

Committee Report

Item No: 7B

Reference: DC/22/04021

Case Officer: Bron Curtis

Ward: Palgrave.

Ward Member/s: Cllr David Burn.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Construction and operation of Synchronous Condensers with ancillary infrastructure, and associated works including access and landscaping.

Location

Land At The Leys And Ivy Farm, Mellis Road, Yaxley, Suffolk IP21 4BT

Expiry Date: 20/01/2023

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - All Other

Applicant: Conrad Energy Ltd

Agent: Miss Emily Clarke

Parish: Yaxley

Site Area: 5.10ha

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: Yes (Reference DC/22/01844)

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

In accordance with the Mid Suffolk scheme of delegation as the proposal is for a renewable energy associated development as defined by government guidance.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

NPPG-National Planning Policy Guidance

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS03 - Reduce Contributions to Climate Change

CLASSIFICATION: Official

CS05 – Mid Suffolk’s Environment
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CL03 - Major utility installations and power lines in countryside
CL08 - Protecting wildlife habitats
CL11 - Retaining high quality agricultural land
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
T10 - Highway Considerations in Development
H16 - Protecting existing residential amenity
RT12 - Footpaths and Bridleways

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

[Click here to view Consultee Comments online](#)

During the course of the application Consultation and Representations from third parties have been received. These are summarised below:

A: Summary of Consultations

Town/Parish Council(s) (Appendix 3)

Yaxley Parish Council: Holding Objection

- The explanation of the basis for the decision to make an application for this site is inadequate as the Parish Council does not consider it to be suitable and that a site on Eye Airfield would be correct.
- There is no data on the impact on the electricity supply to the National Grid of moving the condenser to a site on Eye Airfield which is a few hundred metres to the east of this site.
- No information on electromagnetic impacts.
- Insufficient information on the noise impact on the area and how widespread this would be.

Further comments on additional information

- Concerns regarding potential plans for further development around the site.
- Query the potential for alternative sites - brownfield sites have not been considered.
- Size is out of proportion to surroundings.
- Would be incongruous with nearby listed Goswold Hall.
- Concern about access to properties.
- Query adequacy of surface water drainage mitigation given recent rainfall data
- Safety of horses and riders using the bridleway have not been considered.
- Concerns about traffic movements during operational phase.
- Query information provided regarding EMFs
- Noise data required.

Thrandeston Parish Council: Comments

- Further information on siting, EMFs and noise required
- Landscape mitigation is inadequate
- Concerns about surface water flood risk

National Consultees (Appendix 4)

British Horse Society: No objection

East Suffolk Internal Drainage Board: Comments

- We request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4.
- We recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

Historic England: Comments

- Seek the views of your specialist conservation and archaeological advisers.

Natural England: No comment

Suffolk Preservation Society: Comments

- We call for schemes to be located on preferentially brownfield land
- Developments such as this are better suited to an industrial setting and therefore SPS would expect that sites on Eye Airfield to be assessed for this scheme.
- Effective mitigation should be sought, in the first instance through careful site selection to reduce the impact on, in this case, the landscape and the local community.

County Council Responses (Appendix 5)

Archaeology: Comments

- The site lies in an area of archaeological potential.
- No reason for refusal but conditions recommended.

Fire and Rescue: Comment

- Development in accordance with Building Regulations
- Suffolk Fire and Rescue Service requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes
- Recommend that consideration be given to the provision of an automatic fire sprinkler system.

Flood and Water: Comments

- Approve subject to conditions

Highways: Conditions

- Condition for a Construction Management Strategy to be agreed.
- Condition to ensure the temporary access is completed and be available for use prior to commencement of the projects.

Rights of Way: Comments

- PROW must remain open, unobstructed, and safe for the public to always use, including throughout any construction period.
- The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT.
- Any hedges adjacent to PROW must be planted a minimum of 2.0 metres from the edge of the path to allow for annual growth.

Travel Officer: No comment

Internal Consultee Responses (Appendix 6)

Ecology: Comments

- Accept that the evidence suggests that Great Crested Newts are present at only at low density.
- There is still potential for risk of killing and injuring GCN and other mobile Priority species and we welcome the precautionary avoidance and mitigation measures in the amended PEA during construction.
- Support the mitigation recommendations which should be secured by a condition
- Welcome additional detail relating to the proposed lighting regime to avoid impacts on bats.
- Recommend a wildlife sensitive lighting scheme is secured by a condition.
- The amendments are sufficient to withdraw the holding objection.

Economic Development: No comment

Environmental Health Air Quality: No objection

Environmental Health Land Contamination: Comments

- Phase I report which concludes that the risks posed by former uses of the site and surrounding areas is low but does recommend that this conclusion is validated through an intrusive investigation. I do not believe that the evidence presented is sufficient to allow us to require this by means of condition.
- I will not be recommending that these works are undertaken as part of a condition.
- Would advise that should the precautionary works be undertaken then we would be willing to review the reports, but this would be outside of the planning system.

Environmental Health Noise, Odour, Light, Smoke: Comments/Conditions

- A noise impact assessment has been provided which assesses the cumulative noise impact of the development and the Yaxley sub station development as having no observed adverse effect.
- Condition for a noise assessment and modelling of noise impact on sensitive premises before operation.

Environmental Health Sustainability: No objection

Heritage: Conditions

- Between no and a very low level of less than substantial harm to various nearby designated heritage assets.
- Winter view info requested

- Condition for details of external lighting to be agreed.
- Condition to secure proposed landscaping scheme.

Further comments on additional information

- The revised LVIA now provides of winter views, but no additional viewpoints specifically relating to the listed buildings previously identified.
- I am not able to be any more specific as to the impact of the proposal on those heritage assets than previously.
- Please refer to previously requested conditions which can be covered by the condition wording requested by the Place Services Landscaping Consultant.

Landscape: Comments

- A more comprehensive appraisal is required that sets out all judgements as specified in GLVIA.
- Winter views should be considered as part of the visual appraisal.
- A detailed cumulative impact appraisal is required that takes into consideration combined impacts for all landscape and visual receptors.

Further comments on additional information

- The additional information is proportionate to the scale of development.
- The LVIA identifies that there will be a level of adverse effect on both landscape character and visual amenity.
- These are not deemed to be of significance and therefore no landscape objection.
- Advise that Pinus sylvestris and Salix caprea are removed from the native woodland mix.
- All trees and shrubs shall conform to the specification for nursery stock as set out in the National Plant Specification where it applies to trees, shrubs and plant handling and establishment and British Standard 3936 Parts 1 (1992) and 4 (1984).
- Also suggest landscaping scheme and management conditions

Public Realm: No comment

Waste: No comment

B: Representations

At the time of writing this report at least 3 letters/emails/online comments have been received, including additional or reiterated comments received during re-consultation. It is the officer opinion that this represents 2 objections, and 1 general comment. A verbal update shall be provided as necessary.

Comments are summarised below:

- Light Pollution
- Effects local ecology/wildlife
- Impact on landscape
- Out of character with the area
- Loss of light
- Overlooking
- Impact on bats
- May lead to further development

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: The Progress Power (Gas Fired Power Station) Order 2015 Gas fired powered station NSIP **DECISION:** Consented

REF: DC/19/02267 Planning Application - Creation of a temporary access road between the A140 and Leys Lane, Yaxley for use during the construction of the Progress Power Limited Power Station **DECISION:** GTD 06.12.2019

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site is an area of grade 3 agricultural land located adjacent to Leys Lane highway, a single track road and designated public right of way, in the countryside close to the village of Yaxley. The surrounding area is relatively open, elevated plateau land without significant planted or built screening and with public views available from the adjoining highway / right of way and the wider highway and rights of way network, including the A140. There are residential dwellings to the north-west of the site but otherwise the site is set away from residential and other buildings located on Mellis Road, comprising the main area of Yaxley village.
- 1.2. It is relevant to note that the site adjoins the site of the proposed National Grid Yaxley substation, which is yet to be constructed, and that the site includes the land to be used for a temporary construction access from the A140 highway to Leys Lane. Both are associated with the Progress Power development which is under construction.

2. The Proposal

- 2.1. The proposed development is for the construction and operation of synchronous condensers with ancillary works including access, parking, landscaping and grid connection.
- 2.2. A synchronous condenser is a form of electricity grid stability infrastructure. They enable inertia (storage) and consistency of electricity supply during periods of no or low generation that are features of energy generated by renewable sources (known as 'dunkelflaute' - low wind or sunlight conditions), thereby supporting ongoing reliability of electricity supply for users. As the UK energy generation mix moves towards zero-carbon with increased reliance on renewable sources, including a significant commitment to offshore wind development in the eastern region, there is a need to ensure stability of energy supply to the transmission network. National Grid's Pathfinder project identifies such stability service provision as essential to meeting the needs of the energy supply system.
- 2.3. This proposal includes the following elements:
 - Use of the temporary access serving the Yaxley substation site for construction.
 - Construction of hard surfaced accessways within and serving the site from Leys Lane

- Installation of synchronous condenser and associated electrical transmission / control equipment
- Erection of boundary fencing

3. The Principle Of Development

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan includes the saved policies of the Mid Suffolk Local Plan 1998, Core Strategy 2008 and Core Strategy Focused Review 2012.
- 3.2 These policies and documents will be replaced by the emerging Babergh and Mid Suffolk Joint Local Plan (JLP) once it is adopted, which includes proposed policy LP27 – ‘Energy sources, storage and distribution’ which seeks to encourage the development of renewable energy in line with national policy. The JLP is at examination stage, with an Exploratory Meeting with the Planning Inspectorate held on 16th December 2021 to consider progressing the plan in two parts. Part 1 would set the housing requirement for the districts and provide an up-to-date development plan, but specific sites would be allocated in Part 2.
- 3.3 Given the stage that the JLP has reached, officers are of the view that the JLP is a material consideration of limited weight. In applying s.38(6) PCPA 2004, officers do not consider that the policies of the JLP justify departing from the policies of the current development plan. The JLP is therefore also a material consideration, albeit of limited weight at this time because it is not yet adopted.
- 3.4 Policies CS1 and CS2 of the Mid Suffolk Core Strategy 2008 set out the types of development that are likely to be considered appropriate inside defined settlements (CS1) and within the countryside comprising the rest of the district (CS2). These policies state development within the countryside, as in the case of this site, is restricted to certain types of development, including for renewable energy. Therefore, the determinative element of the application for CS2 is not reliant on its location inside or outside a defined settlement, but rather the impacts of the development. These policies are considered to accord with the objectives of the NPPF insofar as they provide for the principle of renewable energy development in the countryside and are therefore afforded full weight.
- 3.5 Policy CS3 of the Mid Suffolk Core Strategy 2008 is relevant in general terms as it provides for renewable energy development, to which this proposal is associated. It states that:
- “The Council will promote and encourage the appropriate development of stand alone Renewable Energy schemes to assist in achieving the Regional Spatial Strategy’s target of 10% total electricity consumption in the East of England by 2010 and 17% by 2020.”
- 3.6 Although this policy is considered to be out of date as it refers to the targets within the now revoked Regional Spatial Strategy, the objective of encouraging renewable energy development to contribute to an overarching objective of decarbonisation aligns with the priorities of the net zero agenda and the principles of the NPPF, and to that extent the policy remains up to date. This policy is therefore acknowledged on that basis and afforded moderate weight.
- 3.7 Policies FC1 and FC1.1 of the Core Strategy Focussed Review 2012 are relevant to the determination of this application in general terms, by reflecting the NPPF presumption in favour of sustainable development, including for renewable energy proposals, providing the impacts of the

development are or can be made acceptable. In such cases FC1 states that applications which accord with the Local Plan will be approved without delay. FC1.1 seeks conservation and enhancement of the local character of the district and following para 3.7 specifically mentions renewable energy:

“The environmental and landscape sensitivity of the district means that large-scale, on-shore renewable energy generation will often be difficult to accommodate in the landscape in an acceptable way”

3.8 These policies are considered to accord with the NPPF and are afforded full weight. The impact of the development on the landscape is considered in detail in the landscape section below.

3.9 Whilst it is likely that policy CL3 (Major utility installations and power lines in the countryside) of the Mid Suffolk Local Plan 1998 was not written with development, as proposed here, in mind, as what could be reasonably termed a major utility installation the general objective to “... ensure minimal intrusion in the landscape...” reflects the objectives of the NPPF and the issue identified in the Core Strategy Focused Review and so is considered to have relevance to the determination of this application and is afforded full weight.

3.10 Other policies in the Mid Suffolk development plan that are relevant to the consideration of this application because of their objectives relating to a specific issue or impact are discussed in the relevant section of the assessment below.

3.11. The NPPF must also be taken into account as a material consideration in planning decisions. Para 152 states:

“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

3.12 And goes on, at para 158, to set out how plans and decisions should provide for renewable energy development including stating that in determining applications for renewable energy developments:

“local planning authorities should:

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.”

3.13. It is also necessary to note a number of relevant documents that set out the Government’s wider objectives for the ongoing priorities of decarbonisation and net zero, including:

- British Energy Security Strategy (2022): Reinforces the net zero agenda and sets out a package of priorities, funding and policy objectives to move the country back to energy independence. This includes provision for onshore wind, solar and other technology

including recognition of the need for network capacity and flexibility such as battery storage.

- Net Zero Strategy – Build Back Greener (2021): A decarbonisation plan setting out the UK objective of achieving net-zero emissions by 2050. Part of the plan for “Building Back Better” after the covid pandemic.
- Energy white paper (2020): Builds on the ten-point plan for a green industrial revolution, addressing the transformation of the energy system, promoting high-skilled jobs and clean, resilient economic growth as we deliver net-zero emissions by 2050.
- United Kingdom Food Security Report (2021): Sets out an analysis of statistical data relating to food security. It is relevant here as the development would take an area of agricultural land, in arable production, out of active use for the period of the development proposed.

3.14. The principle of development to enable the transition to renewable energy generation and decarbonisation is generally supported by the NPPF (and other existing and emerging Government policy). The proposal is considered to be in general accordance with those policies of the development that are up-to-date such that, provided the impacts of the proposal are or can be made acceptable, in accordance with NPPF para 11c, the planning authority should grant permission without delay. The impacts of the development and accordance with topic-specific policies are discussed in the following sections.

4. Siting and loss of agricultural land

- 4.1. In response to concerns raised regarding the siting of the development, the application has provided more detail on site selection which explains the need to be in as close proximity to the grid supply point (Yaxley substation in this instance) as possible to both reduce the loss of power over transmission distance and to increase the likelihood of the development being successful in bidding for a contract with National Grid. The applicant has confirmed that, in this case, the scheme has resulted in award of contract, likely as a result of its siting given that other projects, sited further away, were unsuccessful.
- 4.2. It is also necessary to have regard to the siting relative to the Yaxley substation development in terms of the visual appearance of that complex of industrial equipment similar in scale and appearance to the proposed development. Such proximity will help to ameliorate the cumulative visual impact of the development as the two will generally be experienced together.
- 4.3. The application site is an area of Grade 3 agricultural land, part of an existing wider agricultural operation. There is no information submitted to confirm whether the land is 3a or 3b and, as such, this assessment is based on the worst case scenario assumption of the land being Grade 3a and therefore considered to be best and most versatile agricultural land.
- 4.4. Paragraph 174 of the NPPF states that “...*decisions should contribute to and enhance the natural and local environment by:*
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland...”

- 4.5 Policy CL11 of the Mid Suffolk Local Plan states that the council “...will encourage the conservation of agricultural land. Particular protection will be afforded to the best and most versatile agricultural land...”
- 4.6 In assessing the proposal in terms of loss of BMV considerations include the area of land to be lost (5.1ha) and that, although the land has previously been in operational use for arable production, the functional operation of the site is constrained to a degree by its position between Leys Lane, which abuts the eastern and northern boundaries, the Yaxley substation compound to the west and by the existing mature planted enclosure of the land to the south.
- 4.6 Overall, the loss of BMV resulting from this development is not considered to be such as would warrant refusal of the application. If Members are minded to grant permission, a condition to secure the reinstatement of the land in the event the installation ceases to operate is reasonable.

5. Site Access, Parking And Highway Safety Considerations

- 5.1. During the construction phase the proposal includes using a temporary access from the A140 highway that has been permitted for the purposes of construction of the new Yaxley substation located adjacent to the site. During operation it is proposed to access the site via Leys Lane, a highway and public right of way.
- 5.2. The construction period is anticipated to be 16 months during which a peak daily average of 48 vehicles making 96 trips to / from the site are expected which includes a peak average of 8 HGVs (16 trips). As it is proposed to use the temporary access being used for the Yaxley substation the construction periods of the two projects may overlap, such that there may be a cumulative impact of traffic movements from the site into the A140. The submitted transport statement concludes that the overall increase in vehicle movements arising from construction, having regard to the potential cumulative impact, is very small in comparison with existing movements on the A140. The statement further describes the approved vehicle routing for the A140 access which would be adhered to for this development, and which can be controlled by condition, as recommended below.
- 5.3 Once construction is completed the facility would be unmanned and would be operated and monitored remotely. Occasional maintenance visits by small van are expected. Conditions as previously secured within the Development Consent Order for the temporary access road are to be implemented here, such that at the last construction of either the Yaxley substation, or this development, the access road would be removed and the land re-instated.
- 5.4 The SCC highways officer has raised no objection to the proposed development subject to conditions to secure the access works and a construction management plan.
- 5.5 On the basis of the advice from SCC highways and subject to the conditions recommended below there is not considered to be any unacceptable traffic highway safety impacts that would warrant refusal of the application.

6. Landscape and visual impacts

- 6.1. The Suffolk Landscape Character Assessment identifies the landscape within which the site is located as ancient plateau claylands, characterised as being a generally flat or gently rolling arable landscape with a field pattern of ancient enclosure with a dispersed settlement pattern of villages and isolated farmsteads. This landscape is also recognised by substantial open areas created for WWII airfields which is relevant to this site given its proximity to the Eye airfield site, now developed with a commercial and industrial complex.
- 6.2. The site is readily visible from the Leys Lane highway and public right of way. Partial and more distant views are also available from the wider rights of way and highway network. Views include a range of different domestic, agricultural and industrial built development including the airfield wind turbines, Drax development and the Norwich to Bramford overhead lines and pylons. However, a bucolic character dominates.
- 6.3. Policy CS5 seeks to protect and conserve landscape qualities, taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas. Policy CL3 includes the general objective to "... ensure minimal intrusion in the landscape..." which reflects the objectives of the NPPF and the issue identified in the Core Strategy Focused Review.
- 6.4. The NPPF no longer includes a blanket protection of the countryside for its own sake but rather seeks protection of 'valued landscapes'. This 'value' to be considered here is in the planning sense rather than as the local community consider they benefit from the landscape and which is recognised as valuable to them. In particular, to be considered 'valued' the landscape must have some specific and demonstrable physical characteristics that lift it above other areas of countryside such that it would be considered out of the ordinary. In the case of the landscape within which this application site lies it is necessary to consider the presence of existing and similar industrial development as described above as well as the other physical attributes of the area. Your officers conclude that the area is not a valued landscape in the NPPF sense.
- 6.5. The application documents include a Landscape Visual Appraisal (LVA) and other information to demonstrate the impacts of the development and effect of proposed planted mitigation. Your Landscape officer requested further information regarding winter views and cumulative visual impacts which the applicant has provided.
- 6.6. Your landscape officer advises that the development will have a level of adverse effect on both landscape character and visual amenity but that these impacts are not deemed to be significant and, as such, there is no objection to the proposal on landscape and visual impact grounds. Your officer recommends conditions to secure an appropriate landscape planting and scheme.
- 6.7. Having regard to the visual context within which the development will be experienced, including the presence of other development, together with the proposed mitigation measures and the advice from the landscape officer, the proposal is not considered to conflict with the objectives of the NPPF or development plan policies as there is not considered to be any unacceptable landscape or visual impact arising from the development such as would warrant refusal of the application.

7. Ecology

- 7.1. The application site is an area of existing agricultural land within a wider area comprising mixed vegetation and bodies of water which have the potential to support protected species.

- 7.2. The application documents include an ecology report which sets out the likely impacts of the development on protected species and habitats and recommends mitigation of these impacts to enable the proposal to accord with policy requirements. Your ecology officer requested further information relating to impacts on bats and newts which the applicant has since provided.
- 7.3 Your ecology adviser is satisfied that the additional information provided is sufficient to enable the authority to determine the application and to discharge the statutory duty in respect of protected species. They have also confirmed that the proposal is acceptable subject to conditions to secure the mitigation recommendations set out in the ecological assessment and wildlife sensitive lighting.
- 7.4 On the basis of the consultee advice received and subject to the conditions recommended below the proposal is not considered to have unacceptable impacts on ecology that warrant refusal of the application.

8. Public health and safety

- 8.1 Yaxley Parish Council have raised concerns regarding the public safety impacts of the proposed development and consideration has been given to the potential for impacts from Electro-magnetic Fields (EMF), contamination and fire risk.
- 8.2. The applicant has confirmed that the amount of EMF produced by the development would be negligible, akin to a large generator. It is also confirmed that all equipment is designed in accordance with the UK Health Security Agency's recommended exposure guidelines. Your Environmental Health officers have been consulted on this application and have raised no concerns in regard to EMF.
- 8.3. The application documents include a Phase 1 contamination report which assesses the risks of the use of the site as low. Your Environmental Health officer advises that it is not necessary to require any condition in respect of contamination.
- 8.4. Synchronous condenser installations are a relatively new addition to energy generation / transmission infrastructure. Such installations are usually unmanned and operated remotely as is the case with the proposed development. This feature of operation together with reports of fire incidents at battery storage sites in the UK and elsewhere has resulted in an understandable concern for such relatively new technology. It should also be noted that the equipment must be installed in accordance with existing electrical installation regulations and standards.
- 8.5 In response to the concerns raised the applicant has submitted a fire safety note setting out measures to ensure safe installation, operation and maintenance. The applicant has also offered to provide details of an emergency response plan, to be secured by condition. However, officers have consulted SCC Fire service who advise that they have no concerns with the proposed development and that no conditions are necessary. Having regard to this advice and the relevant tests for planning conditions no condition is recommended.
- 8.6 On the basis of the above there is not considered to be any health and safety impact that warrants refusal of the application.

9. Residential amenity

- 9.1 The site is relatively isolated from residential properties, the nearest being a small cluster of properties at Leys Farm, approximately 215m to the north-west and Meadow Barn 235m to the north. There are also dwellings on Mellis Road located approximately 500m to the south.
- 9.2 The site is sufficiently distanced from residential properties such that there will not be any impact on privacy, overshadowing or overlooking arising from the development.
- 9.3 There will be increased traffic movements during the period of construction, however, it is proposed to access the site from the A140, across agricultural land for the construction period, making use of a temporary accessway being constructed to enable the delivery of the Yaxley substation on land adjacent to the site. Once the development is operational it will be unmanned so there will minimal disturbance impact from vehicle movements, all of which will access the site via Leys Lane. There are not considered to be any unacceptable impacts of disturbance arising from traffic movements associated with the development.
- 9.4 The proposed development includes electrical / mechanical equipment that will produce noise when operational which has the potential to be heard at nearby residential properties, affecting the level of amenity enjoyed by occupants. Yaxley Parish Council have raised concerns regarding the adequacy of the information submitted in relation to noise impacts.
- 9.5 The application documents include a noise assessment which details the expected noise levels to be generated by the development. It is noted that the development has not progressed to detailed design stage and so the noise assessment is based on noise levels that are representative of the typical equipment for the type of installation proposed. The assessment states that the noise generated by the development would not exceed the level of existing background noise resulting in a 'low impact' rating in accordance with the relevant British Standard. The assessment concludes that the cumulative noise impact arising from the operation of the development together with the Yaxley substation would be graded as 'no observed adverse effect'.
- 9.6 Your Environmental Health officer raises no concerns with the adequacy of the assessment, which has been carried out in accordance with the relevant appropriate professional industry standards. Further, your officer accepts the conclusions and recommends a condition to ensure the operational noise level of the development, once the equipment is installed, accords with the predictions in the assessment. On the basis of this advice there is not considered to be any unacceptable noise impact arising from the development.
- 9.7 In response to concerns regarding loss of light or overlooking impacts, officers consider that the distance between the site and the nearest residential development and the nature of the development, being unoccupied, are such that there would be no unacceptable impact arising from the development in this respect.
- 9.8 Overall, there are not considered to be any unacceptable impacts on residential amenity arising from the proposed development.

10. Heritage Issues

- 10.1 The duty imposed by s.66(1) of the Listed Buildings Act 1990 sets a presumption against the grant of planning permission which causes harm to a heritage asset. The assessment of heritage harm is the subject of policy set out in the NPPF and Local Plan policies seeks to safeguard against harm. A finding of harm, even less than substantial harm, to the setting of a listed building

is a material consideration to which the decision-maker must give “considerable importance and weight”.

- 10.2 There are no heritage assets within the site itself and the site does not lie within a designated area. However, there are listed buildings within the surrounding area and, given the open plateau type landscape that the site occupies, it is necessary to assess whether the proposed development would have any impact on the setting of these buildings. Furthermore, SCC Archaeology advise that the site lies within an area of archaeological potential and recommend conditions to secure appropriate investigation and recording of below ground assets.
- 10.3 The application documents include a Zone of Theoretical Visibility (ZTV) which shows the nearest designated listed buildings, including Goswald Hall, White House Farm, Hawes Cottage, Red Roofs, Truss Farm House and Ivy Cottage, all Grade II listed and the designated Mellis Conservation Area. All these assets fall outside or on the outer edge of the ZTV. The existing setting of these assets is largely characterised by the rural landscape although the presence of development at Eye Airfield and the permitted Yaxley substation, currently under constructed, are relevant considerations in assessing the degree of any change and impact.
- 10.4 Historic England have not provided any specific comments on the proposal and defer to your specialist advisers. Your Heritage officer visited the area and requested further information on winter views to enable consideration of year-round impacts. Some further information on winter views has been provided, although not specifically in relation to heritage assets but is such as would enable a more precise assessment of any harm.
- 10.5 Therefore, your heritage officer concludes the development would have either no, or a low level of less than substantial, harm on the setting of nearby heritage assets and recommends landscaping conditions to ensure appropriate mitigation of views.
- 10.6 Applying the precautionary principle, and giving great weight to the conservation of the heritage assets, and assuming a low level of less than substantial harm, it is necessary to have regard to the requirements of the NPPF and weigh this level of harm against any public benefits to be realised from the development. In this case, the development will contribute to the provision of infrastructure necessary to support the transition to renewable and low carbon energy generation as part of the Net Zero agenda. This outcome is considered to be a public benefit of a degree that outweighs the potential low level of less than substantial harm to the setting of nearby heritage assets that would arise from the development, in accordance with the requirements of paragraph 202 of the NPPF.
- 10.7 Subject to the conditions as recommended by SCC and BMSDC heritage advisers, the proposed development is not considered to have any unacceptable impact in respect of heritage issues.

11. Flood Risk and Drainage

- 11.1 The application site lies in flood zone 1 and there is no record of surface water incidents.
- 11.2 The proposed development will replace some of the undeveloped agricultural land with areas of hard surfacing for the siting of equipment and accessways, etc. This will change the drainage of the site.
- 11.3 The application documents include an illustrative flood risk assessment which the SCC Floods officer advised to be insufficient in terms of surface water drainage and infiltration. In response to this concern the applicant has submitted an infiltration investigation which concludes the site to be

unsuitable for infiltration and so a surface water drainage strategy is to be prepared, which can be secured by condition. However, the infiltration investigation found the site to be affected by a high-water table meaning that further information to demonstrate the impact of the development in terms of ground water flood risk was required. The applicant has provided this information.

- 11.4 The SCC Floods officer has confirmed they are now satisfied with the information provided and that, subject to appropriate conditions to control surface water drainage, the proposal is acceptable. On the basis of this advice there are not considered to be any unacceptable flood risk or drainage impacts that warrant refusal of this application.

12. Parish Council Comments

- 12.1 There has been extensive communication between the Parish Councils, applicant / agent and case officer to respond to the issues raised by the Parish Councils. These matters have been covered in the above report.

It is acknowledged that the Parish Councils have ongoing concerns about the information provided. Your officers have summarised the advice of technical consultees in respect of each issue and are satisfied that Members have sufficient information to determine this application.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1. The proposed development is considered to generally accord with the policies of the Development Plan and the principles of the NPPF. It will contribute to the wider objectives of enabling a move to more renewable energy generation and more consistent supply of power to the grid, a key element of the government's net zero, decarbonisation agenda.
- 13.2 There are not considered to be any unacceptable landscape, public safety, flood risk or drainage, ecology, heritage or residential amenity impacts that cannot be adequately mitigated such as would warrant refusal of the application.
- 13.3 The impacts of the development are either not unacceptable or can be mitigated to make them acceptable. The renewable energy and energy security benefits of the proposal are considered to weigh in favour of the proposal and, on balance, having regard to the assessment set out above, the proposed development is considered to be acceptable.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to approve this application:-

That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Time limit
- Approved plans
- Temporary access – for construction only and reinstatement plan.

- Construction management to include vehicle routing same as for Progress Power / Yaxley sub construction traffic
- Surface water drainage conditions.
- Wildlife sensitive lighting scheme to be agreed.
- Carry out in accordance with ecology mitigation recommendations
- Operational noise assessment
- Landscaping scheme
- Landscape management plan
- Archaeology

And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement
- SCC Highways notes