

ADDENDUM
MEETING OF THE PLANNING COMMITTEE
WEDNESDAY 13th DECEMBER 2023

ITEM NO: 5

PLANNING APPLICATION: 23/00822/F LAND PARCEL AT 525627 145487
REIGATE ROAD SIDLOW SURREY

Further consultation responses

Surrey County Council Countryside Access Team:

“We have no objections but would make the following comments:

- Public Right of Way Salfords and Sidlow Footpath 420 passes through the site.
- Any excavations or changes to the surface of the public right of way must be agreed with this department prior to any works commencing
- To ensure public safety while work is underway, a temporary closure of the right of way may be necessary. A minimum of 3 weeks’ notice must be given and there is a charge. Please contact the Countryside Access Officer .
- Safe public access must be always maintained along the Public Right of Way if no temporary closure is in place.
- There are to be no obstructions on the Public Right of Way at any time, this is to include vehicles, plant or the temporary storage of materials and/or chemicals.
- There must be no encroachment onto the legal width of the Public Right of Way

If the applicant is unsure of the correct line and width of the right of way, Countryside Access will mark out the route on the ground. Applicants are reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group).”

Council’s Noise Consultants (Regulator Support Services):

Raised some queries regarding the submitted information in terms of background noise levels, location of inverters and audible alarms. In response the applicant has confirmed that there was no inverter proposed in field 6 (this was an error in the text of report) and that alarms can be omitted or managed appropriately. The lower background noise rating (30dB instead of 35dB) was justified by using NR curves.

Therefore to conclude the noise consultants raised no objection at this stage and recognising that the specifications of the proposed equipment will need to be finalised the consultant has recommended a condition which secures an updated noise impact assessment prior to commencement of the development which will ensure acceptable noise levels. The updated condition is set out below at condition 23.

Glint and Glare in relation to highway safety

Further to the details in the report at paragraph 6.78 in terms of glint and glare impact for road users. Officers can confirm that Surrey County Council Highway Authority (CHA) has considered the potential for glint and glare as part of the assessment of highway safety. They are satisfied with the conclusions of the submitted Glint and Glare Study which advises that there will not be an impact on road users subject to the retention of and addition of vegetation along the A217 and Ironsbottom Road. Conditions 16 and 19 secure the required retention and enhancement of the boundary vegetation.

Updates to recommended conditions and informatives (changes in bold and italics)

Following discussions with consultees and the applicant the following changes to conditions and informatives are recommended.

Changes to conditions:

7. ***No other development shall take place in relation to field 8 of the solar farm hereby approved*** unless and until the access to Ironsbottom has been constructed and provided with visibility zones in accordance with the approved plan numbered GL VS 01 Rev C and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021.

8. ***No other development in relation to fields 1 to 7 of the solar farm hereby approved shall take place*** unless and until the access to Reigate Road has been constructed and provided with visibility zones in accordance with the approved plan numbered GL VS 02 Rev C and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021.

9. Notwithstanding the approved plans no development shall take place, with the exception of the construction of the two access points, until an internal access road system ***has been set out for vehicles to enter the site to the construction compounds and leave the site in forward gear in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The rest of the internal road system and turning areas shown on***

drawing LUM1008-100 Rev1 shall be implemented strictly in accordance with the approved details. Thereafter the internal road and turning areas approved by this condition and approved plans shall be retained and maintained in accordance for their designated purpose for the lifetime of the development.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021.

~~***15. No development shall commence until the following further ecology information has been provided:***~~

~~***a. Bat Mitigation Strategy***~~

~~***b. Precautionary method of working for reptiles***~~

~~***The development shall be carried out in accordance with the agreed documents.***~~

~~***Reason: To ensure that any potential impact to protected bat and reptile species is adequately mitigated in accordance with the provisions of the National Planning Policy Framework and policy NHE2 of the Development Management Plan 2019.***~~

(incorporate these in to condition 16)

16. No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The LEMP should be based on the proposed impact avoidance, mitigation and Biodiversity Net Gain measures specified in the PEA dated August 2023 and submitted Plan LUM_018_04 Rev K, and shall include, but not be limited to following:

- a) Description and evaluation of features to be managed including reference to the agreed landscaping scheme
- 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, together with a plan of management compartments
- 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 organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.

- j) Monitoring strategy, including details of 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
- k) Biodiversity enhancements (including specific enhancements for hedgehog and brown hairstreak)
- l) Detailed bird mitigation and enhancement strategy (including further detail of measures for skylark)
- m) Hedgerow mitigation and enhancement strategy
- n) Bat Mitigation Strategy**
- o) Precautionary method of working for reptiles**

The agreed details shall be implemented before occupation of this development, unless otherwise agreed in writing by the LPA, and maintained/monitored in accordance with the agreed details.

Reason: To provide enhancements to the biodiversity of the site in accordance with the provisions of the National Planning Policy Framework and Reigate and Banstead Development Management Plan 2019 policy NHE2.

21. ***Within 6 months of*** the first operation of the solar farm, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuD and the implemented drainage design does not increase flood risk on or off site in accordance with policy CCF2 of the Reigate and Banstead Borough Council Development Management Plan 2019 and to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in bird hazard risk in accordance with policy DES1.

23. ***A) Prior to installation of any solar panels for the development hereby approved, an updated Noise Impact Assessment shall be undertaken to provide a complete noise assessment of the potential noise impact of all the to be installed inverters, power conditioning unit and other fixed plant, machinery, or equipment. The report shall also include details regarding any proposed alarms and management of such alarms. The Noise Impact Assessment shall be submitted to and approved in writing by the local planning authority. The assessment shall follow the methodology set out in BS 4142: 2014 and other relevant measures and shall include a finalised scheme of attenuation to ensure the cumulative rating level of noise emitted from the all the proposed fixed plant and equipment is 5 dBA less than background (unless a different level is agreed***

as part of the updated Noise Impact Assessment). The scheme of attenuation shall be implemented in accordance with the approved details, and the approved measures shall be permanently retained and maintained in working order for the duration of the use and their operation.

B) Within 6 months of the first operation of the solar farm a post-installation noise assessment, including suitable measurements, shall have been carried out and submitted to and approved in writing by the Local Planning Authority, to confirm compliance with the noise criteria. Any additional steps required to mitigate the noise impact shall be identified and implemented in accordance with an agreed schedule of works. The details as approved shall thereafter be permanently retained.

Reason: To protect the amenities of adjoining occupiers with regard to policy CS10 Sustainable Development of RBBC Core Strategy (2014) and policy DES9 of the RBBC Development Management Plan (2019).

24. **Within 1 month of the** first operation of the development full details (and plans where appropriate) of the waste management scheme, including details of waste storage and recycling and collection for the commercial and industrial waste and details of how the facilities will be maintained and managed for the life of the development, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall operate in accordance with the agreed waste management scheme for the duration of its operation

Reason: To provide adequate waste facilities in the interests of the amenities of the area and to encourage recycling in accordance with the Development Management Plan 2019 policy DES1 and policies within the Surrey Waste Local Plan 2019.

Note: conditions 16 onwards will be re-numbered to account for the removal of condition 15.

Additional informative:

The proposal does not impact on the public right of way that runs along the southern edge of field 8 during the operation phase with the solar panels and security fencing set away from the footpath. The applicant may however need to temporarily divert or stop up the path during the construction phase to allow the laying of the underground cable between field 8 and 3. The following informative is therefore recommended to highlight this to the applicant.

11. The applicant is reminded that any work should not pose a hazard to public footpath users or reduce the width of path that had been previously available

during the construction or operation of the development. Planning permission does not give permission for the public right of way to be diverted. If it is necessary to temporarily divert a path then this has to be done through a separate legal process with Surrey County Council and their Countryside Access Team before development commences.

If you require a temporary diversion or closure - for example to lay pipes or cables, Surrey County Council requires at least 8 weeks notice and you will be expected to pay the Council's administrative costs and the cost of advertising the order in the local paper. A previously agreed alternative path must be made available. The Council would urge you to contact the Countryside Access Team prior to commencing any works. Further details can be found at <https://www.surreycc.gov.uk/culture-and-leisure/countryside/management/footpaths-byways-and-bridleways/rights-of-way/new-buildings>.