biodiversity and ecology of the site, in line with Policy NE2 and NE4 of the Local Plan.

5. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- 1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
- 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
- 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan, as necessary.
- 4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and has obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

7. The development hereby permitted may not commence until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

8. Piling or other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

9. A) **No development approved by this permission** shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing and in accordance with the programme of work as set out in the Archaeological Brief (P01/22/0709/3). The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording.
2. The programme and methodology of site investigation and recording as required by the evaluation.
3. The programme for post investigation assessment.
4. Provision to be made for analysis of the site investigation and recording.
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
6. Provision to be made for archive deposition of the analysis and records of the site investigation.
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B) The **development** shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate."

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and Section 16 of the NPPF 2024.

- ~~10. The construction of the development shall only be carried out in accordance with the approved Construction Traffic Management Plan.~~

~~Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan 4 (adopted 2018).~~

Reason for Removal: No condition requiring the production or approval of a CTMP. Construction traffic is covered in the CEMP condition (Condition 17 d)).

11. ~~The development shall only be carried out in accordance with the approved 'Glint and Glare Report/Plan.~~

~~Reason: To ensure the development does not produce any glint and glare impact on the drivers viewing and ability to drive safely on the nearby highway, in the interests of highway safety and amenity in accordance with Policy 5, 7 and 8 of Hertfordshire's Local Transport Plan 4 (adopted 2018).~~

Reason for Removal: The Glint and Glare Report is an assessment document that recommends no mitigation measures are required and therefore there is nothing to be "in accordance with".

12. **No development approved by this permission shall take place until** a Stage 1 Road Safety Audit (RSA) for the vehicle access proposals shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the recommendations, if any, shall only be carried out in accordance with the report.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

13. Evidence of detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s. Following this infiltration testing the drainage strategy for Plan A (to infiltrate) will be updated and submitted to the and approved in writing by the Local Planning Authority. If infiltration is not favourable, then Plan B (connection and discharge of runoff to a watercourse) will be implemented as per the Drainage Strategy (dated 22 October 2024, REF 14855).

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 173,175 and 180 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

14. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (December 2021) and Drainage Strategy (dated 22 October 2024, REF 14855), plus any updates as required by Condition **7** unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts Council.

15. Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

16. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 7. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of North Herts Council.

17. Full details of a construction and environmental management programme (CEMP) for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works or development (including any pre-construction, demolition or enabling works). The construction shall thereafter be carried out in complete accordance with the approved phasing programme unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall include the following elements:

- a) hours of construction operations including times of deliveries and removal of waste;
- b) measures to minimise dust, noise, machinery and traffic noise impacts during construction;
- c) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- d) the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- e) screening and hoarding details, to protect neighbouring residents;
- f) end of day tidying procedures to ensure protection of the site outside the hours of construction. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228-1.2009 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;
- g) wheel washing facilities for construction vehicles leaving the site;
- h) storage and removal of building waste for disposal or recycling;

Reason: To ensure the correct phasing of development in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity.

18. **No development approved by this permission shall take place until a** landscape and ecological management plan (LEMP) **has been** submitted to, and approved in writing by, the local planning authority ~~prior to the commencement of the development~~. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To enhance biodiversity including any species and their habitats and in accordance with the NPPF and Policies NE4, NE12 and SP12 in the Local Plan.

- 19. No construction shall take place until an arboricultural method statement with tree and hedge protection plan following the recommendations contained within BS 5837:2012 identifying measures to protect trees and hedges to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during site preparation, during construction, and landscaping operations.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with the NPPF and Policies NE2 and NE12 in the Local Plan

- 20. Prior to any above ground works, an Emergency Response Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Hertfordshire Fire and Rescue Service. The Emergency Response Plan shall set out measures to facilitate safety during the construction, operation and decommissioning phases of the development, including protocols to manage a fire during the operation and decommissioning of the site.

Reason: To minimise fire risks and ensure the proposed development has adequate access to water supplies for in the event of an emergency in accordance with Policies D3 and NE12 in the Local Plan.

- 21. Notwithstanding the details submitted, prior to the installation of the solar panels, a landscaping scheme shall be submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include but is not limited to detailed planting proposals to include planting locations and dimensions, species, densities, sizes, mixes and protection and for new planting areas, and hard surfacing materials. The landscaping of the site shall take place in accordance with the approved details and implementation programme. Any planting which within a period of five years of planting dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with the NPPF and Policies NE2, NE12, D1 and SP12 in the Local Plan.

22. Prior to the first use of the development, details of the cleaning procedure for the panels shall be submitted to, and approved in writing by, the local planning authority. The details shall include but not be limited to the frequency of cleaning, volumes of water required, details of any detergents to be used and any required mitigation. The cleaning of the panels shall thereafter take place in accordance with the approved details.

Reason: To protect soil quality and so enable the reinstatement of its agricultural land quality following the cessation of the solar farm use of the land in accordance with the NPPF and policy NE12 in the Local Plan.

23. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

24. No development **approved by this permission** shall take place until a Soil Management Plan has been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be carried out in accordance with the approved details. The soil management plan shall include:

- a) Measures to protect soils during development with reference to the guidance found in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites;
- b) A works programme showing how all soil handling and trafficking operations will be undertaken and which makes allowance for poor weather/ ground conditions stoppages;
- c) Details of how construction activities will be managed across the site to minimise impact on soils; and
- d) Details of appropriate equipment and methods for stockpiling, respreading and ameliorating of soil compaction in accordance with good practice techniques to minimise the risk of soil compaction.

Reason: To protect soil quality and so enable the reinstatement of its agricultural land quality following the cessation of the solar farm use of the land in accordance with the NPPF, Defra Guidance and policy NE12 in the Local Plan.

25. Within the first planting season following the completion of construction works, the **approved** landscaping and biodiversity proposals to be approved shall be implemented in full.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with policies NE4, NE12 and SP12 in the Local Plan.

26. In the event that the development hereby permitted ceases to export electricity for a continuous period of 12 months at any time following the first operations (other than for operational reasons outside the operator's control), or within a period of 40 years



following the first operation, a Scheme for the decommissioning of the solar farm and its ancillary equipment, and how the land is to be restored, shall be submitted to the local planning authority for its written approval. The scheme shall include, but not be limited to the following:

- A programme for the completion of the decommissioning and restoration works,
- Make provision for the removal of the solar panels and associated above ground works approved under this permission.
- The management and timing of any works and a traffic management plan to address likely traffic impact issues during the decommissioning period,
- An environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats, and
- Details of site restoration measures.

The solar farm, and its ancillary equipment shall be dismantled and removed from the site and the land restored to its extant use (agricultural) in accordance with the approved scheme and timescales set out therein.

Reason: The proposal seeks permission for a temporary period only and to ensure the site is appropriately decommissioned and the land is restored following its cessation as a solar farm. In the interests of highway safety and residential amenity and the aims and objectives of Policies T1 and D3 of the Local Plan.

27. Prior to the installation of any CCTV cameras, details of measures to restrict the camera movements around the boundary of the application site to prevent viewing towards residential properties ~~located in Tea Green, The Heath and Darley Road~~ shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the CCTV cameras shall be installed and retained in perpetuity in accordance with the approved details.

Reason: to protect the privacy of adjacent residential properties in accordance with Policy D3 of the Local Plan.

28. Prior to the First Export Date, a Grazing Management Plan (GMP) shall be submitted to the local planning authority for approval in writing. The GMP shall confirm which parts of the site cannot be used for the grazing of livestock. The GMP shall also define which parts of the site will be used for the grazing of livestock, during which months of the year, and what livestock are to be grazed there, and it shall set out details of how the grazing is to be managed. Within three years of the First Export Date, the grazing of livestock shall be implemented on the site in accordance with the GMP. Any changes to the GMP during the lifetime of the permission shall be first submitted to the Local Planning Authority for approval in writing prior to implementation on site and shall thereafter be carried out in accordance with the approved revised GMP.

Reason: To ensure that the agricultural use of Best and Most Versatile Agricultural land continues during operation to accord with policy NE12 of the Local Plan.

29. Before commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' must set out:

- o the phasing of construction and proposed construction programme.
- o the methods for accessing the site, including wider construction vehicle routing.

- o the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
- o the hours of operation and construction vehicle movements.
- o details of any highway works necessary to enable construction to take place.
- o details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- o details of any hoardings and how visibility splays will be maintained.
- o management of traffic to reduce congestion.
- o control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- o the provision for addressing any abnormal wear and tear to the highway.
- o waste management proposals.
- o Provision of sufficient on-site parking prior to commencement of construction activities;
- o Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- o where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding and remaining road width for vehicle movements.

Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).