



**East Suffolk House, Riduna Park, Station Road,  
Melton, Woodbridge, Suffolk, IP12 1RT**

# **Strategic Planning Committee**

## **Members:**

Councillor Debbie McCallum (Chairman)  
Councillor Paul Ashdown (Vice-Chairman)  
Councillor David Beavan  
Councillor Stuart Bird  
Councillor Chris Blundell  
Councillor Norman Brooks  
Councillor Jenny Ceresa  
Councillor Tony Cooper  
Councillor Linda Coulam  
Councillor Tom Daly  
Councillor Mike Deacon  
Councillor Andree Gee  
Councillor Colin Hedgley  
Councillor Mark Newton  
Councillor Malcolm Pitchers  
Councillor David Ritchie  
Councillor Craig Rivett  
Councillor Kay Yule

Members are invited to a **Meeting of the Strategic Planning Committee** to be held in the Deben Conference Room, East Suffolk House, Melton on **Monday, 4 October 2021 at 10:30am**

This meeting is being held in person in order to comply with the Local Government Act 1972. In order to comply with East Suffolk Council's coronavirus arrangements and guidance, the number of people at this meeting will have to be restricted to only those whose attendance is reasonably necessary.

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the

livestream, via the East Suffolk Council YouTube channel instead at  
<https://youtu.be/qzVMLqFbUI4>.

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to [democraticservices@eastsuffolk.gov.uk](mailto:democraticservices@eastsuffolk.gov.uk), of your intention to do so no later than 12 noon on the working day before the meeting so that the meeting can be managed in a COVID secure way and the Team can endeavour to accommodate you and advise of the necessary health and safety precautions.

However, we are not able to guarantee you a space/seat and you are advised that it may be that, regrettably, we are not able to admit you to the meeting room.

An Agenda is set out below.

## **Part One – Open to the Public**

	<b>Pages</b>
<b>1 Apologies for Absence and Substitutions</b>	
<b>2 Declarations of Interest</b> Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>3 Declarations of Lobbying and Responses to Lobbying</b> To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4 Minutes</b> To confirm as a correct record the Minutes of the Meeting held on 7 June 2021	<b>1 - 7</b>
<b>5 DC/21/1001/FUL - Land to the north and south of New Road, East of Silverlace Green, Parham ES/0903</b> Report of the Head of Planning and Coastal Management	<b>8 - 91</b>
<b>6 Energy Projects Update</b> To receive a presentation from the Deputy Leader and Cabinet Member with responsibility for Economic Development on Energy Projects within East Suffolk	

		Pages
<b>7</b>	<b>Draft Development Briefs for Housing and Commercial Site Allocations</b> To receive a verbal update on draft development briefs and commercial site allocations in East Suffolk	
<b>8</b>	<b>Enforcement Performance Report - April to June 2021 ES/0906</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>92 - 96</b>
<b>9</b>	<b>Planning Performance Report – April to June 2021 ES/0907</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>97 - 102</b>
<b>10</b>	<b>Appeals Performance Report – 13 May to 21 September 2021 ES/0908</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>103 - 126</b>
<b>11</b>	<b>Planning Policy and Delivery Update ES/0909</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>127 - 135</b>
<b>12</b>	<b>Strategic Planning Committee's Forward Work Programme</b> To consider the Committee's Forward Work Programme	

## Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

**Close**



Stephen Baker, Chief Executive

## Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than planned.

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

## Filming, Videoing, Photography and Audio Recording at Council Meetings

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If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email: [democraticservices@eastsuffolk.gov.uk](mailto:democraticservices@eastsuffolk.gov.uk)



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**Unconfirmed**



Minutes of a Meeting of the **Strategic Planning Committee** held in the Conference Room at Riverside, Lowestoft on **Monday 7 June 2021 at 10:30 am**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Malcolm Pitchers, Councillor David Ritchie, Councillor Craig Rivett, Councillor Kay Yule

**Officers present:** Katherine Abbott (Democratic Services -Clerk), Liz Beighton (Planning Development Manager), Sarah Carter (Democratic Services -Host), Matt Makin (Democratic Services - Co-host), Bethany Rance (Graduate Planner, Energy Projects), Desi Reed (Planning Policy and Delivery Manager), Philip Ridley (Head of Planning and Coastal Management), Ben Woolnough (Planning Development Manager).

**1 Election of a Chairman**

The Clerk sought nominations for the election of a Chairman for the Municipal Year.

Councillor McCallum was nominated by Councillor Ashdown and this nomination was seconded by Councillor Ritchie. There being no other nominees, it was duly

**RESOLVED**

That Councillor McCallum be elected as Chairman of the Strategic Planning Committee for the 2021/22 Municipal Year

**2 Election of a Vice-Chairman**

The Chairman sought nominations for a Vice Chairman for the Municipal Year.

Councillor Ashdown was nominated by Councillor McCallum and this nomination was seconded by Councillor Ritchie. There being no other nominees, it was duly

**RESOLVED**

That Councillor Ashdown be elected as Vice Chairman of the Strategic Planning

**3 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Brooks, Councillor Deacon and Councillor Fryatt. Councillor Craig acted as Substitute for Councillor Deacon.

**4 Declarations of Interest**

There were no Declarations of Interest.

**5 Minutes**

By consensus, it was

**RESOLVED**

That the Minutes of the Meeting held on 8 March 2021 be confirmed as a correct record

**6 Energy Projects Update**

The Committee received a presentation by Councillor Rivett as the Deputy Leader and Cabinet Member with responsibility for Economic Development on Energy Projects within East Suffolk.

In summary, the presentation outlined the status (constructed, pre-construction, examination, pre-application, option assessment) of current and forthcoming energy projects, including East Anglia One, Two, Three, and One North; Sizewell C; Nautilus; Eurolink; SCD1; Five Estuaries, and North Falls.

The Committee was advised that the Nautilus and Eurolink projects were National Grid Ventures, reclassified as multi-purpose interconnectors, and a non-statutory consultation would be undertaken in late Summer on the connection offer to Friston (not yet consented) with a formal consultation anticipated towards the end of the year. The DC submission for the Nautilus project was expected in quarter two of 2023. The Committee was reminded that Councillors had received a briefing on the projects in February and that National Grid Ventures had held a webinar for town and parish councils in March.

With regard to SCD1, Councillor Rivett said this was an interconnector project by National Grid Ventures between Kent and Suffolk. A formal consultation was anticipated later this year or early next and the earliest service date was 2029.

The Committee was informed that the Five Estuaries, formally known as the Galloper extension, had had a connection offer previously identified to the substation at Friston (not yet consented), but this might alter. It was stressed that this was at a very early stage and connection was not anticipated until 2030.

With regard to North Falls, Councillor Rivett said this had previously been called the

Greater Gabbard extension; a connection offer had been made but the location was not yet identified. Again this project was at a very early stage and connection was not anticipated until 2030.

The Committee was updated on the examination of East Anglia One North and East Anglia Two which had been extended by three months until 6 July 2021. The full details of the remaining deadlines, recently heard hearings etc. was available on the Planning Inspectorate's website.

With regard to the examination of Sizewell C, the Committee was informed that this had commenced in April 2021 and would conclude in October 2021. Open floor hearings had been held in the week commencing 18 May 2021, local impact reports had been submitted and responses to the Examiner's questions provided. Issue-specific hearings would commence on 6 July 2021, accompanied site visits would take place in June and again all details were available on the Planning Inspectorate's website.

In conclusion, Councillor Rivett highlighted current energy project priorities, in particular, the close partnership working with the County Council, Natural England, Historic England, Suffolk Coasts and Heaths AONB, Environment Agency, Suffolk Constabulary and Suffolk's clinical commissioning groups. In addition, he said, the Council continued to work with local councillors, town and parish councils, and local groups. Lastly, the Council continued to lobby Government, to take part in the Offshore Network Transmission Review and to interact with the Crown Estate.

There were no questions on the presentation. The Chairman thanked Councillor Rivett for a clear and comprehensive presentation.

## **7 Annual Review of The Planning Referral Panel Procedure and Processes**

The Committee received report **ES/0781** which provided a summary of the applications presented to the Referral Panel in respect of the volume of traffic, level of Ward Member comment and statistics of the route of determination of all applications so presented. Councillor Ritchie, as the Cabinet Member for Planning & Coastal Management, introduced the report. In his introduction, Councillor Ritchie said that, as the responsible Cabinet Member, he had no cause for concern about the effectiveness of the referral panel and its processes. He added that he considered the referral panel to be efficient and effective in its role.

Councillor Cooper, as the Assistant Cabinet Member for Planning, praised what he described as the first class work of the referral panel. He said Councillors were encouraged to attend to see the work for themselves and reminded the Committee that Ward Members could submit comments for consideration by the panel, by email, up to the day before it met.

Councillor McCallum said that more Councillors had been able to attend the referral panel while it had been held remotely which was very welcome.

There being no questions and at the request of the Chairman, the recommendation was proposed by Councillor Ashdown and seconded by Councillor Cooper. The

Chairman invited debate.

Councillor Hedgley stated that he would like Ward Members to be allowed to speak in person at the referral panels. He referred to sometimes inaccurate comments made by the panel which the Ward Member with their local knowledge would be able to correct. He noted that it was possible to send comments in to the panel in advance but that was not helpful, he said, in addressing inaccuracies on the day of the meeting. Councillor Hedgley said the presence of the Ward Member would enhance the democratic process. He noted that the Cabinet Member and Assistant Cabinet Member were pleased with the panel's work but suggested that constituents were not and that there was a need to make the decision-making process more transparent.

Councillor Ashdown reminded the Committee that comments could be provided up to the evening before the referral panel sat. He added that if every Ward Member attended to comment on applications in their ward the referral panel meeting would be too long.

Councillor Coulam said that if Ward Members commented at referral panel this might lead to debate which was not, she suggested, the purpose of the meeting. She added that she did not consider any changes were necessary.

Councillor Yule stated that she agreed with Councillor Hedgley. She warned that the public perception of the referral panel was not being considered and that as planning was always contentious it would be better to have the Ward Member present and able to comment on what the panel discuss. She added that sending an email in advance when the Ward Member did not know what might come up at the meeting was not helpful and did not allow the possibility to counter remarks made. Councillor Yule emphasised the need for the public to have confidence in the robust consideration of applications and that the perceived in-balance towards the referral panel as opposed to the public Planning Committees needed to be addressed.

Councillor Ritchie said that the referral panel was not meant to be a Planning Committee and reiterated its role as a means of "routing" applications. Councillor McCallum said that if Ward Members were allowed to speak it might necessitate the need to invite objectors, agents, developers etc. to the referral panel.

Councillor Cooper noted that of the 230 applications considered by the referral panel, 18 had been accompanied by pre-submitted comments by Ward Members; he suggested that this indicated that Ward Members were content with the current arrangements. Councillor Cooper also cautioned against the perception of pre-determination.

In response, Councillor Hedgley emphasised that he did not wish the referral panel to become a 'debating chamber'; rather he sought the ability to speak at the referral panel to comment on remarks or inaccuracies with the benefit of local knowledge. He stated that it was not possible to predict the making of such comments and so the advance email was ineffective in isolation and would be strengthened by the ability to speak too. In response to Councillor Cooper's point, Councillor Hedgley suggested that perhaps Ward Members did not attend the referral panel because they were not allowed to speak.



Councillor Rivett and Councillor Ritchie asked Councillor Hedgley to provide, outside of the meeting, an example of when the inability to speak at referral panel had created an issue. Councillor Rivett endorsed the contents of the report and agreed that the referral panel provided a good routing service for applications. He agreed that public perception was important but suggested that it was beholden on district Councillors to explain the process and why it existed

It was proposed, seconded and by majority vote

#### **RESOLVED**

That having received, questioned and discussed the report its contents be noted.

*11.10am The meeting was adjourned briefly and reconvened at 11.20am. Councillor Gee left the meeting.*

### **8 Enforcement Performance Report – January to March 2021**

The Committee received report **ES/0782** which provided information on the performance of the enforcement section of the Development Management Team. Councillor Ritchie, as Cabinet Member for Planning and Coastal Management, introduced the report.

There being no questions or matters raised for debate, it was proposed by Councillor Ritchie, seconded by Councillor Hedgley, and by unanimous vote

#### **RESOLVED**

That having received the report its contents be noted

### **9 Planning Performance Report – January to March 2021**

The Committee received report **ES/0783** which provided an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications. The report was introduced by Councillor Ritchie as Cabinet Member for Planning and Coastal Management. Councillor Ritchie emphasised the excellent performance overall and said the Council had successfully met all local and national targets.

There being no questions or matters raised for debate, it was proposed by Councillor Ashdown, seconded by Councillor Cooper and by unanimous vote

#### **RESOLVED**

That having received the report its contents be noted

### **10 Appeals Performance Report – January to 12 May 2021**

The Committee received report **ES/0784** which provide an update on the planning

performance of the Development Management Team in terms of the quality and quantity of appeal decisions received from the Planning Inspectorate following refusal of planning permission by East Suffolk Council. Councillor Ritchie, as Cabinet Member for Planning and Coastal Management, introduced the report. He stated that 16 appeals had been made and 14 had been dismissed - this he said was a success rate of 88% which was better than the national average and reflected the soundness of the Council's planning decisions.

There being no questions, the recommendation was proposed by Councillor Yule and seconded by Councillor Bird. The Chairman invited debate. Councillor Rivett said he would like to formally, through Councillor Ritchie, thank the Planning Team for an excellent performance result against a national benchmark. There being nothing further raised for debate, the Chairman sought a vote on the recommendation; it was by unanimous vote

## **RESOLVED**

That having received and discussed the report its contents be noted

## **11 Planning Policy and Delivery Update**

The Committee received report **ES/0786** which provided an update on key elements of the current work programme, including preparing Supplementary Planning Documents (SPDs), strategies on specific topics such as cycling and walking, the delivery of infrastructure to support growth through CIL collection and spend, Neighbourhood Plans, and housing delivery. Councillor Ritchie as Cabinet Member for Planning and Coastal Management introduced the report and referred the Committee to the key milestones met since the last meeting in March and detailed in section 2 of the report, and forthcoming key milestones for the next 3/4 months in section 3.

He added that, in the last few days, the Council had been selected by the Government to be a pathfinder authority to see how the Government's proposals set down in last year's Planning White Paper might work in reality for the digitisation of Local Plans.

The Planning Policy and Delivery Manager said the selection of the Council to be a pathfinder authority was extremely pleasing but would mean an intensive period of work up to mid August given the current work programme. The status did include some funding for resources.

In response to a question by Councillor Blundell about draft development briefs, the Cabinet Member confirmed that this was a new initiative for specific development sites within the Local Plans. Councillor Blundell asked if these briefs would also be available for commercial developments or just housing developments. The Planning Policy and Delivery Manager confirmed that only development briefs for housing sites were currently programmed but the need to prepare briefs for employment sites as well would be considered.

Councillor Ashdown asked if the work as a pathfinder authority would be brought to the Local Plan Working Group (LPWG). The Planning Policy and Delivery Manager

confirmed that the Government regarded this as a confidential project and so what could be imparted to the LPWG would need to be carefully considered. The Cabinet Member emphasised that the Council’s views on the Planning White Paper were extensively documented in its response to Government.

The recommendation was proposed by Councillor Pitchers, seconded by Councillor Coulam and there being no matters raised for debate it was by unanimous vote

**RESOLVED**

That having received and questioned the report its contents be noted

**12 Strategic Planning Committee's Forward Work Programme**

The Committee reviewed its Forward Work Programme. It was suggested by Councillor Blundell that the Committee receive future housing and commercial development briefings (as at paragraph 2.7 of the report).

There were no exempt or confidential items of business.

The meeting concluded at 11.40am

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Chairman

**Strategic Planning Committee**

**Committee Report** – Monday 4 October 2021.

**Application no:** DC/21/1001/FUL

**Location:**

Land to the North And South Of New Road, East of Silverlace Green, Parham, Suffolk

**Expiry date:** 30 September 2021

**Application type:** Full Application

**Applicant:** Low Carbon Solar Park 3 Limited / AECOM

**Parish:** Parham

**Proposal:** Construction and operation of a solar farm together with all associated works, equipment and necessary infrastructure.

**Case Officer:** Grahame Stuteley  
Senior Energy Projects Officer  
[grahame.stuteley@eastssuffolk.gov.uk](mailto:grahame.stuteley@eastssuffolk.gov.uk)

**1. Summary**

- 1.1. The planning application is submitted as a full application, with the formal description of development as follows: Construction and operation of a solar farm together with all associated works, equipment, and necessary infrastructure. It is for the construction and operation of a solar farm together with all associated works, equipment, and necessary infrastructure. The proposed solar farm consists of ground mounted photovoltaic (PV) panels which cover six fields currently in agricultural use, having a land area of 73.95 hectares (Ha). The proposed solar farm will generate up to 49.9MW of electricity which equates to the power consumption of approximately 16,581 homes and a saving of approximately 11,210 tonnes CO2 per annum.
- 1.2. The principle of low carbon and renewable energy development is well established within both National and Local planning policy and guidance. Applications for renewable energy schemes within East Suffolk must therefore be supported in line with planning policy requirements and local commitments. Appropriate weight has therefore been given to the positive contribution that this development would make towards meeting National and

Local carbon reduction targets as discussed in detail within the Planning Considerations section of this report.

- 1.3. When determining applications for planning permission, Paragraph 47 of the National Planning Policy Framework (NPPF 2021) states that they should be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing. For this application, a series of extensions of time were agreed with the Applicant to allow for the provision of species survey materials and surface water drainage evidence, being integral to the determination process. The requirements of Paragraph 47 have therefore been met in full by East Suffolk Council and appropriate weight has been given to all material planning matters in accordance with the development plan.
- 1.4. This application was discussed with the referral panel on 17th August 2021 and all members confirmed that they were happy with it proceeding to a Strategic Planning Committee meeting scheduled to be held on the morning of Monday 4th October 2021.
- 1.5. This application has come before members of the Strategic Planning Committee in line with the East Suffolk Council Constitution (Aug 2021), Section E, Appendix 1 – Register of Specific Officer Functions for the Head of Planning and Coastal Management. Item 1 has been invoked, stating that the Planning Application is, in the opinion of the Head of Planning and Coastal Management, of significant public interest.
- 1.6. The scale of this proposal (having a proposed land area of 73.95 hectares (Ha)) and its forecast electricity generation output (up to 49.9MW) places it just below the 50MW Nationally Significant Infrastructure Project (NSIP) threshold for an onshore generating station in England, as defined in Section 15 of the Planning Act 2008 (as amended).
- 1.7. Given the strategic nature of the proposal, the scale of the development proposed, and the importance of low carbon and renewable generating energy to East Suffolk, it was determined that the application should be considered and determined by the Strategic Planning Committee.
- 1.8. Timely determination is required by the Applicant to enable them to enter in to the BEIS Contracts for Difference (CfD) auction process which is being held in December 2021 (should planning permission be granted). The CfD scheme is the government's main mechanism for supporting low-carbon electricity generation. Renewable generators located in the UK that meet the eligibility requirements can apply for a CfD by submitting a 'sealed bid'. Successful developers enter into a private law contract with the Low Carbon Contracts Company (LCCC), a government-owned company, and they are paid a flat (indexed) rate for the electricity they produce over a 15-year period. This cycle only occurs every two years and plays a fundamental role in the proposal's business model.
- 1.9. All detailed matters have been satisfactorily resolved with support from statutory consultees. Any remaining matters outstanding have been given due consideration and have subsequently been discussed and agreed with statutory consultees and the Applicant to be covered by viable pre-commencement planning conditions. On this basis, no matters have been overlooked and approval is recommended subject to the agreed planning conditions

## 2. Site Description

- 2.1. The proposed development site covers six existing fields in the vicinity of the Parham Airfield Museum, extending to the north and south between Mill Green, Great Glemham and Silverlace Green. The southern half of the site is due to be located within the historic confines of the former RAF Framlingham Airfield.
- 2.2. The south-eastern boundary of the site is adjacent to a residential property and commercial buildings which are separated from the proposed development site by New Road. There is also farmland belonging to Runway Farm in this vicinity. The eastern boundary also neighbours land belonging to Church Farm and Paul's Grove Farm which extends east to further residential properties. Commercial buildings (including the Parham Museum) are located to the west of the site, with farmland belonging to Stone Farm to the north and the land to the south belonging to Common Farm.
- 2.3. There is an existing solar farm located on approximately 35 hectares of land adjacent to the proposed development site to the south and east of Runway Farm, Parham Airfield, Great Glemham (Ref: C/12/2067). This existing development lies to the east of the southern boundary / New Road and consists of a 15MW solar farm with substation building, an operations and maintenance kiosk, seven inverter kiosks, security fencing, cameras, poles, landscaping, cable route and access. This application was approved in April 2013 and covers agricultural land which also formed part of the historic airfield.
- 2.4. The proposed development site and its surroundings are predominately rural in character on land currently in arable agricultural use. The development site is mostly covered by Agricultural Land Class 3b (moderate quality land), with a lesser extent being covered by Class 3a (good quality land – best and most versatile). It is understood that there are no landscape designations covering the site.
- 2.5. The dominant landform of the proposed development site and its surrounding area is of generally flat, arable fields, characteristic of disused historic airfields in the East of England. The site is located approximately 1.5km to the east of the River Ore at its nearest point and the is located within a Flood Zone 1 area meaning it has a low risk of flooding.
- 2.6. There are three Public Rights of Way (PRoW) which run directly across or along the perimeter of the proposed development site, with a forth being located close to the site boundary. Footpath 8 (FP8) and Footpath 14 (FP14) cross directly through the centre of the site on a north-east/south-west alignment, dissecting it in two and linking Trust Farm/Simpers Drift in the east with Silverlace Green/Hall Road in the west. Both footpaths partially run along an existing access track which crosses through the site boundary. Footpath 10 (FP10) runs along the northern boundary of the site in a north-east/south-west alignment, it commences in the east on Simperts Drift and continues west along agricultural farmland boundaries for approximately 1km where it links with Footpath 12 at Paul's Grove, running west to Mill Green.
- 2.7. Two points of vehicular access will be provided to the site joining on to New Road, these will utilise existing junctions currently serving access tracks used by agricultural machinery.
- 2.8. All vehicular movements accessing and departing the site during the construction, operation and decommissioning phases of the proposed development will utilize the two access points linking on to New Road. Drivers due to arrive at the site will be instructed to

make use of A-roads such as the A12 whether travelling from the north or south, exiting the highway at The Lodge junction and joining Button's Road, before turning north onto New Road. Departing drivers will use the same route.

- 2.9. There are no designated heritage assets within the application site, however there are several assets whose setting could be affected by the proposed development.
- 2.10. A brief review of the site's recent planning history (last 10 years) suggests that there was a 74m tall wind turbine refused in 2011 due to landscape character impacts (Ref: C/11/0191). No other significant planning history has been identified within the defined development boundary of relevance to this application.

### **3. Proposal**

- 3.1. The application has been submitted by Aecom (the agent) on behalf of Low Carbon Solar Park 3 Limited (the Applicant). The proposal comprises the construction and operation of a solar farm together with all associated works, equipment, and necessary infrastructure on land to the north and south of New Road, east of Silverlace Green, Parham, Suffolk. The proposed solar farm consists of ground mounted photovoltaic (PV) panels which cover six fields currently in agricultural use, having a land area of 73.95 hectares (Ha). The solar panels and associated infrastructure are collectively referred to as 'B-17 Solar Farm'.
- 3.2. The Cable Connection Route element of this application links the solar farm to the local electricity grid network and extends approximately 3km to the west of the site, linking with a substation to the south-west of Parham. The Applicant proposes that the electricity cable is buried within the local public highway network (including Hall Road, The Street and the B1116 in Parham) connecting generated electricity with the substation location.
- 3.3. The Applicant proposes two points of vehicular access joining New Road at existing access track junctions. Both junctions will be modified as part of the development in order to accommodate all anticipated vehicle turning manoeuvres to serve the development over its operational life. The Applicant also proposes hedgerow reinforcement to fill gaps in existing hedges where necessary in order to limit long views. Landscaping will include wildflower boundaries as well as a security fence set within existing field boundaries.
- 3.4. The proposed solar panel arrays will be aligned in rows running east to west (having a south facing aspect) and a maximum height of 3m above ground level and a horizontal inclination of between 10 and 35 degrees. The metal framework housing the solar panel modules will be supported at intervals by either single or double mounted posts approximately 5m apart. Support posts will be driven into the ground to a depth of 1.5m and cabling would be concealed in trenches.
- 3.5. There are 27 proposed inverters and transformers with each being contained in a shipping container measuring 2.9m high, 12.2m long and 2.5m wide. Each inverter converts direct current (DC) coming from the solar panels to alternating current (AC). The transformers (also contained within the inverter containers) convert the low voltage output from the inverters into high voltage current suitable for feeding into the local electricity distribution network. The containers will be located towards the centre of the development.
- 3.6. A substation compound will be provided at the site which will contain a Development Network Operator (DNO) substation measuring approximately 4.1m high, 8m long and 6m

wide. This will be accompanied by a customer substation measuring approximately 3m high, 10m long and 4m wide. Both structures will be located on a hardcore base.

- 3.7. The Cable Connection Route is due to link into the Parham Substation located approximately 3km to the south west of Parham village. The applicant is proposing that the cable route runs below ground in buried trenches exiting the site along the farm access track and extending across two fields before connecting with the lane joining Hall Road on the northern edge of Rachel's Wood. It then turns west where it will run along Hall Road into Parham, joining with The Street and passing through Parham village. The cable route then joins the B1116 heading south for approximately 1km before connecting with the substation on the southern side of Old Hall, located on the western side of the B1116 road.
- 3.8. A stock-proof fence with mesh and wooden posts to a height of approximately 2m will be installed along the outer edges of the proposed development site to restrict access. This would be located a minimum of 4m withing existing field boundaries/hedges/trees/vegetation to ensure visual screening and to allow for hedge maintenance. Gates will be installed at site access points and the perimeter of the site will utilise a system of CCTV cameras and/or infrared cameras to provide 24-hour surveillance. An intelligent sensor management system will be used to manage the cameras which will be situated on poles of approximately 2.3m in height, spaced at 50m intervals. There would be no lighting within the site at night.
- 3.9. Construction will take approximately 16 weeks and facilities would be provided on site for construction works including a site office, welfare facilities and temporary parking. Construction working hours would be 8am to 6pm weekdays and 8am to 1pm on Saturdays. Once the solar farm is in operation, occasional maintenance of the panels and infrastructure would be required (i.e. cleaning). It is anticipated that no more than four two-way trips would be required each week by car or van. The applicant intends for the site to be maintained in agricultural use over its operational lifespan, utilizing grazing and/or planting of grassland meadows.
- 3.10. The operational life of the solar farm is currently anticipated to be approximately 40 years, after which the solar panels and other infrastructure would be removed and the site restored back to full agricultural use. The decommissioning process intends to restore the land to the same quality as it was prior to the development taking place and this would be secured via planning condition.
- 3.11. The proposed B-17 solar farm will generate up to 49.9MW of electricity which equates to the power consumption of approximately 16,581 homes and a saving of approximately 11,210 tonnes CO<sub>2</sub> per annum. This is only marginally below the 50MW Nationally Significant Infrastructure Project (NSIP) threshold for an onshore generating station in England, as defined in Section 15 of the Planning Act 2008. This application is therefore considered under the Town and Country Planning Act 1990 (as amended).
- 3.12. The proposed development includes the following key elements as set out in the Applicant's submission materials:
- Rows of solar PV panels;
  - Approximately 27 inverters and transformers (within containerised units similar to shipping containers);



- Approximately 3km cable connection from the site to Parham Substation (the Cable Connection Route)
- DNO (Development Network Operator) substation;
- Customer substation/switchgear;
- Internal access tracks;
- Internal buried cabling;
- Perimeter fence and security gate;
- CCTV cameras.

3.13. The Applicant states that this is the minimum level of development required to ensure the site performs effectively in generating and storing electricity. There would also be provision of planting and landscaping to effectively assimilate the proposed development into the wider landscape

### **EIA Development**

- 3.14. The proposals have been the subject of pre-application discussions with the Local Authority prior to the submission, with pre-application advice being provided to the applicant by the Council along with an Environmental Impact Assessment (EIA) Screening Opinion.
- 3.15. The EIA Screening Report response provided by East Suffolk Council on 17th December 2020 advised that the proposed development required an EIA as it exceeds the published EIA Regulation thresholds for solar energy development (under the Energy Industry category) as set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 3.16. The EIA Screening Report found that the proposed site area far exceeds the 0.5Ha threshold, and that the assessment needs to consider the potential significance of impacts relating to air emissions, visual impact, heritage impacts and the potential for underground archaeology due to large scale of site. It also found that there is potential for in-combination effects with other energy projects in the locality as there is an existing 15MW solar farm located adjacent to the proposed development site (Ref: C/12/2067) which may result in cumulative impacts such as vehicle movements. This application is therefore accompanied by an Environmental Statement.

## **4. Consultations / Comments**

- 4.1 The proposed solar farm extends across three Parish Council boundaries, these being Parham, Great Glemham and Marlesford.

### **Parham Parish Council:**

- 4.2 On 30th March 2021, Parham Parish Council confirmed their **support** for the application subject to further negotiations with Low Carbon, stating:

‘Parham Parish Council has now met and discussed this application. It supports the proposals subject to further negotiations with Low Carbon.

The Parish Council will be meeting to discuss possible community benefits of the scheme with Low Carbon in April.

The Parish Council is concerned about the proposed route of the cables and the extent of disruption and length of road closures the current route would lead to. Councillors would prefer for the cable to be taken across fields rather than next to the roads.'

#### **Great Glemham Parish Council:**

- 4.3 On 19th March 2021, the Clerk for Great Glemham Parish Council requested a two week extension to the consultation deadline as they were awaiting further information from Low Carbon who were unable to address some of the questions raised at the Parish's extraordinary meeting held earlier that week. In the interests of flexibility this request was approved, resulting in a revised consultation closing date of 15th April 2021. This allowed additional time for the applicant to provide the Parish Council with the requested information to assist them in their consideration of the application.
- 4.4 On 31st March 2021, Great Glemham Parish Council confirmed that they **object** to this application in its current form, stating:

'Summary:

The Parish Council has been supportive of renewable energy projects on Parham Airfield in the past, were open minded to this application and remain supportive of renewable energy at this location but have reservations relating to the process of community consultation, the detail and quality of the information provided during this process and also the overall scale of the proposal in relation to its impact on the wider landscape. We have tried to use Policy No. SCLP9.1 to guide our opinion as well as reflect concerns raised by Parishioners

SCLP9.1 States:

The Council will support Neighbourhood Plans in identifying suitable areas for renewable and low carbon energy development, particularly where they relate to developments that are community-led. In identifying suitable areas, consideration should be given to the criteria listed below:

- a) They can evidence a sustainable and, ideally, local source of fuel;
- b) They can facilitate the necessary infrastructure and power connections required for functional purposes; and
- c) They are complementary to the existing environment without causing any significant adverse impacts, particularly relating to the residential amenity, landscape and visual impact, the natural beauty and special qualities of the AONB, transport, flora and fauna, noise and air quality, unless those impacts can be appropriately mitigated.

The Council will support low carbon and renewable energy developments, with the exception of wind energy schemes, where they are within an area identified as suitable for renewable or low carbon energy or satisfy the above criteria. Wind energy schemes must be located in an area identified as suitable for renewable or low carbon energy in a Neighbourhood Plan.

From the material presented to us to date over the consultation period by the Applicant we believe that adverse impacts relating to the wider and immediate landscape amenity have not been properly addressed as the criteria summarised in point c).

We have met with the Applicant twice, the first meeting in December 2020 during which they presented a power point report which was followed by a Q&A session. Due to the limited information provided we took a decision at that point to await the actual planning application before coming to any conclusions.

On receipt of the actual application notification, we had a further virtual meeting with the developer, but this resulted in very little new information to what had already been presented beforehand. Their representative was not able to answer any specific questions in regard to the detail, height of panels, spacing of rows and no visuals were available to determine the impact on the local countryside and neighbouring properties - particularly those Parishioners effected by the development but outside the consultation zone. The Parish Council felt that the developer had not taken the meeting seriously enough and was ill prepared.

As a result of this we submitted a request for an extension to the deadline for submitting comments to the planning department at 1541 hours on 19 March, pending further information from Low Carbon. To date we have not received a reply from your department.

From the information provided we remain concerned that the wider impact of this development has not been properly assessed by the applicants and have strong concerns in this respect due to the scale of the proposed site particularly in reference where it moves into the wider landscape outside the curtilage of the old airfield and the impact it will have over a large area of the surrounding countryside as a result.

In light of this we submitted a request for an extension to the deadline for submitting comments to the planning department at 1541 hours on 19 March, pending further information from Low Carbon offered at the end of the most recent meeting. To date we have not received a reply from your department.

Since that time we have received some selected viewpoint photomontages which appear of low quality and of limited use and have had a request to attend a meeting to discuss a community benefit scheme with other Parish Councils. Having been told by the applicant at pre-application that the proposed development model did not support a community benefit scheme we welcome this development but feel for clarity this should not be linked with the Application process. We have not had any further offer from the developer to review their proposal in detail with them.

As such we feel we are in no position but to object to this application in its current form.'

- 4.5 As a point of clarification, the Case Officer authorised a two-week consultation extension for Great Glemham Parish Council following the request received from the Parish Clerk on 19th March 2021. The revised consultation deadline for Great Glemham Parish Council was therefore extended to 15th April 2021.

#### **Marlesford Parish Council:**

- 4.6 On 29th March 2021, Marlesford Parish Council confirmed that they **do not support** this application, stating the following:

‘The proposal for the development of a solar farm to cover the old WW2 airfield comes from Low Carbon, an investment platform specialising in renewable energy ([www.lowcarbon.com](http://www.lowcarbon.com)).

While the company hopes for a good return for their investors, we fear the parish of Marlesford will pay the price. Recently, I met (on Zoom) with their Stakeholder Manager, xxxx, plus xxxx and xxxx.

My first point was that the solar farm would dramatically change our local rural scene for the worse. However, my point about the East Anglian concept of big skies was lost on them as they all live in Gloucestershire and had never visited the site.

The original information sent to Marlesford Parish Council included a very inferior map. My complaint on behalf of local residents to Low Carbon produced copies of larger clearer maps. However, the map still did not give any latitude or longitude, indicate North (an important feature for a solar farm), state the scale of the map or highlight the roads (especially important for access to the site). These deficiencies came as a surprise to the Low Carbon staff.

In the corner of the new version map is a larger scale inset showing Parham, Little Glemham, Wickham Market etc.. Marlesford, through which all the construction traffic from the A12 to site will pass, is not shown.

There is talk in the application of screening the site boundaries with hedging. As the solar cells will be 3m high, large hedges will be needed. The Marlesford housing overlooking the site is to the South. Instead of opening their bedroom curtains in the morning to view the seasonal rural scene, a sea of glittering silicon panels will be presented. To screen the houses effectively, trees will be needed but, as this is to the South of the site, unless spaced well away from the solar cells, the trees will shade them in the middle of the day. The area bounded by the Button’s Avenue, the A12 and the Marlesford to Gt Glemham road forms part of important and sensitive landscape. Marlesford Parish Council would find the application more acceptable if the section of the solar farm to the East of New Road (Marlesford to Great Glemham) was removed from the proposal.

Because of the enormous increase in traffic flowing through Marlesford with the development of Sizewell C nuclear power station and EA1(N) and EA2 windfarms, the construction traffic for the proposed solar farm would place an intolerable burden on Marlesford.

Marlesford Parish Council does not support this application.’

**Framlingham Town Council:**

4.7 No response was received.

**Easton Parish Council:**

4.8 No response was received.

## **Hacheston Parish Council:**

- 4.9 On 11th May 2021, the Hacheston Parish Clerk advised that the parish **does not object** and provided the following comments:

‘The following applications were presented to council at the meeting on May 10th. All had no objections.

DC/21/1001/FUL | Construction and operation of a solar farm together with all associated works, equipment and necessary infrastructure | Land To The North And South Of New Road East Of Silverlace Green Parham Suffolk - no objections’.

## **5. Statutory Consultees**

- 5.1. Please note that the revised 2021 edition of the National Planning Policy Statement (NPPF) was published by the Ministry of Housing, Communities & Local Government in July 2021 during the determination period for this application. Some of the consultee’s responses therefore refer to the previous 2019 version of this document. All assessments undertaken in the determination of this application have cross referenced the 2019 / 2021 editions where required to account for any policy changes and referencing.

## **Natural England:**

- 5.2. **On 26th March 2021, the Natural England Consultations Team provided the following comments confirming that they have no objection:**

‘Thank you for your consultation on the above dated 11 March 2021 which was received by Natural England on 11 March 2021. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**SUMMARY OF NATURAL ENGLAND’S ADVICE - NO OBJECTION** Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites. Natural England’s generic advice on other natural environment issues is set out at Annex A.

### **European sites**

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

### **Sites of Special Scientific Interest**

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

### **Protected Landscapes - Suffolk Coast and Heaths AONB**

The proposed development is for a site within or close to a nationally designated landscape namely Suffolk Coast and Heaths AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies. We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

#### Protected Landscapes – Suffolk Heritage Coast

The proposed development is for a site within or close to a defined landscape namely Suffolk Heritage Coast. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 173 of the National Planning Policy Framework. It states:

173. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

The NPPF continues to state in a footnote (footnote 55) that "For the purposes of paragraph 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined."

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

#### Sites of Special Scientific Interest - Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [toconsultations@naturalengland.org.uk](mailto:toconsultations@naturalengland.org.uk).

#### **Suffolk County Council - Archaeological Service correspondence:**

##### **5.3. On 22nd April 2021, Suffolk County Council Archaeological Services provided their final response, stating (does not object subject to conditions):**

'We would disagree with the view set forward by the applicant's archaeological contractor- archaeological results have been entirely obscured in certain parts of the site, for whatever reason. Historic mapping shows former field boundaries in these locations, some of which survive as substantial earthworks (as visible on LIDAR), and would have been expected to be picked up by geophysical survey if it had worked, given that they have successfully been detected in adjacent fields.

As these large features have not been able to be detected, other surviving archaeological remains which one would expect geophysics to have identified will also have not been able to be detected. Given that these fields contain recorded finds scatters, there is still high potential for settlement and other archaeological remains to survive within the proposed development area.

However, as a result of the specific nature of this development, we note the preservation in situ possibilities and flexibility retained in the design.

Although we would strongly advise that evaluation is undertaken at this stage, on this basis, we wouldn't object to trial trenched evaluation of the whole site being undertaken post consent as long as flexible options for mitigation remain, noting that the developer accepts the risk of this.

We would however advise that trial trenched evaluation is undertaken at the earliest opportunity so that mitigation requirements can be defined at an early stage.

In this instance, we would advise that in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case we would advise that our standard two part condition would be appropriate:

1. No development shall take place within the area indicated [the whole site] until a programme of archaeological work has been secured and implemented, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
  - b. The programme for post investigation assessment
  - c. Provision to be made for analysis of the site investigation and recording
  - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - e. Provision to be made for archive deposition of the analysis and records of the site investigation
  - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
  - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
2. The solar farm shall not be brought into operation until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

**REASON:**

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

**INFORMATIVE:**



The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.

We would however, agree that the condition PC3 as suggested by the applicant would also be appropriate in this instance.

#### PC3. Detailed Site Plan including Archaeological Exclusion Zones, if required – Prior to Commencement

Following the approval and completion of the archaeological evaluation referred to in Condition 1 and prior to the commencement of development, a final detailed site layout plan with full details of the final locations, design and materials to be used for the panel arrays, inverters, customer switchgear, substations, CCTV cameras, fencing, foundations and cabling. Should the archaeological evaluation identify any significant archaeological deposits, the final detailed site layout plan will define archaeological exclusion zones within which below and above ground development will be excluded or provide sufficient design mitigation including but not limited to the use of above ground cables, concrete shoes or other means to avoid any impact on archaeological deposits if required. The final detailed site layout plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the County Council's Lead Archaeologist. Subsequently the development shall be carried out in accordance with the approved details.

We would also request that as part of this, that a management plan is also produced for any archaeological areas to be preserved in situ, setting out the methodology to secure the ongoing protection of these areas both during construction, operation and decommissioning of the solar farm.

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>.

#### 5.4. On 26th April 2021, the Applicant responded stating:

'I can confirm that we are happy with the conditions proposed in xxxxxx's email below dated 22nd April 2021.

With regard to the management plan, we request that the condition wording states that the management plan is only required if there are archaeological areas to be preserved in situ'.

## Suffolk County Council – Lead Local Flood Authority:

### 5.5. On 12th August 2021, SCC LLFA Flood and Water Engineer responded confirming the following (recommend approval subject to conditions):

'I have now had a chance to read through the updated drainage strategy technical note. There are a few minor technical points that we would usually pick up on, but I'm content to use my engineering judgement in this instance.

For example:

1. The Source Control calculations simulate vertical sides. If this is a swale, this is not accurate nor acceptable and would underestimate potential land take. However, you could reasonably argue that rain gardens, with vertical sides, could be implemented instead. Please bear this in mind when developing your detailed design and liaise with us if you need any advice/clarification
2. The hydrobrake orifice size is less than our recommended minimum of 100mm. This could be acceptable depending on detailed design, but we would not want to see an orifice this small at surface level. It could however be acceptable if the swale/rain garden were to be underdrained, with a perforated pipe picking up the then filtered water and taking it to a downstream manhole with a small orifice hydrobrake. This would need to be considered with your gradients and the depth of the existing piped system, but I'm content for this to also be considered further at detailed design. Worst case scenario, we have scope to explore increasing the discharge rate and assessing any potential increase in downstream flood risk

I can't recall what XXXX or I have said previously RE infiltration testing for this site. Looking at the borehole records provided, I'm content for you not to undertake infiltration testing at all on this application. It's evident that Boulder Clay is present to a significant depth across the whole site.

Please accept this as a recommendation for approval, based on the attached document, but subject to the below conditions. If you need me to submit a response formally, please let me know.

#### Suggested conditions:

1. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

2. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

3. Within 28 days of practical completion, a surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

4. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

#### Informatives

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution'.

5.6. On 12th August 2021, the Applicant responded to SCC LLFA acknowledging their provided comments and confirming that they will take these on board as the detailed design is developed post-determination.

**Suffolk County Council - Highways Authority:**

- 5.7. **On 24th May 2021, the Senior Transport Planning Engineer followed this up by providing the following comments and recommending planning condition wording to cover the requirements raised (no objection subject to conditions):**

'TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/1001/FUL

PROPOSAL: Construction and operation of a solar farm together with all associated works, equipment and necessary infrastructure

LOCATION: Land To The North And South Of New Road East Of , Silverlace Green, Parham

ROAD CLASS: Various

Notice is hereby given that the County Council as Highway Authority make the following comments:

Further to the comments submitted on 24th March 2021, it is accepted that the potential feasibility and highway licensing issues raised associated with the cable route are not sufficient to uphold an objection and/or not strictly planning matters. These concerns have been recorded should any issues regarding the feasibility of the proposed cable route occur post-planning.

Recommended conditions:

Condition: No part of the development shall be commenced until details of the improved accesses as indicatively shown on drawing numbers B17SF\_SPPSA1, B17SF\_SPPSA1R, B17SF\_SPPSA2, and B17SF\_SPPSA2R (including the position of any gates to be erected) have been submitted to and approved in writing by the Local Planning Authority. The approved accesses shall be laid out and constructed in their entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the accesses are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

Condition: Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

Condition: Before the development is commenced details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be

carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.

Condition: All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.

Condition: Before the improved accesses are first used, visibility splays shall be provided as shown on Drawing Nos. B17SF\_VSPSA1 and B17SF\_VSPSA2 with an X dimension of 2.4m and a Y dimension of 160m and thereafter retained in the specified form, with the exception of the visibility splays for VSPSA1, that can be provided via temporary traffic signals, the details of which will have been previously approved in writing by the Planning Authority. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.'

Note:

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority. Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage:  
[www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/](http://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/)

### **Suffolk County Council – Public Rights of Way and Access:**

#### **5.8. On 22nd March 2021, the Growth, Highways and Infrastructure's Public Rights of Way Team provided the following (no objection):**

'The proposed site does contain public rights of way (PROW): Footpath 8 Great Glemham, Footpath 10 Great Glemham, and Footpath 14 Parham. The Definitive Maps for Great Glemham and Parham can be seen at <https://www.suffolk.gov.uk/assets/Roads-and->

transport/public-rights-of-way/Great-Glemham.pdf and <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Parham.pdf>. A more detailed plot of public rights of way can be provided. Please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) for more information. Note, there is a fee for this service.

We do not object to this proposal, however the Applicant MUST also take the following into account, particularly in relation to planting near to a PROW and ensuring that the PROW are unobstructed at all times:

1. PROW are divided into the following classifications:

Public Footpath – only for use on foot or with a mobility vehicle

Public Bridleway – use as per a public footpath, and on horseback or by bicycle

Restricted Byway – use as per a bridleway, and by a ‘non-motorised vehicle’, e.g. a horse and carriage

Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk).

2. PROW MUST remain open, unobstructed and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed as per point 4 below.

3. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

4. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

To discuss applying for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.

5. To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

6. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

7. Any hedges adjacent to PROW must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting, and should not be allowed to obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metres from the edge of the path in order to allow for cutting and maintenance of the path, and should not be allowed to obstruct the PROW.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at [www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/](http://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/)

#### **East Suffolk Council – Environmental Protection:**

**5.9. On 29th April 2021, the ESC Environmental Protection Officer provided the following suggested condition wording (no objection subject to conditions):**

‘Thanks for your communication on this application. I think for the scale of development proposed, it is unfortunate that noise was not given due regard by the applicant. As a minimum, the applicant should have undertaken baseline sound level surveys, and noise should have been a chapter within the Environmental Statement. As a result, what has

been submitted is not adequate at this time to enable the local authority to determine the magnitude of any noise impacts that could result from the development, either alone, or in combination with the existing solar farm equipment. On that basis my holding memo dated 9th April 2021 was an objection to the proposed development.

I note that following my initial comments regarding the applicants' desktop only noise assessment report, they acknowledge that the predicted noise levels are indicative only as they do not yet know what equipment they might use. This is one factor leading to uncertainty in assessing potential noise impacts.

I don't agree with the applicants' initial rationale for establishing what they deem to be the LOAEL (which is important in establishing suitable target noise levels), however I note that they would define it differently had they surveyed and characterised the sound climate in the study area. The suggestion is that they would establish LOAEL equal to the typical existing background sound levels which I would be more inclined to agree with.

Without surveying the area, I do have some concerns/uncertainty as to whether the applicant can reasonably achieve acceptable target noise rating levels. The lack of survey also means we cannot easily at this stage understand whether cumulative noise levels and impacts are likely from a combination of the existing and proposed solar farms.

What has been presented to date could give rise to a complete change in nature of the sound in the gardens of receptor dwellings, with the introduction of a continuous man-made tonal noise throughout the day.

If the Local Planning Authority is minded to recommend approval of the development at this stage, then ultimately I consider that the scheme can most likely be suitably designed and mitigated as necessary to ensure that the numerous inverters and substation would not cause adverse noise impacts or detriment to residential amenity.

On that basis therefore noise could be dealt with by means of pre-commencement conditions to cover the operational and construction phases. The operational noise condition will require submission for approval of a much more detailed noise assessment.

I have taken your proposed conditions, and made some revisions. I prefer to separate the operational phase condition (as quite complex) from the construction noise condition which will make things clearer and better from an enforcement perspective. Though I have revised the proposed conditions from a technical noise perspective, I rely on you to ensure the final versions of the conditions meet the planning tests. Finally, I would advise that site layouts/plans are not approved at this stage. Part of the design and noise mitigation strategy for the proposed development may mean specific locations for the inverters and substation(s) to maximise distance from noise sensitive receptor locations, this could therefore impact upon the layout of the panel arrays themselves. Neither would I want the current acoustic report accepted as an approved document or endorsed.

#### Suggested Pre-commencement Conditions

##### Operational Noise:

1. Prior to commencement of development, a noise assessment shall be submitted to the East Suffolk Council for approval in writing to include all proposed plant and machinery and in accordance with BS4142:2014+A1:2019. A noise rating level (L<sub>A</sub>r,T) from the



scheme of at least 5dB below the typical background sound level (LA90,T) should be achieved at noise sensitive receptors, and include any cumulative impacts from the existing solar farm plant. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise rating level should be identified and justified. This full assessment should inform any noise mitigation that may be needed. The assessment shall include:

- a) Details of background sound level surveys at, or representative of noise sensitive receptors. This should include capturing the typical background sound levels at the end of the night-time between 05:00 and 07:00 hours. Ideally these surveys should take place on a number of days. The assessment report should include observations and descriptions of the sound climate during these surveys.
- b) Derivation of predicted noise rating levels at noise sensitive receptors to include for any acoustic character corrections such as tonality.
- c) Initial estimate of the noise impact by comparing the predicted noise rating level with typical background sound levels at noise sensitive receptors.

Reason – To be drafted

Construction Noise:

2. A Construction Management Plan (CMP) shall be submitted to East Suffolk Council for approval in writing prior to commencement. The CMP shall include details for the control and management of noise and dust during the construction phase, and with respect to noise shall have due consideration of the guidance within BS 5228:2009+A1:2014.

Reason - To mitigate noise and dust impacts in particular to receptor locations during the construction phase.

Please do not hesitate to discuss this further with me as required. Otherwise I will await your further updates on the determination that will be made by the local planning authority.'

5.10. On 12th May 2021, the Applicant provided the following response:

'The condition wording is fine with the exception of one query we have on the operational condition highlighted below. Can you confirm why reference is made to "include any cumulative impacts from the existing solar farm plant". As the solar farm is existing any noise from the solar farm plant will be included within the baseline background levels that will be carried out.'

5.11. On 12th May 2021, the ESC Environmental Protection Officer advised the following:

'If the applicant is going to accept the remainder of the condition and specifically the target rating level of 5 dB below the typical background sound level, then I am happy for the reference to cumulative impacts to be removed. Technically the new development would need to be 10 dB below the existing background level (were that dominated/dictated by the existing solar farm) to ensure the background sound level is not raised. The remainder of the wording however should remain as written. The applicant's survey will include the

existing solar farm as pointed out, and I would just advise that the consultants make subjective observations and report those alongside their physical measurements so I can review whether the existing solar farm is audible at noise sensitive receptors, and what contribution it may make.'

#### **East Suffolk Council - Economic Development:**

5.12. **No response was received.**

#### **East Suffolk Council - Design and Conservation:**

5.13. **On 8th April 2021, the East Suffolk Council Design and Conservation Officer advised the following (comments only):**

'The application is for the construction of a solar farm near Parham. There are no designated heritage assets within the application site, however there are several assets whose setting could be affected by the proposed development.

The Environmental Statement identifies several designated heritage assets within the surroundings of the application site:

- Paul's Grove Farmhouse – grade II listed;
- Church Farmhouse – grade II listed;
- The Willows – grade II listed;
- Common Farmhouse – grade II listed;
- Great Glemham Hall Registered Park and Garden [BH16] – grade II registered;

Stone Farmhouse (GII) and the Great Glemham Conservation Area are located further to the north-east and east of the application site, and have been discounted by the ES for being too far from the site to be impacted.

The ES concludes through its impact assessment that the magnitude of impact on the designated heritage assets would be 'very low', leading to a 'minor adverse' effect on their significance. In the terms of the NPPF, this would fall in the 'less than substantial harm' category. Based on the categories of adverse impact described in the ES, a minor adverse effect would likely be considered to fall on the very lower end of 'less than substantial', according to the ES.

I agree with the assessment of impact on Church Farmhouse, The Willows, Common Farmhouse, and Great Glemham Hall Park, however, I consider that the impact on Paul's Grove Farmhouse would be somewhat more significant than is stated in the ES. Paul's Grove Farmhouse is located approximately 260m from the boundary of the application site, with only its former outbuildings nearby. The historic farmstead is surrounded by agricultural land on all sides; this open agricultural setting makes an important contribution to the understanding of the function of the historic buildings, as well as to how it is experienced and viewed within its setting.

Paul's Grove Farmhouse is located in a dip in the landscape; the roofs of the buildings are visible in views from the PRow to the north and when travelling along the road, with the rolling landscape in the background. The edge of the solar farm would be located just on the crest of the hill which is the backdrop to the historic farmstead, thereby diminishing the agricultural character of its wider setting. Additionally, the treeline on the southern

boundary of the listed farmhouse is not impermeable, and the solar farm would still be visible from within its immediate setting. Taking into account the low height of the solar panels and the proposed landscaped boundary, I consider that the magnitude of impact would be low, rather than very low as assessed in the ES. This would still lead to a minor adverse effect in the terms of the ES. In the terms of the NPPF, this would be considered less than substantial harm, at the lower end of the scale.

The ES also identifies several historic buildings and buildings relating to the former RAF Framlingham as non-designated heritage assets. The methodology for their identification as NDHAs is unclear, however, using the council's published criteria for the identification of NDHAs, I would agree with the identification of Potash Cottage, Glebe Cottage/Trust Farm, Chantry Cottage and 2 Common Farm Cottages (for their historic interest and architectural interest). The Watch Office and T2 airfield hangar have historic and archaeological interest due to their association with the former RAF Framlingham and they are recorded in the HER.

The settings of Potash Farm, Chantry Cottage and Common Farm Cottages would be affected by the proposed development, which would be located relatively close to their grounds. The solar farm would be a notably alien development in the landscape, however, the proposed vegetation boundary would reduce the negative visual impact somewhat once established. I consider that the magnitude of impact on these NDHAs would be medium, leading to a minor adverse effect in the terms of the ES. In the terms of the NPPF, this would be considered at the lower end of 'less than substantial'.

The Watch Office and T2 airfield hangar would be located adjacent to the solar farm. Views from the Watch Office were an important part of its function, and therefore the proposed development would be a significant change to its current setting. However, the Watch Office and T2 hangar's historic/original setting has already experienced substantial change with the loss of the airfield, and the remaining landscape features relating to the airfield which still contribute to their significance (the perimeter road and outlines of the former runways) would stay unchanged. Overall, I therefore consider that the magnitude of impact on the Watch Office and T2 airfield hangar would be low, leading to a minor adverse effect in the terms of the ES. In the terms of the NPPF, this would be considered at the lower end of 'less than substantial'.

In conclusion, the proposed development would be considered to cause a very low to low level of less than substantial harm to the nearby designated and non-designated heritage assets, in the terms of the NPPF. This harm should be weighed up in the planning balance against public benefits, as per para. 196 of the NPPF.'

#### **East Suffolk Drainage Board:**

**5.14. On 8th April 2021, the Sustainable Development Officer at Water Management Alliance advised the following (comments only):**

'The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District ( [https://www.wlma.org.uk/uploads/ESIDB\\_Index\\_plan.pdf](https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf) ) as well as the wider watershed catchment ( [https://www.wlma.org.uk/uploads/ESIDB\\_Watershed.pdf](https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf) ).

I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the National Planning Policy Framework ). For further information regarding the Board's involvement in the planning process please see our Planning and Byelaw Strategy, available online.'

#### **East Suffolk Council - Ecology:**

**5.15. On 11th August 2021, the Applicant's ecologist discussed the application with the ESC ecologist. The ESC ecologist subsequently provided the following feedback (comments with suggested conditions provided):**

'Further to my comments of 1st April 2021, I have read the additional ecological information which has been submitted (Ornithological Survey Report, AECOM, August 2021; Bat Survey Report, AECOM, August 2021 and Ecology Surveys Technical Note, AECOM, August 2021) and am satisfied with the conclusions of the consultant. Based on the information provided, and subject to securing the required mitigation measures, the proposed development appears unlikely to result in a significant adverse impact on designated sites, protected species or UK Priority habitats or species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)).

Should permission be granted the following conditions should be included (for the LEMP I've worded it as a pre-commencement condition but am happy to consider an alternative post-commencement but pre-completion trigger if you think one would be better?):

1) Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (AECOM, February 2021); the Ornithological Survey Report (AECOM, August 2021); the Bat Survey Report (AECOM, August 2021) and the Ecology Surveys Technical Note (AECOM, August 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

2) No removal of hedgerows, trees or shrubs, or works to areas that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

3) No development shall take place (including demolition, ground works, 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) shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Identification of “biodiversity protection zones”.
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d. The location and timing of sensitive works to avoid 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 ensure that ecological receptors are adequately protected as part of the development.

4) A landscape and ecological management plan (LEMP) shall be submitted to, and be 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 organisation 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 long-term 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 ensure that the long-term ecological value of the site is maintained and enhanced.

5) Prior to the any construction activity (including vegetation clearance or site preparation) within 50m of the River Ore, an Ecological Mitigation Method Statement will be submitted to and approved in writing by the Local Planning Authority. The Method Statement will be based upon suitably up to date ecological surveys undertaken by a suitably qualified ecologist. Mitigation measures described in the Statement will be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that ecological receptors are adequately protected.'

#### **East Suffolk Council - Arboriculture and Landscape:**

**5.16. On 1st April 2021, the East Suffolk Council Arboriculture and Landscape Manager responded stating the following (no reasons for refusal):**

'I have reviewed the submitted information in respect of potential landscape and visual impacts and can advise that it has been carried out in accordance with professional guidelines (GLVIA 3). On 20th January 2021 I agreed viewpoints for the LVIA with the applicant's consultants and that agreement included some minor additions from me.

The assessment specifically and importantly includes a very localised site specific landscape character assessment as well as referring to published landscape character assessments at national, County and District levels. The assessment identifies that the site itself falls within the Glemham Estate Claylands landscape character area as defined by the Suffolk Coastal Landscape Character Assessment, an assessment that is in part based on County level landscape character types. The visual baseline has been assessed firstly on a bare land basis and then to include woodland and my own site assessment of 30th April 2021 largely confirms its findings, and also confirms the suitability of the agreed viewpoints.

The assessment rightly identifies at the outset that the proposal will result in a fundamental change from arable agricultural land use to extensive solar array over grassland. Whilst the development entails minimal loss of existing hedgerows, and the planting of 13.5km of new hedgerow, the new planting will not be effective in screening of the development and would not contribute to landscape character enhancement until it becomes well established (at least 5-7 years after planting). On that basis, the fundamental change in landscape character would be experienced across the site for at least the early years post installation.

Part of the site has been affected by the building of Parham airfield during WW2 and this has left the locality partially of reduced sensitivity in terms of defining landscape character features. Where the solar development extends beyond the airfield influence, the impact on landscape character will be very localised and contained within the receiving LCA. Similarly in respect of visual impacts, even at Year 1 post completion and with any mitigation planting being too small to have any benefit, the visual impact of the development remains very localised around the site perimeter out to around 500-600m. My site visit and assessment confirms this. It is really only VPs 4, 5, 9 and to a lesser extent 7 and 8. The assessment states that there would be no discernible change in visual amenity for the remaining viewpoints because of the distance from the viewer to the development, intervening vegetation and to some degree, topography, and my site visit confirms this.

The year 10 assessment indicates that these visual impacts will have been largely nullified assuming that the indicated boundary hedge planting has been effective and is well established and maturing. Full details of new planting can be required by Condition should consent be granted.

Solar array development of this type are considered to be temporary and reversible but over a medium to long term time period. Whilst this should be noted, their presence in the landscape will still be of some effect over the period of its duration. I consider that effects on local landscape character and local visual amenity will be notable in the immediate locality of the site, and certainly so whilst new planting matures, but such adverse effects are not of significance in EIA terms and can be suitably mitigated by appropriate planting. Such planting will be retained after the development has been de-commissioned and will continue to make a positive contribution to landscape character in the long term. This will contribute to restoring the adverse effects on landscape features left over from the airfield construction.

Overall, whilst there will be localised adverse landscape and visual effects arising from the development, I do not consider that they are sufficiently so to warrant reasons for refusal.'

#### **Environment Agency:**

**5.17. On 9th July 2021, the Environment Agency provided the following written response (comments only):**

‘CONSTRUCTION AND OPERATION OF A SOLAR FARM TOGETHER WITH ALL ASSOCIATED WORKS, EQUIPMENT AND NECESSARY INFRASTRUCTURE

LAND TO THE NORTH AND SOUTH OF NEW ROAD EAST OF SILVERLACE GREEN PARHAM  
SUFFOLK

Thank you for your consultation dated 7 July 2021. We have reviewed the application as submitted and can confirm there are no constraints within our remit. Therefore we have no comments to make.'

## **Cadent Gas (National Grid):**

### **5.18. On 12th July 2021, Cadent Gas provided the following comments (comments only):**

'Formal Planning Application - Your Ref: DC/21/1001/FUL (KS) Our Ref: EA\_GE4B\_3NWP\_030213

Thank you for your enquiry which was received on 07/07/2021.

Please refer to the attached documentation for Cadent and National Grid's response.

Planning,

Should you be minded to approve this application please can the following notes be included an informative note for the Applicant

**\*\*PLEASE NOTE – the below information is related to Low and Medium Pressure Assets. You may be contacted separately by our engineers regarding High/Intermediate Pressure Pipelines.\*\***

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.'

## **Historic England:**

### **5.19. In a letter received on 26th July 2021, Historic England provided the following comments (no objection):**

'T&CP (Development Management Procedure) (England) Order 2015

& Planning (Listed Buildings & Conservation Areas) Regulations 1990

Land To The North And South Of New Road East Of Silverlace Green Parham Suffolk

Application No. DC/21/1001/FUL



Thank you for your letter regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

### Summary

Historic England considers that the change in land use in the proposed area would have a detrimental impact upon the rural and agrarian landscape surrounding the Grade I listed Church of St Mary at Parham and would have temporary effects upon its tranquillity while construction works are undertaken.

We consider that the scheme would lead to a negative effect upon the landscape that falls short of harm to the designated heritage assets, as identified in paragraph 202 of the NPPF. We therefore do not object to the scheme.

### Historic England Advice

The site of the proposed facility lies to the north and the south of Silverlace Green. There is a further solar farm in the vicinity situated upon the former airfield. We have identified the following highly graded heritage assets that could be affected by the proposal;

Church Farm House, Parham – Grade II\* Listed

Church of St Mary, Parham – Grade I Listed

The site of the solar farm itself would not impact directly upon the fabric, significance or setting of the Church of St Mary and Church Farm House. The rising land out of Parham towards the site, and the landscape of dense hedgerows mean the solar facility would be screened from the view.

The main impact upon the significance of the Church of St Mary, Parham comes from the provision of the cable route past the entrance of the grade I listed church. Historic England setting guidance is clear that harm to setting can be experienced through other measures and tranquillity is one of those factors. It is situated off of the main road in a small residential street of larger houses with the minimum of passing traffic. The cable would be run along Hall Road which would result in substantial temporary harm to the tranquillity and significance of the Listed Building. This has not been considered within the documentation.

Temporary harm will also be caused to the significance of the grade II\* listed Church Farm House through the provision of the cable running through and past the house but this will disappear once the cable is laid.

The immediate setting of the buildings will not be affected by the development which will be screened from the buildings by established hedgerows and new boundary planting. While the wider agrarian landscape does have a positive impact upon the setting and significance of the buildings, the nature of the landscape in this area means that the land is parcelled into discreet areas defined by hedgerows. The change of use of this land to the 'rural industrial' would impact negatively upon the character of the landscape but, would not cause harm to the immediate setting of the grade I and II\* listed buildings.

The landscape mitigation should ensure that new boundary planting is of mature native hedgerow species to make certain that the solar panels are appropriately screened from the heritage assets.

Some assurance should be sought by your local authority that the works to lay the cable through Parham Village would be done in the least impactful way and vibrations caused through mechanical tools will not cause damage to the historic buildings.

#### Policy Context.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater that weight should be)

Paragraph 202 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the scheme.

#### Relevant Guidance

The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 – 2nd edition, (2017)

#### Historic England Position

The change of the character of the land would have a negative impact upon the landscape character surrounding the villages of Great Glemham and Parnham While Historic England acknowledge this negative impact, our remit lies with the impact upon the highly graded heritage assets identified within the vicinity of the proposal. In this instance the grade I listed Church of St Mary at Parham and the grade II\* Listed Church Farm House. The immediate setting of these grade I and II\* listed buildings would not be altered by the proposal and mitigation in the form of mature native hedgerows could be considered to better assimilate the development into the existing landscape. This would then meet the requirements of paragraph 199 of the NPPF.

We therefore consider that this scheme would have some negative effects upon the character of the landscape which falls short of harm as identified within paragraph 202 of the NPPF.

#### Recommendation

Historic England does not object to this application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199 and 202 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard

to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.'

## **6. Non-Statutory Consultees**

### **Suffolk Coast and Heaths Area of Outstanding Natural Beauty:**

#### **6.1 On 20th April 2021, the AONB Planning Officer advised that following (comment only):**

**'The site lies approximately 7km from the boundary of the Nationally Designated Landscape. As such the AONB team does not wish to comment on the proposal'.**

### **Suffolk Wildlife Trust:**

#### **6.2 On 24th August 2021, the Suffolk Wildlife Trust provided the following response:**

'Thank you for sending us details of this application, we wish to withdraw our holding objection and make the following comments:

We have read the Ornithological Survey Report (AECOM, Aug 2021), the Report on Surveys for Bats (AECOM, Aug 2021) and the Further Ecology Surveys Technical Note (AECOM, Aug 2021) we are satisfied with most of the findings of the consultant. We request that the recommendations made within the reports are implemented in full, via a condition of planning consent, should permission be granted. This includes the requirement to complete further surveys for Otter and Water Vole should 'HDD methods underneath the watercourse' be needed for the cabling – as stated in the Further Ecology Surveys Technical Note (AECOM, Aug 2021).

We note the presence of an estimated 19 Skylark territories within the Ornithological Survey Report (AECOM, Aug 2021). Skylarks are a Red Listed Bird of Conservation Concern in the UK1 and listed under Section 41 of the Natural Environment and Rural Communities (NERC) act2. There is little proven evidence to suggest that Skylark will nest between solar arrays and along narrow field margins adjacent to hedgerows, as they are a species that require unbroken sightlines to breed and any breeding that does occur is likely to be in a reduced density. Therefore, we recommend that offsite mitigation is required, and this should be detailed within a Skylark Mitigation Strategy, with the approach agreed prior to the determining of the application.

We request that a Landscape and Ecological Management Plan (LEMP) be produced to include the following:

- Details of seed mixtures to be sown in 'cover crop' areas, we recommended sowing a Turtle Dove Conservation Seed Mix as recommended by Operation Turtle Dove on the areas neighbouring suitable nesting habitat. We also recommend the use of a wild bird seed mix to include small seed-bearing crops such as kale, linseed, quinoa and rape to provide food for birds such as Yellowhammer and Grey Partridge.

- Appropriate management of cover crops to include: sowing seed at a low rate to create a habitat with areas of bare ground for foraging and nesting birds; maintenance of the cover crops should include re-sowing the areas every 2 – 3 years throughout the lifespan of the solar farm; exclusion of livestock during establishment.
- If the grassland is to be grazed by sheep, stocking densities must be managed to ensure varied grass height – if stocking density is too high a uniform grassland will be created with less benefit to wildlife.
- Grassland margins as wide as possible (10m- 15m), to increase likelihood of providing nesting Skylark habitat.'

On 9th September 2021, the Applicant provided the following concluding comments:

'Following consultation with XXXX (LPA Ecologist) on 11th August 2021, regarding the proposed B-17 Solar Farm, we have now received comment from XXXX (Suffolk Wildlife Trust (SWT)). This letter, therefore, is in response to some of the points raised by SWT in their letter (dated 24th August 2021). The points raised by SWT are outlined below, together with our response.

"We request that the recommendations made within the reports are implemented in full, via a condition of planning consent, should permission be granted"

The recommendations for avoidance, mitigation and enhancement that were identified within the Preliminary Ecological Appraisal (PEA) (AECOM, February 2021); the Ornithological Survey Report (AECOM, August 2021); the Bat Survey Report (AECOM, August 2021) and the Further Ecological Surveys Technical Note (AECOM, August 2021) will be implemented to protect identified ecological receptors. Further surveys and pre-commencement checks will be undertaken as necessary.

"We note the presence of an estimated 19 Skylark territories within the Ornithological Survey Report (AECOM, Aug 2021).....Therefore, we recommend that offsite mitigation is required, and this should be detailed within a Skylark Mitigation Strategy, with the approach agreed prior to the determining of the application"

Skylark (*Alauda arvensis*) is a species of principal importance under the NERC Act 2006 and whilst 19 Skylark territories were recorded within the survey area (which included the cable corridor), only 16 territories were within the footprint of proposed solar arrays (hereafter referred to as the Site). Territories are calculated on the basis of the presence of singing males occupying an area and are not a measure of nesting or productivity of any nests. Sixteen territories represents a low density (approximately 1 territory per 5ha) of Skylark on Site and at a breeding population size of no more than local nature conservation importance.

Existing arable habitat, which is often of a temporary nature for its suitability to support nesting Skylark, will be converted into grassland habitat, which will be beneficial to invertebrates and species (such as Skylark) that prey on them. Grassland habitat within and around the solar arrays will provide permanent long-term opportunities for Skylark (and other ground-nesting species) to nest, undisturbed, throughout the duration of the breeding season and without the interference of agricultural practices. Whilst Skylark are unlikely to nest beneath the solar arrays, recent research papers[1][2][3] indicate that Skylark will incorporate solar farms into their territorial boundaries and nesting does occur between panels and within buffers. To support this, personal observations were made in

2021 of Skylark nesting within the solar arrays of an adjacent solar farm (AB, pers. comms). James Meyer also confirmed during our call that he has observed skylark behaving in this way. Furthermore, grassland margins (of up to 15m width) will be created and retained (where currently they exist) around the solar arrays and will also provide permanent long-term opportunities for ground-nesting species.

Whilst it is acknowledged that Skylark prefer an open landscape for nesting, grassland within the solar farm and buffers of up to 15m from hedgerows would be sufficient to support Skylark territories. Post-development areas of grassland will, therefore, provide permanent habitat for Skylark throughout the breeding season, which would potentially increase productivity of the existing population on Site.

The creation of areas of set-aside or 'cover crops' would also benefit a range of arable farmland passerines present within the survey area.

Therefore, the measures included on Site are appropriate to maintain succession of occupation and productivity of the local population of Skylark and no offsite mitigation is considered necessary.

"We request that a Landscape and Ecological Management Plan (LEMP) be produced to include the following...."

A LEMP will be produced prior to the commencement of development and will incorporate, where possible, recommendations made by SWT (August 2021).'

#### **Suffolk Preservation Society:**

#### **6.3 On 22nd April 2021, the Suffolk Preservation Society provided the following comments (objection):**

'I write on behalf of the Suffolk Preservation Society (SPS) regarding the proposal for a 49.9MW solar farm on a 74-hectare site, in the countryside including parts of the former Framlingham RAF airfield. The SPS recognises the importance of renewable energy production as a key contributor to achieving the Government's net zero targets and is fully aware that Suffolk councils have declared a climate emergency. Therefore, the SPS is supportive of the use of the former Parham airfield as previously developed land and recognises that the proposed solar farm offers genuine landscape benefits in a location that has suffered substantial loss and landscape degradation in the twentieth century. The proposal provides for the reinstatement of over 13km of hedgerow out of a total of 23km of hedgerow that was removed during the construction of the airfield, and this is welcomed.

However, as its former use as an airfield implies, the topography is flat and open and provides excellent visibility from all directions. Accordingly, the landscape and visual impacts require careful consideration and having carefully reviewed the ES and other supporting information, the SPS wishes to raise concerns specifically on the northern parcel of the scheme, identified in the submission as zone 1. This parcel of land is located between Low Road on the east and Mill Green on the west, with a footpath running along the northern boundary and bounded by a copse of woodland on its western boundary. It projects awkwardly into the countryside and while the small copse of trees on its western boundary does provide an important level of screening, its north and east boundaries are clearly visible, most notably from the public right of way which forms the northern boundary of the

site and provides a high level of receptors. Whilst it is acknowledged that hedgerow will be planted around all zones, it is also acknowledged in the ES and by the council's Landscape Manager, that it will be ineffective for possibly up to 10 years, which represents 25% of the life of the solar farm which is seeking consent for 40 years.

Secondly, zone 1 is the oldest surviving and most significant fragment of an historic landscape and therefore careful consideration should be given to its historic value. Fig. 7.3 of the ES, Historic Landscape Characteristics, identifies this parcel of land as Pre-18th century enclosure, with the central portion (zones 2, 3 and 4) as Post 1950 agricultural landscape and the southern portion (zones 1 and 2) as Post medieval military, (although a suspected drafting error has occurred, and it should more likely say 20th century military as it relates to the World War 2 airfield).

Zone 1 is therefore also a more historically significant part of the site, being of much earlier origin than the other five zones and a surviving example of an historic landscape that has retained its original form and boundaries. The Suffolk Historic Landscape Characterisation Version 3, 2012, specifies a set of 14 broad types of historic landscape character, with Pre-18th century enclosure described as the earliest, consisting of 8 sub types. The ES is silent on the classification it ascribes to this parcel of the site, but it is suggested that Zone 1 is most likely to be sub-type 1.1 – random fields, which are defined as “Landscapes made up of fields that have an irregular pattern (ie without any dominant axis). Many were in existence by the medieval period, but could be earlier. Boundaries usually take the form of species-rich hedges (normally coppiced not laid with associated ditches and banks. Areas of this field pattern are probably some of our earliest farming landscapes.” (my emphasis)

Furthermore, the closest designated heritage asset is Paul's Grove Farmhouse which is located immediately to the east of this parcel, but close to its southern boundary. Paul's Grove Farmhouse is approximately 260m from the boundary of the application site and the historic farmstead is surrounded by agricultural land on all sides which makes an important contribution to its setting and therefore contributes to its significance as a designated heritage asset. The heritage officer's assessment of the impacts of the scheme upon the historic environment states that in her view “that the impact of Paul's Grove Farmhouse would be somewhat more significant than is stated in the ES” and continues that “Paul's Grove Farmhouse is located in a dip in the landscape; the roof of the building are visible from the PROW to the north and when travelling along the road, with the rolling landscape in the background. The edge of the solar farm would be located just on the crest of the hill which is the backdrop to the historic farmstead, thereby diminishing the agricultural character of its wider setting. Additionally, the tree line on the southern boundary of the listed farmhouse is not impermeable, and the solar farm would still be visible from within its immediate setting.”

She concludes that the harm would be low in ES terms and at the lower end of the scale of less than substantial harm in the terms of the NPPF and correctly refers to para. 196 of the Framework which requires this harm to be weighed against the public benefits. However, it is also important to consider para. 193 which requires decision makers, when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Therefore, the SPS considers that both in terms of landscape character as well as setting of a designated heritage asset, zone 1 should be removed from the scheme. It is also recommended that the landscape mitigation on the north and east boundaries of zone 2 are enlarged to address the harm identified to the setting of Paul's Grove Farmhouse.

We therefore object to the scheme on this basis and suggest that the removal of zone 1 is clearly justified on these grounds.

We trust that you find these comments helpful in the consideration of this case and request that we are consulted on any future amendments to the scheme'.

### **Third Party Representations**

6.4 Six letters/emails were received from third party representatives. Three were objecting to the proposal, one was supportive of the proposal, and two provided questions or comments only and did not specify either support or objection.

6.5 The following topics of concern were raised:

- Significant visual impact to an existing rural landscape / loss of rural views;
- Significant degradation of the value of former WW2 Parham Airfield / museum as an asset of important cultural heritage and significance;
- A major loss of some 74 ha of highly productive agricultural land;
- Planning application contains numerous errors and distortions;
- Downplaying the adverse impacts;
- Makes false claims about visual impact;
- Industrial scale power station proposed in rural landscape;
- Height of proposed solar panels;
- Assessment of local asset value is distorted and down-graded;
- Assessment of cultural heritage is distorted and down-graded;
- Incorrectly describes land as being of low ecological value;
- Visual shielding;
- Vehicular access;
- Construction / traffic / highways impacts;
- Design of proposed development;
- Scale / extent of proposed development on rural landscape, being dominating and overbearing;
- Drainage;
- Loss of views;
- Objection to the proposed cable route through the village;

6.6 The following topics of support were raised:

- Any disruption caused by the cable route is worth it.

## **7. Publicity**

7.1. **The application has been the subject of the following press advertisement and notices:**

Category	Published	Expiry	Publication
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## General Site Notice

Reason for site notice: Major Development, In the vicinity of a Public Footpath

Date posted: 26 March 2021.

Expiry date: 15 working days after Date Posted.

## 8 Planning Policy

### 8.1 National Planning Policy and Guidance

8.2 **Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the planning application is to be determined in accordance with the development plan unless material consideration indicates otherwise.**

8.3 **The National Planning Policy Framework 2021 (NPPF, or 'Framework') sets out the three overarching objectives for the achievement of sustainable development, these being economic, social, and environmental objectives. The Framework is a material consideration and should be taken as a whole for the determination of planning applications made under the Town and Country Planning Act 1990 (as amended), however the following Chapters and Paragraphs are of particular relevance for the determination of renewable energy projects.**

- **Chapter 2 – Achieving sustainable development**

- **Para. 11** states that 'Plans and decisions should apply a presumption in favour of sustainable development – for decision-taking this means:

c. approving development proposals that accord with an up-to-date development plan without delay; or

d. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole';

- **Chapter 14 – Meeting the challenge of climate change, flooding and coastal change**



- **Para. 152 (formerly 148)** refers to the planning system supporting the transition to a low carbon future, stating ‘The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure’.
- **Para. 155 (formerly 151)** seeks to encourage the use and supply of renewable and low carbon energy, stating: ‘To help increase the use and supply of renewable and low carbon energy and heat, plans should:
  - a. provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);
  - b. consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and
  - c. identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers’.
- **Para. 158 (formerly 154)** refers to the determination of planning applications for renewable energy development, stating ‘When determining planning applications for renewable and low carbon development, local planning authorities should:
  - a. not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - b. approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas’.

- **Chapter 15 – Conserving and enhancing the natural environment**

- **Para. 174 (formerly 170)** refers to the enhancement of the natural and local environment, stating 'Planning policies and decisions should contribute to and enhance the natural and local environment by:
  - a. protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - b. recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - c. maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
  - d. minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
  - e. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
  - f. remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate'.

8.4 **The National Planning Practice Guidance** (NPPG or 'PPG') provides also guidance supporting to help local councils in developing policies for renewable and low carbon energy and identifies the planning considerations. Section 'Renewable and low carbon energy' sets out the planning considerations that relate to large scale ground-mounted solar photovoltaic farms.

8.5 **Paragraph: 013 Reference ID: 5-013-20150327** states '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:

- 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;

- 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.
- 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;
- 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;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- 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;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- 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'.

## 8.6 Local Planning Policy and Guidance

- 8.7 East Suffolk Council adopted the Suffolk Coastal Local Plan on 23 September 2020. The Local Plan sets out the level of growth which needs to be planned for in the former Suffolk Coastal area and identifies where this should be located and how it should be delivered.

The Plan sets out the strategic and non-strategic planning policies which the Council will use to determine planning applications across Suffolk Coastal, along with policies in made Neighbourhood Plans. This Local Plan covers the period 2018-2036.

8.8 The following policies are relevant to this application:

- **Policy SCLP3.2 Settlement Hierarchy** – this policy identifies Parham as Countryside;
- **Policy SCLP3.4 Proposals for Major Energy Infrastructure Projects** – this policy considers the nature, scale, extent and potential impact of proposals for Major Energy Infrastructure Projects, including cumulative impacts throughout their lifetime, including decommissioning of existing plant and facilities. It also seeks to ensure that the impacts of Major Energy Infrastructure Projects are adequately mitigated;
- **Policy SCLP4.5 Economic Development in Rural Areas** – this policy recommends that proposals which grow and diversify the rural economy, particularly where this will secure employment locally, enable agricultural growth and diversification and other land based rural businesses, should be supported. It also notes that proposals will be expected to provide additional community, cultural or tourism benefits where opportunities exist.
- **Policy SCLP4.7 – Farm Diversification** – this policy states that proposals for farm diversification schemes to support the continued viability of the farm will be supported where farming activities remain the predominate use on the site and the proposal avoids, or adequately mitigates, any adverse impact on the character of the surrounding area and landscape, the AONB and its setting or the natural or historic environment. This policy is relevant as the site is currently in arable agricultural use and the proposed development would change this use by diversifying the land use over its operational lifetime through the introduction of livestock grazing, and/or the planting of grassland/wildflower meadow where the arable crop was previously located. The development would also support the financial viability of the farm via a new revenue stream.
- **Policy SCLP7.1 Sustainable Transport** – this policy notes that development will be supported where any significant impacts on the highways network are mitigated, it is proportionate in scale to the existing transport network and the cumulative impact of new development will not create severe impacts on the existing transport network.
- **Policy SCLP9.1 Low Carbon and Renewable Energy** – this policy states that the Council will support low carbon and renewable energy developments, where they can evidence a sustainable and, ideally, local source of fuel, can facilitate the necessary infrastructure and power connections required for functional purposes, and they are complementary to the existing environment without causing any significant adverse impacts, particularly relating to the residential amenity, landscape and visual impact, the natural beauty and special qualities of the AONB, transport, flora and fauna, noise and air quality, unless those impacts can be appropriately mitigated.

When the technology is no longer operational there is a requirement to decommission, remove the facility and complete a restoration of the site to its original condition.

The explanatory text states that The New Anglia Local Enterprise Partnership intends to maximise the energy opportunities in this area. This is an intention that the Council will endeavour to support, where possible. The former Suffolk Coastal area can contribute towards the generation of renewable energy, most notably through biomass and anaerobic digestion schemes, solar panel schemes and wind power... adding that solar panel schemes will generally be supported and that careful consideration will be given to the visual impact in sensitive locations including through design, siting and, where possible, natural screening.

- **Policy SCLP9.5 Flood Risk** - notes that proposals for new development will not be permitted in areas at high risk of flooding (Flood Zones 2 and 3) unless the applicant satisfies the safety requirements set out in the Flood Risk National Planning Policy Guidance, these include the 'sequential test'; where needed the 'exception test' and also a site specific flood risk assessment that addresses the characteristics of flooding and has tested an appropriate range of flood event scenarios (taking climate change into consideration). Developments should exhibit the three main principles of flood risk, in that, they should be safe, resilient and should not increase flood risk elsewhere.
- **Policy SCLP10.1 Biodiversity and Geodiversity** – states that development will be supported where it can be demonstrated that it maintains, restores or enhances the existing green infrastructure network and positively contributes towards biodiversity and/or geodiversity through the creation of new habitats and green infrastructure and improvement to linkages between habitats, such as wildlife corridors and habitat 'stepping stones'. All development should follow a hierarchy of seeking firstly to avoid impacts, mitigate for impacts so as to make them insignificant for biodiversity, or as a last resort compensate for losses that cannot be avoided or mitigated for. Adherence to the hierarchy should be demonstrated.

In addition, new development should provide environmental net gains for both green infrastructure and biodiversity as well as ecological enhancements... and should provide a biodiversity net gain that is proportionate to the scale and nature of the proposal.

- **Policy SCLP10.3 Environmental Quality** - states that development proposals will be expected to protect the quality of the environment and to minimise and, where possible, reduce all forms of pollution and contamination. Development proposals will be considered in relation to impacts on:
  - a) Air quality, and the impact on receptors in Air Quality Management Areas;
  - b) Soils and the loss of agricultural land;
  - c) Land contamination and its effects on sensitive land uses;
  - d) Water quality and the achievement of Water Framework Directive objectives;
  - e) Light pollution; and
  - f) Noise pollution.

Proposals should seek to secure improvements in relation to the above where possible. The cumulative effect of development, in this regard, will be considered.

- **Policy SCLP10.4 Landscape Character** - notes that development proposals will be expected to demonstrate their location, scale, form, design and materials will protect and enhance:
  - a) The special qualities and features of the area;
  - b) The visual relationship and environment around settlements and their landscape settings;
  - c) Distinctive landscape elements including but not limited to watercourses, commons, woodland trees, hedgerows and field boundaries, and their function as ecological corridors;
  - d) Visually sensitive skylines, seascapes, river valleys and significant views towards key landscapes and cultural features; and
  - e) The growing network of green infrastructure supporting health, wellbeing and social interaction.

Proposals should include measures that enable a scheme to be well integrated into the landscape and enhance connectivity to the surrounding green infrastructure and Public Rights of Way network.

- **Policy SCLP11.3 Historic Environment** – states that the Council will work with partners, developers and the community to conserve and enhance the historic environment and to ensure that where possible development makes a positive contribution to the historic environment. The policies of the National Planning Policy Framework will be applied in respect of designated and non-designated heritage assets.

All development proposals which have the potential to impact on heritage assets or their settings should be supported by a Heritage Impact Assessment and/or an Archaeological Assessment prepared by an individual with relevant expertise. The level of detail of a Heritage Impact Assessment should be proportionate to the scheme proposed and the number and significance of heritage assets affected.

- **Policy SCLP11.4 Listed Buildings** - notes that developments affecting the setting of a listed building will be supported where they demonstrate a clear understanding of the significance of the building and its setting alongside an assessment of the potential impact of the proposal on that significance.
- **Policy SCLP11.7 Archaeology** - states that an archaeological assessment proportionate to the potential and significance of remains must be included with any planning application affecting areas of known or suspected archaeological importance to ensure that provision is made for the preservation of important archaeological remains.

Where proposals affect archaeological sites, preference will be given to preservation in situ unless it can be shown that recording of remains, assessment, analysis report and/or deposition of the archive is more appropriate.

Archaeological conditions or planning obligations will be imposed on consents as appropriate. Measures to disseminate and promote information about archaeological assets to the public will be supported.

It is noted that the parishes of Parham, Great Glemham and Marlesford do not have any made neighbourhood plans to be considered as part of the Local Plan.

### Other Material Considerations

- 8.9 The following energy legislation and policy is also material to the consideration of the proposed solar farm development.
- 8.10 **The Climate Change Act 2008** - in 2008 the UK government set to reduce greenhouse gas emissions by 80% of 1990 levels by 2050. However, in June 2019, secondary legislation was passed where the government set a revised legally binding target of achieving net zero greenhouse emissions by 2050 relative to 1990 levels. Net zero refers to achieving a balance between the amount of greenhouse gasses produced and the amount removed from the atmosphere.
- 8.11 **East Suffolk Council declared a climate emergency** - at the Full Council meeting on Wednesday 24 July 2019, East Suffolk Council voted unanimously to step up its positive work on environmental issues to help fight climate change. It has joined other local authorities in recognising the fact that there is a climate emergency and committed itself to doing more to reduce its own carbon emissions and to encourage communities to help fight climate change.

The council pledges to:

- declare a climate emergency;
- set up a Cross Party Task Group, commencing by October 2019, to investigate ways to cut East Suffolk Council's carbon and harmful emissions on a spend to save basis, with ambition to make East Suffolk Council (including all buildings and services) carbon neutral by 2030. The Cross Party Task Group will report on their progress on a quarterly basis;
- work with Suffolk County Council and other partners across the county and region, including the Local Enterprise Partnership (LEP) and the public sector leaders, towards the aspiration of making the county of Suffolk carbon neutral by 2030;
- To work with Government to a) deliver its 25 year Environmental Plan and b) increase the powers and resources available to local authorities in order to make the 2030 target easier to achieve.

## 9 Planning Considerations

### Principle of Development

- 9.1 This Application is for the construction and operation of a solar farm together with all associated works, equipment, and necessary infrastructure. The proposed solar farm consists of ground mounted photovoltaic (PV) panels which cover six fields currently in agricultural use, having a land area of 73.95 hectares (Ha). The proposed solar farm will generate up to 49.9MW of electricity which equates to the power consumption of

approximately 16,581 homes and a saving of approximately 11,210 tonnes CO2 per annum.

- 9.2 In June 2019, the UK Government became the first major economy in the world to pass laws to end its contribution to global warming. The legislation introduced a legally binding commitment to realise an ambitious target of net-zero carbon emissions by 2050 relative to the 1990 baseline level. The UK's 2050 net zero target is set out in the Climate Change Act 2008 (as amended), being recommended by the Committee on Climate Change (CCC) which is the UK's independent climate advisory body to the UK Government.
- 9.3 More recently, the UK Government introduced fresh targets to reduce emissions by 78% by 2035 relative to the 1990 baseline levels, being an intermediate target on route to reaching net zero by 2050. This new target is set to become law June 2021.
- 9.4 To achieve these ambitious carbon reduction targets, it is important that major investment in proven low carbon technologies (including ground-mounted solar farms) is supported where possible, along with a diverse mix of other renewable and low carbon energy generation technologies. Vast growth in this sector will be needed if the UK Government's legally binding targets are to be met, however, such proposals should only be brought forward where they are sustainable and are supported by planning policy requirements at a National and Local level.
- 9.5 At the Full Council meeting held on Wednesday 24 July 2019, East Suffolk Council voted unanimously to step up its positive work on environmental issues in order to help fight climate change. It has joined with other local authorities by declaring a climate emergency and has committed to doing more to reduce its own carbon emissions and to encourage communities to help fight climate change.
- 9.6 It is acknowledged that the proposed development would contribute towards meeting these targets and initiatives, both locally and nationally, noting that the overarching principle for the development of low carbon and renewable technologies is already well established in both National and Local planning policy, as stated within the Planning Policy of this report. Notably, Paragraph 158 (formerly 154) of the NPPF states that Local Planning Authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy when determining planning applications, approving such applications where impacts are (or can be) made acceptable.
- 9.7 This principle is echoed in Local Plan Policy SCLP9.1 'Low Carbon and Renewable Energy' which states that the Council will support low carbon and renewable energy developments where evidence is presented demonstrating a sustainable development can be delivered which can facilitate the necessary infrastructure and power connections required for functional purposes, whilst being complementary to the existing environment without causing any significant adverse impacts (unless those impacts can be appropriately mitigated). Local Plan Policy SCLP3.4 'Proposals for Major Energy Infrastructure Projects' also seeks to ensure that the impacts of Major Energy Infrastructure Projects are adequately mitigated, and considerable effort has been made for this Application to ensure that any potential impacts are (or will be) sufficiently assessed and/or mitigated before any development commences at the site. A lot of mediation has taken place working closely with the Applicant and stakeholders to ensure any potential impacts are identified and resolved to the satisfaction of stakeholders, consultees, and East Suffolk Council.



- 9.8 Additionally, the New Anglia Local Enterprise Partnership intends to maximise the energy opportunities in this area, noting the Council's commitment to its contribution towards making the County of Suffolk carbon neutral by 2030. The former Suffolk Coastal area can contribute towards the generation of renewable energy, with solar panel schemes being supported where it can be demonstrated that visual impact in sensitive locations is made sufficiently acceptable through design, siting and, where possible, natural screening.
- 9.9 This proposal would not be a permanent structure on the landscape, having an operational life of 40 years. Local Plan Policy SCLP9.1 'Low Carbon & Renewable Energy' requires that post decommissioning, the facility is removed, and the site is restored to its original condition and this will form the basis of a suitably worded planning condition.
- 9.10 The scale of this proposal and its forecast electricity generation output (up to 49.9MW) places it just below the 50MW Nationally Significant Infrastructure Project (NSIP) threshold for an onshore generating station in England, as defined in Section 15 of the Planning Act 2008 (as amended). This Application has been made for a development of up to 49.9MW, meaning that this cannot be exceeded, and this Council can lawfully determine the application pursuant to our powers under the Town and Country Planning Act 1990 (as amended).
- 9.11 The principle of low carbon and renewable energy development within East Suffolk must therefore be supported in line with policy requirements and local commitments. Appropriate weight has been given to the positive contribution this development would make towards meeting local and national carbon reduction targets.

#### **Public Consultation and Design Evolution**

- 9.12 The submitted Statement of Community Involvement (SCI) sets out the methods used by the Applicant to engage with the local community, local businesses, and key consultees in order to seek feedback on the proposed development. The views of local people and other interested parties have then been used to inform the site design process. It is clear from the submission materials that a significant effort has been made by the Applicant to engage with the local community, which was complicated by the global pandemic and national lockdown requirements.
- 9.13 Pre-application consultation was carried out between Monday 30th November 2020 and Monday 21st December 2020 using both physical and digital channels (such as Commonplace's bespoke digital engagement platform). The Applicant used a variety of methods to maximise participation from relevant stakeholders and the local community.
- 9.14 The SCI provides a record of all correspondence with stakeholders and includes details of how the feedback received has influenced site design. The Applicant advises that the overall response to the project was primarily positive, with the majority of comments received being in relation to local ecology and bird life, visual impacts, traffic and construction, tourism and recreation and archaeology and heritage (SCI Fig 9).
- 9.15 The SCI advises that the feedback received during the public consultation has been carefully considered and, where possible, addressed through the planning application and supporting documentation.

- 9.16 The Applicant claims that the following design considerations were directly attributed to the feedback received:
- The removal of solar panels adjacent to a residential property to the north east of the site;
  - A proposal to plant a one-metre hedgerow and three-metre scattered trees offsite to provide additional screening for residential property (to be secured by planning condition);
  - The removal of panels from a western part of the site in the vicinity of Parham Airfield Museum to limit visual impacts from the viewing tower;
  - Removed shared access with Parham Airfield Museum and the provision of an alternative access to the site to reduce the impact of traffic during construction.
- 9.17 Having reviewed the 'Resident Letter and Leaflet' contained in Appendix A to the SCI, it is understood that this formed the basis of the consultation held between November and December 2020 as referred to above. However, it is apparent that the site redline depicted in this correspondence matches that of the final submission materials for this Application. I therefore do not see how the feedback received during this consultation exercise directly led to the removal of the areas of solar panels listed above. It appears that this was predetermined and only later attributed to the feedback received.
- 9.18 However, it is generally accepted that the Applicant's engagement activities and outcomes follow the Council's principles for community engagement, with early, effective and meaningful engagement with the community being of primary importance as set out in the East Suffolk Council's Statement of Community Involvement (April 2021) guidelines.
- 9.19 In addition to the Applicant's pre-application activities, East Suffolk Council has carried out its own public consultation including direct letter notification, posting several site notices in close proximity to the site, and publishing a newspaper advertisement.
- 9.20 The Applicant is committed to ongoing engagement with the local community, advising that the consultation website will be updated with any news of progress on the planning application, including the ways in which the local community and stakeholders can continue to engage.

### **Site Selection**

- 9.21 The Applicant states in Section 5.8 of the Planning, Design and Access Statement that a total of 19 landowners were approached in the area and that only three responded expressing any interest in hosting such a development on their land. The site selection justification presented states that of the three landowner respondents, one could not offer a sufficient land area to accommodate the 'required' output of 49.9MW.
- 9.22 Solar farms are typically designed and optimised for the land area available once a preferred site has been identified as part of the site selection process. It is noted that 49.9MW represents a very large development, far larger than many other operational solar farms including the neighbouring development at only 15MW. A site which can accommodate a 49.9MW solar farm is large in size and does not therefore represent the minimum scale required to be viable as stated by the Applicant in the submission materials.

- 9.23 The scale of this development is only 0.1MW below that of a Nationally Significant Infrastructure Project (NSIP), having a threshold of 50MW as defined in the Planning Act 2008 (as amended). The Applicant's reference to a 'required' output of 49.9MW therefore suggests that the site selection process was completed retrospectively and that the 'required' 49.9MW was only ever intended for the preferred application site as this had sufficient land area (73.95Ha) to accommodate this large-scale solar farm.
- 9.24 ES Volume 1, Chapter 4 provides details of design evolution along with the alternatives considered. The Applicant has considered alternative sites for the Proposed Development, utilising an iterative site selection process to ensure the site represents the most suitable and deliverable land for the Proposed Development. Factors including proximity to grid connection points and grid capacity, land availability and land constraints were considered as part of this process. A total of 19 landowners were approached regarding the land required for the Proposed Development. This process resulted in the final site being selected as being the most suitable.

### **Cumulative and Combined Effects**

- 9.25 Marlesford Parish Council raised concerns regarding potential cumulative impacts of traffic movements / construction traffic due to Sizewell C and the EA1N and EA2 offshore wind farms. To recap, construction traffic effects have been assessed as low for the proposed development as already discussed in this report, being conducted over a relatively short time period of 4 months (16 weeks). Additionally, the Development Consent Order applications for these projects have not yet been determined by the Secretary of State. Even if approval is granted for these projects, the construction periods are not expected to overlap for more than 16 weeks, assuming they are under construction at the same time, which is unlikely. In addition, construction traffic movements for Sizewell C, EA1N and EA2 will not be focussed on the village of Marlesford. The likelihood of any cumulative impacts from construction traffic arising across projects has therefore not been considered a significant issue for this application.
- 9.26 Additionally, the Applicant's submitted Environmental Statement Non-technical Summary advises in Section 3.4.4 that the potential for cumulative effects with other more local developments in the area (within a 2km radius) has been considered from a landscape, visual and cultural heritage perspective and concludes that no significant effects will exist. Section 3.4.5 also states that combined effects, which can arise when several direct or indirect effects arising from the proposed development affect a single receptor, have also been assessed. It is concluded that there is no potential for significant combined effects from the proposed development.

### **Land Use**

- 9.27 Sections 8.7 to 8.9 of the Applicant's Planning, Design and Access Statement states that an Agricultural Land Classification Report is submitted with the planning application which finds that the site comprises mostly Grade 3b, moderate quality agricultural land, with a small section (approximately 5Ha) of Grade 3a good quality agricultural land. Based on this assessment, the submission materials refer to the site as being farmed as a unit of Grade 3b land, advising the entire site has been classed as such for the purposes of this planning application. However, if a 5Ha area of land is Graded as 3a, then it can only be farmed as

Grade 3a and not as Grade 3b. This site therefore contains 5ha of Grade 3a land which falls within the categorisation of 'best and most versatile land'.

- 9.28 The Applicant states in Section 6.10 of the Planning, Design and Access Statement that it is intended that the site would retain its agricultural use whilst the proposed development is operational. However, the site currently consists of both Grade 3a and 3b agricultural land used for crop production. This would not remain a viable use during solar farm operation due to the presence of the solar panels and associated infrastructure. Instead, it is suggested by the Applicant that the land use would change to that of grazing sheep, grassland or wildflower meadow. It is therefore clear that 73.95Ha of crop producing land will be removed over the operational life of the development (circa 40 years as indicated by the Applicant). It can therefore not be claimed that the existing use (crop production) would be retained during operation.

## **Site Design**

- 9.29 The Applicant states in Section 6.4 of the Planning, Design and Access Statement that all infrastructure required for the proposed development has been situated in such a way as to avoid environmentally sensitive areas, and mitigation has been included to reduce other impacts. However, as discussed in more detail within the Noise section of this report, the applicant only submitted a desk-based noise assessment and has not completed a site survey which accounts for the actual baseline noise impact at identified receptors. As discussed in the Noise section of this report, it has been agreed between the Applicant and East Suffolk Council's Environmental Protection Team that noise assessment will be undertaken as a pre-commencement planning condition. The precise type of inverter equipment has yet to be fixed by the Applicant and the magnitude of noise impact has not yet been modelled and measured. Therefore, appropriate levels of mitigation will be identified at the time of further noise assessment being undertaken under planning condition for approval by the Local Planning Authority.
- 9.30 The Applicant states in Section 6.6 of the Planning, Design and Access Statement that the initial design was assessed by planning and environmental specialists covering topic areas including landscape and visual, cultural heritage, ecology, hydrology and traffic considerations with each specialist visiting the site to identify the presence or absence of potential environmental constraints and opportunities. This is also mentioned in Section 6.14. Section 6.15 states that the incorporation of environmental mitigation measures were central in the preparation of the layout. However, as discussed in the Ecology section of this report, various species surveys identified in the Preliminary Environmental Appraisal (PEA) had not been undertaken prior to the submission of this application.
- 9.31 The Applicant also states in Section 6.6 that plans were produced to show potential environmental constraints in respect of landscape and visual impact, and in 6.7 states that the protection of existing landscape features and valuable habitat including hedgerows and trees have been central considerations in the preparation of the layout. Section 6.8 states that the Applicant proposes to plant a 1m high hedgerow and 3m high scattered trees off-site to provide additional screening for a neighbouring residential property to the north-east, however planting details of this are not clearly defined. A planning condition has therefore been recommended to provide full details of proposed planting

specifications, landscaping and biodiversity net gain areas through a full Landscape and Biodiversity Management Plan.

- 9.32 As set out in paragraphs 6.17 to 6.21 within the submitted Planning, Design and Access Statement, it has not been possible for the Applicant to fix all of the design details, so the proposal therefore incorporates sufficient design flexibility. This relates to the dimensions and layout of structures forming part of the proposed development, including the precise layout of the site. In order to ensure a robust assessment of the likely significant environmental effects of the proposed development, the EIA has been undertaken adopting the principles of the 'Rochdale Envelope'. This approach involved defining development zones rather than having a defined layout, allowing the future contractor to optimise the layout of the solar farm up to the maximum parameters defined within the assessment as part of the planning application. Following any grant of planning permission, rather than being bound to a precise layout, the Rochdale Envelope principle provides a sufficient means of flexibility in allowing changes to the final design post-planning consent to allow for a range of procurement and detailed technical design issues.
- 9.33 Development zones are illustrated in the Development Zones Plan (Reference: LCS040-DZ-01 Rev 13). The zones define where the solar farm infrastructure could be located within the site, but there is flexibility in terms of the layout within each zone. The infrastructure that is permitted to only be located within each zone is as follows:
- Development Zone 1: solar panels and inverters;
  - Development Zone 2: solar panels and inverters;
  - Development Zone 3: solar panels and inverters;
  - Development Zone 4: solar panels;
  - Development Zone 5: solar panels, inverters, DNO Substation and Customer Substation; and
  - Development Zone 6: solar panels and inverters.
- 9.34 The Indicative Site Layout Plan (Reference: LCS040-PL-01 Rev 10) provides an indication as to how the site could be laid out, however, the detailed design and fixing of the site layout could vary within the parameters of the development zones as outlined above and the final precise siting of the panels and infrastructure within the site will be for subsequent approval as part of a planning condition. However, the indicative site layout and the parameters defining the development zones, being based on the Rochdale Envelope approach, is considered acceptable subject to conditions. The final site layout will be fixed and approved by East Suffolk Council once pre-commencement studies have been completed enabling the refinement of site layout to be undertaken giving greater flexibility.

## **Designated Sites**

- 9.35 Section 6 within the Environmental Statement Volume 1 states in 6.4.9 that the proposed development site is not subject to any local, national, or international landscape designations, nor is it a Registered Park and Garden. Beyond the site boundary, the Preliminary Ecological Appraisal (PES) identified the Great Glemham Nature Reserve (County Wildlife Site (CWS)) which is located immediately adjacent to the proposed south-eastern site boundary, and Silverlace Green CWS, which is located immediately adjacent to the cable corridor. However, it was concluded that neither will be impacted upon by the Proposed Development.

- 9.36 Natural England confirmed that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites, and that they have no objection to the proposed development.
- 9.37 Paragraph 176 (formerly 172) of the National Planning Policy Framework gives the highest status of protection for the 'landscape and scenic beauty' of Areas of Outstanding Natural Beauty (AONBs) and National Parks. The Suffolk Coasts and Heaths AONB Planning Officer advised that the site lies approximately 7km from the boundary of the Nationally Designated Landscape and as such the AONB team does not wish to comment on the proposal.
- 9.38 Natural England considers that the proposed development will not have likely significant effects on European Sites and to meet the requirements of the Habitats Regulations, it should be recorded that a likely significant effect can be ruled out. They also confirmed that the proposed development will not have likely significant effects on Sites of Special Scientific Interest (SSSIs), noting the nearest to the proposed development site is Cransford Meadow located 1.77km north of the proposed development site boundary.

### **Trees and Hedges**

- 9.39 The submitted Arboricultural Impact Assessment states in Section 5.2 that part of one low quality tree group is required to be removed to facilitate the proposed development. However, its loss will not detract significantly from the overall extent of the group feature. This relates to tree group 'G37' which are Category C trees (i.e. trees of low quality, minimum of 10+ years remaining contribution). The trees are due to be removed to provide an access route into part of the site. These are located on the southern field boundary for the northern most development zone. All of the remaining trees within and adjacent to the proposed development site will be protected.
- 9.40 Section 5.4 identifies that there is also a single Category C tree (Reference: T4) located at the western extent of Rachel's New Covert / Woodland by the road running between Mill Green and Silverlace Green. This will require some incursion into its construction exclusion zone to allow for the cable route forming part the proposed development. The cable route trench will be 1m wide and 1m deep and this has been micro-sited as far as possible to avoid retained tree root protection areas (RPAs). However, the RPA for T4 will incur a slight incursion, and the trench will therefore be hand dug in this area with any roots <25mm in diameter being preserved and worked around. This limited excavation will not impact on the health or amenity value of this tree or those to the west of the road and is considered reasonable.
- 9.41 The development entails minimal loss of existing hedgerows and proposes the planting of 13.5km of new hedgerow. The detailed landscaping and planting specification will be secured via planning condition. This will ensure that the proposed vegetation contributes to the agricultural character of the wider area and successfully screens any solar farm infrastructure in views.
- 9.42 However, Section 4.1 of the submitted Transport Assessment (TA) undertakes a visibility splay assessment for the two proposed vehicular access locations on New Road. Section 4.1.6 of this document states for the north-western access (Reference: PSA1) that in order to achieve the northern visibility splay of 2.4m x 160m, significant mature vegetation clearance to the north of the site access junction would need to be undertaken.

- 9.43 Similarly, Section 4.1.8 of the TA states for the south-eastern access (Reference: PSA2) that based on the observed speed data for New Road, it is considered that visibility splays of 2.4mx 160m to the north and south are appropriate and to facilitate the safe movements of vehicles at PSA2, vegetation clearance to the north of the site access junction will be required in order to achieve this visibility splay. A review of google street view suggests this vegetation is located on the opposite side of New Road (outside of the redline boundary) and this requirement was not identified as part of the submitted Arboricultural Impact Assessment, with Tree Constraint Plan Sheet 012 of 12 illustrating this hedge (Reference: G6, Category C) as being retained.
- 9.44 The requirement to remove identified vegetation within visibility splays for PAS1 has however been subsequently deleted from the highway access planning condition through agreement with SCC Highways due to traffic management being adopted throughout the construction period, managing road safety at this junction, and negating the need to remove the vegetation.

### **Ecology and Biodiversity**

- 9.45 Suffolk Wildlife Trust initially submitted a holding objection for this application in light of the need for further surveys of hedgerows, great crested newts, breeding birds, non-breeding birds and bats being required as set out within the Preliminary Ecological Appraisal. This sentiment was echoed by the East Suffolk Council Ecologist who advised that this information is required to inform a full assessment of the potential biodiversity impacts of the proposal.
- 9.46 At the time of the application being submitted there was a lack of information on the species composition of the hedgerows which was a primary concern given that sections of hedgerow were proposed for removal resulting in insufficient information being available to determine whether the proposals will result in a negative impact upon a Priority habitat. In addition, the submitted Planning, Design and Access Statement proposes that areas of hedgerow would be planted although no landscape plan was supplied, resulting in the need for a planning condition covering detailed landscaping and planting specifications as it is currently unclear what species will be used for any replacement planting with no indication of the composition and range of species.
- 9.47 Suffolk Wildlife Trust and ESC also highlighted a requirement for a Landscape and Ecological Management Plan to be produced to detail how the habitats and open spaces on site are to be appropriately managed for biodiversity. This will also be covered by planning condition.
- 9.48 The submitted Preliminary Ecological Appraisal identifies the need for further eDNA surveys of three nearby waterbodies for great crested newts between April and June and these were requested to be completed before this application is determined.
- 9.49 The Arboricultural Impact Assessment identifies trees to be removed to facilitate part of the development, yet no bat roost appraisal had been undertaken prior to submission. The Applicant was therefore informed that the roost assessments on these trees should be carried out prior to the determination of this application. The Preliminary Ecological Appraisal also identifies the need for further bat activity surveys, and these were also requested prior to determination in order to determine the use of the site by foraging and commuting bats.

9.50 The Applicant was advised that the required further surveys for breeding birds should include targeted surveys for barn owl and also include an assessment of the number of skylark territories due to be lost by the proposals and whether a skylark offsite mitigation strategy is required. The Applicant was also asked to prepare a Biodiversity Enhancement Strategy detailing how the recommendations and enhancements made as a result of the completed surveys are to be incorporated within the development, including their locations. Pre-construction surveys are also proposed as part of the CEMP, to be secured as a condition to be imposed on any planning permission.

9.51 In August 2021, the Applicant submitted the ornithological survey report, the bat survey report and a technical note covering the Extended Phase 1 Habitat survey of the cable corridor and Great Crested Newt eDNA survey of two ponds. A synopsis of the findings is summarised below:

- **Hedgerows, breeding birds and non-breeding birds (wintering)** - no counts of any bird species recorded across the survey area during the breeding or non-breeding (wintering) season approaches the 1% level of national population estimates as detailed in Woodward et al. (2020) or form a significant proportion (i.e. 1% or more) of the county population. Therefore, species' populations across the survey area are considered to be of no more than local importance.

The development entails minimal loss of existing hedgerows and proposes the planting of 13.5km of new hedgerows (some of which will reinstate those originally removed during the construction of the airfield).

- **Barn owl** – these are listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) and were recorded during the breeding season but were not breeding on site.
- **Skylark territories and offsite mitigation** - nineteen Skylark territories were recorded within the survey area, of which two were located outside of the site (overlapping with the survey area) and one territory was recorded within the cable corridor. Therefore, this species is occurring on site (within the proposed solar array areas) at a low density (approximately 1 territory per 5ha) and at a breeding population size of no more than local nature conservation importance. Whilst existing arable habitat within the Proposed Development will be lost, arable habitat between the solar arrays will be converted to grassland habitat, which will be beneficial to invertebrates and species, such as Skylark, that prey on them. Grassland habitat will also provide long-term opportunities for Skylark (and other ground-nesting species) to nest.

9.52 Without mitigation, the construction of the proposed development has the potential to affect the assemblages of birds recorded within the site boundary. These potential effects include habitat loss and fragmentation as well as displacement and/ or loss of breeding or wintering populations. The Proposed Development will therefore retain as much of the existing boundary habitat as is practicable, such as hedgerows and scrub, along with all mature broadleaved trees.

9.53 Grassland habitat will also provide long-term opportunities for Skylark (and other ground-nesting species) to nest. Furthermore, grassland margins (of 5m-15m width) will be retained to provide additional nesting habitat for ground-nesting species. The creation of



areas of set-aside or 'cover crops' would also benefit a range of arable farmland passerines present within the survey area, including Yellowhammer and Skylark.

- 9.54 New hedgerow planting, to provide additional habitat used by species of conservation concern such as Turtle Dove, Dunnock and Yellowhammer, will include a mix of native species including Hawthorn *Crataegus monogyna* and Blackthorn *Prunus spinosa*. These habitats will provide foraging, roosting and breeding habitat for birds in the summer months, along with foraging and roosting habitat for birds in the winter months.
- 9.55 Consideration will be given to providing artificial nest boxes on retained trees and within woodland for species of conservation concern such as Stock Dove and Barn Owl.
- 9.56 It is presumed that the construction of the proposed development will be undertaken in a phased approach over many weeks, vegetation or ground clearance works will therefore be timed outside of the bird breeding season (i.e. between September and February) to avoid any additional constraints associated with this activity.
- **Bat roosts and bat activity surveys** - the survey identified two trees and two woodland blocks within the survey area that have medium to high potential to support roosting bats. Some of these features, most notably the woodlands with high suitability, are likely to contain roosting bats (with likely roosting confirmed during the transect surveys in Paul's Grove), however none of the features identified will be directly or indirectly impacted by the proposed development due to retention of these features and buffers around them.
- 9.57 In spring there was high activity of Common Pipistrelle using the site, with moderate activity of Soprano Pipistrelle along a woodland edge, with low activity of Noctule and Myotis species and very low activity of Brown Long-eared bats. However, these species were predominantly recorded using boundary features of the site, which will be retained.
- 9.58 In summer there was moderate activity of Common Pipistrelle and Soprano Pipistrelle using the site and very low activity of Barbastelle, Noctule, Brown Long-eared bat and Myotis species (1 pass). As with spring surveys, these species were predominantly recorded using boundary features of the site, which will be retained.
- 9.59 Overall, the time of the first bats recorded after sunset indicate possible nearby roosts of Common and Soprano Pipistrelle, Brown long-eared and Barbastelle bats in the adjacent woodland. The woodlands and hedges are likely to be important in maintaining the local bat populations and the proposed development avoids these features, noting that newly created habitats (from intensive agriculture to grassland) may be beneficial.
- 9.60 Whilst two activity surveys (spring and summer) falls below the recommended three surveys (with a third survey in Autumn), this is unlikely to provide any additional relevant information for the assessment of potential impacts on bats using the site.
- **Great crested newts** - the results of the eDNA survey, undertaken in May 2021, identified that Great Crested Newt is absent from ponds 8 and T7. However, this species is present in a pond (pond 6) c.120m away. Furthermore, pond 3 was not surveyed due to access restrictions. Ponds 3 and 6 are separated from the Scheme by intensively managed arable farmland with limited connectivity that would allow for Great Crested Newt dispersal onto the Site. It is highly unlikely that Great Crested Newt occurs on site and impacts to Great Crested

Newt will be avoided, through avoidance of suitable terrestrial habitat (such as grassland) and no loss of aquatic habitat. As such a licence for this species is unlikely to be required and construction work would be undertaken under a precautionary working method statement.

- **Phase 1 habitat survey of the cable corridor** - a buffer of at least 15m will be provided between the woodland the cable corridor to retain grassland/woodland edge habitats, and suitably buffer the woodland from disturbance and impacts. Grassland verges should be avoided, particularly at T2 where the flora is less improved and has a diverse range of species.

- 9.61 A method for the river crossing needs to be provided to assess the impacts on riparian habitats and riparian mammals. It is understood that the cabling will either be through existing ducting within the bridge, or HDD methods underneath the watercourse. If direct and indirect impacts to this watercourse during construction of the cable route cannot be adequately avoided, then further surveys for Water Vole and Otter, along with the potential for Mink Neovison vison, will be required. If the bridge requires work during construction to facilitate construction of the cable route then an assessment of the bridge will be required for bats. All surveys will identify whether mitigation is required and the surveys will be secured via condition once the river crossing method has been confirmed at detailed design stage. Precautionary measures for all species will be adopted during construction of the cable corridor as recommended in the PEA report.
- 9.62 The ESC ecologist advised that he was satisfied with the conclusions set out above, and subject to securing the required mitigation measures, the proposed development appears unlikely to result in a significant adverse impact on designated sites, protected species or UK Priority habitats or species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). He also provided details of recommended planning conditions requiring the development to be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) and subsequent studies to ensure that ecological receptors are adequately protected and enhanced as part of the development. Vegetation removal or works to areas potentially used by breeding birds shall only take place between 1st March and 31st August inclusive. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted and approved to ensure that ecological receptors are adequately protected as part of the development. A landscape and ecological management plan (LEMP) shall also be submitted and approved prior to the commencement of the development to ensure that the long-term ecological value of the site is maintained and enhanced. Finally, prior to the any construction activity (including vegetation clearance or site preparation) within 50m of the River Ore, an Ecological Mitigation Method Statement will be submitted and approved to ensure that ecological receptors are adequately protected.
- 9.63 Following the Applicant's submission of species survey data and planning conditions being agreed to maintain a precautionary approach throughout all phases of the development, the Suffolk Wildlife Trust and ESC ecologist have withdrawn their holding objections subject to the agreed ecological conditions. The proposals are therefore considered compliant with the requirements set out in Local Plan Policy SCLP10.1 'Biodiversity and Geodiversity' as they seek to maintain and enhance flora and fauna species at all opportunities, making a positive contribution towards the baseline biodiversity through

the creation of new habitats such as grassland and wildflower areas between and surrounding the solar panel arrays. This will benefit local insect and bird species, having a knock-on effect on the wider food chain, noting that the baseline environment across the site focusses on intensive arable farming which is not synonymous with a high level of biodiversity.

### **Landscape Visual Impact and Biodiversity Net Gain**

- 9.64 The East Suffolk Council Arboriculture and Landscape Manager advised that whilst there will be localised adverse landscape and visual effects arising from the development, the effects are not sufficient to warrant reasons for refusal. The site itself falls within the Glemham Estate Claylands landscape character area as defined by the Suffolk Coastal Landscape Character Assessment. A site-specific landscape character assessment was submitted by the Applicant and the findings of this study have been confirmed by a separate site survey undertaken by the Officer on 30th April 2021.
- 9.65 The development entails minimal loss of existing hedgerows and proposes the planting of 13.5km of new hedgerows (some of which will reinstate those originally removed during the construction of the airfield), however the new planting will not be effective in screening of the development and would not contribute to landscape character enhancement until it becomes well established (at least 5-7 years after planting). On that basis, the fundamental change in landscape character would be experienced across the site for at least the early years post installation. However, the visual impact of the development remains very localised around the site perimeter out to around 500-600m.
- 9.66 The Officer's site visit confirmed that there would be no discernible change in visual amenity for the remaining viewpoints because of the distance from the viewer to the development as well as intervening vegetation and topography.
- 9.67 The year 10 assessment indicates that these visual impacts will have been largely nullified assuming that the indicated boundary hedge planting has been effective and is well established and maturing. Solar array developments of this type are considered to be temporary and reversible but over a medium to long term time period.
- 9.68 Effects on local landscape character and visual amenity will be notable in the immediate locality of the site, and certainly so whilst new planting matures, but such adverse effects are not of significance in EIA terms and can be suitably mitigated by appropriate planting. Such planting will be retained after the development has been de-commissioned and will continue to make a positive contribution to landscape character in the long term. This will contribute to restoring the adverse effects on landscape features left over from the original airfield construction some years ago. Over the longer term this would result in a net benefit in landscape terms.
- 9.69 The Applicant states in Section 6.32 of the Planning, Design and Access Statement that corridors of approximately 10m width will be provided to include hedgerow planting to screen the site where appropriate, plus sowing wildflower margins beyond the route of Public Rights or Way up to any hedgerows.
- 9.70 The Applicant summarises the proposed landscaping and biodiversity benefits of the proposal in Sections 6.34 to 6.39 of the Planning, Design and Access Statement. This commits to the retention of existing trees and hedgerows with existing gaps in boundary

planting being strengthened where necessary as well as the provision of new areas of hedgerow. This would enhance the existing hedgerow habitat areas, which together with areas of wildflower planting, would contribute towards a biodiversity net gain at the site. Section 4 'Responses to Feedback' within the Applicant's submitted Statement of Community Involvement echoes this sentiment, noting that solar farms can provide vital space for improving biodiversity. The Applicant advises that barn owl boxes, bird nesting boxes, beehives, log piles, restoration of traditional field boundaries and other hibernacula areas for reptiles, amphibians and insects will be provided across the site.

- 9.71 The NPPF and Local Plan Policy SCLP10.1 state that development will be supported where it can be demonstrated that it maintains, restores, or enhances the existing green infrastructure network and positively contributes towards biodiversity. New development should provide environmental net gains for both green infrastructure and biodiversity as well as ecological enhancements and should provide a biodiversity net gain that is proportionate to the scale and nature of the proposal.
- 9.72 A planning condition has been recommended to provide full details of proposed planting specifications, landscaping and biodiversity net gain areas through a full Landscape and Biodiversity Management Plan as well as a Construction Environmental Management Plan. This will ensure that the proposed vegetation contributes to the agricultural character of the wider area and successfully screens any solar farm infrastructure in views.
- 9.73 The Suffolk Coasts and Heaths AONB Planning Manager was consulted and has advised that the proposed development site will be located approximately 7km from the boundary of the Nationally Designated Landscape and as such the AONB team does not wish to comment on the proposal. No concerns were therefore presented in relation to the AONB.
- 9.74 To summarise, Policy SCLP9.1 Low Carbon and Renewable Energy states that the Council will support renewable energy schemes when they are complementary to the existing environment without causing significant adverse landscape and visual impacts unless it can be appropriately mitigated. It is clear that the Applicant has incorporated several measures into the design of this proposal to meet this requirement. The proposal will be contained within existing established field boundaries and requires no or very minimal vegetation removal. Visual impacts will be localised, and mitigation measures would provide additional screening of the development and any visual impacts from construction would be short lived at only 16 weeks. It is therefore concluded that the proposal is in accordance with development plan policy requirements, having no significant effects on landscape character or visual amenity.

## **Heritage and Conservation**

- 9.75 Historic England does not object to this application on heritage grounds. Whilst they acknowledge that the change in land use in the proposed area would have a detrimental impact upon the rural landscape character surrounding the Grade 1 listed Church of St Mary at Parham, as well as temporary effects on tranquillity during construction, they confirm that any negative effects observed fall short of 'harm' as defined in paragraph 202 of the NPPF. (Note that the revised NPPF 2021 now covers this requirement in paragraph 208).
- 9.76 The main impact upon the significance of the Church of St Mary, Parham comes from the provision of the cable route past the entrance of the Grade I listed Church as well as

temporary harm to the significance of the Grade II\* listed Church Farm House. As discussed in the Highways and Viability sections of this report, highway matters do not fall within the remit of East Suffolk Council and will be approved separately by Suffolk County Council. However, assurances are sought by East Suffolk Council that the works to lay the cable through Parham Village would be done in the least impactful way and vibrations caused through mechanical tools will not cause damage to the historic buildings. The Applicant has acknowledged these requests.

- 9.77 The East Suffolk Council Design and Conservation Officer has confirmed that there are no designated heritage assets within the application site, however there are several assets nearby whose setting could be affected by the proposed development. It has however been concluded that any potential impacts will only result in very low levels of 'less than substantial harm' in terms of the NPPF.
- 9.78 The Officer agrees with the assessment of impact on Church Farmhouse, The Willows, Common Farmhouse, and Great Glemham Hall Park, however, considers that the impact on Paul's Grove Farmhouse would be low, rather than very low as assessed in the ES. However, despite this, the potential impacts would still lead to a minor adverse effect in the terms of the ES and would be considered less than substantial harm, at the lower end of the scale, in terms of the NPPF.
- 9.79 The Officer also advised that the magnitude of impact on Non-Designated Heritage Assets (Potash Farm, Chantry Cottage and Common Farm Cottages) would be medium, leading to a minor adverse effect in the terms of the ES. In the terms of the NPPF, this would be considered at the lower end of 'less than substantial'. The magnitude of impact on the Watch Office and T2 airfield hangar would be low, leading to a minor adverse effect in the terms of the ES. In the terms of the NPPF, this would be considered at the lower end of 'less than substantial'.
- 9.80 It is also noted that new vegetation is proposed along the eastern boundary of the site, as illustrated on drawing LCS040 PLE-01 Rev 10. The landscaping and planting specification will be detailed and secured via condition, ensuring that solar farm infrastructure is sufficiently screened in views from Paul's Grove Farmhouse.
- 9.81 The Suffolk Preservation Society expressed concerns over the potential impacts on Paul's Grove Farmhouse in reference to Paragraph 199 (formerly 193) of the NPPF which states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' This has been given due weight in the overall balance, noting that Paul's Grove Farmhouse is Grade II listed (i.e. it is not Grade II\* or Grade I listed). Historic England's online guidance for listings states that Grade II listed buildings make up 91.7% of all listed buildings in England (with an estimated total of 500,000 assets on the register). The magnitude of potential impact on this heritage asset has been assessed as low and any residual views will be mitigated through appropriate landscape planting as set out above.
- 9.82 Marlesford Parish Council expressed concern stating that the proposed development represents inappropriate development within a conservation area. However, the Great Glemham Conservation Area is located approximately 700m to the north-east of the

proposed site's boundary and will not be visible due to landscape screening (natural topography) and by a number of woodland copses and hedges located between the northern section of the former airfield's perimeter road and Church Road. The Applicant's Environmental Statement Volume II (Technical Appendices) Appendix 7A: Cultural Heritage Desk Based Assessment states that the site is sufficiently distant from the conservation area and that development on it will not affect the conservation area's setting on the approach along Church Road from the west. East Suffolk Council agree with this assessment as there will be no impact on the conservation area or any designated buildings (including the Grade I listed Church of All Saints) or non-designated buildings within it because of the scheme.

- 9.83 In summary, there are no significant effects identified in relation to the setting of designated and non-designated heritage assets (including no significant residual effects). The proposed development would only introduce a very low level of less than substantial harm to nearby designated and non-designated heritage assets, in the terms of the NPPF. This has been weighed up in the planning balance against public benefits, as per the requirements of Paragraph 202 (formerly 196) of the NPPF. The proposed development therefore seeks to preserve the existing historic environment and is in accordance with both national policy and Local Plan Policies SCLP11.3, SCLP11.4.

### **Archaeology**

- 9.84 The Suffolk County Council Archaeological Unit initially raised concerns for this application stating that it proposes a large site situated within an area of archaeological potential. They highlighted that this site has never been the subject of systematic archaeological investigation and there is a high potential for previously unidentified archaeological remains to be present. They advised that the proposed development would cause ground disturbance that has the potential to damage or destroy any below ground heritage assets that exist, and the Applicant is therefore requested to provide an archaeological evaluation of the site prior to the determination period expiring in order that the findings can be used to make a decision on the timing and extent of the required trial trenched evaluation at this site. A detailed strategy for the further investigation and appropriate mitigation was also required to be provided by Applicant.
- 9.85 The Applicant subsequently submitted a geophysical survey for the site, however the Archaeological Unit advised that the survey provided had not worked in fields 1 and 5, noting that the site is split in to 6 separate development zones (as illustrated on submitted drawing LCS040-DZ-01 Rev 13). The Archaeological Unit highlighted that the survey may therefore have failed to detect further anomalies of archaeological interest in these fields, where Roman and medieval find scatters have been previously recorded. The original concerns raised therefore remained relevant, noting that trial trenched evaluation is necessary in fields 1 and 5 in order to ground truth the geophysics results. The Archaeological Unit did however confirm that they have no objection to further evaluation being undertaken for the remainder of the site (and any subsequent mitigation) being undertaken via planning conditions should consent be granted.
- 9.86 The Applicant's archaeology consultants accepted that the surveys undertaken in fields 1 and 5 had not been as successful as they had hoped and that the area is more disturbed than originally thought, however they reaffirmed their position that the evidence currently suggests a lack of archaeological activity regardless of the spot finds.

- 9.87 With regard to the requirement for trial trench evaluation, the Applicant is fully committed to undertaking this work, however requested that this is wholly undertaken prior to the commencement of development as opposed to pre-determination. The reason for this is that the Proposed Development is based on the principles of the Rochdale Envelope and has sufficient flexibility to exclude development if anything of significance is found during trenching.
- 9.88 The Archaeological Unit advised that historical mapping shows former field boundaries in fields 1 and 5, some of which survive as substantial earth works. However, they note the preservation in situ possibilities and flexibility retained in the design and confirmed that they would not object to trial trenched evaluation of the whole site being undertaken post consent at the earliest opportunity as long a flexible options for mitigation remain (with any mitigation requirements being established at an early stage).
- 9.89 The Applicant's submitted Indicative Site Layout Plan (ref. LCS040-PLE-01 Rev 10) provides an indication as to how the site could be laid out; however, they have confirmed that the detailed design and fixing of the site layout could vary within the parameters of the Development Zones as outlined and within the confines of the parameters i.e. cabling techniques which avoid the need for invasive works. There is also potential to embrace new and emerging technologies in the UK, notably string inverters, which would be affixed to the back of the panels thereby removing the need for foundations (whereas the current approach uses inverters within shipping containers or similar structures with foundations). Furthermore, whole areas can be removed from the scheme and left as exclusion areas if required following site investigation works being completed.
- 9.90 The Applicant advised that subsequent approval as part of a planning condition would provide a Detailed Site Plan, including Archaeological Exclusion Zones. It was also confirmed that should anything of significant archaeological value be discovered following trial trench evaluation at the site, then a number of options can be implemented and secured by pre-commencement conditions for approval by East Suffolk Council and Suffolk County Council to ensure any features would be preserved in situ and not harmed by the proposed development. Site options include archaeological exclusion zones which would be established specifically excluding any below or above ground development from taking place within these areas and/or design mitigation in the form of above ground cables to limit ground disturbance.
- 9.91 The Archaeological Unit advised that in accordance with the National Planning Policy Framework Paragraph 205 (formerly 199), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. All parties have now agreed to elements of further site investigation and reporting to be covered by suitable pre-commencement planning conditions, these will cover approval of an Archaeological Written Scheme of Investigation (WSI), Archaeological Evaluation in accordance with the WSI following its approval, and the provision of a detailed site plan including archaeological exclusion zones. A management plan will also be produced for any archaeological areas to be preserved in situ, setting out the methodology to secure the ongoing protection of these areas both during construction, operation and decommissioning of the solar farm, however this will only be required if there are archaeological areas to be preserved in situ.
- 9.92 The Applicant has confirmed that any significant archaeology found at the site will be completely protected and secured by robust and enforceable planning conditions.

Following post-determination trial trenching, in the unlikely event that widespread archaeology of national significance is discovered in the majority of the site to the extent that the proposed solar farm simply cannot be delivered in any form because of archaeological exclusion, then Low Carbon would be left with an unimplementable planning permission and the site would not be developed for a solar farm. This is a risk the Applicant is willing to take but only at the post-determination stage.

- 9.93 In summary, the proposal meets the requirements set out in both national and local planning policy, including Local Plan Policy SCLP11.7.

### **Drainage and Flooding**

- 9.94 The detailed design and layout of the proposed solar farm is not fixed at this stage, and in order to ensure a robust assessment of the impacts of the proposals within the planning application, the drainage strategy / FRA were undertaken using the Rochdale Envelope approach which involves using maximum parameters for elements where flexibility is required.
- 9.95 As such, the calculated total impermeable areas (e.g. equipment platforms) represent a worst case scenario and may reduce further (e.g. through the use of string invertors). It is also noted that these impermeable areas are relatively small in the context of the overall site and a technical solution. The final layout will be subject to agreement with the Council through a planning condition as will the detailed drainage design.
- 9.96 Suffolk County Council are the lead local flood authority covering the proposed development site and they initially submitted a holding objection due to further information being required regarding surface water management at the site as detailed earlier in Statutory Consultation (SCC LLFA) section of this report.
- 9.97 The SCC LLFA highlighted the following justification for their initial holding objection:
- no infiltration testing has been undertaken in full accordance with BRE 356 methodology;
  - boreholes need to be taken across each of the development zones to determine shallow infiltration, deep infiltration and groundwater levels;
  - it is suggested that there are no existing watercourses within the proximity of the site however evidence from Environmental Agency LIDAR would suggest that there are watercourses within sections of the red line boundary;
  - the proposed strategy relies on the sites topography to convey runoff over-land into strategically positioned attenuation swales, however this presents concerns of silt/debris congregation within the swales;
  - a climate change allowance of 20% has been used for design, however 40% should be applied.
- 9.98 The Applicant requested that all of the surface water drainage requirements highlighted by SCC are covered by pre-commencement conditions. SCC subsequently confirmed that they do not consider the area associated with the solar panels themselves to contribute to the net impermeable area as the ground below will remain unchanged and will therefore accommodate the surface water runoff, replicating the greenfield scenario. However, there will be some impermeable area through development with associated equipment and infrastructure, particularly the access road.



- 9.99 SCC have agreed that details of surface water management can be conditioned to be submitted at a later date, however they would require some evidence to provide confidence that there is sufficient room to provide SuDS. Their initial response outlined the requirement for infiltration testing and an assessment of the nearby watercourses, noting that one of these options will work for site drainage. Evidence was therefore required to demonstrate a viable strategy and sufficient space for surface water management, with infiltration testing and further assessment of nearby existing watercourses being undertaken later. SCC requested that infiltration evidence should provide details of the attenuation basin to accommodate the requirements of proposed impermeable areas, using a conservative 10mm/hr infiltration rate. Evidence to support discharge to a watercourse should calculate QBAR discharge rate in line with the proposed impermeable areas.
- 9.100 The Applicant advised that the proposed drainage strategy incorporates a number of swales, with the site being broken down into parcels to reflect topography and swales serving each individual parcel. They confirmed that it is not possible to provide a single basin to cover the whole site given the site's topography. Additionally, the infiltration rate used within the submitted Flood Risk Assessment (on page 22) is 0.0036m/hour, which converts to 3.6mm/hr. This is a more conservative infiltration rate than the value proposed by SCC meaning the water is held on the site for longer than requested by the LLFA. However, the Applicant did not accept that any watercourses exist within the site or adjacent to the site.
- 9.101 The Applicant submitted a drainage strategy technical note on 24th June 2021 to address the SCC LLFA concerns, this detailed the proposed drainage strategy across the development site and originally proposed dealing with surface water by infiltration and swales using an infiltration rate of 3.6mm/hr based on the current information available on the ground conditions. However, this led to lengthy dialogue with the SCC LLFA resulting in a revised technical note being issued. This was required as the LLFA were uncomfortable with such a slow infiltration rate, mainly because it could increase flood risk in a follow-up rainfall event. The LLFA requested that the technical note's calculations incorporated a rate of 10mm/hr to meet their standards.
- 9.102 The revised technical note was submitted on 4th August 2021, and this demonstrated that the proposed swales are adequately sized at that rate, however neither the Applicant's drainage team, nor the LLFA considered this to be realistic as it is anticipated that the ground conditions would not allow for such an infiltration rate (noting that Boulder Clay is present to a significant depth across the whole site). Therefore, the LLFA required an alternative strategy to be agreed to dispose of surface water.
- 9.103 The Applicant then engaged in further discussions with the landowner which resulted in the details being obtained for an existing operational piped drainage network running through the site (Reference: drawing SKM\_C364e20092314230). The landowner is agreeable to Low Carbon connecting into this and this provides a feasible alternative option for managing surface water. However, the capacity and condition of this network would need to be subject to further survey (e.g. CCTV) and this could reasonably be undertaken post-determination to inform the detailed drainage design. The existing piped drainage network can be utilised as an alternative option to infiltration, making the surface water drainage strategy far more flexible and robust. The Applicant has agreed to repair / upgrade the piped network, as necessary, to ensure it can accommodate a drainage

solution which the LLFA is comfortable with and giving the control and assurance they require.

- 9.104 Four planning conditions have therefore been agreed with the SCC LLFA and the Applicant in relation to the implementation and management of surface water at the development site, no development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority, no development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing, no development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing, and within 28 days of practical completion, a surface water drainage verification report shall be submitted to the Local Planning Authority.
- 9.105 Further drainage modelling / calculations associated with connecting to and utilising the piped network will therefore form part of these requirements at the post-determination stage once the final locations and areas of impermeable hardstanding are known, which are yet to be confirmed through the detailed design layout process as well as an understanding being gained for the condition / capacity of the existing piped network following surveys, and what flows this network needs to accommodate.
- 9.106 It is agreed that to go into that level of detail pre-determination would be disproportionate given that the detailed layout is not fixed (being based on the Rochdale Envelope) and noting the very limited additional run-off which needs to be accommodated given that the vast majority of the site retains a greenfield runoff rate which has been acknowledged by the SCC LLFA.
- 9.107 The SCC LLFA advised that having reviewed the borehole records provided, they are content that no infiltration testing needs to be undertaken at all on this application as it is evident that Boulder Clay is present to a significant depth across the whole site. No such planning condition is therefore necessary.
- 9.108 On 12th August 2021, the SCC LLFA confirmed that their position is now a recommendation for approval, based on the Applicant's submitted and updated drainage strategy technical note, subject to the agreed conditions.
- 9.109 The East Suffolk Drainage Board provided comments noting that a drainage strategy is achievable at the proposed development site.
- 9.110 In summary, the proposal accords with the requirements set out within Suffolk Coastal Local Plan Policy SCLP9.5 on Flood Risk, i.e. developments should exhibit the three main principles of flood risk, in that, they should be safe, resilient and should not increase flood risk elsewhere. The assessments submitted, reviewed and discussed to date together with the agreed planning conditions, demonstrate that the site is safe from all types of flooding. The Applicant has worked very closely with the SCC LLFA in order to understand and overcome their initial concerns raised, resulting in their initial holding objection being lifted.

## Highways

- 9.111 Suffolk County Council Highways Authority initially raised concerns about the construction of the proposal, specifically the provision of the cable route to the point of connection. The grounds for objection were due to SCC not being notified whether the Applicant is a statutory undertaker with a right to place utility infrastructure within the highway. The Highways Authority advised that if this is not the case, a New Roads and Street Works Act (NRSWA) Section 50 licence will be required to allow a non-statutory undertaker the right to place, retain and remove apparatus in a highway. It is noted that a planning permission does not give the Applicant such a right in reference to the installation of a cable in the highway.
- 9.112 The Applicant subsequently advised that UK Power Networks (UKPN) are the relevant Distribution Network Operator (DNO) and will own and maintain the cable between the DNO Substation and Parham Substation. UKPN are a statutory body and can exercise their rights to lay the cable within the highway if needed. However, at this stage, the decision on who will lay the cable has not yet been made, whether this will be UKPN or a suitably accredited contractor appointed by Low Carbon. Low Carbon understands both options for the cable connection, and if required will address this under the Section 50 licence.
- 9.113 Additional comments provided by the Highways Authority advised that they would not want the cable to be installed longitudinally in the highway, preferring its installation across fields as far as possible (a view shared by Parham Parish Council), noting that the Applicant needs to ensure that an agreed cable connection route is feasible prior to determination.
- 9.114 Several specific issues were also identified in relation to restricted working hours for highway works, narrow verges in parts of Parham potentially resulting in the cable running down the carriageway, the location of cable jointing boxes in the highway, how the cable would cross the River Ore, cable route proximity to listed buildings and existing stability problems on the B1116 between Parham and the Garden Centre.
- 9.115 It is important to stress however that not all matters raised by the Highways Authority fall within the remit of ESC. The Section 50 licence concern raised is not a planning matter for ESC and any works to the highway would be covered by a S278 Agreement under the Highways Act, being negotiated directly with SCC following the grant of planning permission. If the Applicant has permitted development rights this would also be a matter they need to address directly with SCC.
- 9.116 The Highways Authority subsequently accept that the potential feasibility and highway licensing issues raised in relation to the proposed cable route are not sufficient to uphold a planning objection and confirmed that they are not strictly planning matters for this determination. The Senior Development Management Engineer advised that these concerns have been recorded should any issues regarding the feasibility of the proposed cable route occur post-planning when the highway works are being arranged.
- 9.117 Despite this, the Applicant responded to the Highways Authority Network Assurance Team's comments, noting that restricted working hours requirements, known highway stability concerns and narrow verge widths will all be taken into account during the detailed design stage in cooperation with the Highways Authority. The Applicant also advised that prior to installation, Low Carbon will undertake detailed design works to provide a technical solution for the cable jointing positions. Any jointing positions will be

located underground with full reinstatement and there is no requirement for jointing boxes or pits for high voltage cabling.

- 9.118 In response to the River Ore crossing question, the Applicant confirmed that prior to installation, Low Carbon will undertake detailed design to provide a technical solution to the bridge crossing. Similarly, the proposed cable route's proximity to listed buildings will be considered during the construction phase of the development to ensure there are no unacceptable adverse impacts. It should also be noted that the East Suffolk Council Conservation officer did not raise any concerns in this regard at the time of consultation.
- 9.119 If the Applicant can't deliver the scheme for whatever reason relating to the proposed cable connection route after this application has been determined, then they will be required to come back to ESC with a different proposal for determination.
- 9.120 A range of conditions covering planning requirements have been proposed by the Highways Authority and agreed by the Applicant. Those of a more general nature relate to the discharge of surface water from the development onto the highway and details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles to ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.
- 9.121 In summary, Local Plan Policy SCLP7.1 notes that development will be supported where any significant impacts on the highways network are mitigated. The highways arrangements discussed above for the proposal are therefore considered acceptable and in accordance with planning policy.

#### **Site Access**

- 9.122 The existing site access is split for the north-western and south-eastern land parcels. The submitted Transport Assessment states that the north-western land parcels are currently accessed via three routes:
- an existing access track located on the north-western side of New Road, located approximately 1km north of the T-junction with Button's Road;
  - an existing access track located on the north-western side of New Road, located approximately 1.6km north of the T-junction with Button's Road;
  - an existing priority T-junction located on the northern side of Hall Road, located approximately 1.3km west of the Hall Road/ New Road junction.
- 9.123 The south-eastern land parcel is currently accessed via an existing priority Y-junction, located on the south-eastern side of New Road, approximately 1km north of the T-junction with Button's Road. This is an existing access junction comprising hardstanding and is typically used by large agricultural farm vehicles.
- 9.124 New Road is a single-carriageway road measuring on average 5.5m in width, that provides a north/south route between Great Glemham in the north and Marlesford in the south. New Road is derestricted (60mph) in the vicinity of the site access junction and is not street lit. Button's Road forms the minor arm of a priority T-junction with New Road, to the south of the site. Button's Road is a single-carriageway road measuring on average 5.5m in width, that provides an east/ west route between the A12 in the east and New Road in the west. Button's Road is also derestricted (60mph) along its length and is not street lit.

- 9.125 The Applicant proposes two points of vehicular access to the site joining on to New Road. These will utilize existing junctions currently serving access tracks and all vehicular movements accessing and departing the site during the construction, operation and decommissioning phases of the proposed development will be via the two access points. The Applicant states in Section 5.12 of the Planning, Design and Access Statement that the historic airfield site enables the use of existing infrastructure such as concrete runways for access routes. A closer review of historic maps for RAF Framlingham confirms this.
- 9.126 Section 4.1.1 within the submitted Transport Statement advises that the proposed site access for the north-western land parcels (PSA1) will utilise the junction of New Road and an existing access track located on the north-western side of New Road, approximately 1.6km north of the New Road / Buttons Lane junction and 1.2km south of Great Glemham. Modifications to the junction, to provide a 6m kerb radii on the southern kerb-line will be required to facilitate all anticipated vehicle movements.
- 9.127 Similarly, Section 4.1.7 advises that the proposed site access for the south-eastern land parcel (PSA2) will be located on the south-eastern side of New Road. PSA2 will be located along the north-western boundary of the south-eastern land parcel, approximately 1km north of the New Road / Buttons Lane junction and 1.8km south of Great Glemham, at the existing field access. Modifications to the junction, to provide a priority T-junction, rather than the current informal Y-junction, will be required to facilitate all anticipated vehicles.
- 9.128 The submitted Transport Assessment undertakes a visibility splay assessment for the two proposed access locations on New Road. This states for the north-western Access (PSA1) that in order to achieve the northern visibility splay of 2.4m x 160m, significant mature vegetation clearance to the north of the site access junction would need to be undertaken. As a result, it is proposed that temporary traffic signals are provided at the PSA1 site access for the entirety of the 16-week construction phase, in association with the access being continually marshalled during working (construction) hours. Concerns over the removal of this vegetation have been discussed in the Trees and Hedges section of this report and have subsequently been echoed by the Applicant in correspondence with the Highways Authority. The Applicant subsequently requested that the required removal of this vegetation (both north and south of the junction) is omitted from the proposed site access planning condition due to the use of traffic signals at the PSA1 site access/ New Road junction for the entirety of the 16-week construction phase, in association with the access being continually marshalled during working (construction) hours. The Highways Authority agreed to this request and a revised condition wording has been set out and agreed which includes details of the temporary traffic signal layout to be submitted and approved prior to construction operations commencing.
- 9.129 The need to omit this requirement from the site access planning condition was justified by the Applicant, stating that the vegetation required to be removed is on land outside of the submitted red line boundary, acknowledging that the removal of the vegetation would have a significant impact on trees, ecology and the character of the road. The Applicant has stated that the removal of 160m of mature vegetation would have been disproportionate to the volumes of vehicular movements at this access location (vehicle movements are discussed in more detail in the following section of this report). The Applicant believes that temporary traffic signal measures are suitable to address the construction traffic impacts rather than to remove the vegetation. With regard to operation, the Applicant highlights that the proposed vehicle movements using this access location will be lower than the existing farm machinery currently using the access point to enter and exit the parcels of

land. In addition, the operational vehicles will be cars, small vans or small-scale mowing equipment, much smaller in scale than the current farm machinery using the existing junction.

- 9.130 The south-eastern access (PSA2) also requires visibility splays of 2.4m x 160m to the north and south based on the observed speed data, however, to facilitate the safe movements of vehicles at PSA2, vegetation clearance to the north of the site access junction will also be required. This concern was also discussed earlier in the Trees and Hedges section of this report. Details of this will need to be approved as part of the access condition at the appropriate time post determination.
- 9.131 The proposed point of connection located to the south-west of Parham will utilise the existing substation access junction on the western side of Main Road. No amendments to this junction are required to facilitate vehicle movement in association with the development proposals.
- 9.132 The Highways Authority have proposed planning conditions in relation to access proposals, these require no part of the development to be commenced until details of the improved accesses have been submitted to and approved in writing by the Local Planning Authority. In addition, before the improved accesses are first used, visibility splays shall be provided as required, noting the omission of this requirement at PSA1 due to the use of temporary traffic signals as mentioned above.
- 9.133 In summary, Local Plan Policy SCLP7.1 states that development will be supported where any significant impacts on the highways network are mitigated, it is proportionate in scale to the existing transport network and the cumulative impact of new development will not create severe impacts on the existing transport network. With appropriate planning conditions being agreed to secure site access arrangements, the site access proposal is considered to meet policy requirements.

### **Traffic Generation**

- 9.134 The submitted Transport Assessment states that during the construction phase, associated vehicle movements will be expected to occur throughout a 16-week construction period. The components which are required to construct the solar farm will arrive in containers of up to 12m in length. Approximately 600 deliveries by HGVs associated with the delivery of the solar panel components will be required, with a further 50 deliveries anticipated in association with the other materials and access tracks that are required to build the solar farm.
- 9.135 Construction traffic will operate 08:00-18:00 weekdays, and 08:00-13:00 Saturdays over the 16-week period, equating to approximately 8 HGV deliveries (16 two-way vehicle movements) per day. There will also be a maximum of 20 staff vehicles arriving at site each day (40 two-way vehicle movements). This equates to a forecast total 28 arrivals and 28 departures to/from the site each day (56 two-way vehicle movements). Assuming a 50/50 split between both site access junctions, this would equate to a maximum of 14 arrivals and 14 departures at each site access every working day, which would be spread across 10 hours, thus averaging 1.4 vehicle movements per hour at each access.

- 9.136 The Transport Statement finds in Section 5.1.7 that this forecast quantum of vehicular trips will have a nominal impact on traffic levels on the strategic and local road networks in the vicinity of the site.
- 9.137 During the operational phase of the proposed development (which is anticipated to last for 40 years), vehicle movements are anticipated to be low, with a maximum of four vehicle trips (8 two-way vehicle trips) per week. This will average less than one site attendance per day at each of the proposed site accesses. This will be significantly lower than the current use of the access by vehicles associated with the agricultural land use.
- 9.138 Vehicle movements to the site will be associated with maintenance activities only and will involve a technician/ supervisor attending the development. Therefore, it is anticipated that during the operational phase of the development only cars, small vans or small-scale mowing equipment will be required to access the site.
- 9.139 After the 40-year life of the development, the Transport Statement anticipates that decommissioning activities will involve a similar profile of vehicles as the construction phase, with processes predominantly in reverse of those initially undertaken during the construction phase.
- 9.140 The Transport Statement states that it is anticipated that the vehicle routing for the construction, operational and decommissioning phases will be the same, with all vehicles being advised to take the most direct route to the site using 'higher' order roads, such as A and B classified roads. From the northeast, routing to site will be via the A12, with a right turn onto Button's Road (westbound) followed by a right turn onto New Road (northbound) whereby direct access to both site accesses is provided. From the south, the site will be accessed via the A12, with a left turn onto Button's Road (westbound), following the same route. The Highways Authority have also advised that the route from the A12 is the current signposted HGV route to the airfield.
- 9.141 Section 4 of submitted Statement of Community Involvement (SCI) advises that the preferred construction traffic route would be agreed as a planning condition, being presented in the Construction Traffic Management Plan (CTMP). This will be shared with the local community and the agreed route will be subject to approval by the Highways Authority.
- 9.142 During construction, all site access junctions will be marshalled by suitably qualified banksmen appointed by the contractor, such that all vehicle arrivals and departures are safely controlled. Furthermore, temporary traffic management (TTM) providing warning of the site access junctions will be provided on approach to the proposed site access junctions where determined necessary by the appointed contractor. Finally, a collision review of the highway network was undertaken and there was no evidence to suggest any existing road safety concerns that could be exacerbated by the proposed development.
- 9.143 The Highways Authority conclude that access proposals to the site during the construction phase can be managed via suitable delivery and construction management plans and temporary traffic management secured by planning condition. Permanent improvements to site accesses can also be secured by planning conditions. The Applicant accepted this recommendation. All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any

deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

- 9.144 It is acknowledged that concerns have been raised by third party representatives (Marlesford Parish Council) in relation to construction traffic. However, it is concluded that the proposed development will generate a relatively low daily level of vehicular activity during both the construction and operational phases. It is also noted that the construction phase is expected to only last for 4 months in total (16 weeks) which does not represent a long-term impact.
- 9.145 Given the low number of forecast daily vehicle trips during both the construction and operational phases of the proposed development, it is concluded that the solar farm will not have a material impact on the surrounding highway network and accords with Local Plan Policy SCLP7.1 that notes that development will be supported where any significant impacts on the highways network are mitigated.

### **Public Rights of Way (PRoW)**

- 9.146 The Applicant proposes to provide corridors of approximately 10m width with hedgerow planting to screen the site where appropriate, plus sowing wildflower margins beyond the route of the footpath up to any hedgerows.
- 9.147 The submitted Transport Statement states that the existing PRoWs that run along the boundary and / or through the site will not be diverted as part of the development, instead, they will be managed with exclusion zones and crossings, where necessary. These measures will remain in place throughout the construction and operational phases of the development. As a result, it is anticipated that there will be no adverse / severance impacts upon the PRoWs within the vicinity of the site and they shall remain accessible at all times.
- 9.148 The Suffolk County Council PRoW Team do not object to this proposal and set out standard best practice guidance which the Applicant should take into account, particularly in relation to planting near to a PRoW and ensuring that the PRoW remain unobstructed at all times and safe for the public to use, including throughout any construction period. The Applicant has accepted all of the PRoW requirements, stating that all of the comments have been noted and will be addressed as necessary to facilitate the proposed development.

### **Noise**

- 9.149 The Applicant states in Section 6.24 of the Planning, Design and Access Statement that the noise generated from the development is expected to be minimal, noting that the inverters have a sound level of 75 dB (a) at a distance of 1m (with inverters only being operational during daylight hours) and that inverter noise levels will not result in any adverse effects such as sleep disturbance. The Applicant concludes that due to the location of the inverters at the centre of the development zones, and the existing background noise of the adjacent solar farm, that there would be no adverse noise impact on any neighbouring receptors.
- 9.150 Based on the submitted desk-based noise assessment, the Applicant adds that all sensitive receptors are predicted to experience noise levels below or equal to the Lowest Observed



Adverse Effect Level (LOAEL) being the level above which adverse effects on health and quality of life can be detected. The Applicant notes in Section 6.25 that inverter noise levels will not result in any adverse effects such as sleep disturbance when operational during early morning and late evening periods during the summer months. Consequently, the Applicant concludes that noise effects are not considered to be significant, and no mitigation measures are required.

- 9.151 East Suffolk Council's Environmental Protection Officer initially recommended refusal of this application, advising that the noise information and assessment submitted by the Applicant is far from adequate for a development of this scale and they are therefore not satisfied with several fundamental elements of the assessment that has been presented, in particular the absence of any background sound surveys (at noise sensitive receptor locations), and then the assessment criteria used to determine impacts.
- 9.152 The Officer added that the Applicant scoped out noise impacts from the submitted Environmental Statement, and pre-application guidance does not appear to have been followed but rather a desk-top study only has been submitted with alternative noise assessment criteria established.
- 9.153 There is an existing (smaller) solar farm in the study area, and it is understood that the electrical inverters for that project were conditioned by planning consent after being fully assessed in accordance with the BS 4142 methodology at the time and adhering to local noise criteria. This assessment included survey work carried out at sensitive time periods. However, the Applicant has not measured / nor characterised the sound climate at receptor locations.
- 9.154 The Officer was not satisfied with the derivation of the LOAEL in this document or the Applicant's target noise level. The applicant did not generate any predicted rating noise levels prior to submission and has not considered whether any acoustic character corrections should apply at receptor locations. Concerns were raised that the proposal could introduce continuous man-made noise (including tonal noise) to receptor locations that would considerably exceed the existing background sound levels. This is of particular concern in the early hours between 05:00 to 07:00 hours in the summer months with the early sunrise, and with residents likely having their windows open.
- 9.155 It was therefore very clear that the Applicant's submitted acoustic report cannot be accepted as an approved document, highlighting that further work was required to fully assess noise impacts in accordance with the BS 4142:2014+A1:2019 methodology. This full assessment should be used to inform any noise mitigation that may be needed, be that relocation of inverters, or noise source mitigation.
- 9.156 The Applicant subsequently advised that they would accept a condition requiring the submission of a Noise Impact Assessment that demonstrates that the operational rating noise levels (including character corrections as per BS4142 guidance) from the proposed solar farm plant installations would not exceed typical background sound levels for the relevant times of operation at nearby residential properties. This would be completed once all plant and equipment has been chosen.
- 9.157 The Environmental Protection Officer agreed that noise could be dealt with by means of pre-commencement conditions to cover the operational and construction phases. The operational noise condition will require submission for approval of a much more detailed

noise assessment. However, the Officer felt that the scheme can most likely be suitably designed and mitigated as necessary to ensure that the numerous inverters and substation compound would not cause adverse noise impacts or detriment to residential amenity.

- 9.158 The proposed pre-commencement planning condition covering noise assessment will be split in to two parts covering operational noise and construction noise. The Applicant accepted the proposed condition wording, however asked why the proposed operational condition includes reference to cumulative impacts from the existing solar farm plant, noting that the solar farm is already in operation and any noise from the solar farm plant will be included within the baseline background levels that will be carried out as part of the noise assessment survey. This query was put to the Environmental Protection Officer who advised that as the applicant accepts the remainder of the condition and specifically the target rating level of 5 dB below the typical background sound level, then the reference to cumulative impacts can be removed. It was also suggested that a Construction Management Plan will be required as a condition of any planning consent granted in order to mitigate noise and dust impacts in particular to receptor locations during the construction phase.
- 9.159 Finally, the Officer advised that site layouts/plans should not be approved at this stage as part of the design as noise mitigation strategy for the proposed development could mean specific locations for the inverters and substation(s) may change to maximise distance from noise sensitive receptor locations, this could therefore impact upon the layout of the panel arrays themselves. However, it is noted from the Applicant's submission materials that the plans submitted are indicative of how the site could be set out, being based on the Rochdale Envelope approach, but noting that flexibility has been included within development zones for this precise reason.
- 9.160 In summary, whilst concerns have been raised due to the absence of background noise survey data being submitted, it has been agreed that these requirements will be secured by pre-commencement planning conditions. The potential for noise impact on local receptors (including cumulative impacts from the adjacent solar farm which forms part of the existing background noise environment) will therefore be fully assessed once the site layout has been fixed, requiring approval pre-commencement. On this basis it is considered that the proposal meets the requirements set out in Local Plan Policy SCLP10.3.

### **Residential Amenity**

- 9.161 The proposal is not expected to have any overshadowing or loss of privacy impacts due to its low built form on the landscape and the passive nature of development.
- 9.162 The proposed solar farm and associated infrastructure has the potential to generate background noise at local receptors, and as discussed in the Noise section of this report, the desk-based noise impact assessment submitted with this application is not acceptable in its current form. However, the Applicant has agreed to pre-commencement planning conditions which require stringent assessment of potential impacts to be submitted and approved by East Suffolk Council prior to commencement of the development. This will determine if any impacts are possible at local receptors, and if so, will ensure appropriate mitigation is put in place to overcome these impacts. The site design has maintained a flexible approach using the Rochdale Envelope, meaning that whilst a site plan has been submitted with this application setting out the proposed site layout, in reality this is based on development zones allowing items such as noise emitting invertors to be moved in

order to minimise any foreseeable impacts. This is considered to be an acceptable approach.

- 9.163 Consideration has been given to construction traffic operations as discussed earlier in the Traffic Generation section of this report. It has been concluded that the daily levels of construction and operation traffic will not significantly disrupt the local highway network, with any associated noise, dust or vibrations being of low impact on local receptors.
- 9.164 No concerns relating to air quality and other forms of pollution have been raised for this application. Potential construction dust and air quality measures will be implemented and managed through the Construction and Environmental Management Plan which will be secured via planning condition.
- 9.165 The proposed development includes 24-hour surveillance at strategic locations around its perimeter fence, this is considered sufficient in terms of site safety and security. There are no residential properties directly adjacent to the site boundary, with only one property close to the eastern boundary being separated from the site by New Road. This property is set back from the roadside and benefits from mixed hedgerow shielding. No privacy concerns have been raised in relation to CCTV coverage.
- 9.166 The Landscape section of this report discusses the likelihood of visual impacts at local receptors. It has been acknowledged that in the early years of the development, new planting intended to shield the development from view will not have reached its full effectiveness. The vast majority of existing trees and hedgerows on or around the site would be retained and additional planting would be provided where necessary to fill gaps in the existing boundary planting, and to retain field enclosures. The Applicant advises that structures on site would be appropriately coloured or clad to minimise any visual impact and comply as far as practicable with the local vernacular. The ESC Landscape Officer advised that any site visibility at nearby receptors will be localised and is not considered a significant detrimental visual impact in landscape terms. In respect of visual impacts, even at Year 1 post completion and with any mitigation planting being too small to have any benefit, the visual impact of the development remains very localised around the site perimeter out to around 500-600m. View Points 4, 5, 9 and to a lesser extent 7 and 8 may have some visibility, but there would be no discernible change in visual amenity for the remaining viewpoints because of the distance from the viewer to the development, intervening vegetation and to some degree, topography. The year 10 assessment indicates that these visual impacts will have been largely nullified. The design of the proposed development has embedded a number of mitigation measures to reduce visual effects including substantial planting and no significant effects are predicted on landscape character or visual amenity.
- 9.167 The applicant states in Section 6.27 of the Planning, Design and Access Statement that the solar panels are static and designed to absorb sunlight therefore there would be no significant issues associated with solar glint and glare. Whilst this assumption cannot be made conclusively without supporting evidence by the Applicant, the topography of the proposed site is relatively flat and open in nature, with detrimental impacts being considered unlikely, noting that most solar panel reflections are skywards throughout the majority of the day. This resulted in glint and glare assessment not being requested at the pre-application stage.
- 9.168 In summary, no significant impacts in relation to residential amenity have been identified.

## **Employment and Economic Development**

- 9.169 No loss of employment is anticipated due to the proposed development. The construction, operation and decommissioning of the proposal will provide work for a skilled labour force during the separate phases of the development.
- 9.170 Local Plan Policy SCLP12.38: Land at Silverlace Green (former airfield) Parham is located in close proximity to the south and west of the proposed development site, being separated by fields. This has an employment allocated use comprising of 2.24 hectares of employment land (containing lawful uses within Use Classes B1 and B2). No part of the proposed development is due to be within this policy area and no impacts are expected.

## **Community Benefits**

- 9.171 The Great Glemham Parish Council response advises that the Applicant stated that the proposed development model did not support a community benefit scheme. However, it is understood that the Applicant has been corresponding with Parish Councils directly regarding potential negotiations, as confirmed by Parham Parish Council in their response to this application. Precise details of proposed community benefits have not been provided by the Applicant; however, this is not a material planning consideration.
- 9.172 As set out in Section 4 of the submitted Statement of Community Involvement, the project will deliver significant benefits for the local community. This includes enhancing local biodiversity, including wildflower planting and the potential addition of beehives to the site. Another key benefit identified by the Applicant could be climate change education, being eager to help educate local communities so they are aware of climate change and how solar energy projects can assist in reducing the UK's reliance on fossil fuels.
- 9.173 The SCI also advised that the Applicant is considering the opportunities, in due course, for organising site tours for local schools and / or members of the community and supplying education packs to local schools. The Applicant is currently consulting with local parish councils in relation to financial contributions towards community projects. In addition, the project will deliver wide-reaching benefits for the environment. This includes a carbon saving equivalent to 11,210 tonnes of CO<sub>2</sub> every year, which is similar to taking 5,175 cars off the road.

## **Viability**

- 9.174 The proposed Cable Connection Route element of this application links the solar farm to the local electricity grid network and extends approximately 3km to the west of the site, linking with a substation to the south-west of Parham. The Applicant proposes that the electricity cable is buried within the local public highway network (including Hall Road, The Street and the B1116 in Parham) connecting the electricity generated by the solar farm with the substation location. Following consultation with the Applicant and Suffolk County Council Highways Authority, it is expected that a suitable solution for the proposed Cable Connection Route will be reached, however it is noted that highway matters do not fall within the remit of East Suffolk Council.
- 9.175 The Applicant's ability to secure a suitable connection links directly to the overall viability of the proposal. However, the cable route has not been proven to be unviable and the development as a whole is considered deliverable. As discussed earlier in the Highways

section of this report, if the Applicant can't deliver the scheme for whatever reason relating to the proposed Cable Connection Route after this application has been determined, then they will be required to submit a new proposal for determination.

## **CIL Liability**

- 9.176 The Community Infrastructure Levy (CIL) relates to residential and convenience retail development. The proposed solar farm development is therefore not CIL Liable development.

## **Non-material Considerations**

- 9.177 Material planning considerations are matters that should be taken into account in deciding a planning application. At the time of consultation, concerns were raised by third party representatives in relation to the loss of views from residential properties. However, issues such as the loss of a view is not a material planning consideration.

## **10 Conclusion**

- 10.1 This Application is for the construction and operation of a solar farm together with all associated works, equipment, and necessary infrastructure. The proposed solar farm consists of ground mounted photovoltaic (PV) panels which cover six fields currently in agricultural use, having a land area of 73.95 hectares (Ha). The proposed solar farm will generate up to 49.9MW of electricity which equates to the power consumption of approximately 16,581 homes and a saving of approximately 11,210 tonnes CO2 per annum.
- 10.2 The proposal would make a significant contribution towards meeting the UK Government's ambitious carbon reduction commitments, notably the legally binding commitment to realise net-zero carbon emissions by 2050 relative to the 1990 baseline level as set out in the Climate Change Act 2008 (as amended). The UK Government are also seeking to achieve a 78% reduction by 2035 relative to the 1990 baseline levels, being an intermediate target on route to reaching net zero by 2050.
- 10.3 To achieve these ambitious carbon reduction targets, it is important that major investment in proven low carbon technologies (including ground-mounted solar farms) is supported where possible, along with a diverse mix of other renewable and low carbon energy generation technologies. Vast growth in this sector will be needed if the UK Government's legally binding targets are to be met, however, such proposals should only be brought forward where they are sustainable and are supported by planning policy requirements at a National and Local level.
- 10.4 East Suffolk Council have made a committed to help fight climate change and has joined with other local authorities by declaring a climate emergency, pledging to do more to reduce its own carbon emissions and to encourage communities to help fight climate change. Additionally, the New Anglia Local Enterprise Partnership intends to maximise the energy opportunities in this area, noting the Council's commitment to its contribution towards making the County of Suffolk carbon neutral by 2030.
- 10.5 It is acknowledged that the proposed development would contribute towards meeting these targets and initiatives, both locally and nationally, noting that the overarching principle for the development of low carbon and renewable technologies is already well

established in both National and Local planning policy, as stated within the Planning Policy of this report. Notably, Paragraph 158 (formerly 154) of the NPPF states that Local Planning Authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy when determining planning applications, approving such applications where impacts are (or can be) made acceptable.

- 10.6 This principle is echoed in Local Plan Policy SCLP9.1 'Low Carbon and Renewable Energy' which states that the Council will support low carbon and renewable energy developments where evidence is presented demonstrating a sustainable development can be delivered which can facilitate the necessary infrastructure and power connections required for functional purposes, whilst being complementary to the existing environment without causing any significant adverse impacts (unless those impacts can be appropriately mitigated). Local Plan Policy SCLP3.4 'Proposals for Major Energy Infrastructure Projects' also seeks to ensure that the impacts of Major Energy Infrastructure Projects are adequately mitigated, and considerable effort has been made for this Application to ensure that any potential impacts are (or will be) sufficiently assessed and/or mitigated before any development commences at the site. A lot of mediation has taken place working closely with the Applicant and stakeholders to ensure any potential impacts are identified and resolved to the satisfaction of stakeholders, consultees, and East Suffolk Council.
- 10.7 This proposal would not be a permanent structure on the landscape, having an operational life of 40 years. Local Plan Policy SCLP9.1 'Low Carbon & Renewable Energy' requires that post decommissioning, the facility is removed, and the site is restored to its original condition.
- 10.8 The proposal has been designed and submitted using the 'Rochdale Envelope approach' which involves using maximum parameters for elements where flexibility is required. This includes the Indicative Site Layout Plan (ref. LCS040-PLE-01 Rev 10) submitted which provides an indication as to how the site could be laid out, however the detailed design and fixing of the site layout could vary within the agreed parameters of the Development Zones. Furthermore, whole areas can be removed from the scheme and left as exclusion areas if required following further site investigation works being completed. This allows for greater flexibility in terms of the layout within each zone and a worst case has been assessed.
- 10.9 The principle of low carbon and renewable energy development within East Suffolk must therefore be supported in line with policy requirements and local commitments. Appropriate weight has been given to the positive contribution this development would make towards meeting local and national carbon reduction targets. It has been demonstrated that the Proposed Development complies with planning policy and that impacts of the proposal have been shown to be acceptable and, where necessary, mitigation measures have been set out and agreed prior to determination to adequately mitigate potential impacts.
- 10.10 The proposal accords with the relevant policies contained in both National and Local Planning Policy and Guidance and would deliver significant benefits with any potential impacts having been avoided through careful site design, and/or will be assessed and mitigated through agreed planning conditions post-determination.
- 10.11 This application requires an Environmental Impact Assessment (EIA). The Applicants submitted an Environmental Statement (ES) with the application. The ES has appropriately

considered the likely significant environmental impacts of the development project. This report has been produced taking the environmental information into account. Members must take into account the ES when considering this application and this recommendation that likely significant effects without proposed mitigation have not been identified.

- 10.12 This accords with NPPF Para. 11 and ESC should apply a presumption in favour of sustainable development, approving development proposals that accord with an up-to-date development plan without delay. The planning balance has not found any adverse impacts which significantly and demonstrably outweigh the benefits and it is therefore considered acceptable in planning terms.

## **11 Recommendation**

**APPROVE subject to the inclusion of appropriate conditions as detailed below:**

1. The development to which this permission relates shall be begun no later than three years from the date of this planning permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be completed in all respects in accordance with the submitted drawings ref: SP-01 Rev 06 - Site Location Plan; SD-17 Rev 01 - Panel Arrangement; SD-16 Rev 01 - Inverter Floor Plan; SD-15 Rev 01 - Customer Substation Floor Plan; SD-08 Rev 02 - Inverter Elevations and Dimensions Plan; SD-04 Rev 02 - Security Fence and CCTV; SD-03 Rev 01 - Indicative CCTV Post; SD-02 Rev 02 - Customer Substation Elevations and Dimensions Plan; SD-01 Rev 02 - DNO Substation Elevations and Dimension Plan; SD-01 Rev 01 - DNO Substation Floor Plan; PLE-02 Rev 03 - Layout Plan External; PLE-01 Rev 10 - Layout Plan External; DZ-01 Rev 13 - Development Zone Plan, noting that the precise layout is not yet fixed and will be agreed post-development by condition, being governed by the agreed parameters within each development zone/parcel.

Reason - To secure a properly planned development based on development parcels/zones which allow for flexibility in the precise layout within the agreed parameters for each development parcel.

3. The planning permission is for a period from the date of this permission until the date occurring 40 years after the date of commissioning of the development. Written confirmation of the date of commissioning of the development shall be provided to the Local Planning Authority no later than 1 calendar month after that event.

Reason: To ensure this permission is a temporary development on the landscape, having an operational life of 40 years.

4. If the solar farm hereby permitted ceases to operate for a continuous period of 6 months, then unless otherwise agreed in writing by the Local Planning Authority, a scheme for the decommissioning and removal of the panels and any other ancillary equipment, shall be submitted to and agreed in writing by the Planning Authority within 3 months of the end of the cessation period. The scheme shall include details for

the restoration of the site. The scheme shall be implemented within 12 months of the date of its agreement by the Local Planning Authority.

Reason: To remove the non-operational development from the landscape.

5. At the end of the operational lifespan (40 years), the solar panels and other infrastructure will be removed, and the site restored back to full agricultural use.

Reason: The decommissioning and restoration process intends to restore the land to the same quality as it was prior to the development taking place.

### **Archaeology Conditions**

6. **Part 1** - No development shall take place within the area indicated [the whole site] until a programme of archaeological work has been secured and implemented, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording;
- b. The programme for post investigation assessment;
- c. Provision to be made for analysis of the site investigation and recording;
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- e. Provision to be made for archive deposition of the analysis and records of the site investigation;
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation;
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

**Part 2** - The solar farm shall not be brought into operation until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Part 1 of this condition, and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

INFORMATIVE: The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.



7. **Part 1** – Prior to any development on site commencing, a detailed site plan including Archaeological Exclusion Zones will be submitted to and approved by the Local Planning Authority. Following the approval and completion of the archaeological evaluation referred to in Condition 6, and prior to the commencement of development, a final detailed site layout plan with full details of the final locations, design and materials to be used for the panel arrays, inverters, customer switchgear, substations, CCTV cameras, fencing, foundations and cabling will be submitted for approval.

Should the archaeological evaluation identify any significant archaeological deposits, the final detailed site layout plan will define archaeological exclusion zones within which below and above ground development will be excluded or provide sufficient design mitigation including but not limited to the use of above ground cables, concrete shoes or other means to avoid any impact on archaeological deposits if required.

The final detailed site layout plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the County Council's Lead Archaeologist. Subsequently the development shall be carried out in accordance with the approved details.

**Part 2** - If there are archaeological areas to be preserved in situ, a management plan will be produced for any archaeological areas to be preserved in situ, setting out the methodology to secure the ongoing protection of these areas both during construction, operation and decommissioning of the solar farm.

Reason: To ensure that trial trenched evaluation is undertaken at the earliest opportunity post consent to establish the archaeological potential of the site in order that any mitigation requirements can be defined at an early stage.

INFORMATIVE: This condition is in accordance with the National Planning Policy Framework Paragraph 205 (formerly 199), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

## Highways Conditions

8. No part of the development shall be commenced until details of the improved accesses as indicatively shown on drawing numbers B17SF\_SPPSA1, B17SF\_SPPSA1R, B17SF\_SPPSA2, and B17SF\_SPPSA2R (including the position of any gates to be erected) have been submitted to and approved in writing by the Local Planning Authority. The approved accesses shall be laid out and constructed in their entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the accesses are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

9. Before the development is commenced, details shall be submitted to and approved in writing by the Local Planning Authority showing the interim means to prevent the

discharge of surface water from the development onto the highway during the construction process. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form. The longer term drainage solution will be approved and implemented in accordance with details submitted, agreed and implemented for condition 18.

Reason: To prevent hazards caused by flowing water or ice on the highway.

10. Before the development is commenced, details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.

11. All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.

12. Before the improved accesses are first used, visibility splays shall be provided as shown on Drawing Nos. B17SF\_VSPSA1 and B17SF\_VSPSA2 with an X dimension of 2.4m and a Y dimension of 160m and thereafter retained in the specified form, with the exception of the visibility splays for VSPSA1, that can be provided via temporary traffic signals, the details of which will have been previously approved in writing by the Planning Authority. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.'

## Noise Conditions

13. Operational Noise: Prior to commencement of development, a noise assessment shall be submitted to the East Suffolk Council for approval in writing to include all proposed

plant and machinery and in accordance with BS4142:2014+A1:2019. A noise rating level (LA<sub>r,T</sub>) from the scheme of at least 5dB below the typical background sound level (LA<sub>90,T</sub>) should be achieved at noise sensitive receptors. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise rating level should be identified and justified. This full assessment should inform any noise mitigation that may be needed.

The assessment shall include:

- a. Details of background sound level surveys at, or representative of noise sensitive receptors. This should include capturing the typical background sound levels at the end of the night-time between 05:00 and 07:00 hours. Ideally these surveys should take place on a number of days. The assessment report should include observations and descriptions of the sound climate during these surveys;
- b. Derivation of predicted noise rating levels at noise sensitive receptors to include for any acoustic character corrections such as tonality;
- c. Initial estimate of the noise impact by comparing the predicted noise rating level with typical background sound levels at noise sensitive receptors.

Reason: Once the proposed plant has been chosen, the submission of a Noise Impact Assessment that demonstrates that the operational rating noise levels (including character corrections as per BS4142 guidance) from the proposed solar farm plant installations would not exceed typical background sound levels for the relevant times of operation at nearby residential properties. This full assessment should be used to inform any noise mitigation that may be needed.

### **Surface Water Drainage Conditions**

14. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

15. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

16. Within 28 days of practical completion, a surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk  
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

17. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP shall include Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems;
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses ;
- iii. Measures for managing any on or offsite flood risk associated with construction;

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater  
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

INFORMATIVE: Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991. Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution.

### **Ecological and Landscape Conditions**

18. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (AECOM, February 2021); the Ornithological Survey Report (AECOM, August 2021); the Bat Survey Report (AECOM, August 2021) and the Ecology Surveys Technical Note (AECOM, August 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination. Further surveys for Otter and Water Vole as set out in the Further Ecology Surveys Technical Note (AECOM, Aug 2021) must be undertaken if 'HDD methods underneath the watercourse' are required for the cabling route between the development site and point of connection.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

19. No removal of hedgerows, trees or shrubs, or works to areas that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

20. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details for the control and management of noise and dust during the construction phase, and with respect to noise shall have due consideration of the guidance within BS 5228:2009+A1:2014. The CEMP will be adhered to by the contractor throughout the construction process, as outlined in the Environmental Statement Volume II (Technical Appendices) Appendix 3B: Draft Outline Construction Environmental Management Plan.

The CEMP shall include the following:

- a. Risk assessment of potentially damaging construction activities;
- b. Identification of "biodiversity protection zones";
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d. The location and timing of sensitive works to avoid 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;
- i. Details for the control and management of noise and dust during the construction phase;
- j. Shall have due consideration of noise guidance contained within BS 5228:2009+A1:2014.

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 ensure that ecological receptors are adequately protected as part of the development. To also mitigate noise and dust impacts in particular to receptor locations during the construction phase.

21. A landscape and ecological management plan (LEMP) shall be submitted to, and be 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 organisation responsible for implementation of the plan;
- h. Ongoing monitoring and remedial measures;
- i. Details of seed mixtures to be sown in 'cover crop' areas;
- j. Details of appropriate management of cover crops to include;
- k. Details of stocking densities (if sheep are to be used to manage grassland areas);
- l. Details of maximised grassland margins to increase likelihood of providing nesting Skylark habitat;
- m. Details of proposed planting specifications;
- n. Details of landscaping and biodiversity net gain areas;
- o. Details of who will manage and maintain these areas once operational.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term 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 ensure that the long-term ecological value of the site is maintained and enhanced and to ensure that the proposed vegetation contributes to the agricultural character of the wider area and successfully screens solar farm infrastructure in views.

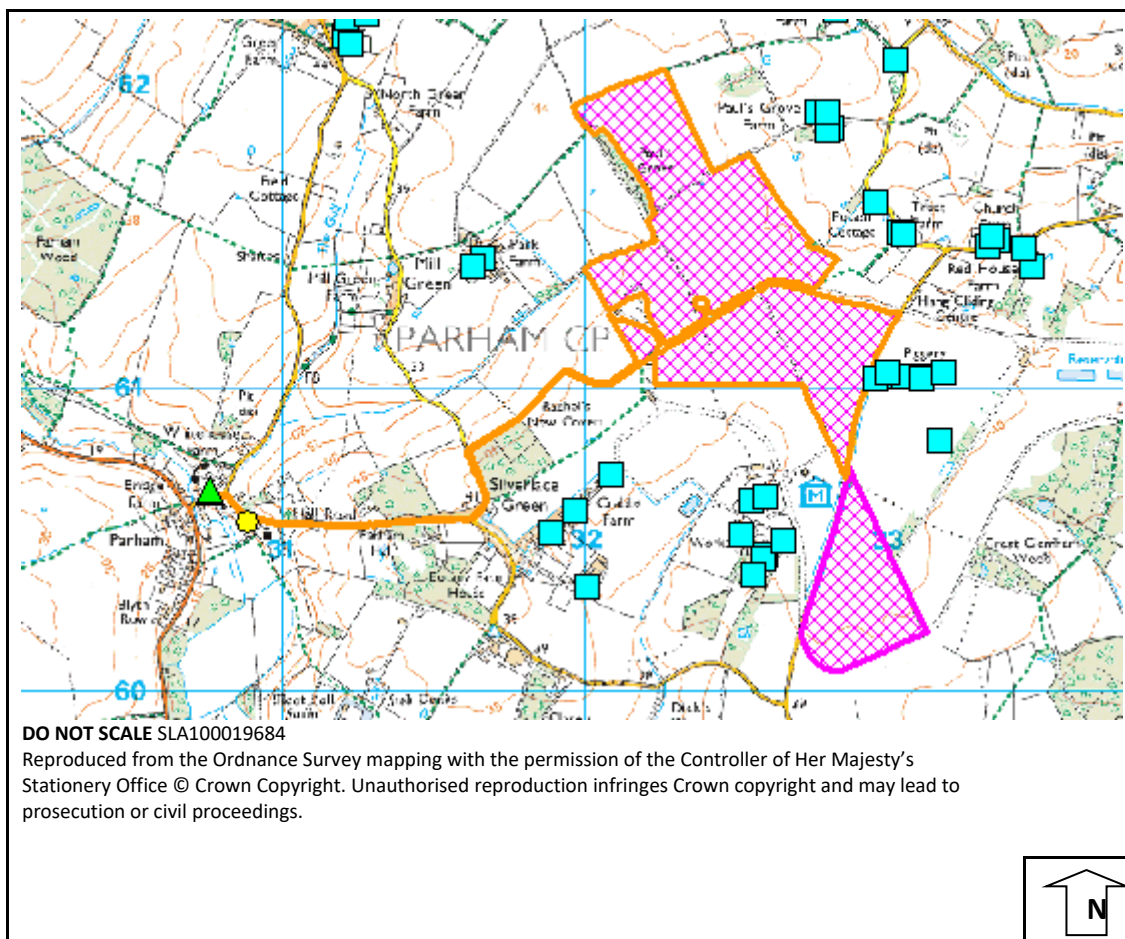
22. Prior to the any construction activity (including vegetation clearance or site preparation) within 50m of the River Ore, an Ecological Mitigation Method Statement will be submitted to and approved in writing by the Local Planning Authority. The Method Statement will be based upon suitably up to date ecological surveys undertaken by a suitably qualified ecologist. Mitigation measures described in the Statement will be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that ecological receptors are adequately protected.





## **Background information**

See application reference DC/21/1001/FUL on [Public Access](#)

## **Map**



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support



**STRATEGIC PLANNING COMMITTEE**

**Monday, 04 October 2021**

<b>Subject</b>	Enforcement Performance Report – April to June 2021
<b>Report by</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officer</b>	Cate Buck Senior Planning & Enforcement Officer <a href="mailto:Cate.buck@eastsoffolk.gov.uk">Cate.buck@eastsoffolk.gov.uk</a> 01394 444290

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards



## Purpose and high-level overview

**Purpose of Report:**

To provide information on the performance of the enforcement section of the Development Management Team.

**Options:**

Not applicable.

**Recommendation/s:**

That the content of the report be noted

## Corporate Impact Assessment

**Governance:**

Not applicable

**ESC policies and strategies that directly apply to the proposal:**

East Suffolk Council Enforcement Policy

**Environmental:**

Not applicable

**Equalities and Diversity:**

Not applicable

**Financial:**

Not applicable

**Human Resources:**

Not applicable

**ICT:**

Not applicable

**Legal:**

Not applicable

**Risk:**

Not applicable

<b>External Consultees:</b>	None
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>How does this proposal support the priorities selected?</b> To provide information on the performance of the enforcement section			

## Background and Justification for Recommendation

1 Background facts	
1.1	Following the adoption of the new Local Enforcement Plan in March 2019 and the formation of the new East Suffolk Council section it was decided that a report be presented on a quarterly basis from August 2019.
1.2	Between April and June, no enforcement notices were served.

2

Current position

2.1

Cases Received and Closed April to June 2021

<u>Month</u>	<u>Cases Received</u>	<u>Cases Closed</u>
April	59	35
May	43	31
June	58	43

\*Please note all new complaints are logged, site visited and then triaged in accord with the appropriate risk assessment.

2.2

Reasons for Closure

<u>Reason</u>	<u>April</u>	<u>May</u>	<u>June</u>
No Breach	19	19	23
Compliance/use ceased	6	4	8
Planning Permission Granted	10	7	7
Permitted Development	0	0	1
Immune/Lawful	0	0	0
Duplicate file	0	0	0
Withdrawn	0	0	1
Not Expedient	0	1	3

2.3

Time taken to close cases

<u>Time taken to close cases</u>	<u>Cases Closed in April</u>	<u>Cases Closed in May</u>	<u>Cases Closed in June</u>
<u>1-10 days</u>	5	3	5
<u>11-20 days</u>	2	7	5
<u>21-30 days</u>	2	6	2
<u>31-40 days</u>	5	1	2
<u>41 + Days</u>	21	14	29

	<b><u>Total</u></b>	<b>35</b>	<b>31</b>	<b>43</b>	
2.4	<b><u>Enforcement Notices Served April to June 2021</u></b>				
	<b><u>Type of Notice</u></b>	<b><u>Address</u></b>	<b><u>Breach</u></b>	<b><u>Compliance period</u></b>	
	NIL	NIL	NIL	NIL	

### 3 How to address current situation

3.1 Quarterly monitoring

### 4 Reason/s for recommendation

4.1 That the report concerning Enforcement Team statistics be received

## Appendices

### Appendices:

None

### Background reference papers:

None



## STRATEGIC PLANNING COMMITTEE

Saturday, 04 September 2021

<b>Subject</b>	Planning Performance Report – April to June 2021
<b>Report of</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officer</b>	Ben Woolnough Planning Manager (Development Management) 01394 444593 <a href="mailto:Ben.woolnough@eastsuffolk.gov.uk">Ben.woolnough@eastsuffolk.gov.uk</a>

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

**Purpose of Report:**

This report provides an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

**Options:**

None.

**Recommendation/s:**

That the content of the report be noted

## Corporate Impact Assessment

**Governance:**

N/A

**ESC policies and strategies that directly apply to the proposal:**

N/A

**Environmental:**

N/A

**Equalities and Diversity:**

N/A

**Financial:**

N/A

**Human Resources:**

N/A

**ICT:**

N/A

**Legal:**

N/A

**Risk:**

N/A

<b>External Consultees:</b>	None
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
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P19	District-wide digital infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
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P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>How does this proposal support the priorities selected?</b> To provide information on the performance of the enforcement section			

## Background and Justification for Recommendation

1 Background facts	
1.1	This report provides details on the determination timescales for all planning applications at East Suffolk Council when tested against the government set timescales as well as the East Suffolk Council stretched targets.
1.2	The Key Performance Indicators (KPIs) are reported on a quarterly basis and included within the East Suffolk Council performance report and tested against the Council's Business Plan.

2 Current position	
2.1	The breakdown for Q1 (April 2021 to June 2021) compared with the previous quarter (Q4) is reported as follows:

	Current Quarter		Previous Quarter		Targets
	Q1 Percentage	Q1 Total	Q4 Percentage	Q4 Total	
Major Development	64.29%	9/14	76%	13/17	60% national 65% stretched
Minor Development	72%	92/127	71%	95/133	65% national 75% stretched
Other Development	76%	446/586	89%	465/523	80% national 90% stretched

2.2	The figures for Q1 of the financial year shows a continued high number of application submissions, particularly for other development, at 586 submissions. There remains a trend to issue decisions in a timely manner and the national performance indicators have been met for major and minor development, although there is a slight underperformance in respect of other developments. This slight underperformance is influencing ways in which decision making could be made more efficient, particularly for more straightforward decisions without public interest. A process is underway to trial this and understand how time can be saved, without affecting quality, for officers currently responsible for very high caseloads.
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2.3	All members of the Development Management Team largely continue to work from home but undertake site visits in a Covid secure manner. All office meetings with customers have been held virtually though site meetings are now taking place and the figures presented to Members demonstrates that the pandemic has not had a significant negative effect on either the quality of timeliness of decision making albeit there are a number of challenges which have been faced.
2.4	In January 2021, the team welcomed four new additions to the team who have integrated extremely well and are already making quality decisions for the benefit of our customers. In June 2021 Ben Woolnough replaced Liz Beighton as Planning Manager of the Development Management Team. Since then a number of process and structures have been reviewed and recruitment is currently underway for a new third Principal Planning Officer within the team. This will add significant additional capacity to managing and supporting the team and specifically more timely decision making and improved customer care. A replacement of the Major Sites and Infrastructure role vacated by Ben Woolnough is also out for recruitment.
2.5	The Development Management Team have also been appropriately using the extension of time mechanism to ensure that appropriate discussions can take place with applicants/other parties to secure high quality sustainable developments.
2.6	The Council maintains a high approval rate across all types of applications and proactively look to support development where policy permits and work proactively with applicants and agents to secure appropriate schemes.
2.7	Where applications are refused Officers seek to defend those refusals robustly. Members will note the separate appeals report on the agenda which demonstrates confidence that applications are being refused correctly and those decisions are for the most part upheld at appeal.
2.8	Officers continue to work proactively with agents to promote the pre-application service to seek to ensure that where applications are submitted they have the right level of information accompanying them to enable swift decisions on applications to be made. The Planning Manager is currently engaging with a range of agents to understand their needs and expectations of the team to factor into further improvements.

### 3 How to address current situation

3.1	Quarterly monitoring
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### 4 Reason/s for recommendation

4.1	That the report concerning the performance of the Development Management Team in terms of the speed of determining planning applications is noted.
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## Appendices

<b>Appendices:</b>
None.

<b>Background reference papers:</b>
None.



**STRATEGIC PLANNING COMMITTEE**

**Monday, 07 June 2021**

<b>Subject</b>	Appeals Performance Report – 13 May to 21 September 2021
<b>Report of</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officer</b>	Ben Woolnough Planning Manager (Development Management) 01394 444593 <a href="mailto:Ben.woolnough@eastsuffolk.gov.uk">Ben.woolnough@eastsuffolk.gov.uk</a>

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

**Purpose of Report:**

This report provides an update on the planning performance of the Development Management Team in terms of the quality and quantity of appeal decisions received from the Planning Inspectorate following refusal of planning permission by East Suffolk Council.

**Options:**

None.

**Recommendation/s:**

That the content of the report be noted

## Corporate Impact Assessment

**Governance:**

N/A

**ESC policies and strategies that directly apply to the proposal:**

N/A

**Environmental:**

N/A

**Equalities and Diversity:**

N/A

**Financial:**

N/A

**Human Resources:**

N/A

**ICT:**

N/A

**Legal:**

N/A

**Risk:**

N/A

<b>External Consultees:</b>	None
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
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P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
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<b>T02</b>	<b>Enabling our Communities</b>		
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<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
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<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>How does this proposal support the priorities selected?</b> To provide information on the performance of the enforcement section			

## Background and Justification for Recommendation

1 Background facts	
1.1	The report is presented to Members as rolling reporting mechanism on how the Council is performing on both the quality and quantity of appeal decisions received from the Planning Inspectorate.
2 Current position	
2.1	A total of 17 planning appeal decisions and one enforcement appeal (with associated costs appeal) have been received from the Planning Inspectorate since the 13 May 2021 following a refusal of planning permission from East Suffolk Council.
2.2	A summary of all the appeals received is appended to this report (Appendix 1).
2.3	The Planning Inspectorate monitor appeal success rates at Local Authorities and therefore it is important to ensure that the Council is robust on appeals, rigorously defending reasons for refusal. Appeal decisions also provide a clear benchmark for how policy is to be interpreted and applications considered.
2.4	Very few planning refusals are appealed (approximately 20%) and nationally on average there is a 42% appellant success rate for major applications, 27% success rate for minor applications and 39% success rate for householder applications.
2.5	All of the appeal decisions related to applications which were delegated decisions determined by the Head of Planning and Coastal Management.
2.6	<p>Of the planning appeals, 10 of the decisions were dismissed (59%) and seven of the decisions were allowed (41%) by the Planning Inspectorate.</p> <p>Of these, one major application appeal was allowed for 'Use of land for the stationing of 50 No. static holiday caravans; children's play area; recreation space and associated facilities' at Carlton Meres Country Park, Carlton Lane, Suffolk IP17 2QP. This was the only Major appeal determined in this period.</p> <p>13 of the appeals were for minor applications with four allowed (31%) and nine dismissed (69%).</p> <p>Three of the appeals were for householder applications and two were allowed (67%) and one was dismissed (33%)</p>

	These statistics show that the Major appeals and householder appeals were in such small numbers that comparison to national averages is ineffective for analysis over this time period. Importantly for the larger share of appeals in the minor applications category the Council's success rate for this period is above the national average and provides confidence that the Council is able to robustly defend against unacceptable development and has a suite of policies available to assist defence. The summaries of the appeals include a section on key issues and any lessons which could be learnt.
2.7	There are no significant issues arising with the planning appeals which have been allowed, although the appendix provides a summary of learning points of all appeals
2.8	Members will note that one claim of costs against the Council has been received, with the decision refused on the grounds that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated

### 3 How to address current situation

3.1	Quarterly monitoring
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### 4 Reason/s for recommendation

4.1	That the report concerning the appeals decisions received is noted
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## Appendices

### Appendices:

<b>Appendix A</b>	Summary of all appeal decisions received
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### Background reference papers:

None.
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The following appeals have been received. The full reports are available on the Council's website using the unique application reference.

Planning Appeals

<b>Application number</b>	DC/20/2357/FUL
<b>Appeal number</b>	APP/X3540/W/20/3266115
<b>Site</b>	Red Lodge, The Street, North Cove NR34 7PU
<b>Description of development</b>	Demolition of existing dwelling and replacement with three detached bungalows, garages and all associated works.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	7 April 2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issues are the effect of the proposed development on (i) the character and appearance of the area; and (ii) whether or not the proposed development would provide satisfactory living conditions for future occupiers, with particular regard to external amenity space.
<b>Summary of decision</b>	The inspector concluded that the proposal effectively was a small cul-de-sac arrangement, and that this layout would harm the lower density character of the Fountains Lane. The retention of two large trees in the rear garden of Plot 3 would result in significantly lower levels of natural lighting within the rear garden, which would pressure to lop, top or even remove the trees, which would harm the character and appearance. The proximity of Plot 3's dwelling and rear garden area to the retained trees would result in overshadowing and overbearing impacts on the external space, detrimental to the living conditions of future occupiers.
<b>Learning point / actions</b>	<p>Even if a condition to retain the trees were imposed, it would be difficult to resist an application to vary such a condition in order to undertake work to the trees, particularly if applications were proposed in the interest of resident safety or damage to property.</p> <p>An extant application for outline consent with all matters reserved does not suggest that two storey dwellings could be constructed as suggested by the appellant, as matters of scale and form had not been considered.</p>

<b>Application number</b>	DC/20/2651/FUL
<b>Appeal number</b>	APP/X3540/W/20/3262487
<b>Site</b>	Westhouse Cottage, Saxmundham Road, Theberton, IP16 4TH



<b>Description of development</b>	"New detached residential dwelling and associated garage"
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	16 June 2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<p>This application was for full planning permission to demolish the existing red brick dwelling (formerly 2 cottages) , which is set perpendicular to the road with a shallow dual pitched roof, and the erection of a detached two-storey L-shaped dwelling set further back on the site with a detached garage and parking area in front. The new dwelling was proposed to be contemporary in character with timber vertical cladding and a standing seam roof and grey windows.</p> <p>The main issues were:</p> <ul style="list-style-type: none"> <li>- The ecological implications, as bats had previously been identified as being on site, and there was a pond which a 2017 ecological assessment suggested may be suitable habitat for Great Crested Newts,</li> <li>- The visual appearance of the dwelling and garage, and whether they would be more visually prominent in the countryside,</li> <li>- The potential need for an appropriate assessment due to the location of the site within 13km of Protected Sites.</li> </ul>
<b>Summary of decision</b>	The inspector dismissed the appeal on the two key reasons that were cited in the Local Planning Authority decision notice, that related to the lack of up to date ecological assessments, and that the proposal would be more visually intrusive in the rural landscape and be unacceptably urban in character.
<b>Learning point / actions</b>	<p>Support the view taken by the LPA that:</p> <ul style="list-style-type: none"> <li>- Up to date ecological assessment is essential where protected species likely to be on site (as per paragraph 175 of the NPPF, and Policy SCLP10.1).</li> <li>- Replacement dwellings in the countryside must be appropriately designed to respect their locality and be no more prominent in the landscape than the building they are proposed to replace (As per Policies SCLP5.3 and SCLP11.1).</li> </ul>

<b>Application number</b>	DC/20/1895/FUL
<b>Appeal number</b>	APP/X3540/W/21/3266395
<b>Site</b>	Land adjacent 6 Spring Lane, Wickham Market, Woodbridge, IP13 0SP
<b>Description of development</b>	Erection of a detached 3 bedroom dwelling.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	28 May 2021
<b>Appeal decision</b>	Dismissed

<b>Main issues</b>	<p>This application sought to erect a detached two storey dwelling within the Wickham Market settlement boundary and Conservation Area. Consent had historically been approved for a dwelling in this location, however had not been implemented.</p> <p>The main issues were:</p> <ul style="list-style-type: none"> <li>- The character and appearance of the area, and whether it would preserve or enhance the character or appearance of the Wickham Market Conservation Area</li> <li>- The living conditions of the neighbouring properties, with regard to privacy and outlook;</li> <li>- Flood risk; and</li> <li>- The safety and convenience of highway users.</li> </ul>
<b>Summary of decision</b>	<p>The Inspector identifies that the proposed development would cause less than substantial harm to the Wickham Market Conservation Area (CA), as the dwelling would diminish the spatial quality of the of the CA by infilling an identified space between the existing terraced cottages to the south and more modern development to the north. In accordance with paragraphs 193 and 196 of the National Planning Policy Framework, the modest potential benefits of the development would not outweigh the harm identified. The proposal would, therefore, fail to preserve or enhance the significance of, th windows e designated heritage asset and would not accord with the policies of the Framework which seek to conserve and enhance the historic environment.</p> <p>The development would have an adverse impact on living conditions of the occupants of 4 Spring Lane, with particular reference to privacy contrary to policy SCLP11.2 which requires decisions to have regard to privacy and overlooking, due to the development being within close proximity to the boundary and introducing at a raised level (due to flood mitigation levels).</p> <p>The site is located within Flood Zones 2 and 3. Paragraph 158 of the Framework states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The appellant has provided a brief summary of the constraints of the locality and stated that there are no reasonable alternative sites for the scale and type of development. However, the sequential test area has not been robustly justified. The appellant has advanced a case whereby the dwelling, due to its raised floor level and use of voids beneath the building, would not result in a loss of floodplain storage. However, in the absence of a sequential test, the proposed development is unacceptable in principle, and therefore it is not necessary to consider the detailed flood mitigation proposals. The proposal is contrary to policy SCLP9.5, the Framework and the PPG.</p>
<b>Learning point / actions</b>	<p>The appeal decision supports the officers recommendation and three of the four reasons for refusal. However, the Inspector found that the slight intensification of the existing access to serve the proposed and existing dwellings was acceptable, contrary to Suffolk County Highways</p>

	objection. Albeit no comment was provided in respect of the proposed parking layout or provision, the Inspector concluded that the development would not have an unacceptable impact on the safety and convenience of highway users. The development was therefore considered to accord with policies SCLP5.7 and SCLP11.1 of the Local Plan which requires development to include appropriate highway layouts and well-designed accesses, in addition to paragraph 109 of the National Planning Policy Framework. This alone would not have made the development acceptable, however identifies that further consideration of the intensification of existing accesses on low speed roads may be applicable by both the Local Planning Authority and respective Highways Authority.
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<b>Application number</b>	DC/20/4633/FUL
<b>Appeal number</b>	APP/X3540/D/21/3270591
<b>Site</b>	Albermarle House, Bealings Road, Martlesham, IP12 4RW
<b>Description of development</b>	"Alteration and extension"
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	21 July 2021
<b>Appeal decision</b>	Allowed with conditions
<b>Main issues</b>	<p>The application sought a large extension to the already largely extended outbuildings which had been granted permission to be converted and connected via a link extension. The extensions were initially submitted as an annexe, which was refused for non-compliance with SCLP5.13, in addition to SCLP11.1 as the proposed extension and annexe accommodation was considered too large in context of the already extended host. This proposal sought the same amount of floor area and design as previously sought, however as ancillary residential accommodation (gym, sauna, cinema room, etc) rather than an annexe. The scale of the development was not considered to have overcome part of the reason for the earlier refusal.</p> <p>The main issue is the effect of the proposal on the character and appearance of the dwelling.</p>
<b>Summary of decision</b>	The Inspector considered that there is limited visual impact beyond the immediate setting of the dwelling. The development would appear proportionate given the size of the host building and respond to the local context. There would be no impact on any of the tree preservation order trees or the setting of Beaconhill House, a grade II listed building (as noted in the delegated report).
<b>Learning point / actions</b>	In this instance, the Inspector considered that the extension was proportionate to the dwelling as had been permitted to be converted and extended (partly completed), rather than the original buildings which were much smaller.

<b>Application number</b>	DC/20/1112/FUL
<b>Appeal number</b>	APP/X3540/W/21/3266276
<b>Site</b>	The Poultry Farm, High Road, Trimley St Martin, IP11 0RG
<b>Description of development</b>	Erection of 7 no. bungalows and garaging

<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	28 May 2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	Highway Safety
<b>Summary of decision</b>	<p>The limited width of the access means that it would not be possible for two vehicles to pass resulting in cars either having to wait within the site, or on the highway when entering or exiting the site. The narrow width would also mean the access would be a shared space between vehicles and pedestrians putting them at greater risk.</p> <p>The previous use of the site for agricultural purposes would have used the access more intensively however since then the scale of the site has decreased and unlikely for this use to re-establish therefore this is not a realistic fallback position.</p> <p>The development would not result in a safe and suitable access from the development for both cars and pedestrians contrary to Policies SCLP7.1 and SCLP11.1 of the Local Plan and paragraphs 108, 109 and 110 of the (previous) NPPF.</p>
<b>Learning point / actions</b>	<p>Although the development would not result in frequent conflicts between vehicles entering and exiting the site, even limited incursion into traffic passing along High Road would result in an unacceptable impact on highway safety.</p> <p>Significant weight given to the requirement for safe and secure access for all and that safe pedestrian access to local services would be limited.</p>

<b>Application number</b>	DC/20/4757/FUL
<b>Appeal number</b>	APP/X3540/W/21/3269616
<b>Site</b>	Hardstanding off Presmere Road, Pettistree, IP13 0HZ
<b>Description of development</b>	Two small light industrial "starter" units (Class E), housed within a singular dog-leg building. Each unit will have a floor area of approximately 65m2 and will benefit from two parking spaces. The total gross internal floor area of the building will be 130m2.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	28 May 2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	Whether or not the proposed development would accord with the adopted strategy for the location of new employment development.
<b>Summary of decision</b>	The principle of development would not be acceptable having regard to the location of the site in the countryside. While there are benefits of the proposal including the provision of employment (with the NPPF

	stating that significant weight should be placed on the need to support economic growth and productivity), the NPPF also confirms that decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. In this case, the conflict with the development plan is not outweighed by other Considerations.
<b>Learning point / actions</b>	The marketing exercise carried out in this application is not the same as a sequential test which Policy SCLP4.2 requires and this should be carried out first prior to considering sites in the Countryside.

<b>Application number</b>	DC/20/4643/FUL
<b>Appeal number</b>	APP/X3540/W/21/3270811
<b>Site</b>	102 Garrison Lane, Felixstowe
<b>Description of development</b>	Change of Use of house (Use Class C3) to a large HMO (Use Class Sui Generis).
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	26/07/2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	Whether the property was suitable to be used as a large HMO. The site was a modest sized bungalow that had been extensively extended over the years and has more recently been used as a small HMO for up to 6 people. The proposal wanted to use the site as a large HMO for up to 8 people. The main issues on the site were that one of the rooms proposed for the HMO was situated in the middle of the property and had little natural light or fresh air and highway safety concerns relating to the use of the adjacent crossing point as an access into the parking area at the front of the site. Loss of residential amenity to local residents was also considered.
<b>Summary of decision</b>	That although the proposal was not considered to harm the living conditions of neighbouring occupiers it would adversely affect highway safety and would fail to provide acceptable living conditions in relation to one of the bedrooms for the future occupiers with regards to light and outlook.
<b>Learning point / actions</b>	The adverse impacts on the living conditions of future occupiers and on highway safety to significantly and demonstrably outweigh the limited benefits of the proposal with regards to its sustainable location.

<b>Application number</b>	DC/20/4794/FUL
<b>Appeal number</b>	APP/X3540/D/21/3270483
<b>Site</b>	News Hill Barn, Methersgate Hall Drive, Sutton, Woodbridge IP12 3FD
<b>Description of development</b>	"Proposed detached double garage"
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	31 August 2021
<b>Appeal decision</b>	Conditionally Allowed

<b>Main issues</b>	<p>This application was for full planning permission to erect a two bay garage on the site of News Hill Barn which is a recently converted barn into a large residential dwelling. The approved conversion scheme sought to retain the intrinsic character of the building, considered to be a Non-Designated Heritage Asset, and sought to avoid the creation of a residential curtilage that would harm its present open landscape setting.</p> <p>The main issue was:</p> <ul style="list-style-type: none"> <li>- The proposal for a domestic garage within this sensitive rural area, would harm both the character of the barn conversion and its present isolated landscape setting and fail to preserve the AONB landscape.</li> </ul>
<b>Summary of decision</b>	The inspector dismissed the appeal as they found that the design and discreet profile of the garage would not dominate the barn or be visually intrusive so as to adversely impact its setting. The proposal would therefore preserve and enhance the character and setting of the host building and would conserve the landscape and scenic beauty of the Suffolk Coast and Heaths AONB
<b>Learning point / actions</b>	In this instance, the Inspector considered that the proposed garage would not harm the character of the dwelling or the setting of it within the AONB due to the design of the garage being rural in appearance and that its size and materials were suitable for the location.

<b>Application number</b>	DC/20/3414/FUL
<b>Appeal number</b>	APP/X3540/W/21/3267603
<b>Site</b>	Longwood, Church Field, Walberswick IP18 6TG
<b>Description of development</b>	Demolition of an existing bungalow and garage and the erection of two new dwellings with a car port and garage.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	10 September 2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issue is the effect of the proposed development on the setting of the Grade I listed building, known as St Andrews Church, and the Walberswick Conservation Area, and the landscape and natural beauty of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.
<b>Summary of decision</b>	The existing dwelling has a limited impact on the setting of the Church and WCA. The proposed dwellings would be significantly more noticeable within the setting of these heritage assets. The Inspector considered that the proposal would be harmful to the settings of the Grade I listed church and WCA; resulting in a negative effect on the significance of these designated heritage assets. The harm identified would equate to less than substantial harm to the significance of these assets. In such circumstances, paragraph 202 of the Framework identifies that this harm should be weighed against the public benefits of proposals. The Inspector considered an array of potential public benefits, including net gain of one additional dwelling for the housing supply, self or custom build properties, energy efficiently performance, short term benefits to the local economy associated with the construction of the development and whether the proposal would be a

	<p>more efficient use of the site, however concluded that the public benefits outlined would not justify allowing development that would be harmful to the settings of the Grade I listed church and WCA. In accordance with paragraphs 199 and 202 of the Framework the public benefits do not outweigh the great weight to be given to the less than substantial harm which was identified. Although the proposed development would not have an unacceptable effect on the AONB, the decision concludes that the development would have an unacceptably harmful effect on the setting of the listed building, St Andrews Church, and the WCA. Hence, the proposal would fail to satisfy the requirements of the Act, paragraphs 197, 199, 200 and 206 of the Framework and conflicts with the design and heritage aims of Policies SCLP10.4, SCLP11.3, SCLP11.4 and SCLP11.5 of the Council's Local Plan.</p>
<b>Learning point / actions</b>	The view of the Inspector accords with the main reason for refusal noted by officers.

<b>Application number</b>	DC/20/2319/FUL
<b>Appeal number</b>	APP/X3540/W/21/3269892
<b>Site</b>	The Red House, 44 Cumberland Street, Woodbridge IP12 4AD
<b>Description of development</b>	The development proposed is the erection of new single-storey dwelling and detached garage.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	13 September 2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issue is the effect of the proposed development upon the character and appearance of the Woodbridge Conservation Area.
<b>Summary of decision</b>	<p>The site is within the Woodbridge Conservation Area, although the relatively enclosed, views into the site are possible from neighbouring land. In consequence, the open and relatively less developed character of the appeal site is readily perceptible which the Inspector placed weight on. The proposed development would result in a significant increase in the overall level of built form which would conflict with the generally open character of the CA.</p> <p>The proposed dwelling would be constructed to a more modern style of architecture and would feature a flat roofed element and have a relatively uniform mass. This would conflict with the prevailing character of the surrounding area, which broadly comprises traditional designed and proportioned buildings with pitched roofs. These differences would render the proposed development incongruous. This would further erode the area's character which is a concern given the prominent nature of the proposed development. In particular, the proposal would be visible from a number of nearby properties, such as those in Cumberland Street. This means that the increase in built form would be readily perceptible. This effect would occur irrespective of the relatively few views from public areas.</p> <p>It was concluded that the proposed development would have an adverse effect upon the character and appearance of the CA. Whilst the harm upon the Conservation Area as a whole would be less than substantial, it would breach the requirements of Local Plan Policies</p>

	SCLP 5.7; SCLP 11.1; SCLP 11.3; and SCLP 11.5. Amongst other matters, these seek to ensure that new developments do not harm the character of the area; preserve or enhance the character and appearance of conservation areas; and demonstrate a clear understanding of the historic environment.
<b>Learning point / actions</b>	The view of the Inspector accords with the main reason for refusal noted by officers.

<b>Application number</b>	DC/20/4603/FUL
<b>Appeal number</b>	APP/X3540/D/21/3273075
<b>Site</b>	Pilot Cottage, 22 East Street, Southwold, IP18 6EH
<b>Description of development</b>	Replace lean-to with flat roof
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	18/08/21
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The effect of the proposal on the character and appearance of the Conservation Area
<b>Summary of decision</b>	<p>The Inspector considered that the proposals would change the roof profile and would be akin to a first floor flat roofed addition not characteristic of the period and architectural style of the existing building. There was disagreement with the appellants view that it would be hidden from public views, confirming it would be visible and appear as an unsympathetic feature of the roof.</p> <p>The Inspector did not consider other flat roof additions which have not enhanced the character and appearance of the dwellings and the conservation area are designs that should be encouraged and warrant acceptance of the appeal proposals.</p> <p>The justification for the alterations to increase head room to the small bedroom was not regarded as being a public benefit that would outweigh the harm caused and that the property is still capable of renting out as tourist accommodation and not materially benefit future occupants.</p> <p>It was concluded the proposals would fail to preserve and enhance the character and appearance of the building and its setting in the Conservation Area contrary to the NPPF and Development Plan policies WLP8.29; WLP8.37; WLP8.38 and WLP8.39.</p>
<b>Learning point / actions</b>	The view of the Inspector accords with the main reason for refusal noted by officers.

<b>Application number</b>	DC/20/1434/FUL
<b>Appeal number</b>	APP/X3540/W/20/3255490
<b>Site</b>	315 Victoria Road, Lowestoft, Suffolk NR33 9LS
<b>Description of development</b>	Construction of single storey dwelling, garage, drive access, fencing, materials
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	14/06/2021
<b>Appeal decision</b>	Dismissed



<b>Main issues</b>	The effect of the proposed development on the character and appearance of the site and surrounding area, on the living conditions of nearby residents and future occupiers, and the effect on nearby European Protected Sites.
<b>Summary of decision</b>	<p>The inspector noted that there were no immediate examples of backland development, and therefore it would be a departure from the prevailing character, and that the positioning of the proposed dwellings close to boundaries would result in a cramped appearance and therefore a form of overdevelopment.</p> <p>The inspector also concluded that the proposed access would materially harm the enjoyment of adjacent homes and gardens despite the dwelling not generating significant vehicle movements. They also considered that the dwelling would dominant and overbearing feature for adjacent residents, and that residents of the dwelling would have poor outlook for certain windows.</p>
<b>Learning point / actions</b>	The view of the Inspector accords with the main reason for refusal noted by officers.

<b>Application number</b>	DC/20/1775/OUT
<b>Appeal number</b>	APP/X3540/W/20/3266109
<b>Site</b>	Ottawa Lodge, London Road, Gisleham NR33 7QN
<b>Description of development</b>	Outline Application for erection of single storey dwelling with garaging and new highway access
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	13/08/2021
<b>Appeal decision</b>	Conditionally Allowed
<b>Main issues</b>	The effect of the proposed development on the character and appearance of the area, whether the appeal site is an appropriate location for the development proposed having regard to the development strategy for the area; and the effect of the proposed development on nearby European sites.
<b>Summary of decision</b>	<p>The inspector concluded that whilst the proposal would create a tandem form of development, this would not be out of keeping with the area given development on the on the opposite side of the road and the uniform building line of adjacent plots. They also note that whilst it would alter the appearance of the site the visual effects would be localised and would not extend beyond an existing domestic curtilage.</p> <p>The inspector goes on to consider that the proposed site meets 2 of the 3 criteria for Policy WLP8.7 (development in the countryside), but that the site is not a clearly identifiable gap within a built-up area of a settlement within the countryside, and as such there is a conflict with policy WLP8.7. However, the inspector considered that there were reasonable opportunities to access services and facilities by means other than private motorised vehicles. Consequently, they concluded that whilst the proposal to erect a dwelling in the countryside would conflict with part of Policy WLP8.7 and be contrary to the development plan in that respect, the reasonable accessibility of the site to services and facilities, lack of encroachment into the countryside and the absence of harm to the character and appearance of the area, meant</p>

	<p>they did not conclude that the proposal would undermine the overall intention of policy WLP8.7 or the development strategy.</p> <p>They also considered that a requested condition requiring the development to be single storey was unnecessary as details of scale are a matter reserved for future determination.</p>
<b>Learning point / actions</b>	The inspector concluded that the edge of settlement position of the proposed dwelling and therefore sustainable location, and the perceived lack of harm to the character of the area, was sufficient to outweigh the conflict with policy WLP8.7 regarding the criteria for it to be a clearly identifiable gap.

<b>Application number</b>	DC/20/2805/FUL
<b>Appeal number</b>	APP/X3540/W/20/3264840
<b>Site</b>	123 Bucklesham Road, Ipswich, IP3 8UA
<b>Description of development</b>	Erection of 2 detached dwellings with garages following demolition of existing bungalow
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	16 September 2021
<b>Appeal decision</b>	Allowed with conditions
<b>Main issues</b>	<p>The main issues in this appeal are the effect of the proposal on the character and appearance of the area and on European Designated sites.</p> <p>Officers were concerned that the proposal represented overdevelopment, resulting in cramped plots. The garages to the front appeared quite dominant in the streetscene, partially screening the principle elevations of the dwellings, which gave a further sense of overdevelopment.</p>
<b>Summary of decision</b>	<p>The Inspector concluded that the proposed dwellings would be detached, thereby following the form of the vast majority of properties along Bucklesham Road. Adequate spacing to the side boundaries and between the properties would be provided so that the dwellings need not appear cramped within its individual plot or the site as a whole. The positioning of the proposed garaging to the front of the properties would not be particularly noticeable within the street scene, nor would they erode or harm the existing form of development that exists in the vicinity of the appeal site. The development therefore would not harm the character and appearance of the area. It would not be in conflict with Policy SCLP11.1 and SCLP5.7 of the East Suffolk Council Suffolk Coastal Local Plan 2020 (the SCLP) which seek, amongst other things, to ensure that developments clearly demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means.</p> <p>The appellant paid the RAMS contribution prior to the determination of the appeal, as such the second reason for refusal was resolved.</p>
<b>Learning point / actions</b>	The Inspector noted that the area has a strong residential character, this is created through a range of style and size of property that, in some instances, are developed close to one another. This gives the area a diverse and pleasant suburban character. Any subsequent proposals for intensification or infill along Bucklesham Road would need to ensure

	it would not harm the established suburban character which has been identified.
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<b>Application number</b>	DC/20/1689/OUT
<b>Appeal number</b>	APP/X3540/W/21/3269034
<b>Site</b>	3 Ivy Cottages, The Street, Darsham, IP17 3QA
<b>Description of development</b>	Proposed new build dwelling.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	30 June 2021
<b>Appeal decision</b>	Allowed
<b>Main issues</b>	The main issue was the effect of the development on the safety and convenience of highway users.
<b>Summary of decision</b>	<p>The Inspector acknowledged that the scheme layout would involve vehicles either needing to reverse out onto the road, or manoeuvre in reverse into the site (to enter and exit the frontage parking spaces).</p> <p>The Inspector however did not concur with Suffolk County Council Highways Authority or the Local Planning Authority concerns with this access arrangement. The Inspector considered that:</p> <p><i>“Due to the overall width of the road, and its speed limit, inter-visibility between drivers manoeuvring to and from the site and both drivers and pedestrians approaching along the highway is likely to be good.</i></p> <p><i>In addition, given the number of other similar parking arrangements along The Street, the vehicular movements associated with accessing and exiting the parking area would not be unusual or unexpected. Therefore, it is likely that the potential for conflicting movements can be anticipated well ahead by all parties and collisions avoided.”</i></p>
<b>Learning point / actions</b>	The appeal decision highlights that a balanced judgment needs to be made when considering highways safety matters, having particular regard to the specifics of the scheme and the development site. That being said, officers are disappointed with the decision and consider it unfortunate that The Inspector determined the appeal contrary to the advice of a key statutory consultee in Suffolk County Council Highways Authority.

<b>Application number</b>	DC/20/1158/OUT
<b>Appeal number</b>	APP/X3540/W/21/3266229
<b>Site</b>	1 Hall Cottages, Wangford Road, Reydon, Southwold, IP18 6SJ
<b>Description of development</b>	Single detached two storey dwelling with a detached double garage and store and associated grounds, utilising the existing site access.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	23 June 2021
<b>Appeal decision</b>	Allowed
<b>Main issues</b>	The main issue was the effect of the proposed development on the character and appearance of the area, having particular regard to the location of the site within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.

<b>Summary of decision</b>	<p>On the main issue, The Inspector concluded that:</p> <p><i>“The development whilst increasing the density of development within the locality, would have a similar plot size to other development within the vicinity. Whilst there would be a degree of urbanisation, the development of the site would result in the infilling of the existing gap between 1 Hall Cottages and Threshers Hall and together with Hall Farm would appear part of a small cluster of development and a continuation of the visual and historical relationship of the settlement.”</i></p> <p>The scheme was therefore found to be in accordance with the Local Plan and Neighbourhood Plan as a form of ‘infill’ development within a cluster of dwellings in the countryside.</p>
<b>Learning point / actions</b>	The Inspector applied a Principal Residence Restriction by condition in accordance with Reydon Neighbourhood Plan Policy RNP4. This is the first appeal situation where that policy and linked planning condition has been tested and upheld by The Inspectorate.

<b>Application number</b>	DC/19/3196/FUL
<b>Appeal number</b>	APP/X3540/W/20/3259654
<b>Site</b>	Carlton Meres Country Park, Carlton Lane, Suffolk IP17 2QP
<b>Description of development</b>	‘Use of land for the stationing of 50 No. static holiday caravans; children's play area; recreation space and associated facilities’
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	06 August 2021
<b>Appeal decision</b>	Allowed
<b>Main issues</b>	The main issue in the appeal was the effect of the proposed development on the character and appearance of the area, with reference to the landscape.
<b>Summary of decision</b>	<p>At the hearing, officers put forward a case that the appeal scheme would have an unacceptable impact on landscape character contrary to policy SCLP10.4. The main debate at the hearing was in regard to this matter, and The Inspector agreed with the Council’s position on the landscape impact of the appeal scheme:</p> <p><i>“In the context of this study area the proposal would have a moderate adverse impact on landscape character and an overall visual impact that would be slight/moderate at Year 15 with mitigation. Thus, it would not protect or enhance the special qualities of the area. Therefore, the impact would be sufficiently great to be worthy of attention. It would be a ‘significant adverse impact’ in the context of Policy SCLP10.4 and therefore at odds with it.</i></p> <p><i>The proposal would also be contrary to criteria c) of Policy SCLP6.4 of the LP, which states that tourism development outside of the AONB will be supported where the proposal avoids, prevents, or mitigates adverse impacts on landscape character. As the proposal would have a residual adverse impact it will not achieve this. By harming an attractive rural landscape the proposal would be at odds with Policy SCLP6.1, which seeks to manage tourism across the plan area in a way that protects the features that make the area attractive. The proposal would also be at odds with criteria c) of Policy SCLP6.5 of the LP.”</i></p>

	<p>However, whilst clearly acknowledging that harm and policy conflict, The Inspector concluded that this would be outweighed by the notable benefits of the appeal scheme – particularly the economic benefits of the scheme:</p> <p><i>“The LP sets out a positive strategy for tourism in PolicySCLP6.1as it delivers notable benefits to the economy. It is estimated that tourism provides about 12% of the areas employment and is worth many millions of pounds. The appellants market overview report explains that the development could add £1.48m to the local economy with an additional multiplier effect. It also explains that market research indicates that 68% of Carlton Meres’ customers said they purchased meals from restaurants or cafes in the local area and 61% visited a pub or bar other than those provided on the park. The same study highlighted that holiday park customers also supported local attractions and nearly 80% said they visited local towns and villages around the holiday park location. The economic benefits would therefore be of a high order.”</i></p> <p>For those reasons, The Inspector allowed the appeal, concluding that:</p> <p><i>“the proposed development would be contrary to the development plan but there are material considerations which outweigh this finding in this instance. Accordingly, the appeal has succeeded.”</i></p>
<b>Learning point / actions</b>	<p>At the hearing there was considerable debate about the occupancy conditions to be applied in the event the appeal was allowed. The appellant was seeking year-round holiday occupation, with a compromise position that a short (2-week) break period could be acceptable as an alternative. Officers put forward the position in the Development Plan that new holiday accommodation should be subject to a condition that limits occupancy to 56 days in a calendar year.</p> <p>The Inspector applied the 56-day condition, noting that:</p> <p><i>“Such a period will make it more likely the caravans are regularly let on a year-round basis to holiday makers and not occupied infrequently as second homes. This would benefit the local economy and safeguard local infrastructure. A condition limiting occupancy to 56 days is therefore necessary.”</i></p> <p>Whilst the appeal decision is disappointing, that the 56-day occupancy condition was tested at an appeal hearing and reinforced through this decision, is a positive outcome to support the continued application of such a condition on other tourism developments in the Suffolk Coastal area of the District.</p>

<b>Application number</b>	DC/20/2842/OUT
<b>Appeal number</b>	APP/X3540/W/20/3259858
<b>Site</b>	Wood Farm, Helmingham Road, Otley, IP6 9NS
<b>Description of development</b>	Development of up to five dwellings.

<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	17 September 2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<p>The main issues are:</p> <ul style="list-style-type: none"> <li>• Whether the development is in an appropriate location with particular regard to the settlement hierarchy and access to services/amenities;</li> <li>• If the development meets the definition of a 'cluster' as outlined by Local Plan Policy SCLP5.4.</li> </ul> <p>This application followed two previous schemes for 10 dwellings on the site which were dismissed under appeals APP/X3540/W/20/3245440 and APP/X3540/W/20/3256782 (appeal decision dated 10 November 2020).</p>
<b>Summary of decision</b>	<p>The Inspector notes that there is a significant distance between the farmstead to the south of the appeal site and cluster of 12 houses to the north and the intervening space occupied by the appeal site constitutes an extensive open area. As a consequence, the farmstead to the south does not visually or functionally form part of the existing cluster of dwellings to the north as 'a continuous line of existing dwellings or a close group of existing dwellings' in accordance with the definition given in Policy SCLP5.4.</p> <p>The Inspector also makes reference to the previous appeals (noted above), noting that the Inspector for the previous appeals at the site took the view that development could be considered to be an infill in the context of Policy SCLP5.4, but did not agree with this assessment for the reasons stated and as a consequence the appeal site does not constitute a clearly identifiable gap within a continuous built-up frontage.</p> <p>Furthermore, despite the appeal site being adjacent to the existing cluster of dwellings to the north, it nonetheless clearly falls outside of it to the south and in no way integrates with it as might be the case with an infill plot. As such the scheme would result in a significant encroachment of ribbon-style built-form into an undeveloped part of the open countryside and thereby be a harmful visual intrusion into the landscape, which is characterised by small, dispersed hamlets and farmsteads. Policy SCLP5.4 does not support significant extensions to existing clusters by encroachment outside of them into the open countryside landscape beyond. The Inspector noted that the average plot frontage would be comparable to those within the existing cluster to the north, however concluded that this did not mitigate the visual impact to the public realm.</p> <p>The development does not comply with Policies SCLP3.3, SCLP5.3, SCLP5.4 and SCLP5.7 of the Local Plan, which collectively offer support, amongst other things, for new dwellings within clusters and infill gaps.</p> <p>It was also noted that the site would not be considered physically isolated from other development, due to the proximity to dwellings to the north, however this does not mean that it would be sustainable in</p>

	<p>terms of access to shops, services, community facilities and transport choices other than the private car, or that it should be approved.</p> <p>The Inspector also considered the appellants offer to construct a new footway link and to upgrade an existing right of way to provide better connectivity to services within the parish. However, considered that the details provided were unclear, although unlikely to be unacceptable due to lack of streetlighting and being available for all users; thus further demonstrating the reliance on the private car to access a wider range of services in larger neighbouring settlements. Further commenting that the creation of hard surfacing to form the footway link would also harm the rural character of the area. The proposal would therefore conflict with Paragraphs 9, 92, 105 and 110 of the Framework.</p> <p>In concluding the decision, the Inspector noted the limited benefits of the development against the policies within the development plan and framework when taken as a whole; “the scheme before me is in clear conflict with the development plan and to allow it would therefore undermine a fundamental principle of the planning system;- that of it being genuinely plan led.”</p>
<b>Learning point / actions</b>	The view of the Inspector accords with the main reasons for refusal noted by officers.

<b>Application number</b>	DC/20/1790/FUL
<b>Appeal number</b>	APP/X3540/W/20/3264699
<b>Site</b>	40 King Street, Felixstowe, IP11 9DX
<b>Description of development</b>	Erection of a single storey dwelling
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	16 September 2021
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>• The effect of the development on the character and appearance of the area.</li> <li>• The quality of the living conditions for future occupiers.</li> </ul>
<b>Summary of decision</b>	<ul style="list-style-type: none"> <li>• The development would subdivide the plot of 40 King Street to introduce a detached dwelling on a small rear plot fronting Crown Street. The scale of the building would be significant in its setting and would result in a pattern of development uncharacteristic of this part of the street. The building’s appearance would be harmfully dominant in its context, including in relation to other existing subservient outbuildings. This would harmfully erode the spaciousness and modest secondary character of this part of the street scene.</li> <li>• Although the proposed garden area would be overlooked by first floor windows of the King Street houses, this would not be unduly harmful for future occupiers over and above the current situation in the vicinity. The dwelling’s outlook towards garages and car parking would be undesirable but would not create an unacceptable outlook for occupants.</li> </ul>

<b>Learning point / actions</b>	<ul style="list-style-type: none"> <li>Despite being within the settlement boundary, gaps and gardens that make an important contribution to the setting, character and appearance of an area should be protected from subdivision to form additional dwellings.</li> <li>An undesirable outlook doesn't necessarily mean it would have an unacceptable impact on the amenity of occupants.</li> </ul>
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<b>Application number</b>	
<b>Appeal number</b>	
<b>Site</b>	
<b>Description of development</b>	
<b>Committee / delegated</b>	
<b>Appeal decision date</b>	
<b>Appeal decision</b>	
<b>Main issues</b>	
<b>Summary of decision</b>	
<b>Learning point / actions</b>	

#### Costs Claims

<b>Application number</b>	ENF/2018/0543/DEV
<b>Appeal number</b>	APP/X3540/C/19/3232027
<b>Site</b>	Land at North Denes Caravan Park, The Ravine, Lowestoft, Suffolk
<b>Description of development</b>	The breach of planning control as alleged in the notice is operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste materials have been excavated from the site and deposited upon the surface.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	18/05/2021
<b>Appeal decision</b>	Partial award of costs allowed in favour of the Council
<b>Main issues</b>	<p>Enforcement Appeal was submitted on Grounds 2)(a), (c), (e), (f) and (g) of the Town and Country Planning Act 1990 as amended (the Act).</p> <p>The Council applied for partial costs against the appellant under Grounds c and e in that they were ill thought out and therefore had no reasonable prospect of success at appeal.</p>
<b>Summary of decision</b>	The Inspector agreed with the Council and the application for a partial award of costs is allowed.
<b>Learning point / actions</b>	None

#### Enforcement Appeals

<b>Enforcement number</b>	<b>Case</b>	ENF/2018/0543/DEV
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<b>Appeal number</b>	APP/X3540/C/19/3232027
<b>Site</b>	Land at North Denes Caravan Park, The Ravine, Lowestoft, Suffolk
<b>Description of development</b>	<p>The breach of planning control as alleged in the notice is operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste materials have been excavated from the site and deposited upon the surface.</p> <p>The requirements of the notice were (1) Permanently remove from the land the waste soil piles, caravan bases, roadway, pumping station with settlement tank and pipe works; and (2) Permanently restore the land to the condition it was in before the unauthorised activity took place.</p>
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	18/05/2021
<b>Appeal decision</b>	Appeal dismissed
<b>Main issues</b>	The Enforcement Appeal was submitted on Grounds (a), (c), (e), (f) and (g) of the Town and Country Planning Act 1990 as amended (the Act). These grounds are explained in more detail below.
<b>Summary of decision</b>	<p><b>Appeal under Ground a</b> - was that planning permission should be granted for the works undertaken.</p> <p>The Inspector concluded that <i>“The development was considered unacceptable in terms of its effect on open space, biodiversity, the significance of the CA, and the management of flood risk. This is contrary to WLP policies 8.23, 8.24 and 8.34 and Parts 8, 14, 15 and 16 of the Framework and the appeal on ground (a) should not succeed.”</i></p> <p>This ground failed and planning permission was not granted for the unauthorised works.</p> <p><b>Appeal under Ground c</b> - For the appeal to succeed on this ground the appellant needed to demonstrate that the operational development the subject of the notice (the works) is not in breach of planning control.</p> <p><i>“The appellant was of the opinion that the works were permitted, either by comprising part of a development with an extant planning permission or under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the Order).”</i></p> <p>The Inspector concluded that <i>“it has not been demonstrated that the works comprise part of either the 1975 permission or the 1984 deemed permission. Even if they did form part of the latter, the nature of that permission is such that they could only have been lawfully carried out by the local authority, which they were not.”</i> This ground of appeal failed.</p> <p><b>Appeal under Ground e</b> – relates to the correct serving of the Notice</p>

	<p>The Inspector concluded that <i>“While the uncertainty over ownership following the abolition of WDC may have caused the appellant frustration and concern, the service of the notice is a separate matter. The failure did not constrain the appellant’s ability to respond to the notice, including exercising his right of appeal. Consequently, it has not been demonstrated that it caused him to suffer substantial prejudice and it is therefore appropriate to exercise the discretion allowed by section 176(5).”</i> This ground of appeal failed.</p> <p><b>Appeal under Ground f</b> - the steps required by the notice, it must be demonstrated that the steps required to comply with the notice are excessive and that lesser steps could overcome the breach of planning control.</p> <p>The Inspector concluded that lesser steps would not remedy the breach of planning control and therefore, this ground also failed.</p> <p><b>Appeal under Ground g</b> – relates to the tie period given for the works to be completed.</p> <p>The Inspector agreed with the Council that 3 months was acceptable, and this ground also failed, but that if further time was required the appellant could request an extension of time to comply if necessary.</p> <p>It was concluded that the appeal should not succeed. The enforcement notice was upheld and the Inspector refused to grant planning permission on the application deemed to have been made under section 177(5) of the Act.</p>
<b>Learning point / actions</b>	<p>An extension of time has been granted until the end of October for the works to be completed. This is to enable the appellant to complete all the works as required by the notice.</p>

**STRATEGIC PLANNING COMMITTEE**

**Monday, 04 October 2021**

<b>Subject</b>	Planning Policy and Delivery Update
<b>Report of</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officer</b>	Desi Reed Planning Policy and Delivery Manager <a href="mailto:Desi.Reed@eastsoffolk.gov.uk">Desi.Reed@eastsoffolk.gov.uk</a> 01502 523055

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

**Purpose of Report:**

This report provides an update on key elements of the current work programme, including preparing Supplementary Planning Documents (SPDs), strategies on specific topics such as cycling and walking, the delivery of infrastructure to support growth through CIL collection and spend, Neighbourhood Plans and housing delivery.

**Options:**

This report is for information only.

**Recommendation/s:**

That the content of the report be noted.

## Corporate Impact Assessment

**Governance:**

The Local Plan Working Group oversee the preparation of many of the documents referred to in this report.

**ESC policies and strategies that directly apply to the proposal:**

A range of Local Plan policies for East Suffolk.

**Environmental:**

No impact.

**Equalities and Diversity:**

This report is for information only, so no equality impact assessment is required. However, undertaking an assessment is an integral element for most of the projects in the work programme.

**Financial:**

The work of the Team is undertaken within existing budgets, with grant income generated through support provided on Neighbourhood Planning.

**Human Resources:**

No impact.

**ICT:**

No impact.

**Legal:**

No impact.

**Risk:**

The Policy and Delivery Team are fully staffed but the work programme is significant and crucial to the delivery of many aspects of the Strategic Plan. There is an acknowledgment that staff capacity, not just in the Planning Service, is on occasions stretched and with the work programme being important to the council discussions are taking place with senior

officers and the Cabinet Member to ensure we have a resilient and quality team to deliver on our objectives.

**External Consultees:** None

## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>How does this proposal support the priorities selected?</b></p> <p>The Planning Policy and Delivery work programme makes a significant contribution to the delivery of the Strategic Plan, cutting across all 5 themes. The primary priority and 11 secondary priorities identified reflect the wide range of projects in the work programme.</p> <p>The primary priority of building the right environment for East Suffolk (P01) is underpinned by having up to date Local Plan coverage for the whole District, with the</p>			

secondary priorities reflecting the delivery of the Local Plans through the current work programme. The Authority Monitoring Report provides an important role in reporting on progress in delivering the Local Plans.

For example, the preparation of the Affordable Housing Supplementary Planning Document (SPD), development briefs and the Historic Environment SPD all support the Economy theme including the delivery of the right supply of housing (P01) and maximising the unique selling points of the district (P03). The preparation of the Community Infrastructure Levy (CIL) Charging Schedule, collection and spend of CIL also support the Economy theme, through investment in the district for healthy and sustainable economic growth (P01 and P05).

The support for Neighbourhood Planning, the Affordable Housing SPD and the Cycling and Walking Strategy all support the Enabling Communities theme, including taking positive action on what matters most (P07), community pride through a shared sense of purpose (P09) and maximising health and well-being (P08).

The Sustainable Construction SPD will support the Caring for our Environment theme. It supports all 4 priorities of leading by example (P20), encouraging the reuse of materials (P21), supporting the growth of renewable energy (P22) and protecting, educating and influencing care for our environment (P23). The Cycling and Walking Strategy also has a key role to play in protecting our natural environment (P23).

## Background and Justification for Recommendation

1 Background facts	
1.1	This report provides an update on the current work programme including progress being made on the preparation of Neighbourhood Plans and housing delivery. With the adoption of the Suffolk Coastal Local Plan in September 2020, providing up to date Local Plan coverage for the whole District, the focus of the work of the Planning Policy and Delivery Team is primarily on the delivery of these plans.
1.2	There are a number of key projects in the current work programme (next 12 to 18 months) that support the delivery of the Local Plans and the East Suffolk Strategic Plan. These focus on providing guidance to support the implementation of planning policies through Supplementary Planning Documents (SPDs) including development briefs, strategies on specific topics such as cycling and walking, and projects that support the delivery of infrastructure to support growth through CIL collection and spend. The team also support a wide range of external projects plus corporate and regeneration projects across the District that are not reported to this committee. The Major Sites part of the team deal with the largest scale major planning applications for East Suffolk and these will continue to be considered by this committee, as appropriate, on an on-going basis.
2 Current position	
2.1	<b>Since the last report to the Strategic Planning Committee 7<sup>th</sup> June 2021 the following key milestones have been met:</b>
2.2	With respect to <a href="#">Neighbourhood Plans</a> : <ul style="list-style-type: none"> <li>Beccles NP – Received a ‘Yes’ vote at the referendum on 16<sup>th</sup> September. Full Council will consider ‘making’ the plan at the meeting on 22<sup>nd</sup> September.</li> </ul>

	<ul style="list-style-type: none"> <li>Bungay Neighbourhood Plan - began their Regulation 14 pre-submission consultation (i.e. draft plan consultation led by the NP group) on 10th September and this will conclude on 5<sup>th</sup> November.</li> <li>Lound with Ashby, Herringfleet and Somerleyton NP - Regulation 16 publicity (i.e. consultation led by ESC on the plan submitted to the Council by the NP group) began on 1<sup>st</sup> September and will conclude on 13<sup>th</sup> October.</li> <li>Rushmere St Andrew NP – Regulation 14 pre-submission consultation began on 18<sup>th</sup> September and will conclude on 1<sup>st</sup> November.</li> <li>Southwold NP – Regulation 16 publicity took place between May and July. The Examination by an independent Examiner began on 19th August.</li> </ul>
2.3	The <a href="#">Historic Environment Supplementary Planning Document</a> was adopted at the Cabinet meeting on 1 <sup>st</sup> June 2021.
2.4	The <a href="#">development brief for housing site allocation WLP2.14 Land North of Union Lane, Oulton</a> was adopted at the Cabinet meeting on 7 <sup>th</sup> September.
2.5	Work has continued in analysing the response to the initial consultation (c. 800 responses) for the <a href="#">Cycling and Walking Strategy</a> and drafting the strategy in preparation for further consultation this autumn.
2.6	Since the initial consultation in April 2021 on the technical viability considerations that inform the preparation of a <a href="#">Community Infrastructure Levy (CIL) Charging Schedule</a> (to replace the Waveney and Suffolk Coastal Charging Schedules), the response has been analysed and is informing work to finalise the supporting Viability Report.
2.7	<b>CIL Collection and Spend:</b> <ul style="list-style-type: none"> <li>The Infrastructure Funding Statement (IFS) and 7 CIL Bids for essential infrastructure were approved at the 7 September Cabinet. Projects funded relate to education, waste, community facilities and health infrastructure (<b>See Appendix A to this Report</b>). Work continues on making elements of this IFS more digitally interactive for the future.</li> <li>For the 2021/22 (current) financial year, CIL financial reports indicate that a total of £483,135.20 was received up to the end of August 21 and so far this financial year we have issued CIL Demand Notices for £5.9m.</li> <li>A report summarising the position of CIL funded infrastructure projects and their delivery status can be downloaded from the CIL Spending webpage – see link to this report <a href="#">District-CIL-infrastructure-projects-2020-21.pdf</a></li> </ul>
2.8	<b>Housing Delivery</b> - The annual combined Local Plan anticipated housing delivery figure is 916 dwellings. For the first quarter of this year (April to June) 146 dwellings have been delivered, of which 64 were affordable. These figures are significantly higher than for the same time period last year. The picture moving forward remains optimistic, given that Local Plan site allocations, including many of the major sites, are either under discussion with Planning Officers, undergoing developer/landowner led community consultation, are current planning applications or have already been consented.

### 3 How to address current situation

3.1	<b>During the next 3/4 months, some of the key project milestones will include:</b>
3.2	With respect to <b>Neighbourhood Plans</b> : <ul style="list-style-type: none"> <li>Halesworth NP – Regulation 14 pre-submission consultation due to commence in October.</li> <li>Lound with Ashby, Herringfleet and Somerleyton NP – Examination will take place in the Autumn.</li> </ul>

	<ul style="list-style-type: none"> <li>• Oulton NP - Regulation 14 pre-submission consultation due to commence in October.</li> <li>• Southwold NP – A Referendum on the neighbourhood plan is expected to take place in the winter.</li> <li>• Wickham Market - Regulation 14 consultation carried out in Spring 2019, and now working towards Submission of the Final Draft to the Council.</li> </ul>
3.3	Consultation on the <b>draft Cycling and Walking Strategy</b> will have been commenced and completed.
3.4	Consultation on the <b>draft Sustainable Construction Supplementary Planning Document</b> will have been commenced and completed.
3.5	Consultation on the <b>draft Affordable Housing Supplementary Planning Document</b> will have commenced and completed.
3.6	Work will have commenced on further <b>development briefs</b> for sites allocated for housing in the Local Plans.
3.7	The annual <b>Authority Monitoring Report</b> , reporting on progress on delivering the Local Plans, will be reported to the Strategic Planning Committee on 6 December prior to publication on the East Suffolk website.
3.8	Consultation on the <b>draft CIL Charging Schedule</b> will have commenced and completed.
3.9	<b>Neighbourhood CIL</b> (NCIL) payments for October 2021 for the period 1 April to 30 September will be assessed and the payments issued to the relevant Parish Councils by 28 October 2021. This work commences at the end of September 2021.
3.10	The <b>Exacom data transparency project</b> (relating to the management of CIL, Section 106 and RAMS payments) is making good progress and the back-office system has now been in operation for 12 months. Work continues on the project with all CIL back data now fully loaded and in the process of final reconciliation and with 209 s106 Agreements (12.4%) loaded into the system ready to update the financial position of the s106. The s106 data inputting is taking longer than anticipated and so it is now expected that the Exacom Public Facing Module will not be fully ready until later next year.
3.11	The 5 year <b>Housing Land Supply Statement</b> for the period 1 April 2021 to 31 March 2026 is currently being finalised and will be published in October.
3.12	<b>Housing Delivery</b> - With a positive Housing Delivery Test result, for the rolling last 3 year period for East Suffolk, there is no government requirement to prepare the Housing Action Plan but it is considered good practice to do so. The East Suffolk <a href="#">Housing Action Plan</a> was published in August 2021 and reports on issues facing the development sector and progress in implementing actions to support the delivery of housing. One of the key issues currently affecting the sector is the shortage and cost of building materials, in particular timber, steel, pitched roofing, plastics, paints and cement. The Major Sites team continue to support and steer master-planning work on key sites across the District, including North of Lowestoft, Beccles/Worlingham, South Saxmundham and North Felixstowe; with master-planning being a key policy driver to provide certainty and a coordinated approach to delivery. The government has recently announced that the 2021 Housing Delivery Test will be calculated using a four-month adjustment to the housing requirement figures for 2020/21 to account for fluctuations in construction output owing to the Covid-19 pandemic.
3.13	<a href="#">Planning White Paper</a> <b>update</b> – Members will recall that the Planning White Paper, that posed some fundamental changes to the planning system, was published for consultation last year. The analysis of the consultation response was expected this autumn, to be shortly followed by a new Planning Bill. However, current indications are that there is likely to be a delay given the recent



	government ministerial re-shuffle. There is also speculation by commentators in the press regarding the extent to which the White Paper proposals will be forthcoming.
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#### 4 Reason/s for recommendation

4.1	This report is for information only.
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## Appendices

### Appendices:

Appendix A	Summary of District CIL 2021 Approved Funding Bids
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### Background reference papers:

None
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**Summary of District CIL 2021 Approved Funding Bids****ES/0909**

In total, Cabinet, on 7<sup>th</sup> September, approved £6,308,245 District CIL Funding towards the following infrastructure projects, representing 36% of the overall £17.4m total estimated costs. The projects are key to the Councils Strategic Plan objectives and were identified for developer contribution investment, and as either 'critical' or 'essential', in the relevant adopted Local Plan Infrastructure Delivery Frameworks, now updated annually and presented in the Infrastructure Funding Statement.

The approved projects provide for the following facilities:

**Education**

The total overall cost of the housing growth linked Education expansion projects in the District this year is £7.3m with £3.8m of CIL being requested to support their timely delivery. This represents approximately 52% funding from CIL collectively with some projects being fully funded through CIL. These are much needed facilities to support the new developments in these areas and will help to improve outcomes for children and in the case of early years provision to also support working families.

1. **The Dennington Early Years project** - a new bespoke new Early Years Playschool setting for Dennington and the wider area, including serving the needs of Framlingham where significant housing growth has taken place in recent years and villages where other growth is planned.

**The District CIL approved to support this project is £1,178,252 which is 74.2% of the estimated project costs.**

2. **The Holton Early Years Pre-School project** will provide an additional 30 full time equivalent early years places for children from the age of 2 at Holton St Peter Primary School.

This project directly relates to the identified need for at least one new pre-school setting in Halesworth and Holton in order to provide the number of places required in this locality from in the region of 600 homes being delivered in the area.

**The District CIL approved to support this project is £615,240 which is 100% of the estimated project costs.**

3. Also linked to that housing growth in Halesworth and Holton, **the expansion of Edgar Sewter Primary School** will provide a further 105 primary school places (from 315 places to 420) to meet the demand for school places from local children from new housing in the catchment area. This primary school project will provide:

- 2 new class bases and expansion of an existing classroom
- Library
- Unisex WC
- SEN Resource Room and other required smaller rooms.
- Additional hard play area and additional cycle/scooter parking

**The District CIL approved for this project is £1,364,272 which represents 95.3% of estimated project costs.**

4. Again, linked to housing growth in Halesworth, Bungay and the wider rural area, **the Bungay High School expansion project** is to provide a further 150 places for ages 11-16.

The expansion works will include a new standalone block on the school site and the remodelling of existing school spaces. The accommodation to be provided is IT class bases and a dining space with new kitchen. In addition to the new accommodation, the external areas will be developed to support the expansion. This will address the expansion needs for housing growth with the school catchment area and secondary school pupils generated.

**The District CIL approved to support this project is £624,070 which represents 16.86% of estimated project costs.**

### **Waste Infrastructure**

5. The expansion of Foxhall Household Waste recycling centre will deliver the expansion of household waste services to the East Suffolk catchment area for site for the life of the current East Suffolk – Suffolk Coastal Local Plan. Key improvements being widening Foxhall Road to create a right turn layby from the Ipswich direction, access and signage improvements leading onto and within the site, all contributing to safety and operational improvements in and around the site. In addition to this, a larger and improved split-level skip area will provide improvements for access and operation, along with disabled access to the facility, and improved welfare provision for staff.

**The District CIL approved to support this project is £794,414 and is 11.3% of the total estimated project cost (£6.5m).**

### **Community Facilities**

6. **The Halesworth Campus - 3G Pitch and Grass Pitch project** relates to the first phase of the Halesworth Campus project, a development bringing much needed new sports and recreation facilities to Halesworth and surrounding parishes. The project will provide a full sized, flood lit all-weather pitch available to a range of users, alongside a dedicated and improved grass pitch. The Campus sports and recreation facilities sit in a broader area known as 'Halesworth and Holton Healthy Neighbourhood', which is an allocated development site in the Waveney District Council Local Plan (2019). This sports facility will benefit existing football and rugby clubs in the town and address the needs of this expanding community. This project is dependent on obtaining planning permission and agreeing a community use agreement.

**The District CIL approved to support this project is £1,641,997 which represents 16.86% of estimated project costs alongside receipt of funds from sale of land for redevelopment.**

### **Health Infrastructure**

7. This project is to deliver internal alterations at the Leiston GP Surgery, which will provide up to 4 additional clinical spaces, a multi-use room (for social prescribing and/or counselling, or as a private digital consultation space for patient use), and re purposing of admin accommodation to create confidential space. The practice has taken a lead locally with the Covid-19 vaccine rollout programme and provides much needed services to the communities in and around Leiston.

**The District CIL approved to support this project is £90,000 which represents 100% of estimated project costs.**