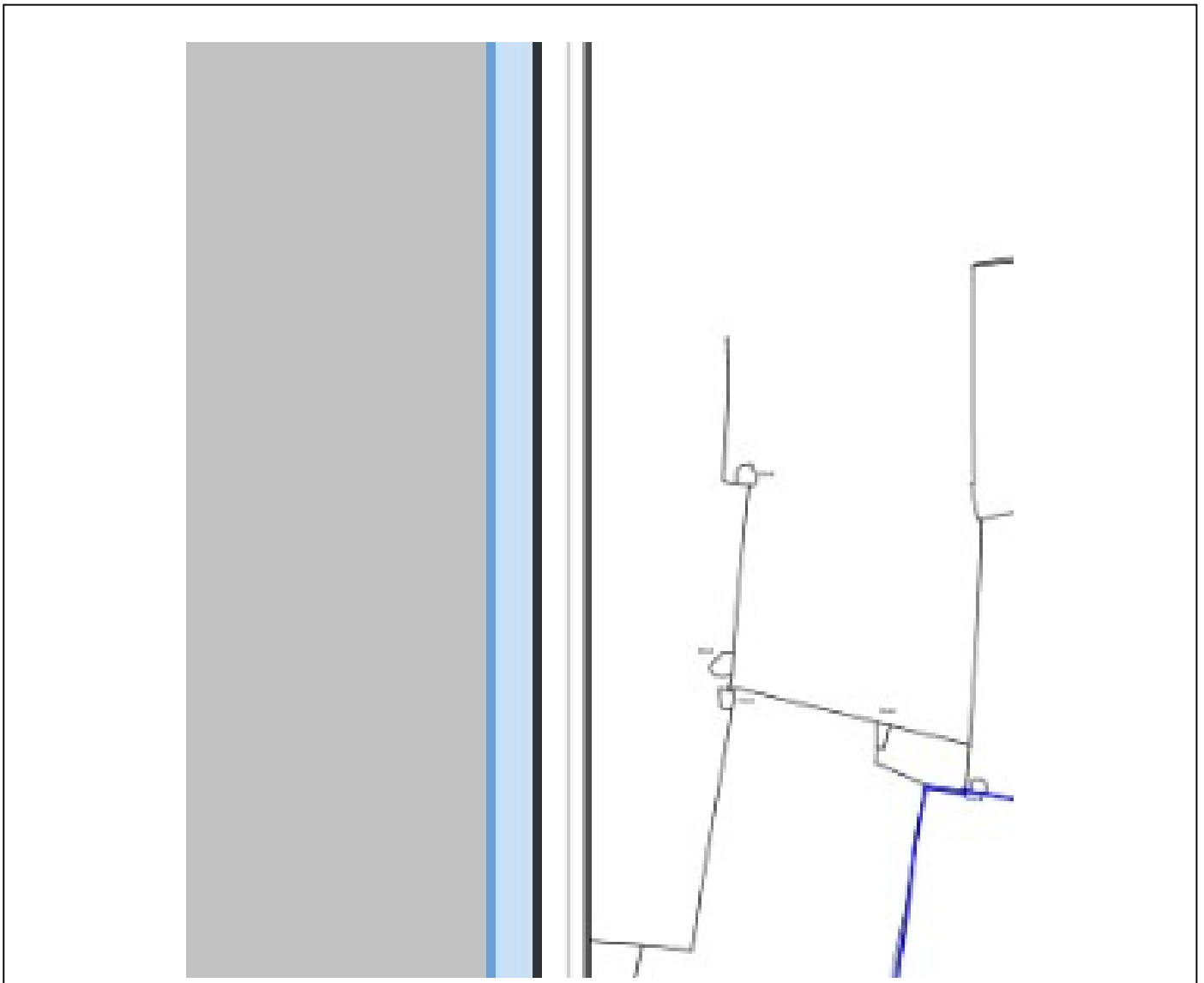


PRE-APPLICATION ENQUIRY DC/22/01844



The Leys And Ivy Farm, Mellis Road, Yaxley

Pre-application Enquiry

This advice is provided as part of the Council's pre-application advice service.

The advice provided here represents a professional officer opinion based on the material submitted and is given in good faith. The Council as Local Planning Authority must consider every planning application on its own merits after having regard to all material planning considerations. The advice provided here is not in respect of a planning application, has not been subject to public consultation or appropriate statutory consultations and is not necessarily accompanied by all the required supporting material and on that basis the advice is not binding on the Council as the Local Planning Authority.

This advice does not pre-determine the outcome of any subsequent planning application based on the submitted material and/or the Advice provided.

In providing this advice the Council is seeking to proactively and constructively provide support to potential applicants seeking to deliver sustainable development as encouraged by the Government within the National Planning Policy Framework [NPPF] and National Planning Practice Guidance [NPPG]

The Council is permitted to charge for this advice under the provisions of the Local Government Act 2003. The intention is to recover the cost of providing the service and not to deter applicants and their agents from engaging in pre-application discussions.



The Proposal

The proposed development is for:

Meeting and written response - Proposal for the construction and operation of Synchronous Condensers (SCs) with ancillary works including access, parking, landscaping and grid connection. Land at The Leys And Ivy Farm, Mellis Road, Yaxley

The supporting material comprises:

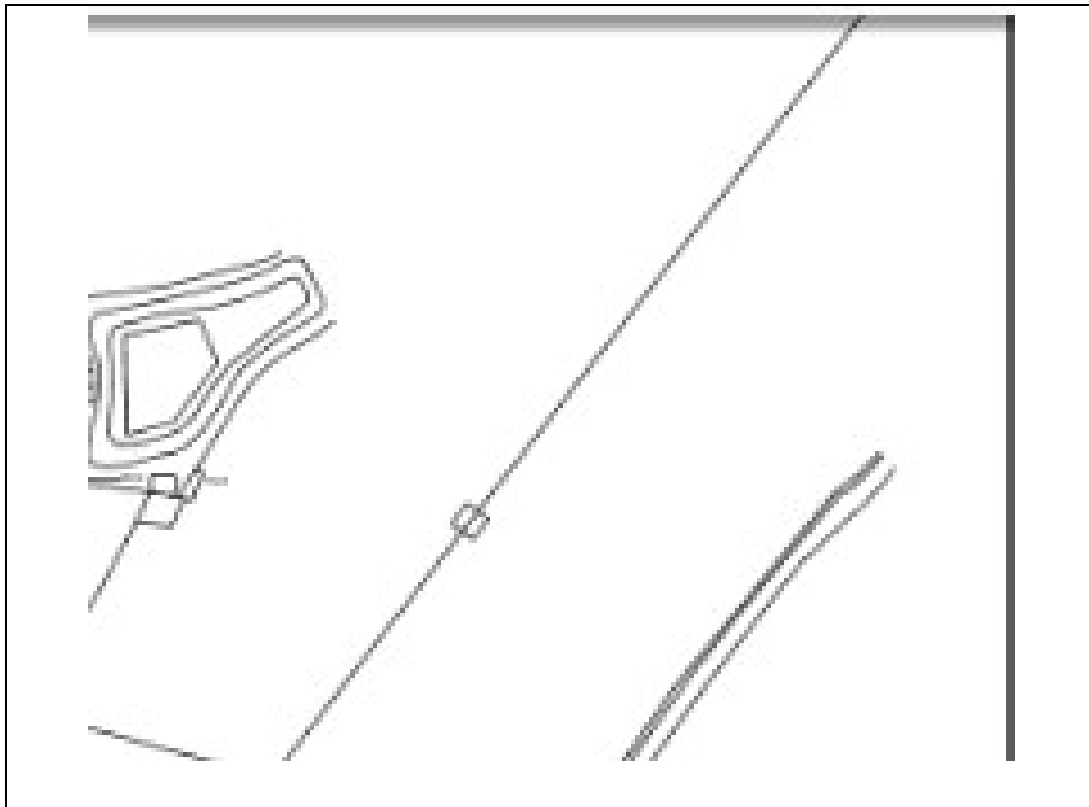
- Site location and indicative layout plan
- Covering letter
- Information received verbally at meeting 25th May 2022

The Proposed Development and Site

The enquiry is for the construction and operation of synchronous condensers with ancillary works including access, parking, landscaping and grid connection.

The site is an area of agricultural land located adjacent to Leys Lane, 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. There are 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.

It is relevant to note that the site adjoins the site of the proposed National Grid Yaxley sub-station which is yet to be constructed.



Relevant Planning History

REF:	PROPOSAL:	DECISION:
The Progress Power (Gas Fired Power Station) Order 2015	Gas Fired Power Station	Consented

Planning Policy

Emerging Local Plan – New Joint Local Plan

The Council is currently in the process of drafting the new Joint Local Plan. However policies are not currently sufficiently advanced as to be given weight at this time. Nevertheless, as the Plan emerges and undergoes the stages of consultation the weight given to these policies will increase and may affect the considerations outlined within this advice. You are advised to review the progression of the Joint Local Plan as it comes forward with regards to any impacts new policies may have on this proposal, details are available on the link below.

<https://www.midsuffolk.gov.uk/planning/planning-policy/new-joint-local-plan/>

National Planning Policy Framework (NPPF)

The NPPF was revised in 2019, and includes, at its heart, a presumption in favour of sustainable development, however this does not affect the statutory status of the development plan (Local Plan) as the starting point for decision making.

The Council's Adopted Development Plan is:

Local Plan 1998
Core Strategy 2008
Core Strategy Focussed Review 2012

The applicant's attention is also drawn to:

The emerging BMSDC Joint Local Plan

Relevant Policies of the adopted Development Plan include:

CS2 – Development in the countryside
CS3 - Reduce contributions to Climate Change
CS5 – Mid Suffolk's environment
GP1 - Design and layout of development
H16 - Protecting existing residential amenity
T10 – Highway considerations in development
CL3 - Major utility installations and power lines in the countryside
CL8 - Protecting wildlife habitats
CL11 - Retaining high quality agricultural land
HB1 – Setting of listed buildings
HB14 - Ensuring archaeological remains are not destroyed.

Key constraints

- The site is located in the countryside in a fairly open landscape setting.
- There are residential properties nearby.
- Leys Lane is a narrow, single track highway that is also a public right of way.
- There are no listed buildings within the site but there are designated and undesignated assets within the wider landscape and the site has the potential for below ground assets.
- The site lies within Flood Zone 1

- The application site lies within the impact risk zone of the SSSIs Gypsy Camp Meadows.
- There are recorded priority species within the locality.
- The land is grade 3 agricultural land.

Consultation Responses

- None requested

Advice:

Principle of development

The role of the Pathfinder project and power inertia development in contributing to the government's objectives for net zero, 50 by 30 and ongoing energy security are recognised.

The principle of the proposed is acceptable providing the impacts of the development, as discussed below, are or can be made acceptable through mitigation.

Heritage

A proposal that includes the curtilage or setting of a Listed Building or works to a Listed Building must respond to this significant consideration. The duty imposed by the Listed Buildings Act 1990 imposes a presumption against the grant of planning permission which causes harm to a heritage asset. A finding of harm, even less than substantial harm, to the setting of a listed building must be given "considerable importance and weight*". (*Bath Society v Secretary of State for the Environment [1991] 1 W.L.R. 1303).

The site does not fall within a designated Conservation Area and there are no Scheduled Ancient Monuments in the locality. There are no listed buildings within the site itself although there are a number of listed buildings and undesignated heritage assets in the wider landscape and the main built up area of Yaxley. There is potential for below ground assets within the site.

There are a number of heritage assets which have the potential to be impacted by the proposal through change within their setting. A Heritage Impact Assessment (HIA) will be required by paragraph 194 of the NPPF; this should be proportionate and sufficient to understand the potential impact to the heritage assets' significance. The heritage assessment should use the stepped approach to assessing the setting of heritage assets contained within Historic England's Good Practice in Planning Advice Note 3: The Setting of Heritage Assets.

Due regard should be given to non-designated heritage assets.

Any cumulative impacts of surrounding forthcoming developments should also be considered.

Biodiversity

The application site lies within the impact risk zone of the SSSIs Gypsy Camp Meadows to the north. There are recorded priority species within the locality.

Any application submission should demonstrate the impact of the development on protected species, with appropriate assessment and recommendations for mitigation, to enable the Local Planning Authority to discharge its statutory duty in determining the application.

Reports must be undertaken by an appropriately qualified person and must take account of UK and European protected species, designated sites and priority habitats and sites.

The application must detail proposals for biodiversity net gain and enhancement measures in accordance with the NPPF.

Highways, Access and Parking

The proposed development is likely generate additional traffic movements in the area with the most significant impact during the construction and decommissioning phases.

Leys Lane is a narrow, single track highway and public right of way. It is recommended that advice be sought from SCC Highways regarding the suitability of the highway and proposed access and parking arrangements.

The application should include a transport statement and construction management plan.

Landscape and visual impact

The site is located in an area of generally open, elevated landscape with direct views from public highways and the rights of way network. The proposal will have an impact on the character and appearance of the area and the application documents should address this issue, together with the cumulative impact of any other relevant development.

Residential amenity:

There are dwellings to the north of the site and within the main area of Yaxley village that may be affected by the proposed development.

The application should include a noise impact assessment, including a cumulative assessment of other relevant development.

Other matters:

It would be helpful for the application documents to include a simple and clear explanation of the development including the equipment proposed to be installed and the nature of operations in relation to any noise, emissions, lighting and safety.

As the site area is over 1ha a flood risk assessment is required.

Increasing concerns relating to food production security and loss of agricultural land warrant details of the quality of the land affected by this proposal. It is understood the development has an anticipated design life of approximately 25 years. It is suggested that a temporary permission may be easier to support as opposed to a permanent loss of agricultural land and details of decommissioning and reinstatement would also be helpful.

It is possible the development will be considered to be development associated with renewable energy and may therefore need to be determined by the Mid Suffolk Planning Committee, in accordance with the scheme of delegation.

The proposal is unlikely to be considered EIA development.

It is noted that the supporting statement refers to the Canterbury North GSP and Kent area which are assumed to be errors. It is suggested the development be set out in relation to the Yaxley GSP and connection details provided to demonstrate why the proposal is not located on Eye airfield / east of A140.

Conclusions/ Planning Balance

Planning policy is generally supportive of appropriate renewable energy associated development that supports the government's objectives, including net zero and ongoing energy security, providing the impacts of the development are or can be made acceptable.

In this instance there are a number of likely impacts that would need to be addressed and demonstrated in any application submission. There is particular concern regarding visual impact, noise and residential amenity and highways issues. An application for planning permission will be refused if it cannot be demonstrated, to the satisfaction of the Local Planning Authority, that these impacts of the development are or can be made acceptable.

The development also has the potential for heritage and biodiversity impacts that are material considerations and will need to be adequately assessed and demonstrated together with recommendations for appropriate mitigation to ensure the impacts are or can be made acceptable.

Planning Risk Assessment

Expected Supporting Material in the Event of a Planning Application

Our Joint Local Validation Checklist sets out the details required for each application and this is available at <https://www.babergh.gov.uk/planning/development-management/apply-for-planning-permission/national-and-local-validation-requirements/> However on the basis of the information provided I would particularly draw your attention to the need to provide the following:

- Landscape and visual impact assessment.
- Ecology assessment.
- Heritage impact assessment.
- Transport assessment.
- Noise assessment.
- Flood risk assessment.

This is not an exhaustive list of all documents and information which need to support your application, as mentioned above please consult the Joint Local Validation Checklist.

- For Householder development (not suitable for joint Listed Building Application) you can submit electronically on our website <https://www.midsuffolk.gov.uk/planning/development-management/apply-for-planning-permission/>
- For all types of development you can submit electronically via the Planning Portal

https://www.planningportal.co.uk/info/200232/planning_applications (please note that applying via this site may incur a submission charge)

- For all types of development you can download the relevant application form from the Planning Portal and send to us by email or post
https://www.planningportal.co.uk/info/200126/applications/61/paper_forms

Building Control

Pre-application advice is also available from our Building Control Team. Find information online: <https://www.midsuffolk.gov.uk/building-control/> or contact the Building Control Manager, Paul Hughes, on 01449 724502. We can offer specialist support, local knowledge and a quality service with expert independent and impartial advice.

Charges include access to the surveyor appointed for any query that may arise before or during construction as well as a tailored inspection regime including inspections which only need to be booked by 10am on the day the inspection is required.

We can also provide carbon emission / fabric energy efficiency calculations at pre-application stage to support planning applications and the necessary Part L calculations and Energy Performance Certificates for Building Regulations compliance and our partners at LABC Warranty can offer a very competitive warranty for all new dwellings which we would be happy to provide further details for / liaise with on your behalf.

NOTES

Please note that any advice provided by the Council's Officers is informal opinion only and is made without prejudice to any formal determination which may be given in the event of an application being submitted. In particular, it will not constitute a formal response or decision of the Council with regard to any future planning applications, which will be subject to wider consultation and publicity. Although the Case Officer may indicate the likely outcome of a subsequent planning application, no guarantees can or will be given about the decision.

This advice is based on the information provided, background details and constraints at the current time. These circumstances can change and this may affect the advice you have received. You may wish to seek confirmation that the circumstances have not changed if you are considering submitting an application and any substantial amount of time has passed since the date of this advice.