

Mid Suffolk District Council
Endeavour House
8 Russel Road
Ipswich
IP1 2BX

Date: 19 February 2024

Our ref: 64846/04/HS/EC/26952520v1

Dear Sir/Madam

Land at the Leys and Ivy Farm, Mellis Road, Yaxley, Suffolk: Application to Discharge Conditions related to Planning Permission DC/23/01494

On behalf of our client, Conrad Energy (Developments) II Limited ('the Applicant'), we enclose an application at Land at the Leys and the Ivy Farm, Mellis Road, Yaxley, Suffolk, IP21 4BT, seeking to discharge Conditions 13 (Submission of Landscape Details) and 14 (Landscape and Ecological Management Plan, 'LEMP') pursuant to planning permission ref. DC/23/01494.

Application Submission

This application has been submitted via the Planning Portal (ref. PP-12429196) and comprises the following, relevant to both Conditions 13 and 14:-

- 1 Completed application form for the approval of details reserved by condition;
- 2 This Cover Letter, prepared by Lichfields.

This application comprises the following, relevant to Condition 13:-

- 3 Detailed Landscape Plans, prepared by DRaW (UK):
 - a Landscape Mitigation - Soft Works (drawing no. 059_12_01 (S73) Rev C);
 - b Landscape Mitigation - Hard Works (drawing no. 059_12_02 (S73) Rev B);
 - c Landscape Mitigation – Plant Schedules (drawing no. 059_12_03 (S73) Rev A); and
 - d Landscape Mitigation – Planting Specifications (drawing no. 059_12_04 (S73) Rev A).

This application also comprises the following, relevant to Condition 14:-

- 4 Landscape and Ecological Management Plan (S73 Single Condenser), dated 1 September 2023 (report no. 59-12-R3 (S73) LEMP).

The requisite application fee of £145.00 (plus Planning Portal fee £64.00) has been paid online via the

Planning Portal.

Background and Discharge of Conditions 13 and 14

On 20 February 2023, Mid Suffolk District Council granted permission (ref. DC/22/04021) for the ‘construction and operation of Synchronous Condensers with ancillary infrastructure, and associated works including access’.

On 17 August 2023, Mid Suffolk District Council approved the details submitted to discharge Conditions 13 (Submission of Landscape Details) and 14 (Landscape and Ecological Management Plan) (ref. DC/23/02094) attached to the planning permission (ref. DC/22/04021).

On 26 June 2023, Mid Suffolk District Council granted permission (ref. DC/23/01494) for an application under Section 73 of the Town and Country Planning Act 1990 to vary Condition 2 (Approved Plans and Documents) of the above permission (ref. DC/22/04021).

Condition 13 (Submission of Landscape Details)

This application seeks to discharge the 13th condition attached to this planning permission, which reads as follows:

“Notwithstanding the submitted details, prior to commencement of landscape works hereby approved, details comprising plans and particulars shall be submitted to the Local Planning Authority showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority shall show the existing trees, shrubs, and hedgerows on the site where to be retained and shall include details of:

- a A specification of soft landscape works (in accordance with British Standards), including a schedule of species, size, density and spacing of all trees, shrubs and hedgerows to be planted.
- b Areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment.
- c Paved or otherwise hard surfaced areas including the extent and specification for footways and kerbing, together with the type and specification of all permeable paving and asphalt surfaces.
- d Existing and finished levels shown as contours with cross-sections, if appropriate.
- e All means of enclosure and all boundary treatments.
- f Details relating to the protection and enhancement the existing retained vegetation on site, or if applicable adjacent to the site which may be reasonably effected by the proposed development and any ongoing management of these features over the lifetime of the proposed use.

Such details as may be agreed, shall be implemented in their entirety during the first planting season (October to March inclusive) following approval, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in an agreed location, in the first available planting season following removal.

Reason: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity.”

In accordance with the requirements of Condition 13, the enclosed Detailed Landscape Plans submitted alongside this Cover Letter provide the above listed details. It is therefore considered that the details provided within these plans is sufficient to formally discharge Condition 13.

Condition 14 (Landscape and Ecological Management Plan)

This application also seeks to discharge the 14th condition attached to this planning permission, which reads as follows:

“A Landscape and Ecological Management Plan (LEMP), based on section 7.2 of the Preliminary Ecological Appraisal (A1 Ecology Ltd., November 2022), shall be submitted to, and be approved in writing by, the Local Planning Authority prior to commencement of the development above slab level. The content of the LEMP shall include the following:

- a Description and evaluation of features to be managed.
- b Ecological trends and constraints on site that might influence management.
- c Aims and objectives of management.
- d Appropriate management options for achieving aims and objectives.
- e Prescriptions for management actions.
- f Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g Details of the body or organisation responsible for implementation of the plan.
- h Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: *To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)”*

In accordance with the requirements of Condition 14, the enclosed LEMP submitted alongside this Cover Letter provides the above listed details. It is therefore considered that the details provided within this LEMP are sufficient to formally discharge Condition 14.

Conclusion

We trust that the enclosed information provided is appropriate to satisfy the requirements of Condition 13 and Condition 14. As such, we consider that the conditions can therefore be discharged. However, should you require any further information, please do not hesitate to contact me.

Yours faithfully



Emily Clarke

Planner

BA (Hons) MSc