

PLANNING COMMITTEE SOUTH – 27 AUGUST 2019

APPLICATION DC/19/1999/FUL

EXPIRY DATE 11 July 2019

APPLICANT Dr Marc Thomas

ADDRESS Land Adjacent To Wickham Market Substation, The Street, Hacheston, Suffolk

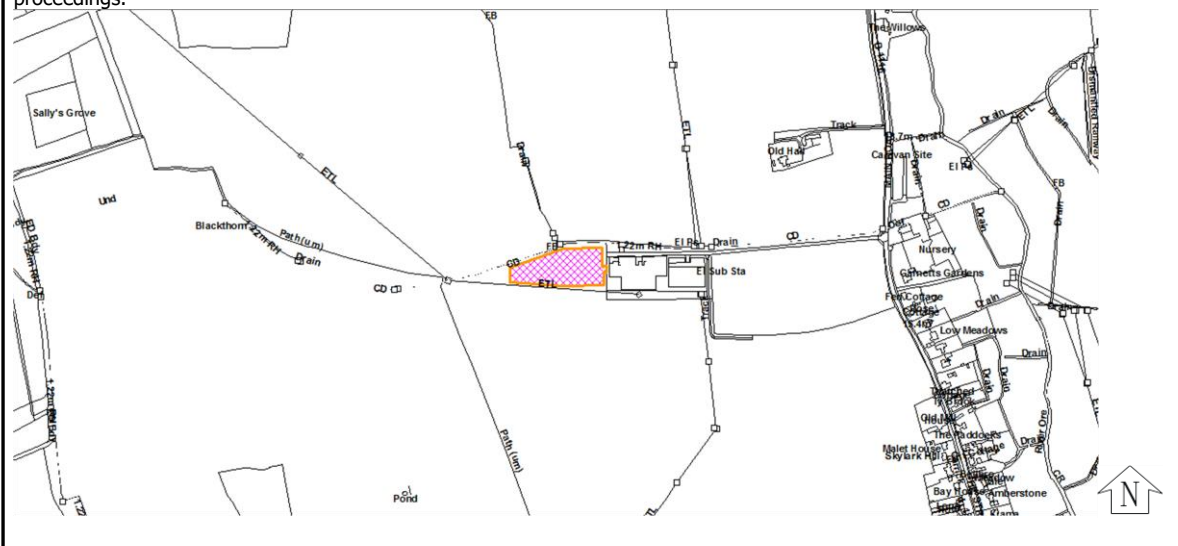
PROPOSAL Minor Material Amendment relating to approved 50MW battery storage facility

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DC/19/1999/FUL- Land Adjacent To Wickham Market Substation, The Street, Hacheston

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1. EXECUTIVE SUMMARY

- 1.1 Planning permission is sought for a revised scheme to an already approved fast response embedded power plant to be sited adjacent to an existing substation in the countryside between Hacheston and Parham.**
- 1.2 The application site is no different in size and location to the previously consented scheme DC/17/3742/FUL. The proposed changes relate to the structures solely located within the proposed compound. The changes are detailed in paragraph 3.4 of this report.**
- 1.3 Hacheston Parish Council and a number of local residents have objected to the proposal on grounds of landscape/visual impact; impact upon the setting of Parham Old Hall; noise. It is noted that there are no statutory objections to the proposal, subject to the re-imposition of the conditions and the Council's Landscape Manager raises no impacts on landscape harm.**
- 1.4 Officers consider that the changes proposed to the consented scheme are not considered significant or demonstrably harmful and are acceptable when having due regard to the consented scheme. It remains the case that the public benefits of the scheme are sufficient to outweigh the less than substantial harm to the setting of the Grade 2 listed Parham Old Hall and the landscape and visual impact of the development.**
- 1.5 The concerns raised through the consultation responses are noted, however the proposed changes are considered acceptable in terms of principle and detail and the application is recommended for approval.**

2. SITE DESCRIPTION AND PLANNING HISTORY

- 2.1. The site lies within farmland on the northern side of the village of Hacheston, south of the village of Parham. The site is surrounded on its southern, western and northern sides by gently rising ground, with the land east an existing 132kV primary electric substation which is fed by 132kV overhead power lines. The land and existing sub station is accessed by a vehicular access and access road onto the B1116, with the junction some 400m east. The site and surrounding area is a designated Special Landscape Area (SLA). The land falls gently in an easterly direction with the River Ore lying on the opposite side of the B1116 some 515m due east.**
- 2.2. The nearest residential property is Parham Old Hall, a detached two-storey dwelling which is Grade 2 listed, which lies approximately 260m due north-east. There are other residential properties on the opposite side of the B1116. A Public Right of Way (PROW) (E-427/001/0) runs east – west on the northern side of Parham Old Hall before turning to the north, on the northern side of the site. At its closest point the footpath is some 120m distant from the site.**

- 2.3. There is a line of trees alongside the concrete access road, with intermittent hedging on the northern side of the ditch. The site has undulating arable fields to the north, south and west. The trees are not covered by any statutory protection.
- 2.4. The site forms part of a larger arable field which stretches to the south and south-west. This field covers an area of 51.29ha (127 acres) and runs up to Easton Lane to the south. The highest part of the field is the north western corner at an elevation of approximately 40 metres (m) AOD and slopes gently eastwards to the eastern boundary at about 30m AOD. The north eastern corner of the field is the current site area and falls towards a ditch along the northern boundary at just below 25m AOD.
- 2.5. A line of “major” pylons extends from the substation site north westwards across part of the field and northwards into open countryside. A further 33KV power line extends south and then south west from the sub-station.

Planning History

- 2.6. The application site was previously part of a larger site for a proposed solar park in 2013 (SCDC ref C12/1899) consisting of solar panels to generate up to 25MW of electricity with transformer housing, security fencing and other works including landscaping. This proposal was dismissed at appeal, following a Public Inquiry, the inspector’s decision was subject to “call in” by the Secretary of State (SOS), who agreed with the Inspector's findings. Permission was refused.
- 2.7. The main issues at appeal were visual impact and the effect on the setting of heritage assets. It was concluded by the SOS that major/moderate adverse impact would be likely on the landscape for recreational users of rights of way and occupiers of Parham Old Hall. There was no guarantee that mitigation planting would occur or be maintained for the life of the development and it was concluded that significant weight should be given to the harm which would occur both to the landscape and the rural setting of Parham Old Hall which was stated to be significantly harmed.
- 2.8. A further planning application was submitted for a “*fast response embedded power plant*” (application reference DC/17/3742/FUL refers). The application was presented to the Suffolk Coastal District Council Planning Committee on the 19 July 2018 and subsequently approved. The minutes of the meeting are contained in Appendix 1 to this report.
- 2.9. The development that was granted planning permission included the following:
 - Internal access through the site
 - Acoustic Fence, 3m tall on the southern elevation and 4m on the northern
 - 23no. inverters
 - 23no. Transformers
 - 6no. Substation buildings
 - Welfare Building
 - Control Room
 - Main Grid Transformer

- 6no. B1 battery building
- 12no. B1 battery building
- Planting and screening

3. PROPOSAL

- 3.1. This application seeks permission for some changes to the host permission (DC/17/3742/FUL). The original application has relatively short-run duration batteries, principally suited to frequency regulation. This proposal seeks to extend the battery storage capacity to allow the site to engage in energy arbitrage as well as frequency regulation. This assists in the growth of renewables by providing a storage facility for surplus renewable generation, which is later released for peak demand. The most obvious example is the PV peak generation, which occurs in the middle of the day, and at a time of low demand, while peak demand occurs just after sunset.
- 3.2. The proposed changes are in order to align with an increase in battery capacity, maximising site safety, and due to work on the detailed engineering and UKPN connection requirements. In addition, the availability of equipment and advancing technical construction requirements has led to minor amendments to ensure components are efficient and fit for purpose.
- 3.3. The proposal is for the installation of a 50MW reserve power storage and frequency response facility which will operate in support of National Grid and the regional electricity distribution network. There is no primary generation on site, with the response being delivered by grid storage batteries which import and export balanced quantities of energy from the grid.
- 3.4. The overall site size is not proposed to change from that previously granted. This application seeks to change the structures and layout within the site, as summarised below:

Item	Approved	Proposed	Summary
Internal access through the site	central access, then road is directed to the south and west	Access running along the north of the site, then directed to the south and west	The first part of road is moved northwards
Acoustic fence around the perimeter	3m tall on the southern and western side and 4m high on the north and east consisting of metal posts, concrete plinth with timber/acoustic boards. 3m high on South East corner	3m tall on the southern and western side and 4m high on the north and east consisting of metal posts, concrete plinth with timber/acoustic boards. 3m high on South East corner	No change
Inverters	23 Structures that are 4.61m by 2.1m and 2.32m high, as fitted with manufacturer's baffles	24 Structures 4.78m by 2.71m width, 3.1m height as fitted with proposed canopy	Increase of one. Change of Dimension

Item	Approved	Proposed	Summary
Transformers	23 structures that are 2.2m tall by 1.887m wide, 1.814m deep	12 Structures 2.8m tall x 2.8m wide x 2.5m deep	Reduction of 11. Change of Dimension
Substation buildings	<p>6 structures (Primary Substation, Substation 1, Substation 2, Substation 3, UPS, District Network Operators Substation)</p> <p>With dimensions ranging from 3.4m x 1.0m x 2.0m to 7.3m x 3.8m 3.5m</p> <p>With an overall volume of 416.9m³</p>	<p>Six structures (three x T Boots, 11kv substation, DNO substation, customer substation)</p> <p>With dimensions ranging from 2.5m x 2.8m x 2.38m to 7.3m x 3.8m x 3.5m</p> <p>With an overall volume of 264.8m³</p>	No change in quantity, reduction in overall volume
Welfare building containing a sink and toilet facilities	3.658m by 2.471m and 2.471m high	3.658m by 2.471m and 2.471m high	No change
Control room	6.0m long, 3.28m wide by 4.05m high.	10.2m width, 2.7m length, 2.8m height	Change in Dimensions
Main grid transformer and disconnector plant is set out in the south-eastern part of the site	up to 5.7m tall	up to 5.7m tall	no change
B1 batteries	Six blocks that are 2.438m wide by 2.991m deep, with elements 1.988m long by 800mm wide on the roof and sides.	None	Reduction of six
B2 batteries	12 structures that are 3.9m long, 1.0m wide and 2.25m tall.	None	Reduction of 12
Bank A batteries	Eight Containers 15.24m by 2.9 m high and 2.44m deep	19 containers 15.24m by 2.9 m high and 2.44m deep	Increase of 11
Planting and screening			No change proposed

- 3.5. The Design and Access Statement that accompanies this application states that there are 78 separate containers currently granted. The application seeks a reduction of the number of containers to 62, therefore a reduction of 16 containers.

4. CONSULTATIONS/COMMENTS

- 4.1. Hasketon Parish Council: *“The Parish Council objected strongly to the original proposal and object to this one. They still have concerns over noise. There is a history of noise nuisance from this site, installation of new equipment in the past caused serious unpredicted disturbance to nearby residents. The current application includes a noise survey but councillors are not convinced that unforeseen noise will not be an issue. Stringent conditions are attached to the approved scheme in that noise emanating from the installation must not exceed ambient noise. However it is not clear how this will be monitored by the operator nor what will happen if levels are exceeded. They would like assurance that East Suffolk Planning Enforcement will act should conditions be breached.*

The Parish Council will be contacting Norriker for information on measures taken to detect and extinguish fire in the equipment enclosures. There are concerns that chemical leakage could contaminate farmland and the nearby plant nursery and would like information on the developer’s contingency plans.”

- 4.2. Suffolk County Council – Local Highway Authority: No objection to the application
- 4.3. East Suffolk Council - Head of Environmental Services: No objection subject to conditions which are the same as those attached to the previous permission and proposed to be re-attached to this permission.
- 4.4. Third Party Representations: Eight Letters of objection have been received raising the following matters:

Neighbour Comment	Officer Response
DC/19/1999 is described as a “ <i>Minor material amendment</i> ” by the applicant but this is a misrepresentation of the proposal due the numerous changes being undertaken with regard to buildings and equipment.	This application has been submitted as an improvement of the storage capacity and technology that has already been permitted on the site.
It is stated in the information in the application that this proposal is dependant on another site in Hertfordshire, but there are no details of the separate planning permission for this diesel plant (including start date, length and any restrictions) and no certification or supporting evidence from the National Grid that this aggregate transmission had been officially approved.	This planning application is only concerned with this development and cannot consider other development across the country.
This should a major alteration and be subjected to the most rigorous scrutiny. Satisfactory answers to	The application has been considered by the Landscape Manager and the Head of

Neighbour Comment	Officer Response
any technical issues should be provided before a revised permission is issued rather than relying on the applicant 'coming up with something as they go along'.	Environmental Services. Their comments are in this Committee Report and the conditions they recommend, are included within the officer recommendation.
It is disputed that the claim that this development is regarded as "renewable energy" since the applicant has no control over the source of the energy used for charging of the batteries.	This application has been submitted as an improvement of the storage capacity and technology that has already been permitted on the site.
The applicant has not yet complied with the conditions attached to the original consent namely conditions 6, 7, 8, 9, 11, 12 and 13 which do not appear to have been met or at least have not been made available to the public.	No applications have been submitted to discharge the conditions of application DC/17/3742/FUL.
The property closest to the development (280m) is a Grade II Listed Building (Parham Old Hall) that cannot be fitted with modern sound insulating materials.	Conditions in regards of noise mitigation are proposed to be duplicated from planning permission DC/17/3742/FUL on the new consent.
It is essential that the noise is modified as much as possible and carefully monitored. Condition 13 (DC/ 17/3742) needs to be strictly adhered to.	Conditions in regards of noise mitigation are proposed to be duplicated from planning permission DC/17/3742/FUL on the new consent.
Concern has been expressed that during these winter afternoons/evenings, when the plant is to be running at full power, there will be far less background sound than in the summer months, making noise from the power plant more apparent.	Conditions in regards of noise mitigation are proposed to be duplicated from planning permission DC/17/3742/FUL on the new consent.
The submitted noise report has been independently assessed by Paul Goring BSc MIOA. He states that this assessment shows failure to comply with BS 4142:2014 and highlights omissions in the Pace Consult Ltd Report. It concludes that the Environmental Services Team has not been presented with all relevant facts and, therefore, advises that the Council should obtain independence advice about the noise impact of this proposal.	The Head of Environmental Services has commented on the application and recommended that the conditions from planning permission DC/17/3742/FUL are to be carried over to this application.
A higher fence will reduce the noise impact on the area, but this will have a visual impact on the area. A specialist report on this matter should then be put before the Planning Committee for consideration.	The same height fence is being proposed in this application, which has been granted in the previous planning permission DC/17/3742/FUL.
The planning permission for this industrial development is for a 30-year period. It is therefore important that Planning Officers ensure that any equipment that is replaced during the lifetime of the project, should be fitted with the latest noise	A condition cannot be applied to the application to recommend the applicant to update acoustic fencing when new technology is provided, as this will be an unknown quantity.

Neighbour Comment	Officer Response
reductions technologies. This should be included as a separate Planning Condition.	
That the noise report does not assess the noise impact of the development in accordance with BS 4142:2014 and contains many failings one of the most important being that the essential one-third octave band frequency data for every item of noise emitting equipment is not assessed.	The Head of Environmental Services has commented on the application and recommended that the conditions from application DC/17/3742/FUL are to be carried over to this application.
The submitted noise report claims that there will be no problem generated by the new proposal. Similar claims were made with regard to the consented scheme, however it is stated in the application that the only way that the consented scheme could meet the conditioned noise levels at night time was to operate the site at reduced power.	The Head of Environmental Services has commented on the application and recommended that the conditions from application DC/17/3742/FUL are to be carried over to this application.
There is no cross section across the site to be able to compare the height of the proposed and permitted schemes.	The application has been assessed on the information that has been provided.
The impact of the revised scheme on the landscape and heritage asset should be re-assessed properly and reviewed by an independent expert. Statements by the Applicant to the effect that these are minor changes that have minimal impact should not be taken as read and should be properly tested.	The application has been assessed by the in house Design and Conservation Officer, and Planning Officers from the information that has been submitted, a site visit and in combination with the consideration of the previously consented scheme.
Due to the location of the site it makes it difficult to screen, from important areas including Grade II Listed Parham Old Hall lies 280 m to the northeast of the site and a Public Footpath E-427/001 to the north comes to within 120m of the site boundary.	The same screening and fencing is being provided that has already been granted in planning permission DC/17/3742/FUL.
Due to the prolonged periods of drought currently being experienced in the region, it is hoped that the Council's Landscape Officer will be involved in overseeing the Landscape Management Plan to ensure that the new planting is well managed so that it establishes quickly. Merely replacing dead trees and plants which die during the first five years (Condition 9) is not an effective solution.	Conditions are to be applied to the application in regards of the planting of the scheme. These have already been applied to planning permission DC/17/3742/FUL.
The impact of the revised scheme on the landscape and heritage asset should be re-assessed properly and reviewed by an independent expert. Statements by the Applicant to the effect that these are minor changes that have minimal impact should not be taken as read and should be properly tested.	The application has been assessed on the information that has been provided.

Second Consultation 18th July 2019 – 1st August 2019 – LVIA amendment note

- 4.5. Hacheston Parish Council: no further comments to add to those already submitted for this application
- 4.6. Suffolk County Council – Local Highway Authority: Do not wish to make comments

5. PUBLICITY

- 5.1. The application has been subject of the following advertisement in the press:

Category	Publication date	Expiry	Publication
Ancient monument	6.6.2019	27.06.2019	East Anglian Daily Times

6. SITE NOTICES

- 6.1. The following site notice(s) have been displayed at the site:

Site notice type	Reason	Date posted	Expiry date
General site notice	Ancient monument	31.05.2019	21.06.19

7. PLANNING POLICY

- 7.1. Section S38(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.
- 7.2. National Planning Policy Framework (2019).
- 7.3. National Planning Policy Guidance
- 7.4. EN-1 – Overarching National Policy Statement for Energy
- 7.5. East Suffolk - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013) policies:
- SP1a - Sustainable Development
 - SP7 – Economic Development in Rural Areas
 - SP12 – Climate Change
 - SP144 – Biodiversity and Geodiversity
 - SP15 – Landscape and Townscape
 - SP29 – The Countryside
 - DM21 - Design: Aesthetics
 - DM22 - Design: Function
 - DM23 – Residential Amenity
 - DM27 – Biodiversity and Geodiversity
 - DM28 – Flood Risk

- 7.6. East Suffolk – Suffolk Coastal District Local Plan – Site Allocations and Area Specific Policies Development Plan Document (2017)
- Policy SSP38 – Special Landscape Areas.
- 7.7. The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29 March 2019, with the Examination to take place in August 2019. Full details of the submission to PINS can be found through this link: www.eastsuffolk.gov.uk/localplanexamination . At this stage in the plan making process, the policies that received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2019). The following policies are now considered to have some weight in determining applications; these have been referenced where applicable:
- SCLP3.1 – Strategy for Growth in Suffolk Coastal District
 - SCLP 9.1 – Low Carbon and Renewable Energy
 - SCLP 10.1 – Biodiversity and Geodiversity
 - SCLP 10.3 – Environmental Quality
 - SCLP 10.4 –Landscape Character
 - SCLP 11.1 – Design Quality
 - SCLP 11.3 – Historic Environment
 - SCLP 11.4 – Listed Buildings

8. PLANNING CONSIDERATIONS

Principle of development

- 8.1. The principle of this type of development on this site has already been established through the granting of Planning Permission DC/17/3742/FUL, which is an extant permission until the 6 August 2021. The conditions of this application have not been discharged but there is a realistic timeframe for this to be achieved without prejudice to the consent.
- 8.2. The principle of development is not a matter for debate given the previous consent which can still be implemented. The consideration of this application must relate solely to the changes from the approved scheme and the significance of potential impacts arising from those changes, either positive or negative.
- 8.3. The only change to adopted planning policy since the granting of the previous planning permission is a revision to the NPPF. However, these revisions primarily related to housing matters and have no bearing on the consideration of this application.
- 8.4. The Local Planning Policies of the Local Development Plan considered in the determination of DC/17/3742/FUL remain applicable. In addition to those policies, those within the emerging Local Plan are also now relevant. The emerging policies have been considered by officers but as with the NPPF, do not impact on the acceptability of the application, and cannot be afforded full weight until such time that they are adopted by the Council.

- 8.5. The changes from the previously approved scheme are detailed in paragraph 3.4 above. They can be summarised as follows:
- Change to route of access road through site,
 - Increase in number of inverters by one unit and a change in increase in dimensions,
 - Reduction in the number of transformers by 11 units, (12 units now proposed), with an increase in their dimensions,
 - Substation buildings, change in their use and dimensions, but an overall reduction in the volume of the structures,
 - Control Room, reduction in dimensions,
 - Omission of all B1 Batteries from the site (six units previously proposed),
 - Omission of all B2 Batteries from the site (12 units previously proposed),
 - Increase of 11 units to the Bank A Batteries (19 units now proposed).
- 8.6. There are no changes proposed to:
- The acoustic fence around the perimeter,
 - The welfare building,
 - The main grid transformer and disconnector plant,
 - Planting and screening.
- 8.7. Within the compound there are proposed to be no elements that are to be greater in height than already approved. The tallest element is the main grid transformer and disconnector plant, this is proposed as up to 5.7m in height. However, this has been approved at this height before. The rest of the elements are between 2m to 4.05m in height.
- 8.8. The changes will be considered in turn and cumulatively, through the Planning Considerations Section of this report.

Change to route of access road through site

- 8.9. The proposed road is to run along the internal northern boundary of the site for 9m, then turns south to the centre of the site. This road is directed south of 8m. Then it turns west to the end of the site for 26m.
- 8.10. This is an internal change within the site. To the north of the site is a three metre high fence where the road will not then be visible. It is considered that there will be no impact on the surrounding landscape and visual amenity.
- 8.11. It is considered that there will be no harm to the neighbouring Heritage Asset as this is an internal change that is to be screened by the fence to the north of the site.
- 8.12. Due to the nature of the change there would be no impact on noise and the residential amenity.
- 8.13. This is an internal road and will not impact on the wider highway network.

Increase in number of inverters by one unit and a change in dimensions.

- 8.14. The approved scheme granted permission for 23 inverters measuring 4.61m by 2.1m and 2.32m high, as fitted with manufacturer's baffles. The current application seeks to amend this to 24 Structures with the following dimensions 4.78m by 2.71m width, 3.1m height as fitted with proposed canopy. These are proposed to be distributed throughout the site.
- 8.15. Due to the limited increase in height of 0.1m it is noted the inverters will now be higher than the proposed three meter high acoustic fence to the south of the site, but will not be visible to the fence north of the site which is proposed to be four meters in height.
- 8.16. However, the elements to the south (internally) of the site are to be located 1m away from the boundary, therefore will not be high visible as the increase in height is only 0.1m. Therefore the amended design of the inverters is not considered to have a harmful impact on the surrounding Landscape and visual amenity from public and private vantage points.
- 8.17. It is considered that there would be no adverse impact in regards of noise emanating from these units and conditions are proposed to be applied to the application on this matter as recommended by the Council's Head of Environmental Health.
- 8.18. The changes that are proposed within the proposed compound from the granted permission are not considered to have an impact on biodiversity.
- 8.19. As this is an internal change there would be no impact on the wider highways network.

Reduction in the number of transformers by 11 units, (12 units now proposed), change in their dimension.

- 8.20. The size of the units are proposed to be increased from 2.2m tall x 1.887m wide, x 1.814m deep, to 2.8m tall x 2.8m wide x 2.5m deep. The number of units will decrease substantially by eleven units to twelve units.
- 8.21. The proposed transformers are to be located within the site and next to the access road through the site, they are also to be lower than the approved 3m high acoustic, fence and therefore will not be visible in the wider landscape.
- 8.22. The proposed inverters are to be located within the site and next to the access road through the site. They are also lower than the 3m high acoustic, fence and therefore will not have any detrimental impact on the setting of the heritage asset.
- 8.23. It is considered that there would be no adverse impact in regards of noise emanating from these units and conditions are proposed to be applied to the application on this matter as recommended by the Council's Head of Environmental Health.

8.24. The changes that are proposed within the proposed compound from the granted permission are not considered to have an impact on biodiversity.

8.25. As this is an internal change there would be no impact on the wider highways network.

Substation buildings, change in their use and dimension but, an overall reduction in the volume of the structures.

8.26. The proposed dimension of the substation buildings are proposed to be altered from that which was previously granted planning permission, and their location within the site. The overall volume of the structure is to be reducing to 264.8m³. Also the height of these units is not to be increasing from 3.5m, which has already been permitted in the original application.

8.27. As the height of the units is not to be changing, there would be no greater impact on the landscape/visual amenity, than that which has already been granted through the previous planning permission.

8.28. As the height of the units is not proposed to change, there will be no impact on the historic asset than that which has already been granted through the previous application.

8.29. The proposed transformers and substations are to be located within the site and next to the access road through the site, they would also be lower than the approved 3m high acoustic fence and therefore will not be visible in the wider landscape.

8.30. It is considered that there would be no adverse impact in regards of noise emanating from these units, subject to appropriate mitigation and sound proofing Conditions are proposed to be applied to the application to secure these measures, as recommended by the Council's Head of Environmental Health.

8.31. The changes that are proposed within the proposed compound from the granted permission are not considered to have an impact on biodiversity.

8.32. As this is an internal change there would be no impact on the wider highways network.

Control Room, change in dimensions

8.33. This proposed control room is to change in its dimension from that which was approved (6m long, 3.28m wide by 4.05m high) to 10.2m width, 2.7m length, 2.8m height. It is proposed to be located in the western corner of the site. Previously it was in the east of the site.

8.34. As the height of the control room is to be reduced there would be no greater impact on the landscape/visual amenity that has already been granted through the previous application.

- 8.35. As the height of the control room is being reduced within the site there will be no impact on the historic asset that has already been granted through the previous application.
- 8.36. There would be no adverse impact from the noise than has been granted in the previous application. This has been confirmed by Environmental Protection Officer on the basis of the information that has been submitted.
- 8.37. The changes that are proposed within the proposed compound from the granted permission are not considered to have an impact on biodiversity.
- 8.38. As this is an internal change there would be no impact on the wider highways network

Omission of B1 Batteries from the site (six units previously proposed)

- 8.39. All six structures previously permitted are to be removed from this application. This reduction will remove any harm that would have been caused on the previously permitted scheme.

Omission of B2 Batteries from the site (12 units previously proposed)

- 8.40. All 12 structures previously permitted are to be removed from this application. This will remove any harm that would have been caused by the previously permitted consent.

Increase of 11 units to the Bank A Batteries (19 units now proposed)

- 8.41. The dimensions of the building are not proposed to change via this submission but it is noted that the application does propose an increase in the number of units from 8 to 19. They are to be dispersed throughout the site.
- 8.42. These units are to be 2.9m in height, which is lower than the acoustic fence that is proposed on all of the boundaries. As these would be hidden from views outside the site, there would be no or little harm caused on the surrounding landscape than has been permitted on the previous scheme.
- 8.43. As these units are to be lower in height, than the fence that surrounds the site. Therefore they would not harm the historic asset to the north of the site.
- 8.44. It is considered that there would be no adverse impact in regards of noise, conditions are to be applied to the application on this matter (further details set out later in this report).
- 8.45. The changes that are proposed within the proposed compound from the granted permission are not considered to have an impact on biodiversity.
- 8.46. As this is an internal change there would be no impact on the wider highways network

9. Overall Assessment changes from previously permitted scheme

Landscape Character and Visual Impact

- 9.1. The application lies within the countryside between Hacheston and Parham and forms part of the Ore valley Special Landscape Area (SLA).
- 9.2. The Suffolk County Landscape Character Assessment (LCA) identifies The Site as being situated within the Ancient Estate Claylands (1). Character typology 1 can be found in the eastern areas of Suffolk, with Rivers and tributaries draining in a southerly or easterly direction dissecting the landscape.
- 9.3. Policy SSP38 states that proposals will not be permitted in these areas (SLAs) where it would have a material adverse impact on the qualities of the landscape that makes it special.
- 9.4. In the Landscape and Visual Impact Assessment (LVIA) submitted with the previous application, there was an acknowledged impact upon the landscape, with greatest visual impact experienced from Footpath No 1 from north. The level of impact was considered to be significantly less than that associated with the 2013 solar farm proposal, which affected a significantly larger area with much of the land elevated above that of the application site. This was an accepted impact by the granting of the previous Planning Permission.
- 9.5. A LVIA update has been provided for this application. It states that there are no perceivable changes to the visual impact of the proposal compared to the previous scheme. The internal rearrangement of the site will give rise to a nominal change in landscape impact but to no recognisable effect. Within the document it states:

“The changes may be perceived, however in landscape and visual terms they provide the same character and overall appearance of equipment that formed part of the original scheme, including in how the scheme is viewed from public locations, prior to the establishment of the new planting. Overall, on balance these changes are not considered to give rise to any greater or lesser level of significance of effects than those identified within the original LVIA.”
- 9.6. It has been agreed by the Landscape Manager that this assessment is correct and there would be no adverse impact on the surrounding landscape by the changes that are being made to the granted planning application.
- 9.7. Table 1 is a listed of the changes that are proposed within the compound. One element that has not changed is the proposed acoustic fencing. This is to be three metre tall on the southern and western side and 4m high on the north and east consisting of metal posts, concrete plinth with timber/acoustic boards.
- 9.8. The main impact will be from Footpath No.1 from the north and with the acoustic fencing introducing a strong linear feature four meters tall along the northern side of

the compound and with some plant visible above the fence line. It will take some time for the proposed planting to provide significant mitigation from this view point. There is a 3 – 5m high belt of hedging and trees on the northern side of the compound which will provide screening in the meantime.

- 9.9. Within the compound there are no units proposed those are to be greater in height than already approved in application DC/17/3742/FUL. The tallest element is the main grid transformer and disconnecter plant, this is up to 5.7m in height, but this has been approved this height before. The rest of the elements are between 2m to 4.05m in height.
- 9.10. It was considered before that within the context of the existing substation this new compound with represent and extension and intensification of the existing urban form rather than a standalone feature. There is planting to be provided around the compound, which will soften the appearance as well as providing some benefits to biodiversity through the enhancement of new habitat.
- 9.11. It is considered that with the proposed mitigation that the landscape will be protected, however there can be no case for these proposals enhancing the landscape, and as such it is only possible to say that the development is in broad compliance with Policy SP15 of the Core Strategy and SSP38 of the Site Allocations and Area Specific Policies, as the update to the LIVA states that there would be no additional impact from the development on the surrounding landscape.
- 9.12. As concluded before that there would be some harm to the surrounding landscape and the footpath to the north of the site as this will be an extension into the countryside from an existing development. However, the elements that are being proposed through this application are to be no taller than those previously consented, and in many cases they are to be lower than the acoustic fencing, and fewer structures are now proposed. Therefore, it is considered that the same conclusion as before can be achieved in regards of the impact on the surrounding landscape. This has been confirmed by the Landscape Managers Comments on the current application, that there would be no additional harm than has already been permitted through the previous application.
- 9.13. All of the conditions that were applied to the previous planning permission in respect of planting and landscaping, are proposed to be attached to this permission.
- 9.14. Policy SCLP 10.4 of the Emerging Local Plan indicates that development is to be informed by, and sympathetic to, the special qualities and features as described in the Suffolk Coastal Landscape Character Assessment (2018), the Settlement Sensitivity Assessment (2018), or successor and updated landscape evidence. It then gives criteria to ensure that this is achieved.
- 9.15. This policy is considered to have limited weight as there were comments on the policy received through the Consultation of the Local Plan.

- 9.16. However, it is considered that with the landscaping that is being proposed and the location of the site within a natural depression, the scheme would cause minimal impact on the surrounding landscape.

The effect on the setting of heritage asset(s)

- 9.17. The closest listed building to the site is Parham Old Hall, which is a Grade II listed building, which lies approximately 260m due north-east.
- 9.18. The curtilage of Parham Old Hall which is considered to equate to the garden of the property, is considered to be some distance from the application site (approximately 280 metres) but can still be described as neighbouring. This was identified in the previous application DC/17/3742/FUL, it has not changed from this application.
- 9.19. Parham Old Hall is a manor house in a semi-isolated location between the two settlements of Parham and Hacheston. It was identified in the previous application that there is conjecture that building may have previously been larger and possibly moated.
- 9.20. At the time of the previous application, it was identified that the setting of the Listed Building is the garden of the hall and the wider open agricultural landscape beyond to the north, south and west. This setting is important to the Listed Building. The quality of the landscape setting is recognised by its designation as a Special Landscape Area. The key modern intrusion to this setting is the existing sub-station.
- 9.21. During the consideration of the previous application, the view from an original diamond mullion window to the rear elevation of the Parham Old Hall, was assessed as being of high importance given that there have been views from this window across the rural landscape since the house was built. This is considered to be important as it is part of the occupiers of the building's experience of the rural setting. The landscape setting is assessed as contributing to the special interest of the building.
- 9.22. The public footpath which runs immediately to the north of the Hall provides wide ranging views of the Hall in its landscape setting and the sub-station site will have a clear visual impact within the views of the Old Hall from this path. The proposals are held to be alien and industrial in appearance which in conjunction with the existing substation would cumulatively interrupt the established rural setting.
- 9.23. In assessing the potential harm, the previous application identified the following as being the key heritage values, which included 'historical value, in respect of the concealment of the historic use of the land at the application site; the aesthetic value of the organic form of the rural landscape and the relationship of the traditional building to it and the illustrative historical value of the Hall in respect of views from the Hall and the occupiers visual experience of its setting'.
- 9.24. The assessment of the previous application concluded that the proposals would cause less than substantial harm to Parham Old Hall, under paragraph 196 of the NPPF (2019). This harm will be moderately high in magnitude. This less than substantial harm will

need to be given great weight by the decision maker and balanced against any public benefits accruing from the development, which are considered later in this report.

- 9.25. As this application is almost identical to the granted application, it is also concluded that there would be less than substantial harm caused to Parham Old Hall, under paragraph 196 of the NPPF (2019). The same conclusion on the magnitude of harm is also identified as above. As less than substantial harm has been identified, the decision maker will need to weigh this against any public benefits accruing from the development, which are considered later in this report.
- 9.26. There are other nearby Historic Assets that were ruled out of being impacted on by this proposal, during the previous application which were the following:
- The Grade II* Moat Hall – it was considered to be too remote and lacking in indivisibility with the site to warrant consideration.
 - Abbey Farmhouse – it was considered that the previous proposals would have no discernible impact on the setting of Abbey Farmhouse given the degree of separation, the topography and orientation of the historic building in relation to the site as well as the extensive screen planting between the house and the Easton Road.
- 9.27. These are considered to still being ruled out of being negatively impacted on by this proposal, for the reasons outlined above.
- 9.28. The Planning (Listed Building & Conservation Areas) Act 1990, Policies SP1 and DM21 of the Core Strategy all refer to the need to ensure that development would not impact on the historic setting of the adjacent listed building of the surrounding landscape.
- 9.29. There are changes to the height of the units that are being proposed through this application. However, the units proposed to be no taller than the acoustic fencing and as there are less elements proposed, it is considered that the same conclusion as before can be achieved in regards of the harm on the setting of the Listed Buildings.
- 9.30. The assessment of the previous application concluded that the proposals would result in less than substantial harm to Parham Old Hall, under paragraph 196 of the NPPF (2019). A similar conclusion is also reached in terms of this application. The proposals would result in less than substantial harm to the setting of Parham Old Hall.
- 9.31. Therefore the public benefit is to be considered through the development, and if this would overcome the less than substantial harm that would be caused on the setting of the Listed Building.
- 9.32. Due to the nature of the development for the creation of battery storage, this is considered to be of some public benefit. This was the same conclusion in the previous application, which has not changed in this application and the principle of the application has not changed.

9.33. In terms of the consideration of emerging Local Plan Policies:

- Policy SCLP 11.3 of the Emerging Local Plan refers to the need to conserve and enhance the historic environment and to ensure that where possible development makes a positive contribution to the historic environment.
- Policy SCLP 11.1 of the Emerging Local Plan states that development should have a clear understanding of the historic character of the area.
- Policy SCLP 11.4 of the Emerging Local Plan gives criteria for developments to achieve where there is impact on the setting of a listed building.

9.34. All of the above Policies are considered to have limited weight as there was comment on them during the consultation of the Local Plan. However, for the reasons laid out previously in this report, it is considered that the current proposal accords with the emerging planning policies.

9.35. As stated above, it is concluded that that is the scheme would result in less than substantial harm to the setting of the listed building. However, the scheme would result in public benefits arising from the storage of energy. The alterations from the previously consented scheme would be behind an acoustic fence and therefore would be any more visible from/within the setting of the listed building than that which has already been granted through planning permission DC/17/3742/FUL. The proposal is considered to be in accordance with the above adopted and emerging planning policies, and the Listed Buildings and Conservation Areas Act.

Noise

9.36. The NPPF (2019) advises in paragraph 180 that planning decision should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and seek to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise.

9.37. The new application states in the Design and Access Statement:

“The theoretical maximum noise impact is actually reduced, and no longer relies on operational restrictions, though these continue to be available if necessary. There is no other adverse impact from the amendments.

A revised noise assessment is supplied (revision H) based on the new layout and noise parameters for the proposed equipment. This demonstrates the site will meet the requirements of the noise planning condition.”

9.38. The updated noise assessment submitted with the current application reflects the machinery and equipment that is now proposed to be located within the site area. It has been confirmed by the Council’s Head of Environmental Health Services, that there is no

objection to the application in terms of potential noise and disturbance impacts, subject to conditions being applied to the proposal. These are included in the recommendation.

9.39. Policy DM23 of the Core Strategy and paragraph 180 of the NPPF seeks to safeguard the amenity of the neighbouring residential properties, from adverse impacts arising from noise and disturbance. Through the submitted noise assessment and the comments from the Head of Environmental Health Services, it has been confirmed that the proposal will have minimal impact on the amenity of the neighbouring properties in regards of noise, and disturbance. Officers are therefore satisfied that subject to the recommended conditions, the scheme is acceptable in terms of residential amenity implications arising from noise and disturbance.

9.40. The following emerging planning policies are also relevant to the consideration of potential impacts upon residential amenity:

- Policy SCLP 11.2 of the Emerging Local Plan refers to the need to reduce the impact on the amenity of the neighbouring amenities in regards of different criteria, noise is located within the list of criteria.
- Policy SCLP 10.3 of the Emerging Local Plan ensures that development will consider their relationship on Noise Pollution.

9.41. Both of the above Policies are considered to have limited weight as there was comment on them during the consultation of the Local Plan.

9.42. Due to the information that has been received through the application and the comments from the Head of Environmental Health Services, it is considered that the mitigation measures that are proposed and the conditions that are recommended will ensure that there is minimal harm and that the scheme is acceptable in terms of material planning considerations relating to residential amenity.

Biodiversity

9.43. The site is not an area of ecological significance, although it lies within an area which supports UK Priority species. There is a woodland County Wildlife Site (CWS) some 500m west.

9.44. The site is currently recently planted grassland of low ecological significance and the proposed planting of trees and hedging around the development will result in some increase to the biodiversity value of the site.

9.45. Potential impacts are disturbance to breeding birds during construction phase and lighting during operational phase, but suitable mitigation has been proposed, including use of external lighting only when it is needed, and directing it away from the existing hedgerow. This mitigation would reduce the impacts of the development proposals upon the habitats and species present, with the submitted ecological report suggesting an overall Neutral impact.

- 9.46. A number of ecological enhancements have also been proposed, which would improve the quality of the site for native flora and fauna. These measures include vegetation management within the facility. Delivery of these enhancements would lead to an overall Neutral-Minor Beneficial Impact.
- 9.47. It has been confirmed by the Council's Ecologist that there the proposed development would likely not to result in any adverse ecological impacts beyond these that have already been assessed as part of the previous application. This is as the amendments proposed appear to be contained within inside the consented compound area.
- 9.48. Policy DM27 seeks to safeguard biodiversity. As there is considered to be no change from the previous application on this matter it is considered that there would be no conflict with this Policy.
- 9.49. Emerging Policy SCLP 10.1 of the Emerging Local Plan is also seeks to safeguard biodiversity. This policy is considered to have limited weight as there where comments on it through the consultation of the application. However, the current proposal is considered to comply with its aims and objectives.

The environmental, social and/or economic benefits of the scheme

- 9.50. Within the considerations for the previous application, it was stated that the NPPF and the Core Strategy support developments for developments relating to climate change and renewable energy projects. The policies in the updated NPPF and emerging Local Plan re-iterate such support.
- 9.51. Whilst the proposal is not for energy generation, it is accepted that it will support these aspirations through storing energy for release when it is needed, providing increased flexibility to the network and supporting the transition to low carbon and renewable energy. The benefits of Battery Energy Storage Systems have been accepted on a number of sites nationally with a number of examples sited by the applicants. This type of development on this site has been supported previously through the granting of a Planning Permission, which remains extant. The current application seeks changes from the approved scheme, solely within the previously permitted site. Therefore the principle of such a form of development established.
- 9.52. The previously consented scheme has relatively short-run duration batteries, principally suited to frequency regulation. This current application is proposing to extend the battery storage capacity to allow the site to engage in energy arbitrage as well as frequency regulation. This assists in the growth of renewables by providing a storage facility for surplus renewable generation, which is later released for peak demand. The most obvious example is the PV peak generation, which occurs in the middle of the day, and at a time of low demand, while peak demand occurs just after sunset.
- 9.53. The applicant has explained that the changes are sought in order to align with an increase in battery capacity, maximising site safety, and due to work on the detailed engineering and UKPN connection requirements. In addition, the availability of

equipment and advancing technical construction requirements has led to minor amendments to ensure components are efficient and fit for purpose.

- 9.54. The proposal is in compliance with Policy SP1. The proposal will avoid disruptions to the supply of electricity and will enable power to be kept in reserve until required to enable more renewable energy generators to come online thereby benefitting the UK's transition towards low carbon energy generation; this will help to mitigate against and adapt to the effects of climate change (SP1(a)). The approved proposal and the current proposal would both ensure the provision of appropriate infrastructure to support existing and proposed communities (d) and will enable a healthy economy (h). The contained nature of the site and the proposed screen planting will limit impact upon the landscape character of the SLA and the setting of Parham Old Hall, such that landscape and heritage assets are conserved.
- 9.55. Therefore it is concluded that there is no change from the previous application in regards of the benefit of the scheme.
- 9.56. Emerging Policy SCLP3.1 of the emerging Local Plan will seek to ensure that there is sustainable development and there is a provision of infrastructure needed to support growth, whilst protecting and enhancing the quality of the historic, built and natural environment across the District.
- 9.57. Emerging Policy SCLP 9.1 refers to the development of Low Carbon and Renewable Energy projects. The criteria within the Policy are:
- 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;*
 - c) *They provide benefits to the surrounding community; and*
 - d) *They are complementary to the existing environment without causing any significant adverse impacts, particularly relating to the residential amenity, landscape and visual impact, transport, flora and fauna, noise and air quality, unless those impacts can be appropriately mitigated."*
- 9.58. It is considered that this application will support the development of Low Carbon and Renewable Energy projects and will support sustainable development as it will not impact on the quality of the historic, built and natural environment across the District. Therefore this application is in conformity with the above emerging policies

Highways

- 9.59. It has been confirmed by the County Council Highways Officers that the changes from the previously consented scheme would not significantly impact upon the highway.

10. CONCLUSION

- 10.1. Due to the nature of the development for the creation of battery storage, which is also to improve the capacity and technology that has already been permitted on the site

there is considered to be a public benefit. This was the same conclusion in the previous application. The proposed changes to the physical structures between the two outcomes due not remove this public benefit.

- 10.2. As concluded on the previous application, there would be some harm to the surrounding landscape, including in views from the footpath to the north of the site, as this proposal would be an extension into the countryside. However, the changes currently proposed would be no taller than the previously consented acoustic fencing, and fewer structures are now proposed. Therefore it is considered that there would be no greater impact upon the Special Landscape Area (SLA) or wider visual amenity considerations. This has been confirmed in the LVIA update.
- 10.3. There is concluded to be less than substantial harm e caused to the setting of a heritage asset (Parham Old Hall). However, as the proposed changes to the physical structures would be behind an acoustic fence they would not significantly more visible from/within the setting of the listed building, than that which has already been granted Planning Permission through DC/17/3742/FUL. Therefore the scheme accords with the requirements of the NPPF and the Listed Buildings and Conservation Areas Act.
- 10.4. A number of ecological enhancements have been proposed, which would improve the quality of the site for native flora and fauna, including vegetation management within the facility. Delivery of these enhancements would lead to an overall Neutral-Minor Beneficial impact. These should be conditioned as per the previous consent.
- 10.5. It has been confirmed the County Council Highways Authority that the changes would not significantly impact upon the highway. Planning Officers are also satisfied with this assessment.
- 10.6. Therefore overall, the revisions from the previously consented scheme are considered to be acceptable, subject to the implementation of the mitigation measures specified within the application and subject to appropriate conditions.

11. RECOMMENDATION

- 11.1. APPROVE subject to the following conditions (the prior to commencement conditions where agreed on the 31 July 2019):

1. The development hereby permitted shall be begun within a period of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing WM1004BS, PLANNING PLAN, 01WICK-EDA-EGN-400, 01WIC-NOR-Planning_elevation, Eds 07-0102.25 A, DNOCTBL-140227-r00, Parham, Woodbridge, Power Plant: Environmental noise assessment, Planning Statement

received 16th May 2019 and 01WICK-EDA-EGN-300 and 01WICK-EDA-EGN-300 received 17th May 2019. Drawing WICK-NOR-Blocklayout-006 and WICK-NOR-Siteplan-006 received 24th May 2019 and LANDSCAPE AND VISUAL IMPACT TECHNICAL ADDENDUM NOTE received 16th July 2019

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The planning permission hereby granted is for a period of 30 years from the date of the first use of the site for the storage of and/or export of electricity after which the development hereby permitted shall be removed. Written notification of the first use of the site shall be given to the local planning authority no later than 21 days after the event.

Reason: To ensure that the impact of the development exists only for the lifetime of the development.

4. Not less than 12 months before the expiry of this permission, a Decommissioning Method Statement (DMS) shall be submitted to and approved in writing by the local planning authority. The DMS shall include details of the removal of all plant and equipment, fencing, hardstanding and buildings from the site and a timetable. The DMS shall also include details of the proposed restoration. The site shall be decommissioned, buildings, plant, hardstanding and fencing removed and restoration completed in accordance with the approved DMS and timetable.

Reason: To ensure that the impact of the development exists only for the lifetime of the development and in the interests of the amenity of the area.

5. If the development hereby permitted ceases to import or export electricity to the grid for a continuous period of 6 months, then a scheme of restoration shall be submitted to the local planning authority for its written approval for the removal of the plant and associated equipment, fencing and hardstanding and the restoration of the site to agricultural use. The approved scheme of restoration shall be fully implemented within 6 months of the date of its written approval by the local planning authority.

Reason: To ensure that the landscape impact of the development exists only for the lifetime of the development.

6. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. Thereafter the construction of the development shall be carried out in accordance with the approved CMS. The CMS shall include:
 - a) Details of a temporary site compound including temporary structures/buildings, fencing, parking and storage provision to be used in connection with the construction of the development;
 - b) Dust Management and cleaning of vehicle wheels;

- c) Pollution control measures in respect of Water courses and ground water; bunding and storage areas; foul sewerage and construction noise mitigation measures.
- d) Temporary site illumination during the construction period;
- e) Details of HGV movements/deliveries;
- f) Details of surface treatments and the construction of any hard surfaces and tracks;
- g) A Site Construction Environmental Management Plan to include details of measures to be taken during construction period to protect wildlife and habitats including nesting birds;
- h) Details of how any construction compound and associated works will be reinstated, including timetable for completion of post construction restoration works.

Reason: To protect amenities of the area during construction process.

- 7. Development shall not commence until an ecological management and mitigation scheme (EMMS) for the site is submitted to and approved by the local planning authority. This shall include details of enhancement measures proposed encompassing but not limited to the recommendations contained within the ecological appraisal dated March 2017.

Reason: To preserve and enhance the biodiversity of the site and its surrounds.

- 8. No development shall commence until precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks and other operations as appropriate) at a scale not less than 1:200 have been submitted to and approved in writing by the local planning authority.

Reasons: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

- 9. Development shall not commence until a landscape management plan (LMP) for the site is submitted to and approved by the local planning authority. The LMP shall include all planting proposals and mitigation measures. The planting shall be completed in the first planting season following commencement of the development, unless otherwise agreed in writing by the local planning authority. Any trees or plants which die during the first five years shall be replaced by plants of the same species during the next planting season.

Thereafter the LMP shall be retained and planting maintained for the period the power plant is operational.

Reason: To ensure screening planting is put in place and maintained.

10. Operational noise levels shall not exceed background noise levels at any nearby noise sensitive properties. Background noise levels shall be measured without any operational noise emanating from the site.

Reason: In the interests of the amenity of residents of surrounding property.

11. No development shall take place until details of the acoustic performance of the acoustic fencing has been provided to and approved by the local planning authority. The approved fence shall be installed before the site is operational and shall be retained and maintained for the period the development is operational.

Reason: In the interests of amenity.

12. No work shall commence on the elements of the proposed development listed below, until precise details/detailed drawings of those matters have been submitted to and approved by the Local Planning Authority. Thereafter, these elements shall only be constructed in accordance with the approved details:
 - i. proposed finish of acoustic fencing;
 - ii. siting and specification of CCTV cameras, including any support posts;
 - iii. siting and specification of exterior lighting, including and support posts.

Reason: In the interests of amenity and the character of the SLA.

13. Prior to the commencement of development, details shall be provided to the local planning authority of a UK based nominated representative for the development to act as a point of contact for local residents, together with the arrangements for notifying and approving any subsequent change in the nominated representative. The nominated representative shall have responsibility for liaison with local residents and the local planning authority and dealing with any noise complaints made during construction, operation and decommissioning of the development.

Reason: In the interests of local amenity.

14. No diesel generators shall be installed at the site.

Reason: In the interests of amenity and for the avoidance of doubt as to what has been considered and approved.

BACKGROUND See application reference(s): C/12/1899, DC17/1407/FUL and
INFORMATION DC/17/3742/FU

Appendix 1

Committee Meeting minutes of application DC/17/3742/FUL

HACHESTON – DC/17/3742/FUL – Application for fast response embedded power plant at Land West of Electricity Sub Station, The Street, Hacheston, IP13 9ND for Mr Nicolas Martin, Aton Energy Development Ltd.

Planning permission was sought for a fast response embedded power plant to be sited adjacent to an existing substation in the countryside between Hacheston and Parham. It was noted that the application had been the subject of a Members site visit.

It was proposed that the site would consist of a number of buildings and plant, within a secure compound surrounded by acoustic fencing. Landscaping was proposed around the southern, western and northern sides of the compound to screen the proposals.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer.

It was noted that the site was within a Special Landscape Area (SLA).

Descriptions of the plant and buildings were given. The Area Planning and Enforcement Officer confirmed that some of the plant would protrude in view above the acoustic fencing. An access track to farmland on the eastern side of the compound was proposed.

The Area Planning and Enforcement Officer referred the Committee to a site visit it had undertaken in relation to the application.

The key issues were outlined to the Committee.

Following two separate screening opinions undertaken by the Authority, an Environmental Impact Assessment (EIA) was deemed unnecessary for the site.

The impact on Parham Old Hall was considered to be of a lower magnitude. The impact of the development on the SLA was a significant consideration; the advice from the Arboriculture and Landscape Manager was that the mitigation proposed by the applicant was satisfactory.

Environmental Health had been consulted regarding possible noise pollution and their response had been that there would not be a significant impact on the amenity of local residents.

The Committee was advised that several important species were located within the area; a Barn Owl nested approximately 200 metres from the proposed site. The advice received from Suffolk County Council was that the development was acceptable in ecological terms.

Officers considered that the proposal provided sufficient public benefit to justify the less than substantial harm that would be caused to Parham Old Hall.

The recommendation to approve, as set out in the report, was highlighted to the Committee.

The Chairman invited questions to the officer.

A member of the Committee asked for clarity on what sort of plant was being proposed for the site. The Planning Development Manager confirmed that no diesel generators were being suggested for the proposal. He asked the Area Planning and Enforcement Officer to recap for the Committee, the types of plant that were being proposed.

The planting proposed to provide screening of the site was queried by another member of the Committee; she asked what mitigation was in place for the winter months and was advised that the planting would be a mixture of deciduous and evergreen planting.

The Member asked a supplementary question regarding the effectiveness of the planting, as it would take time to grow. The Area Planning and Enforcement Officer said that the applicant was proposing to put in semi-mature planting and acknowledged that this was a point of contention between the applicant and the objectors, who believed this would not provide effective mitigation.

The level of noise that would emanate from the site was a particular worry for a member of the Committee, and he asked what the level of the noise was expected to be. The Planning Development Manager invited the Environmental Health Officer, who was in attendance, to answer the Member's question.

The Environmental Health Officer acknowledged that there had been noise issues with the existing sub-station, which had been resolved. The noise from the sub-station was now taken into account when background levels of noise had been measured. He explained to the Committee that the proposal had originally contained noisier generators, for which the acoustic fencing had been provided. The generators had since been removed from the proposal but the mitigation through the fencing had remained unchanged. He considered that with the removal of the generators, the bulk of potential noise had been removed and left a reduced noise source with the same level of acoustic mitigation.

He was of the opinion that the site would cause only a minimal increase in background noise, as the peak use of the site would be limited to between 4pm and 8pm in the winter months, when the batteries were charged. He added that he did not feel there would be any noise from site that would be audible at residential properties, based on the information supplied by the applicant.

Following questions regarding the level of representations received regarding the application, it was acknowledged that several late representations were contained within the update sheet, which had been distributed at the meeting. The Chairman gave the Committee the opportunity to read the update sheet in detail before continuing their questions.

The Chairman referred to paragraph 1.6 of the report, regarding the previous application in 2013 for a solar park on the site. She asked how the current application differed from this.

The Planning Development Manager advised that the solar park application had been a more expansive proposal, covering a larger area than that proposed in the current application. It had been considered that the solar park would have been detrimental to the setting of Parham Old Hall within its manorial setting, and that the current application with its smaller coverage, more densely developed, did not cause the same level of harm.

A member of the Committee referred to a late representation which had stated that the Overarching National Policy Statement for Energy (EN-1) was relied on heavily by the application, but that the proposal was not a major energy infrastructure or a significant infrastructure project. He asked if officers concurred with that view.

The Planning Development Manager said that advice from counsel had been that EN-1 could be applied to a smaller scheme such as the one before the Committee, but its weight would be proportional on a case by case basis.

He noted that although the application did not fully comply with some policies in the Council's Local Plan, it was broadly compliant with the plan itself. He said that officers had considered this and that these policies should carry the greatest weight when the Committee determined the application. As the proposal was not a large scale project, EN-1 only had limited weight when determining the application.

It was noted that Mr Thomas of Noriker Power Ltd, agent for the applicant, was present at the meeting, however had not registered to speak and had arrived after the meeting had started.

Following discussion with Mr Thomas, the Chairman advised all present of the Code of Good Practice in Planning, which was part of the Council's Constitution, which stated that anyone arriving after the meeting had begun was not in a position to insist upon speaking on an item.

The Chairman invited Mr Robinson, an objector, to address the Committee.

Mr Robinson explained to the Committee that he was representing the residents that had objected to the application. He said that residents trusted that Members had noted the numerous objections that had been made between October 2017 and July 2018. Mr Robinson advised that residents considered that the officer report had been manipulated in order to produce the desired recommendation. He said that the report was flawed and misdirected Members, and the Committee would be erring in law if it followed the report's recommendations.

He was of the opinion that the report ignored expert evidence on landscaping and that its conclusions regarding Parham Old Hall had been the result of "shopping around". He suggested that an external expert had been appointed by the Council to overrule its own officers.

Mr Robinson added that there were concerns about the applicant's ability to mitigate noise concerns and was concerned about the lack of an EIA.

He stated that an industrial development, such as the one proposed, did not belong in such an environment. He considered that UK Power Networks had not deemed the site essential or necessary and that the applicant did not have any power contracts secured.

Mr Robinson considered that the report was insufficient and that officers should not be accepting all the applicant was telling them. He urged the Committee to refuse the proposal and preserve the area, resisting its industrialisation.

The Chairman invited questions to Mr Robinson.

A member of Committee expressed significant concern about the accusation that officers had not provided the proper information in the report.

The Planning Development Manager advised that counsel's advice had been sought throughout the application and that counsel had always been supplied with the views of Hacheston residents, as recently as 18 July 2018 when the late representations were provided.

He said that the officers involved with the application had taken a robust and proper approach to it, and was clear that officers had not been pre-determined on the application and that the report had not been manipulated to produce an outcome favourable to the applicant.

In response to a question, Mr Robinson said that he understood that noise from the site would come from the transformers, inverters and cooling fans. He considered that the acoustic barrier would not be sufficient.

Mr Robinson confirmed that residents' biggest concern was the impact of noise from the site and that they did not feel the benefits of the site outweighed the harm that it would cause.
Councillor Cooper left the Conference Room at 10:36am.

The Chairman invited Mr Revill, representing Hacheston Parish Council, to address the Committee.

Mr Revill advised the Committee that Hacheston Parish Council objected to the application and also supported the residents' group opposing it. He said that the public meetings and numerous representations in objection to the application showed that the development was not wanted in the village.

He described Hacheston as a small village and a special place, having a quality of life that was difficult to find in the country. The village was in a Special Landscape Area which Mr Revill said that the Council was pledged to protect and enhance.

Mr Revill was of the opinion that Hacheston was not the place for the proposed development; residents did not see a need for it to be in the village and considered it would not be of public benefit. He said that the applicant had claimed that the site was an essential one, but that there needed to be a second opinion of it from an independent consultant.

He stated that if built, the site would be the biggest structure in the village and would be opposite Parham Old Hall. He described the village as being quiet and advised that the hum of industrial machinery would be intrusive to residents.

Mr Revill concluded by saying that if the Committee was minded to approve the application, stringent conditions needed to be in place over the life of the scheme. However, he urged the Committee to refuse the proposal.

Councillor Cooper returned to the Conference Room at 10:38am.

The Chairman invited questions to Mr Revill.

A member of the Committee noted that Mr Revill had made reference to Hacheston residents not wanting an industrial plant in the village; he queried with Mr Revill what the feelings were in the village regarding the existing sub-station.

Mr Revill stated that noise from the sub-station had caused problems for residents in the past. He did not feel it was appropriate for the sub-station to be in the village but acknowledged that it was accepted at the time.

The Chairman invited Councillor Poulter, Ward Member for Hacheston, to address the Committee.

Councillor Poulter cited her experience of being a member of a Planning Committee and acknowledged that when objecting to a planning proposal, proper planning criteria needed to be applied. She considered that the residents of Hacheston had done so and highlighted that they had been “fighting” against the application for the last two years.

She questioned the applicant’s view that the site was essential, stating that it was in the middle of a rural area and was opposite the entrance of a thriving rural business. Councillor Poulter was not convinced that there was not a more suitable site in the area.

Councillor Poulter was also concerned about the potentially unacceptable level of noise from the site and its impact on the residents of Hacheston.

It was considered by Councillor Poulter that if the site was approved and built, there would be no going back from it. She hoped that the Committee did not support the proposal, but echoed Mr Revill’s statement regarding strong conditions if it was minded to approve.

There being no questions to Councillor Poulter, the Chairman adjourned the meeting for a short break at 10:48am. The meeting was reconvened at 11:05am.

The Chairman stated that prior to debate, the Committee would be given the opportunity to ask questions specific to the different matters for consideration, which had been identified by the Area Planning and Enforcement Officer.

The Chairman invited the Committee to ask questions specific to the landscape impact of the application.

Members of the Committee expressed concern that the site could be split across two levels, as was the case for the existing sub-station. The Area and Planning Enforcement Officer directed Members to Mr Thomas, agent for the applicant, who advised that the site would have a slope to it, but would not be split across two distinct levels.

It was confirmed by the Area Planning and Enforcement Officer that issues around the location of proposed planting, raised by Suffolk County Council Landscape in their comments contained in paragraph 3.5 of the report, had been addressed.

A member of the Committee referred to the Planning Inspector’s comments on the application for a solar park on the site, regarding maintenance planting not being guaranteed for the life of

the site, and was of the opinion that there was a similar lack of guarantee with the application before the Committee.

The Planning Development Manager referred the Committee to the conditions contained within the report's recommendation. He considered that they were enforceable, reasonable and would deliver a scheme of landscaping that would mitigate the development.

In response to a question regarding light spillage from the site, and its impact on the landscape, the Committee was advised by the Area Planning and Enforcement Officer that no lighting towers were contained within the design. Mr Thomas added that lighting would be positioned below the top level of the acoustic barrier, would be focused downwards and only be used for limited periods, such as night work and in the event of a security alarm being triggered.

Another member of the Committee asked who would be responsible for decommissioning the site at the end of its life, should the original applicant not be running it at that point. The Planning Development Manager advised that conditions related to decommissioning could be satisfied under a Section 106 agreement. He confirmed that legal advice would be taken and that a bond could be obtained and enacted under reasonable control.

The Chairman invited the Committee to ask questions specific to the impact of the application on neighbouring Heritage Assets.

A member of the Committee suggested the impact on Heritage Assets was linked with landscaping issues. The Planning Development Manager clarified the different context and advised the Committee that it needed to consider the impact on Heritage Assets as a separate issue.

There being no questions on the impact on Heritage Assets, the Chairman invited the Committee to ask questions specific to the impact that noise from the site would have on the surrounding area.

A member of the Committee referred to representations contained within the update sheet circulated at the meeting, in particular comments regarding out of date noise surveys and failure of equipment during surveys.

The Environmental Health Officer confirmed that a second survey was not undertaken as the noise impact was reduced from what was originally proposed by the application. Readings of background noise levels in the area had been satisfactory and had corresponded with readings from other areas in the District.

He advised the Committee that it was not uncommon for noise equipment to fail during surveys. More readings than required had been submitted, and there had been minimal difference between the two readings.

Members of the Committee sought clarification around the definition of background noise levels, and the condition in the recommendation that noise from the site should not be above said levels. Members asked if there was a numerical value to the levels in the area, how the levels may vary and how the site would be monitored to ensure it met the proposed condition.

The Environmental Health Officer explained to the Committee that background noise level was a particular type of measurement, based over noise heard 90% of the time. He noted that background noise levels varied within a specific area and were also dependent on other factors such as the time of day.

He stated that it was unusual for background noise levels to be exceeded in cases such as the one before the Committee, and this had formed the basis of the recommended condition. The applicant had also advised that they would be able to meet the condition.

In relation to a question from a member of the Committee regarding a need for a numerical value for the background noise levels, the Environmental Health Officer advised that a specific level was not mentioned and that the levels related more to audibility. He considered that noise from the site would be barely audible compared to the existing levels of background noise in the area.

Monitoring of the proposed condition would be via any complaints received, which would trigger an officer visiting the site of a period of time to check the levels and determine any breach of the condition.

It was confirmed to the Committee by Mr Thomas that the principal source of noise would be cooling fans attached to the battery pack. For context, he described them as sounding similar to a cooling fan on a car. The Environmental Health Officer advised that each battery pack had a cooling fan, and all fans would be contained by the acoustic barrier.

In response to a question from a member of the Committee, the Environmental Health Officer confirmed that noise levels from the site would fluctuate depending on the work undertaken in the site. Noise levels would be higher when the batteries were charging. Mr Thomas stated that the cooling fans would only operate as needed; the site would be operating at 7% capacity for much of the time and would be operating at its peak during winter evenings between 4pm and 8pm. Mr Thomas explained that even at this time, it would not be the case that all the cooling fans were operating at once.

Another member of the Committee asked if the proposed conditions related to operational noise levels and noted that it was a particularly stringent condition. The Environmental Health Officer confirmed that the condition did relate to operational levels of noise.

The Chairman invited the Committee to ask questions specific to the ecological impact of the application.

There being no questions on ecological impact, the Chairman invited the Committee to ask questions specific to the environmental, social and/or economic benefits of the application.

In response to questions from Members, Mr Thomas advised that the proposed site was one of several hundred across the United Kingdom in order to support renewable growth and encourage the use of electric vehicles via increasing the National Grid's capacity for charging vehicles. Plants such as the one proposed, would reduce the use of fossil fuel based power generation and were described as being of benefit to Suffolk Coastal and the wider region.

Mr Thomas confirmed that other sites had been considered, however alternative suitable sites had not been identified. He explained that the proposed site needed to be connected to the main grid in order to supply additional capacity in an effective fashion.

The Planning Development Manager reiterated that the application was, in the view of officers, compliant with the Local Plan as a whole. He said that potential harm needed to be weighed against the benefits such a site and acknowledged the differing views of officers and objectors.

It was explained to the Committee by Mr Thomas that the applicant had previously held two contracts for power generation, but had been forced to return one and move another to a different site, due to not being able to build as planned. When asked by the Chairman if the applicant intended to build without a contract, Mr Thomas said it was the applicant's intention to secure contracts before making the final decision to build.

A member of the Committee asked if officers agreed that the large amount of future renewable energy supplies planned for the District needed to be taken into account.

The Planning Development Manager acknowledged the importance of future planning, but reminded the Committee that they had an application before them than needed to be determined based on the current situation and that limited weight should be applied to future planning.

The Chairman invited the Committee to debate the proposal.

A member of the Committee noted that the impact of noise had dominated the application. She stated that on the site visit a fan from the local farm shop was audible and acknowledged there was already a certain amount of background noise in Hacheston. She considered that the Committee had been assured that any noise from the site would not exceed background noise levels.

Members of the Committee debated the impact of the development on the matters for consideration that had been identified by the Area Planning and Enforcement Officer.

It was highlighted by several Members that the benefit of the site would outweigh the limited harm caused to the landscape and heritage assets, and acknowledged that sites such as that proposed were required in order to work towards more renewable energy solutions, despite the less than ideal proposed location for the site.

Other members of the Committee remained concerned about the impact of noise on the amenity of local residents and its impact on the wider landscape. One Member was extremely concerned about the level of industrial development in the countryside and stated that he would not be supporting the application, as the site would ruin the enjoyment of the area.

Another member of the Committee noted that the Port of Felixstowe existed 'cheeky by jowl' with two successful nature reserves. He remained concerned about the impact of noise and wanted to see the concerns resolved.

A member of the Committee remained concerned about the application and expressed a view that the impact on the District's leisure offer should be taken into consideration, as well as the

visual impact on Parham Old Hall. He considered that alternative sites might not have been explored as thoroughly as possible.

The location of the site was questioned by another member of the Committee, who felt that with other renewable energy entrance points within the District, a more suitable site was available. She was also concerned about the impact of noise on residential amenity, particularly when residents were outdoors. She also recognised the need for sites such as the one suggested. She was unsure on how she would vote.

Another member of the Committee said she could see both sides of the argument; she had grave concerns about the impact on the landscape and was not confident that the landscape mitigation proposed was sufficient. She considered the benefit the site would have in terms of safeguarding power, particularly when weighed against ongoing residential and business development.

The Chairman acknowledged the heightened emotion surrounding the application, but was clear that a decision needed to be reached that was based on planning policy and that the application was given due consideration. She stated that she was disappointed to have heard more on the impact on heritage assets nearby. She was of the opinion that the application was being strongly conditioned and would be voting in favour of the application.

The Chairman moved to the recommendation, as set out in the report, which was proposed, seconded and determined as follows:

DETERMINATION

APPROVED subject to the following conditions:

1. Standard time limit
2. Plans/drawings considered/approved, including specifying no diesel generators to be on the site.
3. Permission is granted for 30 year period after which development is to be removed.
4. Decommissioning method statement
5. Removal/restoration if not used for import/export of electricity for period of 6 months, usage to be monitored.
6. Construction method Statement including hours, HGV movements
7. Ecological mitigation and enhancement
8. Submission of a detailed landscaping scheme
9. Landscape management plan
10. Operational noise levels not to exceed background levels
11. Colour of acoustic fence and maintenance and details of its acoustic performance
12. Lighting and CCTV
13. Detail of nominated representative for contact by local residents, with consideration to also be given to regular meetings between the site operator and local residents.