

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MSDC PLANNING** held in the Frink Room (Elisabeth) - Endeavour House on Wednesday, 11 October 2023 at 09:30am

PRESENT:

Councillor: Sarah Mansel (Chair)
Lavinia Hadingham (Vice-Chair)

Councillors: Austin Davies
Nicholas Hardingham
Colin Lay

Lucy Elkin
Terry Lawrence
Rowland Warboys

Ward Member(s):

Councillors: Tim Weller

In attendance:

Officers: Area Planning Manager (GW)
Planning Lawyer (IDP)
Planning Officer (VP)
Governance Officer (CP)

61 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

61.1 Apologies were received from Councillor Matthissen.

61.2 Councillor Lay substituted for Councillor Matthissen.

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

62.1 Councillor Hadingham and Councillor Warboys declared an other non-registerable interest in respect of application number DC/22/02667 as the landowners were known to them.

63 DECLARATIONS OF LOBBYING

63.1 All Members, apart from Councillor Lay, declared that they had been lobbied in respect of application number DC/22/02667.

64 DECLARATIONS OF PERSONAL SITE VISITS

64.1 Councillor Warboys declared a personal site visit in respect of application number DC/22/02667.

65 MPL/23/14 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 27 SEPTEMBER 2023

It was **RESOLVED**:

That the Minutes of the meeting held on 27 September 2023 be confirmed and signed as a true record.

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

66.1 None received.

67 MPL/23/15 SCHEDULE OF PLANNING APPLICATIONS

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

Application Number	Representations From
DC/22/02667	Neil Weston (Palgrave Parish Council) Fiona Bowden (Objector) Mr Ling (Supporter) Rob Shaw (Applicant) Councillor Tim Weller (Ward Member)

68 DC/22/02667 GRANGE FARM, OLD BURY ROAD, PALGRAVE, SUFFOLK, IP22 1AZ

68.1 Item 7A

Application DC/22/02667
Proposal Planning Application - Mixed use development comprising installation of a ground mounted solar photovoltaic (PV) farm; along with continued agricultural use, ancillary infrastructure, substation, security fencing, landscaping provision, ecological enhancements and associated works.

Site Location Grange Farm, Old Bury Road, Palgrave, Suffolk, IP22 1AZ

Applicant Pathfinder Clean Energy UK Dev Ltd

68.2 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the previous Committee decision made at the meeting on 13 September 2023, the contents of the tabled papers, an update on the Palgrave Neighbourhood Plan, the location and layout of the site, the expected energy generation of the scheme, the existing Public Right of Ways (PROW) and enhancements proposed by the scheme, the site

constraints including surrounding heritage assets and conservation area, the agricultural land classification of the site, the proposed landscape mitigation plan, access to the site, the design and dimensions of the equipment, the cumulative impact of surrounding proposed schemes, and the proposed seasonal grazing and planting scheme.

- 68.3 The Case Officer went on to detail the amendments made to the proposal following the previous decision of deferral including: the height of the solar panels, the separation distance to the western edge of the village, the amended mitigation and enhancement plan including landscaping around the substation and hedgerow planting, and biodiversity plans. The Case Officer provided details of the recommendation of approval as per the Committee report.
- 68.4 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: the future plans for the hedgerows once the scheme had been decommissioned, the proposed fencing scheme in relation to wildlife, the proposed landscaping around the substation including future maintenance, the number of brownfield sites in Mid Suffolk, the potential for the benefits of the landscape and ecology mitigation to be reviewed beyond the existing 5-10 year period, and the weight of the Diss Neighbourhood Plan.
- 68.5 Following a question from Members the Planning Lawyer provided clarification regarding the previous decisions made by the Planning Inspectorate on similar applications, and advised Members that the decisions made were not precedents but did illustrate trends in decision making.
- 68.6 The Case Officer responded to further questions from Members on issues including: conditions which could be added to ensure that there were no herbicides or pesticides used on the land, the reference in the National Planning Policy Framework (NPPF) of the need to support local businesses, and the location of the new permissive footpath to the west of the site.
- 68.7 Members considered the representation from Neil Weston who spoke on behalf of Palgrave Parish Council.
- 68.7 Members considered the representation from Fiona Bowden who spoke as an Objector.
- 68.8 The parish Council Representative and the Objector responded to questions from Members on issues including: the outcomes of the re-consultation following the previous decision of deferral, and the community funding offer made by the Applicant.
- 68.9 The Case Officer advised Members that the community funding offer was not a material planning consideration.
- 68.10 Members considered the representation from Mr Ling who spoke as a Supporter.

- 68.11 The Supporter responded to questions from Members on issues including: the sustainability of the yield, and the plans for the hedgerow once the land has been returned to arable use following decommissioning.
- 68.12 Members considered the representation from Rob Shaw who spoke as the Applicant.
- 68.13 The Applicant, and Alex Ross, Director at PACE, responded to questions from Members on issues including: the proposed interim measures for glint and glare whilst the screening was being established, the skylark mitigation plans and the potential to extend this for the duration of the scheme, the screening along the permissive footpath, the Solar Stewardship Initiative, whether the height of the panels could be reduced across the whole of the site, the effect of reducing the angle and height of the panels in terms of power generation, the visibility of the panels from surrounding footpaths, the location of the PROWs, and whether consideration had been given to the topography of the land in terms of landscaping plans.
- 68.14 Members considered the representation from Councillor Weller who spoke as the Ward Member.
- 68.15 A break was taken from 11:53am until 12:01pm.
- 68.16 The Applicant responded to a further question from Members regarding whether a change in the height of the panel would effect the number of homes that power could be provided to.
- 68.17 Members debated the application on issues including: the close proximity to the village, whether the number of homes power would be supplied to was an adequate benefit, the nature of the farming which previously took place on the site and the impact of this farming on the current soil quality, the potential improvements to the soil quality from the scheme, and the application of a condition relating to the decommissioning of the scheme.
- 68.18 The Area Planning Manager confirmed to Members that the existing proposed condition relating to a scheme for remediation of land could be expanded to include a decommissioning scheme.
- 68.19 Members continued to debate the application on issues including: the disruption to local residents during the construction phase, the loss of Grade 3 arable land, the objections from local residents, the need for solar energy, the amount of grade 2 land at the site, the substantial public benefits of the scheme including the wider community, the level of impact on agricultural land, the biodiversity gains of the scheme, the footpath enhancements, and the benefits of conditioning a Parish liaison scheme.
- 68.20 Councillor Hardingham proposed that the application be approved subject to the additional conditions discussed.

68.21 Councillor Davies seconded the proposal.

68.22 The Area Planning Manager read out the following additional conditions and informative note:

Conditions

- Colour scheme to be agreed
- Extra standard advance planting to be agreed
- Hedgerow retention in perpetuity
- Topmost point height 2.5m maximum
- LEMP to include future review process with independent ecological survey at 5 and 10 years to be submitted
- Soil improvement plan to control use of herbicides and pesticides
- Decommissioning scheme
- Parish liaison scheme
- Interim glint and glare screening to be agreed, including East Cottage specifically
- Full landscape plans to be submitted
- Skylark mitigation for entire period
- Collaborative inset land approach to be agreed
- Information boards to be agreed
- Sheep grazing to be secured as part of soil management plan

Informative note:

- Solar stewardship scheme

68.23 The additional conditions and informative note were agreed by Councillor Hardingham and Councillor Davies.

By a vote of 7 votes for and 1 against

It was RESOLVED:

That Delegated Authority be given to the Chief Planning Officer to GRANT planning permission and includes the following conditions and informatives (those listed, and others as may be deemed necessary*)

*** [If details reserved by condition are resolved prior to issuing the decision the conditions will be amended accordingly].**

Conditions

- **Commence in 3 years**
- **Comply with approved plans**
- **Temporary permission (up to 40 years or ceases operations, whichever is sooner)**
- **Scheme for remediation of land to be submitted and secured if either they cease use or after the 40years (whichever is first)**

- **Hard and soft landscaping details to be submitted and implemented in first available planting season.**
- **Landscape and Ecological Management Plan to be submitted**
- **Size, location and number of wildlife gates to be submitted**
- **Permissive footpaths to be provided and retained**
- **Construction Management Plan to be submitted**
- **Improvements to existing accesses to be submitted**
- **HGV traffic to be in accordance with Construction Traffic Management Plan**
- **No burning during construction**
- **Acoustic barrier to be erected around solar inverter units**
- **Glint and glare interim mitigation to be submitted**
- **Programme for glare complaints to be submitted**
- **Temporary external lighting details to be submitted and permanent lighting restricted**
- **Construction hours restricted**
- **Internal access track material to be submitted**
- **Storage building and inverter colour to be submitted**
- **Biodiversity Net Gain Assessment secured**
- **Construction Environmental Management Plan to be submitted**
- **Great Crested Newt Natural England Mitigation Licence to be submitted**
- **Biodiversity Enhancement Strategy to be submitted**
- **Skylark Mitigation Strategy to be implemented**
- **Written Scheme of Investigation to be submitted**
- **Post Investigation to be submitted**
- **Surface water drainage strategy to be submitted**
- **Implementation, maintenance and management strategy for surface water drainage to be submitted**
- **Surface water drainage verification report to be submitted**
- **Construction Surface Water Management Plan to be submitted**
- **Soil Management Plan (including grazing provisions) to be submitted**

Informatives

- **Proactive working with NPPF**
- **Follow DEFRA's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites**
- **SCC Floods and Water recommended informatives**
- **SCC Highway recommended informatives**

And the following Conditions and Informatives agreed at Committee:

Conditions:

- **Colour scheme to be agreed**
- **Extra standard advance planting to be agreed**
- **Hedgerow retention in perpetuity**
- **Topmost point height 2.5m maximum**

- **LEMP to include future review process with independent ecological survey at 5 and 10 years to be submitted**
- **Soil improvement plan to control use of herbicides and pesticides**
- **Decommissioning scheme**
- **Parish liaison scheme**
- **Interim glint and glare screening to be agreed, including East Cottage specifically**
- **Full landscape plans to be submitted**
- **Skylark mitigation for entire period**
- **Collaborative inset land approach to be agreed**
- **Information boards to be agreed**
- **Sheep grazing to be secured as part of soil management plan**

Informative:

- **Solar Stewardship Scheme**

69 SITE INSPECTION

69.1 None received.

The business of the meeting was concluded at 12:37pm.

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Chair