

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council

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PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Pathfinder Clean Energy UK Dev Ltd.
Central House, 20 Central Avenue
St Andrews Business Park
Norwich
NR7 0HR

Applicant:

Pathfinder Clean Energy UK Dev Ltd.
Central House, 20 Central Avenue
St Andrews Business Park
Norwich
NR7 0HR

Date Application Received: 23-May-22

Application Reference: DC/22/02667

Date Registered: 14-Jun-22

Proposal & Location of Development:

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.

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

Section A – Plans & Documents:

This decision refers to drawing no./entitled UKZ055_08 received 23/05/2022 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan UKZ055_08 - Received 23/05/2022

Proposed Site Plan UKZ055_09 - Received 02/11/2023

Elevations - Proposed UKZ055_01 CCTV V0 - Received 23/05/2022

Elevations - Proposed UKZ055_04 Inverter Cabin V0 - Received 23/05/2022

Elevations - Proposed UKZ055_05 Double Gate V0 - Received 23/05/2022

Elevations - Proposed UKZ055_06 Deer Fence V0 - Received 23/05/2022

Elevations - Proposed UKZ055_07 Substation V0 - Received 23/05/2022

Elevations - Proposed UKZ055_11 Access Track V0 - Received 23/05/2022

Elevations - Proposed UKZ055_12 Storage Building V0 - Received 23/05/2022

Proposed Landscaping Plan UKZ055_10 Mitigation and Enhancements Plan - Received

18/09/2023

Skylark Mitigation Areas Plan - Received 07/08/2023

Breeding Bird Survey - Received 18/07/2023

Arboricultural Assessment P03 - Received 07/06/2023

Noise Impact Assessment R9700-2 0 - Received 23/12/2022

Background Noise Level Study R9700-1 0 - Received 13/10/2022

Preliminary Ecological Appraisal - Received 13/10/2022

Topographic Survey PLS-NP-FT-TS-00 - Received 23/05/2022

Glint and Glare Assessment - Received 23/05/2022

Transport Assessment - Received 23/05/2022

Ecological Survey/Report GCN eDNA Report - Received 23/05/2022

Elevations - Proposed UKZ055_03 PV Panel V1 - Received 02/11/2023

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

3. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: TEMPORARY PERMISSION

The Local Planning Authority shall be notified, in writing within one calendar month, of the date the development hereby permitted is first commercially operated for the supply of electricity. This permission shall expire 40 years after the date of first commercial operation, or within 12 months of the date the site was last operated, if the site does not supply electrical energy for a continuous period of 12 months, whichever is the sooner.

Reason- In the interests of proper planning to ensure there is an effective use of land.

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: REMEDIATION STRATEGY

Following the expiration/ cessation of operations on site all equipment, infrastructure, hard surfaces and other parts of the development shall be removed and the land shall be reinstated to its former condition. This shall be done in accordance with a remediation strategy which shall have previously been submitted to and approved in writing by the Local Planning Authority. The reinstatement scheme shall include a biodiversity assessment and mitigation and details of any landscape planting to be retained, which shall include all hedgerows planted as part of the scheme.

Reason- In the interests of ensuring the land is returned to an acceptable manner for any future use/ continued agricultural use.

5. SPECIFIC RESTRICTION ON DEVELOPMENT: PANEL HEIGHT

No solar PV panels to be installed shall be any higher than 2.5 metres in height.

Reason- In the interests of mitigating visual impact and intrusion into the countryside.

6. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

Prior to commencement of development, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority, in line with the Preliminary Ecological Appraisal - Rev 5 (Phlorum Ltd, October 2022) and the Breeding Bird Survey (Phlorum Ltd, July 2023).

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall then be adhered to and implemented throughout the construction period.

Reason: To conserve protected and Priority species and 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).

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SUBMISSION OF A COPY OF NATURAL ENGLAND MITIGATION LICENCE FOR GREAT CRESTED NEWT

Prior to commencement of any works which will impact the breeding / resting place of Great Crested Newt, the Local Planning Authority shall be provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason- To conserve protected species and 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 s17 Crime & Disorder Act 1998.

8. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: BIODIVERSITY ENHANCEMENT STRATEGY

Prior to first operation, a Biodiversity Enhancement Strategy for bespoke biodiversity enhancements, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The enhancement strategy shall be implemented in full in accordance with the approved details prior to first operation and shall then be retained.

Reason- To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority habitats & species).

9. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: BIODIVERSITY NET GAIN PLAN

Prior to commencement of development a Biodiversity Net Gain Plan, to ensure that there is measurable net gain in biodiversity within a 30-year period, shall be submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the biodiversity metric 4.0 as applied in the area in which the site is situated at the relevant time.

The content of the Biodiversity Net Gain Plan should include the following:

- a) Proposals for the on-site biodiversity net gain;

b) A management and monitoring plan for onsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from , first operation demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The approved biodiversity net gain plan shall be implemented in full accordance with a timetable to be agreed as part of the Biodiversity Net Gain Plan, and shall then be managed and retained.

Reason- To allow the development to demonstrate measurable biodiversity net gains and allow Local Planning Authority to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species).

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COLLABORATIVE BIODIVERSITY PLAN

Prior to commencement of development a strategy plan shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Set out how the undeveloped parcels of land on the site (not otherwise used for the biodiversity net gain requirements of the site) can be used for a collaborative approach to enhancing biodiversity across the district.
- b) Provide a mechanism to facilitate the management of the land for biodiversity purposes.
- c) set out roles and responsibilities for managing any biodiversity units as per part a and b of this condition.

The approved plan shall then be implemented prior to first operation of the site unless otherwise agreed in writing by the local planning authority.

Reason- In the interests of maximising the biodiversity benefits of the site.

11. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SKYLARK MITIGATION STRATEGY

All mitigation measures for Skylark shall be carried out in accordance with the details contained in the Breeding Bird Survey (Phlorum Ltd, July 2023). The provision of the off-site Skylark Plots shall be implemented prior to the first operation on site and in accordance with the approved details. All features shall then be retained for the lifetime of the solar farm unless otherwise agreed in writing by the local planning authority.

Reason- To allow the Local Planning Authority to discharge its duties under the NERC Act 2006 (Priority habitats & species).

12. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: HARD AND SOFT LANDSCAPING

Prior to the commencement of development, details of hard and soft landscaping across the site shall be submitted to and approved in writing by the Local Planning Authority.

The details must include the following:

- a) Specification of soft landscape work 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 tracks and paths, 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 between individual plots, all boundary treatments around the perimeter of the site and all boundaries adjacent to the service road.
- f) Details relating to the protection and enhancement of the existing woodland and its ongoing management over the lifetime of the proposed use.

Hard and soft landscaping shall then be implemented in accordance with the approved details. All soft landscaping shall be planted in the first available planting season following commencement, or in another phased approach as may be agreed with the Local Planning Authority. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of securing a well landscaped development to mitigate and soften visual impacts.

13. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN (LEMP)

Prior to the installation of any solar panels or associated ancillary equipment and infrastructure (including substation) a Landscape and Ecological Management Plan (LEMP) shall submitted to and approved in writing by the Local Planning Authority.

The LEMP shall include the following details:

- 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 for the lifetime of the development).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures
- i) A review mechanism at 5 and 10 years to assess the effectiveness of the LEMP to enable any further measures as may be necessary to achieve the original objective.

All landscaping shall then be managed in accordance with the approved LEMP.

Reason- In the interests of securing a well landscaped development throughout the lifetime of the development.

14. SPECIFIC RESTRICTION ON DEVELOPMENT: RETENTION OF HEDGEROWS AND TREES

All hedgerows and trees that are to be planted as part of the development shall be managed and maintained for the lifetime of the development, no hedgerows and trees as planted shall be removed following decommissioning of the solar farm.

Reason- In the interests of ensuring mature healthy hedgerows are not unnecessarily removed.

15. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: ADVANCED PLANTING

Within 6 months prior to the commencement of development, an advanced planting scheme shall be submitted to and approved in writing by the Local Planning Authority.

The approved planting shall then be planted in the first planting season, unless otherwise agreed in writing by the Local Planning Authority.

Reason- To allow time for landscaping in open and sensitive areas to establish, mature and soften the visual impacts of the scheme.

16. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: WILDLIFE GATES

Prior to the installation of any fencing (except for temporary construction related fencing), details of wildlife gates, including size, location and number shall be submitted to and approved in writing by the Local Planning Authority.

All gates shall then be installed in accordance with the approved scheme prior to first operation of the development.

Reason- In the interests of protecting and assisting wildlife on and around the site.

17. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COLOUR SCHEME

Prior to the installation of any ancillary equipment or infrastructure, a colour scheme for all buildings and structures on site shall be submitted to and approved in writing by the Local Planning Authority. All buildings and structures shall then be coloured in accordance with the approved scheme.

Reason- In the interests of mitigating visual impacts.

18. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: ARBORICULTURAL IMPACT

All construction works shall be carried out in accordance with the protection measures and recommendations within the Arboricultural Impact Assessment.

Reason-In the interests of protecting trees and hedgerows from unnecessary harm.

19. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: LAND AND SOIL MANAGEMENT PLAN

Prior to first operation of the site, a land and soil management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the following:

- a) sheep grazing
- b) soil improvement plan to control use of herbicides and pesticides
- c) timetable for implementation
- c) management and maintenance

The approved plan shall be then implemented in full in accordance with the approved timetable.

Reason- In the interests of maximising benefits and improvements in the land for the lifetime of the development.

20. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SURFACE WATER DISPOSAL

Prior to commencement of development a strategy for the disposal of surface water on the site and until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site shall be submitted to and approved in writing by the Local Planning Authority (LPA). The strategy shall be implemented in full prior to first operation and shall then be retained in accordance with the approved details.

Reason- To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained and to ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

21. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: CONSTRUCTION SURFACE WATER MANAGEMENT PLAN

Prior to commencement of development, details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) shall be submitted to and agreed in writing by the Local Planning Authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction.

Reason- To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater.

www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/

22. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: WRITTEN SCHEME OF INVESTIGATION

Prior to commencement of development, a programme of archaeological work shall be secured in accordance with a Written Scheme of Investigation which shall be submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason- In the interests of safeguarding and recording any archaeological assets and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

23. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: POST INVESTIGATION

Prior to first operation, the site investigation and post investigation assessment shall be completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation. Provision shall be made for analysis, publication and dissemination of results and archive deposition.

Reason- In the interests of safeguarding and recording any archaeological assets and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

24. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: ARCHAEOLOGICAL MANAGEMENT PLAN

Prior to commencement of development, a management plan for any archaeological areas to be preserved in situ setting out the methodology to secure the ongoing protection of these areas both during construction, operation and decommissioning of the solar farm shall be submitted to and approved in writing by the Local Planning Authority.

The management plan shall include:

- a) a detailed site plan showing Archaeological Exclusion Zones
- b) define areas within which development will be excluded or provide sufficient design mitigation to avoid any impact to below ground archaeological deposits.
- c) Full details of the final construction methods to be implemented for any works in these areas.

The development shall then be carried out in accordance with the approved management plan.

Reason- In the interests of safeguarding archaeological assets during the construction period.

25. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: PERMISSIVE PATH

Prior to first operation, details of the permissive path route as shown on plan UKZ055_09, its management and associated signage shall be submitted to and approved in writing by the Local Planning Authority. The approved path and signage shall be laid out and made available for public use prior to first operation. The permissive path shall then be managed in accordance with the approved details, remain free from obstruction and available for public use for the lifetime of the development.

Reason- In the interests of mitigating recreational impacts and enhancing recreational routes within the area.

26. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: INFORMATION BOARDS

Prior to first operation of the development, an information board scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) details of the information to be included on the boards which will include the principles of renewable energy generation and nature conservation that relate to the development.
- b) the number, appearance, layout and size of the boards
- c) a site plan showing the locations of the boards, which shall be in publicly accessible locations
- d) Maintenance provisions to ensure the boards remain legible and in good condition.

All approved information boards shall then be installed around the site prior to first operation and retained thereafter.

Reason- To provide the public with access to educational information about the scheme.

27. SPECIFIC RESTRICTION ON DEVELOPMENT: NO BURNING

No materials/ waste produced as a result of the site's development or clearance shall be burned on site.

Reason - To minimise detriment to nearby residential amenity

28. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: ACOUSTIC BARRIER

Prior to first operation of each solar inverter unit, an acoustic barrier shall be constructed around each solar inverter unit. Each C shaped barrier shall open to the access road but be closed in all other directions facing the receptors as shown in the Noise Impact Assessment received 23rd December 2022. The barrier shall achieve a minimum superficial weight of 15 kg/m².

Where the solar inverter units are installed in a manner that the effective source height is no greater than 1.5 metres above ground level, the height of the barrier shall be 3 metres above ground level. Where the effective source height is greater than 1.5 metres above local ground level a revised assessment and mitigation method shall be submitted to and approved in writing by the Local Planning Authority and shall then be installed prior to first operation of the respective solar inverter unit the mitigation serves.

Reason- To mitigate noise nuisance from the development.

29. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: GLINT AND GLARE MITIGATION

All glint and glare mitigation measures contained within Glint and Glare Assessment 23rd May 2022, shall be implemented in full prior to the first planting season after the installation of any solar PV panels.

Reason- In the interests of protecting residents from glint and glare impacts of the solar PV panels.

30. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: INTERIM GLINT AND GLARE SCREENING

Prior to installation of any solar PV panels on site interim glint and glare screening measures including details of how they will remain in place shall be submitted to and approved in writing by the Local Planning Authority. These interim measures shall cover the areas of the site, specifically towards East Cottage, where hedgerow screening will be provided and shall provide details of interim measures to be installed prior to the hedgerow becoming fully established in accordance with the Glint and Glare Assessment dated 23rd May 2022.

The approved interim screening measures shall then be installed prior to the installation of any solar PV panels.

Reason- In the interests of protecting residents from glint and glare impacts of the solar PV panels.

31. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: GLINT AND GLARE COMPLAINTS

Prior to the installation of any solar PV panels, a method for reporting glare complaints and a programme for mitigation to reduce complaints of glare that are substantiated shall be submitted to and approved in writing by the Local Planning Authority. The approved method shall be put in place prior to installation of any solar PV panels and the complaints register shall be made available to the Local Planning Authority upon request.

Reason- In the interests of protecting residents from glint and glare impacts of the solar PV panels.

32. SPECIFIC RESTRICTION ON DEVELOPMENT: CONSTRUCTION HOURS

All construction works on site shall only be carried out between the following hours:
Mondays to Fridays between 07:30 and 18:00, Saturdays between 09:00 and 13:00. With no working on Sundays or Bank/ Public Holidays.

Reason- To minimise detriment to nearby existing residential amenity.

33. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: LIGHTING

Prior to the installation of any external temporary or permanent lighting on site, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. No other external lighting shall be installed unless otherwise approved in writing by the Local Planning Authority.

Reason- To minimise detriment to nearby existing residential amenity and wildlife.

34. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: PARISH LIAISON SCHEME

Prior to commencement of development a Parish Liaison Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include provisions to keep Palgrave Parish Council or any other party nominated by the parish council regularly up to date on the progress of the construction of the development and offer contact details and meetings to liaise with the parish council or nominated party. The approved scheme shall then be carried out in its entirety.

Reason- In the interests of ensuring local residents are fully informed of works and operations and to provide a direct line of communication.

35. ACTION REQUIRED IN ACCORDANCE WITH CONSTRUCTION TRAFFIC MANAGEMENT PLAN

All HGV delivery traffic movements to and from the site during the construction period shall be made in accordance with the Transport Statement and Construction Management Plan dated 23rd May 2022 as listed under Section A of this decision notice, unless otherwise approved in writing by the Local Planning Authority. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason- In the interests of highway safety, to reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.

36. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: ACCESSES

Prior to commencement of development, details of improvements to the existing accesses, including the position of any gates to be erected, surfacing materials and visibility splays to be provided, shall be submitted to and approved in writing by the Local Planning Authority. The approved accesses shall be laid out and constructed in their entirety prior to any other part of the development commencing. The accesses shall then be retained in their approved form.

Reason- To ensure that the accesses are designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time.

37. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
CONSTRUCTION MANAGEMENT PLAN

Prior to commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) any piling techniques
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression, including all vehicles being sheeted and damping down roads
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.
- o) Details of any temporary construction lighting.

All construction shall then be carried out in accordance with the approved plan.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

38. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: INTERNAL
ACCESS TRACK

Prior to the installation of the internal access tracks details of the surface material shall be submitted to and approved in writing by the Local Planning Authority. The access tracks shall then be laid out in accordance with those details.

Reason- In the interests of ensuring an appropriate surface material is installed on site.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

- FC01 - Presumption In Favour Of Sustainable Development
- FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
- CS01 - Settlement Hierarchy
- CS02 - Development in the Countryside & Countryside Villages
- CS03 - Reduce Contributions to Climate Change
- CS04 - Adapting to Climate Change

CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
HB01 - Protection of historic buildings
CL03 - Major utility installations and power lines in countryside
CL08 - Protecting wildlife habitats
CL11 - Retaining high quality agricultural land
T10 - Highway Considerations in Development
RT12 - Footpaths and Bridleways
Diss and District Neighbourhood Plan
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance
SP03 - The sustainable location of new development
SP09 - Enhancement and Management of the Environment
LP15 - Environmental Protection and Conservation
LP16 - Biodiversity & Geodiversity
LP17 - Landscape
LP19 - The Historic Environment
LP24 - Design and Residential Amenity
LP25 - Energy Sources, Storage and Distribution
LP27 - Flood risk and vulnerability
LP29 - Safe, Sustainable and Active Transport

NOTES:

1. Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. In this case the applicant took advantage of the Council's pre-application service prior to making the application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. DRAINAGE

Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991.

Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.

Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution.

Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act.

Any works to a main river may require an environmental permit.

3. ARCHAEOLOGY

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team. On request of the applicant, SCC Archaeology can provide a specification for the archaeological work required at this site. In this case, a second phase of archaeological evaluation will be required in the first instance to establish the full potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) or preservation in situ of defined remains through construction methods which avoid ground disturbance, will be made on the basis of the results of the evaluation. Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>

4. SOIL PROTECTION

General guidance for protecting soils during development is also available in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and should the development proceed, we recommend that relevant parts of this guidance are followed.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/716510/pb13298-code-of-practice-090910.pdf

The British Society of Soil Science has published the Guidance Note Benefitting from Soil Management in Development and Construction which sets out measures for the protection of soils on development of individual sites, which we also recommend is followed.

<https://soils.org.uk/education/guidance-and-science-notes/>

5. Environmental Health at the District Councils should be contacted in the event of unexpected ground conditions / contamination being encountered during construction. The developer should be aware that the responsibility for the safe development of the site lies with them at all times.

6. HIGHWAYS

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171. For further information go to:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

7. PUBLIC RIGHTS OF WAY

1. PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).

2. All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact DefinitiveMaps@suffolk.gov.uk.

3. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

4. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

To apply for permission to carry out work on a PROW, or seek a temporary closure - <https://www.suffolk.gov.uk/roadsand-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

To apply for permission for structures such as gates to be constructed on a PROW - contact the relevant Area Rights of Way Team - <https://www.suffolk.gov.uk/roadsand-transport/public-rights-of-way-in-suffolk/public-rights-of-waycontacts/> or telephone 0345 606 6071.

5. To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible - <https://www.suffolk.gov.uk/roads-andtransport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

6. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

8. SOLAR STEWARDSHIP

You are encouraged to look into the Solar Stewardship Scheme
<https://www.solarstewardshipinitiative.org/about-ssi/>.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on:
infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/22/02667

Signed: Philip Isbell

Dated: 9th November 2023

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/appeal-planning-decision>.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

Babergh District Council

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Mid Suffolk District Council

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