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FULL PLANNING APPLICATION FOR THE CONSTRUCTION OF MARSH LANE SOLAR FARM, DISS (LPA REF. DC/23/05426) – AMENDMENTS AND RESPONSES TO THE LOCAL PLANNING AUTHORITY

Dear Jasmine,

During determination of the full planning application for Marsh Lane Solar Farm, Diss (*LPA ref. DC/23/05426*) numerous comments have been made by statutory consultees and other bodies. As the applicant for the planning application, Aura Power have prepared this supplementary submission correspondence for issue to Babergh and Mid Suffolk District Council (the 'Council'). This correspondence provides an overview of the comments made by the relevant consultees, along with their responses and where applicable, confirmation of how the proposed development has been updated.

This correspondence also provides confirmation of the additional information submitted in support of the planning application, which comprises the following:

Site Layout Plan (drawing ref. GBR.0010.DEV.M4.001.0.D.e);
Photography from Footpath 20;
Redacted Grid Connection Agreement; and
Proposed Site Access Junction Drawing (drawing ref. 3784-01-D01).

The remainder of this correspondence sets out in turn the various matters that have sought to be addressed.

Positioning of Public Right of Way

Palgrave Public Footpath 20 runs from south to north through the proposed development site. The route allows foot travel between Lion Road to the south and Millway Lane to the north of the proposed development site. Upon preparing the planning application and the previously submitted Layout Plan, the footpath was drawn where it is presently located on the ground and how it is currently used. Comments from the Council's Public Right of Way Officer confirm that the preferred approach would be for the public right of way to follow the route depicted on the Council's Definitive Right of Way plan.

A copy of the Definitive Right of Way plan has been obtained from the Council and the route of Footpath 20 has been plotted onto the updated Layout Plan, submitted in support of this supplementary correspondence (drawing ref. GBR.0010.DEV.M4.001.0.D.e).

A number of other comments were also raised by the Public Right of Way Officer, which largely related to the landscape impact of the proposed development on Footpath 20. These comments were largely replicated by the Council's Landscape Officer and are addressed later in this correspondence.

Presence of Great Crested Newts

Place Services, as ecological advisors to the Council, provided a detailed response on the planning application and the proposed development. Within this response, two matters were raised in relation to the presence of Great Crested Newts and Skylark. A detailed response regarding both of these matters was issued to Place Services from our appointed ecologists (BiOME) on 4 July 2024. Place Services acknowledged receipt of the correspondence, but requested that this information and the request for their comment was mediated by the Council. This correspondence therefore sets out the original comment from Place Services and our subsequent response in relation to Great Crested Newts. Comments in relation to Skylarks are dealt with in the subsequent section of this correspondence.

Initial comments from Place Services confirmed the following:

“In regard to Great Crested Newt, we note that the Ecological Constraints Report v4 (BiOME Consulting, August 2023) has identified that pond 20 contained a positive result for Great Crested Newt. As a result, it has been proposed that site is registered under the District Level Licencing (DLL). We highlight that the LPA will need an Impact Assessment and Conservation Payment Certificate (IACPC) document, countersigned by Natural England, as evidence of site registration prior to determination.

This is required prior to determination because the Local Planning Authority must consider the guidance under paragraph 99 of the ODPM Circular 06/2005. This advises that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed development, must be established before planning permission is granted. Therefore, if there is a reasonable likelihood of protected species being present and affected by the development, the surveys should be completed and any necessary measures to protect the species should be in place before the permission is granted.

Furthermore, the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) when reaching planning decisions and must not leave this until the licence application stage (based on the judgement in the Hack Green Group (Appellant) v Cheshire East Council [2006] - APP/R0660/W/15/3131662). Therefore, if a European Protected Species Mitigation Licence is required for this application, appropriate mitigation measures to support the provision of the licence must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.”

District Level Licencing was originally proposed for Great Crested Newts in the reporting prepared by BiOME, based on the proposed site boundary at the time, which extended to the boundary of Millway Lane. This was due to the identified presence of Great Crested Newts in a single pond 0.2 km east of the site (recorded as Pond 20). The site boundary and extent of proposals in this area has subsequently reduced, with the land in the north east of the site proposed as meadow creation rather than being physical built development. For the avoidance of doubt, the proposed development in this area of the site will not comprise any physical development. The result of these changes is that no suitable terrestrial habitat within 250 m of Pond 20 will be lost due to the proposed development. No loss of breeding ponds will occur. It is therefore proposed to complete the works under a Reasonable Avoidance Method Statement with regard to Great Crested Newts. Confirmation of the acceptability of this proposed approach is requested from Place Services.

Presence and Mitigation of Skylarks

Within the same response from Place Services regarding Great Crested Newts, Place Services responded to the Council in relation to the presence and mitigation of Skylarks across the proposed development site. In this regard, Place Services confirmed the following:

“In regard to Skylark, we recommend that further information is provided on compensation for 14 Skylark breeding territories within the site and any displaced by the development. A bespoke Farmland Bird Compensation Strategy will be required to ensure that impacts upon nesting Skylark are mitigated and compensated for this application, with consideration of the recent prototype methodology submitted in CIEEM In Practice. It is highlighted that a solution justifying that the increase of foraging habitat from the Solar Farm will have an overall benefit to breeding Skylark will not be supported by the LPA, unless it can be demonstrated that the wider landscape has the ability to support an increased carrying capacity of breeding Skylark.

As a result, compensation measures will need to be provided on-site and / or offsite in nearby suitable land. The implementation of the measures could then be secured as a condition of any consent if suitable compensation can be delivered in the applicant's control. However, if suitable land is not available in the applicant's control, then any compensation measures may be required to be secured via a legal agreement which could be brokered by the land agent Whirledge and Nott.

Therefore, this further information is required to provide the LPA with certainty of impacts on protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.”

The Suffolk Wildlife Trust subsequently provided a similar comment to that of relation to the presence and confirmation of mitigation for Skylarks.

In respect to a means of mitigating the impact on Skylarks, it is proposed that a management agreement would be put in place for the adjacent c.8 ha area of arable farmland to the north west of the main site. c.16 sqm Skylark plots would be incorporated at

approximately two per hectare. Winter stubble would be retained in these fields through to late March, as this will benefit Skylark across the season (as well as many other species).

The option to extend this to the c.2 ha area proposed for meadow creation adjacent to the north east of the site was discussed, due to the effectiveness of Skylark plots. However, since Skylark can breed at high density in well-managed grassland, it was felt that retaining the proposed meadow and managing the grassland specifically for Skylark would benefit a much wider range of species than just Skylark plots in arable farmland. Management measures would primarily include appropriate seeding for Skylark (including fine grasses and nectar-rich wildflowers) with a low-intensity management regime such as a single, late-season mow. Predator-proof fencing would be included around the meadow in order to minimise predation and maximise productivity.

The updated Layout Plan included within this supplementary correspondence (drawing ref. GBR.0010.DEV.M4.001.O.D.e) includes confirmation of the proposed Skylark mitigation areas. The Site Location plan for the proposed development has not been updated to include the Skylark mitigation field (land to the north west of the site) within the red line area. Aura Power would be willing to update the Location Plan, but wanted to obtain the opinion of the Council, as to whether it would be preferred that this matter was dealt with via a Grampian Condition attached to any future planning permission.

Measures for on-site targeted towards Skylark would include the provision of wide margins. In particular, open areas of >10 m width around the footpath as well as access tracks within the site are considered likely to encourage Skylark on-site. These areas would follow recommended grassland management for Skylark, including seeding with fine grasses, nectar-rich wildflowers and seed-rich species, again with low-intensity management. The inclusion of a beetle bank as part of the footpath area that is to be managed specifically for conservation is also likely to be beneficial. It is anticipated that a Management Plan for the future preservation of the Skylark mitigation will be conditioned on any future planning permission, but will comprise the above as the baseline requirements.

In combination, the above outlined measures are considered to provide appropriate mitigation for Skylark, as well as being widely beneficial to many other avian and non-avian species. These proposed measures would therefore address the comments outlined by both Place Services and the Suffolk Wildlife Trust.

Landscaping Comments and Amendments

Place Services have provided comments to the Council in relation to landscape matters and impacts of the proposed development. For the most part, comments from Place Services largely mirror the conclusions reached within the Landscape Reporting submitted in support of the planning application. Notwithstanding this, several comments were made on the scheme design, including a series of suggested amendments. Comments from Place Services are detailed below and overleaf in Table 1, along with Aura Power's responses and where relevant confirmation of design amendments.

Place Services Comments	Aura Power Response
We agree that with the proposed 5m tree belt to the North East and hedgerow ther	This suggested amendment is agreed, the Site Layout Plan (drawing ref.

<p>would be a reduction in the effect (Viewpoint 1 and Viewpoint 3), however due to the topography the arrays will likely be visible through the upper parts of the tree canopies therefore we would recommend that the proposed tree belt widened to match the 10m wide woodland block around St Johns which would provide a denser canopy effect.</p>	<p>GBR.0010.DEV.M4.001.0.D.e) has been updated to reflect the request.</p>
<p>While planting is proposed to the western boundary along Marsh Lane the existing field entrances would allow for views into the Solar Farm (Viewpoint 4 and while traveling along Marsh Lane). We would therefore recommend that the proposed planting extends to the field entrance, thereby reducing the visual envelope.</p>	<p>The comment is acknowledged. Closing the gateway for the purposes of the solar farm development, will limit the agricultural functionality of the site during the operation of the solar farm and will likely need to be reopened following completion and decommissioning of the site. We have therefore proposed an amendment to the scheme design, which will retain the access in the present location, but with wrap around hedge planting, which will restrict views into the site from users of Marsh Lane. This amendment is incorporated into updated Site Layout Plan (drawing ref. GBR.0010.DEV.M4.001.0.D.e).</p>
<p>We note within the non-technical summary that the planting is proposed in the autumn following completion of the solar farm. We would recommend that the planting of the boundary vegetation and tree belts should be done at the very earliest opportunity, ideally in advance of commencement of the development of the site. This is to ensure that the vegetation reach maturity at the earliest point.</p>	<p>This is agreed and Aura Power would accept a suitably worded pre-commencement condition on this matter included on any future planning permission.</p>
<p>It should also be noted that subsequent to the LVIA being undertaken Grange Solar Farm was granted permission. The proposal included a permissive footpath proposed along the boundary between the two solar farms. While this route is yet to be established, we would suggest that the visual effects of this development upon future users needs to be considered.</p>	<p>The permissive route associated with Grange Solar Farm starts at an informal layby on the north side of Lion Road by the site's north access point. The permissive route would then enter the field to the north of Lion Road and travel west towards East Cottage with the existing mature roadside hedgerow located to the south of the permissive route and the proposed Grange solar panels located to the north of the permissive route with approx. a 20-30m swathe of open land between the existing hedgerow and the proposed site fencing. The permissive route would then travel in a north westerly direction in the</p>

vicinity of East Cottage and a new proposed hedgerow is proposed along the southwestern edge of the solar panels in the location which would screen views of the Grange solar panels from the permissive route in this area. The permissive route then follows a broadly northerly path to Millway Lane along the line of the existing field boundary where the path will be positioned close to the field boundary which is an existing mature hedgerow. Along this section of the permissive path, which is approx. 800 m in length the existing mature field boundary hedgerow will consistently be located to the west of the path, with Grange Solar Farm located nearby to the east, approx. 10m away. This existing hedgerow is approx. 2 – 2.5 m high along its length and is largely in good condition and intact along its length. Grange Solar Farm will regularly be visible from this permissive route as new hedgerows are predominant not proposed along the side of the permissive route facing into the solar farm, except for a section in the vicinity of East Cottage.

Marsh Lane Solar Farm would be located within part of one agricultural field located to the immediate west of Grange Solar Farm and this is a field adjoining Millway Lane. The other areas along the boundary to the permissive path are occupied by either open agricultural fields or mature woodland. It is useful to note that it is also the case that the Marsh Lane proposal has been designed to be set back some distance from the roadside from both Lior Road and Millway Lane. As a result, from the section of the permissive path through Grange Solar Farm parallel to Lion Road, intervening vegetation including the mature woodland near St John's Cottages is expected to entirely screen the Marsh Lane proposal from view, even in winter months. This screening would continue to be effective from the section of the permissive route in the vicinity of East Cottage and as the permissive route begins

	<p>to travel north alongside this woodland block to the west. It is expected that for approx. 500 m of the permissive path once it is in the Grange Solar Farm site field to the north of the mature woodland block the proposed Marsh Lane Solar Farm would be located proximate to the permissive path but on the other side of the existing mature field boundary hedgerow. For this section of the route the Marsh Lane proposal would largely be screened from view due to the proximity of the nearby hedgerow, although in winter months some very filtered visibility of the proposal may be possible through the hedgerow even though it would be set back from this hedgerow by approx. 10 – 20 m. This extremely limited potential visibility would generally be viewed as incidental contrast with the proximate and consistent open visibility of the Grange development uninterrupted by hedgerows.</p>
<p>No quantitative judgement has been provided for the visual effects on users of footpath 426_20 within the site boundary, but we would agree that that the visual effects would be significant along the entire length. We would therefore be of the judgement that there would be a Major+ visual effect, resulting from High / Medium Sensitivity (Receptors would be recreation users) and Very Substantial / Substantial Magnitude of Change (being complete surrounded by arrays which would be incongruent to the surrounding countryside). It would appear no mitigation measures have been proposed to reduce the adverse effects for this route. This should be reviewed prior to determination and appropriate measures which demonstrate that these effects can be reduced to an acceptable level should be proposed.</p> <p>We note the PRow Officer's objection and echo concerns about the significant impact on amenity value.</p>	<p>By adding in mitigation to reduce impact to an "acceptable level" there would be a requirement to add hedgerows on either side of Footpath 20 along its full length through the proposed development. This would cut the existing field parcels in half permanently and would change the field structure beyond the lifetime of the proposed development. There would also be a requirement to have at least a 10-15 m wide swathe between the hedgerows to avoid a tunnelling effect. This would mean a total width of around 20 m between the security fencing situated either side of the footpath would be required. This is a relatively large area of land that would be permanently removed from agricultural use.</p> <p>Furthermore, adding hedgerows along the footpath is completely against the local footpath and Public Right of Way character of the area. The surrounding character is predominantly all open across fields or alongside one field boundary and so to have hedgerows on either side would be contrary to the long-term usage and experience of the footpath, when also considering the site landscape post</p>

	<p>decommissioning (we would not propose rip out the hedges once the solar farm is decommissioned). It should also be noted that only c.500 m of Footpath 20 be situated directly adjacent to the proposed development. Whilst the first c.180 m along the south of the route would have a panel offset to the east and the last c.180m along the north of the route would have a panel offset to the west. This would mean that only c.140 m of Footpath 20 would have panels on both sides of the route.</p> <p>Furthermore, the new Grange permissive route between the two sites is nearby and offers an alternative for walkers, where our proposal would largely be screened from view for the whole length.</p>
<p>The use of traditional deer fencing of timber posts and wire mesh are considered appropriate. Any other metal structures/poles or fencing should be specified as colour black. Please note that palisade fencing, as is specified around the Substation is not acceptable and will not be supported.</p>	<p>Aura Power generally agrees with these comments and the fencing specified. Whilst in principle we agree that it would be beneficial for palisade fencing to not be specified around the substation, at this stage, Aura Power cannot say for certain that it will not be necessary. The specification for fencing in this location, will be dependent on requirements from insurers of the proposed development.</p> <p>On this basis, it is requested that any future planning permission for the site, requires detailed confirmation of the fencing to be implemented across the site and where it will be sited.</p>

Table 1: Landscape Comments and Aura Power Responses

Heritage Comments and Amendments

Comments on the planning application have been received by the Council's Heritage Officer. Several matters are raised in the comments from the Heritage Officer in relation to the proposed development. Table 2 below and overleaf provides an overview of the comments received and where relevant return responses from Aura Power.

Heritage Officer Comments	Aura Power Response
<p>Identified intervisibility between the proposed development and the Grade II listed Park House, Crinkle Walls, Former Stable Block and Former Grooms House.</p>	<p>These assets all strongly relate to each other and are principally experienced within a relatively tight and enclosed immediate setting which is focussed around the central courtyard / carriage turning circle which</p>

	<p>allows a clear appreciation of their historic functional relationship. The parkland to the south of Park House with intentionally designed views across it provides an important extension to this manorial setting. Whilst there are historic ownership links to several of the fields contained within the site to the north of Lions Road, these links are already severed. Furthermore, while there was an ownership link to these fields, there is no evidence of agricultural practices at Park House illustrated by the lack of any ancillary agricultural buildings in the immediate vicinity of Park House. The 1838 Palgrave tithe map also records Park House as “Mansion etc & Gardens” rather than farmstead or yards, implying that agricultural related processes were associated with the Manor’s farm(s) located elsewhere. One of these would presumably have been The Rookery, which was auctioned together with the house and several other buildings in 1869.</p> <p>For the above reasons, while it is acknowledged that the fields contained within the site form part of the wider rural / agricultural context of the assets, through the severance of historic links, the site’s location beyond the immediate setting of the assets (as outlined above) and the very limited to no visual connection that the site and assets share, the site is considered to contribute in a limited way to their significance in comparison to their extended parkland setting to the south.</p> <p>The assets are almost completely obscured by existing dense vegetation when travelling east or west along Lion Road, with only the rooftops of the buildings visible, which does not allow for an appreciation of their design or materiality which provides their architectural special interest. While the outer face of the Crinkle Crankle Wall is partially visible when travelling from the west along Lion Road, this is not a designed view. Crinkle Crankle Walls are functional structures created to increase the growing</p>
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	<p>area within a walled garden with the wall also helping to provide a microclimate within the garden. An understanding of this relationship is gained principally from within the garden and how its functionality relates to the historic horticultural practices and other ancillary buildings located around the manor house. As such, views of the wall from the road are considered of lesser importance in understanding their significance.</p> <p>However, it is noted that the southern part of the application site does visually provide a rural / agricultural context to the assets when approaching along Lion Road. The current layout of the scheme maintains a large area of this field which is positive. It also shows a new proposed hedge line along the northern flank of the road and Wood Land Block in an L-shape around the non-designated St. John's Cottages. On the comments from the Heritage Officer and the advice of our Heritage Consultant, the north to south line of the proposed hedgerow has been removed from the proposed development. This amendment facilitated on the updated Layout Plan (drawing ref. GBR.0010.DEV.M4.001.0.D.e). Due to the presence of assumed below ground heritage, it is not possible to extend the hedgerow planting to the west. Comments from the County Archaeologist suggests that the root structure of new planting could cause damage to below ground heritage.</p> <p>Notwithstanding this, the proposed development opens up the setting of St. John's Cottage, as well as preserving part of the designated asset's (Park House etc.) rural/agricultural context.</p>
<p>Assuming access is possible, then the provision of CGI/wireframe views from Park House and its grounds toward the site, with and without proposed vegetation, may assist with assessing the visual impacts of the scheme on these heritage assets.</p>	<p>It is suggested that the application may benefit from CGI or Wirelines from Park House towards the site. As previously noted, intervisibility between the site and assets is at best limited and considered to contribute to the assets significance in a very limited way.</p>

	<p>To assist with the depiction of the intervisibility, photographs from the site looking back towards Park House are included within this additional submission. These comprise the following:</p> <p style="padding-left: 40px;">Location E2 – NGR 609680 278280 from PRow – images 4663 and 4664 Location F – NGR 609715 278109 from PRow – images 4676 and 4677 Location G – NGR 609790 277951 from PRow – image 4685</p> <p>Given the private ownership of Park House we have before tried but failed to gain access to the property for the purpose of assessing the impact of the proposed development. Notwithstanding this, as depicted on the attached photograph and explained within the above response, there is very limited direct visibility between the proposed development and the heritage assets.</p>
<p>The proposed development would constitute a low level of less than substantial harm on The Rookery.</p>	<p>In relation to impacts on The Rookery, the site similarly to Park House is considered to be beyond the immediate setting of the asset but is considered to form a part of its wider rural / agricultural landscape. As noted in the Heritage Statement (Orion 2023), “There was an ownership connection between The Rookery and the study site through the wider Harrison estate, but there is no indication of a direct functional connection between the asset and the site. The ownership connection through the Harrisons has been eroded through changes in land ownership and function. Moreover, the study site is separated from The Rookery by a dense treeline along the southern site boundary, as well as trees and high hedges lining the north side of Bury Road”.</p> <p>While the Heritage Officer indicates that there may be partial filtered views of part of the site, it is not considered that this limited invisibility will harm the significance of the asset. The existing natural screening</p>

	combined with the proposed enhancement of this tree belt (that on the northern flank Lion Road) is considered adequate.
<p>The rural agricultural setting of the Stone Cottages, thatched Cottage/ The Cottage; an Wolsey House would only be marginally eroded, so I would rate the harm to them a very low level of less than substantial.</p>	<p>Regarding the non-designated assets to the north of the site, namely Stone Cottages, Thatched Cottage/The Cottage and Wolsey House, the proposals look to re-enforce existing vegetation and introduce new planting along several historic field boundaries, which is considered a heritage benefit. It is not considered that the proposals will harm the significance of these assets due to the distance between the assets and the site boundary and the lack of historic links to the fields contained within the site.</p> <p>It is noted that on several occasions within the main body of the Heritage Officers response, the level of harm to non-designated heritage assets is weighed up within the spectrum of less than substantial harm. This terminology relates specifically to harm associated with designated assets per paragraph 208 of the NPPF and implies a greater weight should be applied to their significance in terms of public benefits associated with the scheme. It is acknowledged that the Heritage Officer does reference paragraph 209 in relation to non-designated assets, but at the end of their overall response.</p>

Table 2: Heritage Comments and Aura Power Responses

Planning Policy Response and Grid Offer

Comments from the Council have requested that Aura Power address the requirements of Policy LP25 of the Babergh and Mid Suffolk Local Plan. Specifically, sections 1 e) and 3 of the Policy. For ease of reference, the policy wording is provided below:

1. *Renewable and low carbon, decentralised and community energy generating proposals will be supported subject to:*
 - a. *The impact on (but not limited to) landscape, highway safety, ecology, heritage, residential amenity, drainage, airfield safeguarding and the local community having been fully taken into consideration and where appropriate, effectively mitigated;*

- b. Where renewable or low carbon energy designs are to be incorporated within a development, an integrated approach being taken, using technology that is suitable for the location and designed to maximise operational efficiency without comprising amenity;*
- c. The impact of on and off-site power generation infrastructure being acceptable, having regard to other policies in this Plan;*
- d. The provision of mitigation, enhancement and compensation measures when necessary; and e. Approval of connection rights, and capacity in the UK power network, to be demonstrated as part of the planning application (where applicable).*
2. *The relevant LPA will normally use conditions attached to planning consents for energy development schemes to ensure the site is restored when energy generation ceases or becomes non-functioning for a period of six months.*
3. *Where proposals for renewable and low carbon energy impact on nature conservation sites, the Areas of Outstanding Natural Beauty, or the setting of heritage assets (including conservation areas), the applicant must be able to convincingly demonstrate that potential harm resultant from development can be effectively mitigated and that there are no alternative sites available within the District or for community initiatives within the area which it is intended to serve. This includes providing underground power lines and cabling.*

Addressing the first comment, a copy of the grid agreement, confirming our agreed connection to the distribution network is submitted alongside this correspondence. Given the extent of sensitive and financial information on the grid agreement, relevant sections within this document have been redacted.

In respect of addressing Part 3 of Policy LP25, as has been demonstrated within this additional submission and the wider planning application, the proposed development will not have any impact on nature conservation sites, or designated landscapes (e.g. National Landscapes). It is however recognised by the Council's heritage Officer that the proposed development will have a low to medium level of less than substantial harm to designated heritage assets (only for the lifetime of the development, with all harm removed following de-commissioning of the solar farm). It should be noted that the requirements of Policy LP25 go significantly beyond the National Planning Policy Framework (NPPF) (December 2023), where Paragraph 208, which confirms:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

The NPPF does not require applicants to demonstrate that where there is less than substantial harm on a heritage asset, there is a requirement to undertake an alternative site assessment. The NPPF specifies that the harm should be weighed in the planning balance against the public benefits, of which there are significant benefits for the proposed

development. Furthermore, the Inspectors Examination Report into the Joint local Plan fails to comment on the Part 3 of Policy LP25.

On this basis, there should be no requirement in planning policy to undertake a sequential or alternative site selection (only in the instance where on site flooding is prevalent) in connection with solar energy development. Nonetheless, Aura Power is an experienced and responsible developer of solar projects, and a rigorous selection process is undertaken when identifying all sites for development.

Of fundamental importance to any solar energy project is the availability of a suitable connection into the electricity grid (via a Distribution Network Operator), and accordingly the availability of a feasible and viable connection is a fundamental starting point when identifying and assessing potential sites for this form of development. Feasible and viable connections to the electricity grid are a scarce resource and it is not possible to deploy large-scale energy generating solar power technology in all locations on this basis. This is as acknowledged at Paragraph 2.10.22 of EN-3¹ which states that:

“Many solar farms are connected into the local distribution network. The capacity of the local grid network to accept the likely output from a proposed solar farm is critical to the technical and commercial feasibility of a development proposal.”

Beyond the availability of a grid connection, it is necessary to have regard to the usual suite of physical and policy constraints, which impact on many forms of development and Paragraph 180 of the NPPF assists in setting the parameters for the site selection process, confirming the following:

“Planning [...] decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services– including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, considering relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

¹ The January 2024 National Policy Statement for Renewable Energy Infrastr

In consideration of the above, the Aura Power follows the below stages to identify suitable sites for solar energy development:

- Identification of an available grid connection, with sufficient capacity to enable the delivery of a viable renewable energy development;
- Identification of available, suitable and viable previously developed land, which can accommodate the proposed development²;
- If no available, suitable or viable previously developed land can be identified, Aura Power undertakes a second search phase of site selection, whereby they look to identify suitable undeveloped land, focussing on the following constraints/ considerations:
 - Any relevant local planning policy which may seek to direct renewable energy development to specific locations³;
 - Avoidance of statutory landscape designations and designated heritage assets, where these may generate a presumption against any development;
 - The potential for a commercial/land agreement with a willing landowner ('available' land), as without this no development will be possible;
 - Proximity to identified point of connection – limiting the need for a lengthy (excessive) cable run;
 - Site topography including slope, field parcel sizes and any shading (general suitability to accommodate the type of development proposed);
 - Separation from settlements and areas of local population, limiting visual impacts from residential dwellings;
 - Existing screening provided by trees and hedges and space and suitability for additional planting;
 - Suitable access to the Site for the purposes of construction and de-commissioning;
 - Agricultural land classification (seeking to avoid the use of best and most versatile land);
 - Avoidance of nature conservation designations and identification opportunities for biodiversity enhancements;
 - Avoidance of local landscape designations;
 - Avoidance of any other local land-use designations, as relevant in any local context, such as designations relating to minerals (for example); and
 - Low flood risk.

Taking the above into consideration, the amount of available, suitable and viable sites across any local authority area or indeed the whole of the UK are limited.

² Based on the location and viable proximity of an available grid connection, with sufficient capacity.

³ The local policy relevant to this specific proposal and appeal is covered later in this statement

Returning to the requirements of Policy LP25, to identify an acceptable site for the development of a solar farm, there is a need to consider a vast array of environmental constraints, beyond those considered within Policy LP25. It has already been demonstrated that the proposed development will have no impact on areas designated for landscape or ecology importance. Whilst the impact on heritage is at the lower end of the scale of harm, where the NPPF confirms that these harms should be considered in the planning balance against the benefits of the development. Following this site selection process, Aura Power have identified a suitable and available site, which is within a suitable range for the agreed connection, and which is still viable for commercial construction.

The requirements set out within Policy LP25 are therefore met in full.

Highways Access

In respect of highways implications and access into the site, comments have been received from Suffolk County Council as Highways Authority. The comments from the Highways Authority required detailed access drawings and visibility splays for the proposed development. Included within this additional submission are drawings confirming the proposed access works, visibility splay and a demonstration of Heavy Goods Vehicle (HGV) tracking,

The second comment from the Highways Authority confirmed the following:

“It is noted that 3 recorded injury accidents have occurred at the A143/ Lion Road junction within the Transport Statement review period (TA34 - 37) and at least 1 further accident has occurred since (October 2022). Subsequently, we would consider this part of the construction route an accident cluster site. Therefore, we require temporary (or permanent if appropriate) measures to mitigate any risk of further accidents resulting from increased use of the junction by large/ slow moving vehicles for at least the duration of the construction period.”

In response to these comments, it should be noted that the most recent 5-year accident history obtained from CrashMap (2018-2022 inclusive) illustrates that there have only been two accidents at the A143 / Lion Lane junction during this period, and only four accidents in the last ten years, all of which resulted in slight injury. The accident record at the site is therefore not as onerous as the data presented within the Engena Transport Statement might indicate. The Transport Statement identifies that there would be a maximum of two HGV movements per hour during peak construction activities. It is not considered that this level of traffic would result in a potentially increased risk of accidents occurring at this junction.

Nevertheless, the proposed construction traffic access routing strategy that will be set out within the Construction Traffic Management Plan (CTMP) will be designed so as to minimise the impact of construction traffic on highway safety, including with regard to construction staff vehicle movements. Further discussion with the local highway authority will be undertaken during preparation of the CTMP to identify any other specific temporary measures that may be required to mitigate the impact of development traffic at the A143 / Lion Lane junction

We trust that this correspondence and the various additional submitted information satisfy the requirements of the Council and the various consultees, however should you have any queries, please do make contact and we will seek to address these expediently. We would also like to take this opportunity to thank the Council and all consultees for working with us proactively on the planning application for Marsh Lane Solar Farm.

