

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE A** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 15 February 2023 at 09:30am.

PRESENT:

Councillor: Matthew Hicks (Chair)
Barry Humphreys MBE (Vice-Chair)

Councillors: Rachel Eburne John Field
Sarah Mansel John Matthissen
Richard Meyer Timothy Passmore

Ward Member(s):

Councillors: David Burn

In attendance:

Officers: Chief Planning Officer (PI)
Area Planning Manager (GW)
Planning Lawyer (IDP)
Senior Environmental Health Officer (SL)
Case Officer (BC)
Governance Officer (CP)

81 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

81.1 There were no apologies for absence.

82 TO RECEIVE ANY DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTRABLE OR NON REGISTRABLE INTERESTS BY MEMBERS

82.1 There were no declarations of interest declared.

83 DECLARATIONS OF LOBBYING

83.1 All Members of the Committee declared that they had been lobbied in respect of application numbers DC/20/05895 and DC/22/04021.

84 DECLARATIONS OF PERSONAL SITE VISITS

84.1 None declared.

85 NA/22/17 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 18 JANUARY 2023

85.1 The Governance Officer confirmed that paragraph 75.1 of the minutes had been corrected to include the representation from Councillor Mansel in respect of application number DC/22/04002.

It was RESOLVED:

That the minutes of the meeting held on 18 January 2023 were confirmed and signed as a true record.

86 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

86.1 None received.

87 NA/22/18 SCHEDULE OF PLANNING APPLICATIONS

87.1 In accordance with the Councils procedures for public speaking on planning applications, representations were made as follows:

Application Number	Representations From
DC/20/05895	Caroline Wolton (Bramford Parish Council) Nicholas Carter (Flowton Parish Council) James Rook (Somersham Parish Council) Samantha Main (Objector) John Cousins (Supporter) Simon Chamberlayne (Applicant) Councillor John Field (Ward Member)
DC/22/04021	Philip Freeman (Yaxley Parish Council) Jonathan Cooper (Applicant) Councillor David Burn (Ward Member)

88 DC/20/05895 LAND TO THE SOUTH OF CHURCH FARM, SOMERSHAM IP8 4PN AND LAND TO THE EAST OF THE CHANNEL, BURSTALL IP8 4JL

88.1 Item 7A

Application Proposal	DC/20/05895 Full Planning Application - Installation of renewable energy generating station, comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements including nature areas.
Site Location	Land to the South of Church Farm, Somersham, IP8 4PN

Applicant and Land to the East of The Channel, Burstall, IP8 4JL
Bramford Green Limited

- 88.2 The Case Officer introduced the application to the Committee outlining the proposal before Members including the location of the site, the site constraints, the agricultural land classification of the site, the special landscape area plan, the cumulative impact assessment of the surrounding schemes, the existing public rights of way and access to the site, the proposed site plan including the battery storage area, the proposed ecology enhancement plan, the elevations and height of the panels, battery storage containers and control room buildings, the equivalent energy usage generated by the site, and highway safety issues including construction traffic.
- 88.3 The Case Officer and the Chief Planning Officer responded to questions from Members on issues including: the benefits of the proposal, the context of the decision made by Babergh District Council Planning Committee at their meeting on 08 February 2022 in relation to the decision being made today, the special landscape area and the landscape mitigation plan, the cumulative effect of the surrounding schemes, the reinstatement plan for the land following completion of the contract, the land within Mid Suffolk which is designated as special landscape area, the battery storage units including fire safety, the proposed S106 agreement, and suitable sites in the surrounding area.
- 88.4 Members considered the representation from Caroline Wolton who spoke on behalf of Bramford Parish Council.
- 88.5 Members considered the representation from Nicholas Carter who spoke on behalf of Flowton Parish Council.
- 88.6 Members considered the representation from James Rook who spoke on behalf of Somersham Parish Council.
- 88.7 The Somersham Parish Council representative responded to questions from Members regarding whether the site could be used for both solar energy generation and livestock farming.
- 88.8 Members considered the representation from Samantha Main who spoke as an Objector.
- 88.9 Members considered the representation from John Cousins who spoke as a Supporter.
- 88.10 The Supporter responded to questions from Members on issues including the viability of solar farms and the future agricultural use of the land.
- 88.11 Members considered the representation from Simon Chamberlayne who spoke as the Applicant.

88.12 The Applicant responded to questions from Members on issues including the reasons for the change to rotating panels from static panels and how this affects the efficiency of the panels.

88.13 Members considered the representation from Councillor John Field who spoke as the Ward Member.

88.14 A break was taken from 10:56am until 11:07am.

88.15 The Chief Planning Officer provided details to Members of the special landscape areas within the district, and updated Members on contents of the tabled papers and the legal advice obtained.

88.16 Members debated the application on issues including: concerns over tourism and food security, the landscape and visual impact of the proposal, the need for solar energy, the suitability of the site, the ecological benefit of the proposal, the battery storage plans, the assessment of the agricultural land, the cumulative impact of the application, and the loss of agricultural land.

88.17 Councillor Passmore MBE proposed that the application be refused.

88.18 Councillor Humphreys seconded the proposal.

88.19 A break was taken from 11:41am until 11:47am.

88.20 The Chief Planning Officer confirmed the following reasons for refusal which were agreed by the Proposer and Seconder:

1. The presence of the development on Best and Most Versatile agricultural land would unacceptably reduce the availability of this land for the optimum purposes of agriculture. The benefits of the development are not considered to outweigh this impact and the development plan expects that particular protection will be given to such Best and Most Versatile agricultural land. On this basis the proposal would be contrary to policy CL11 of the adopted MSLP and contrary to NPPF paras 158(b) and 174(b).
2. The industrial and utilitarian appearance of the development would result in a significant change in the character of the site and be visually intrusive in appearance for the duration of the development. This change would have unacceptable adverse impacts upon visual character and amenities including for public rights of way users and the community and for the benefit of tourists. The development would neither protect nor enhance this valued landscape forming part of the designated Special Landscape Area here. On this basis the proposal would fail to safeguard the landscape quality of this part of the District contrary to policy CL2 of the adopted MSLP and compromising the landscape character and local distinctiveness of the site contrary to policy CS5 of the adopted CS. The proposal would be contrary to

the principles of the NPPF including paragraphs 174(a) and (b) and paragraph 158. The development would for these reasons not represent sustainable development under paragraph 11 of the NPPF for these reasons.

By a vote of 6 votes for and 1 against

It was RESOLVED:

That the application be refused planning permission for the following reasons:

- 1. The presence of the development on Best and Most Versatile agricultural land would unacceptably reduce the availability of this land for the optimum purposes of agriculture. The benefits of the development are not considered to outweigh this impact and the development plan expects that particular protection will be given to such Best and Most Versatile agricultural land. On this basis the proposal would be contrary to policy CL11 of the adopted MSLP and contrary to NPPF paras 158(b) and 174(b).**
- 2. The industrial and utilitarian appearance of the development would result in a significant change in the character of the site and be visually intrusive in appearance for the duration of the development. This change would have unacceptable adverse impacts upon visual character and amenities including for public rights of way users and the community and for the benefit of tourists. The development would neither protect nor enhance this valued landscape forming part of the designated Special Landscape Area here. On this basis the proposal would fail to safeguard the landscape quality of this part of the District contrary to policy CL2 of the adopted MSLP and compromising the landscape character and local distinctiveness of the site contrary to policy CS5 of the adopted CS. The proposal would be contrary to the principles of the NPPF including paragraphs 174(a) and (b) and paragraph 158. The development would for these reasons not represent sustainable development under paragraph 11 of the NPPF for these reasons.**

89 DC/22/04021 LAND AT THE LEYS AND IVY FARM, MELLIS ROAD, YAXLEY, SUFFOLK, IP21 4BT

89.1 Item 7B

Application	DC/22/04021
Proposal	Full Planning Application - Construction and operation of Synchronous Condensers with ancillary infrastructure, and associated works including access and landscaping.
Site Location	Land at The Leys and Ivy Farm, Mellis Road, Yaxley, Suffolk, IP21 4BT
Applicant	Conrad Energy Ltd

89.2 The case officer presented the application to the committee outlining the proposals before members including: the purpose and use of synchronised condensers, the location of the site, the site constraints, the proposed layout of the site, the proposed elevations of the various elements of the proposal, the landscape mitigation plan, the landscape designations and constraints in the area, the access to the site, and the officer recommendation of approval.

89.3 The Case Officer responded to questions from Members on issues including: the reason for the proposal being located at this site and the connection Yaxley substation, the noise assessment, landscaping, the planning history at the site, and whether any work had commenced at the site.

89.4 Members considered the representation from Philip Freeman who spoke on behalf of Yaxley Parish Council.

89.5 The Planning Lawyer responded to comments from the Parish Council Representative regarding their request to suspend the meeting, and advised Members that the correct legal procedures had been followed.

89.6 The Parish Council Representative responded to questions from Members regarding the recent Freedom of Information request submitted by them to Mid Suffolk District Council.

89.7 The Case Officer provided Members with further details regarding the noise assessment and comparison levels.

89.8 The Parish Council Representative responded to further questions from Members regarding the response from the flood consultant.

89.9 Members considered the representation from Jonathan Cooper who spoke as the Applicant.

89.10 The Applicant responded to questions from Members on issues including whether any alternative sites had been considered, when the contract with the landowner would commence, and whether the location had any impact on the effectiveness of the proposal.

- 89.11 The Case Officer responded to questions from Members regarding the potential flood issues and the attenuation basin.
- 89.12 The Applicant responded to further questions from Members regarding the potential noise issues.
- 89.13 Members considered the representation from Councillor David Burn who spoke as the Ward Member.
- 89.14 Members debated the application on issues including: the location of the site, and the need for renewable energy.
- 89.15 Councillor Humphreys MBE proposed that the application be approved as detailed in the officer recommendation.
- 89.16 Members continued to debate the application on issues including: the size of the building and the impact of the visual amenity of the area, and the adequacy of the noise conditions.
- 89.17 The Environmental Health Officer provided clarification to Members regarding the noise assessment and the conditions to be applied.
- 89.18 Councillor Meyer seconded the proposal.
- 89.19 Members debated the application further on issues including: the fact that the proposal is not located close to any residential areas, the lack of information, concerns over noise, and landscaping.

By a vote of 4 votes for and 4 votes against, leading to the Chairmans casting vote

It was RESOLVED:-

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

90 SITE INSPECTION

The business of the meeting was concluded at 1.12 pm.

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Chair