

Planning (Regulatory) Committee

Item No: 5

Report Title: FUL/2021/0015: Aldeby Landfill Site, Common Road, Aldeby

Date of Meeting: 25 March 2022

Responsible Cabinet Member: N/A

Responsible Director: Tom McCabe, Executive Director of Community and Environmental Services

Is this a Key Decision? No

Proposal & Applicant: Installation of a solar photovoltaic array/solar park with associated infrastructure (Infinis Solar Developments Ltd)

There is one update since the committee report was published:

Organization	Comment	Officer Response
Natural England (NE)	On the 16 March 2022, NE wrote to a new cohort of 42 councils, including South Norfolk Council (where the site is located), reviewing its position on nutrient neutrality. The letter sets out NE's advice for development proposals that have the potential to affect water quality of designated habitat sites such as Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). The letter highlighted that some of these sites are being classified as being in 'unfavourable condition' due to the increased levels of nutrients (especially nitrogen and phosphorus) causing	Whilst the letter is significant for all Norfolk planning authorities when determining planning applications, in this instance the proposed site is not within or near to Natural England's identified nutrient neutrality Site of Special Scientific Interest (SSSI) catchment. Barnby Broad and Marshes SSSI, which the proposed site is some 800 metres away from, is not listed within Natural England's letter as being in an unfavourable condition due to excessive nutrients.

	<p>eutrophication, and that extra wastewater from new housing developments can make this situation worse. Therefore, 'nutrient neutrality' is required by designing development with suitable mitigation measures so the damage on the protected site is avoided.</p>	<p>Therefore there is no need for a Habitats Regulation Assessment (HRA) to be carried out on this issue following NE's revised advice to planning authorities.</p> <p>As stated in 3.37 of the committee report written prior to this advice, due to the nature of the proposal and the distance from the European site (Barnby Broad and Marshes), it is not considered that the site would adversely affect the protected habitat site in any other way beyond the issue of increased nutrients.</p>

There is one amendment to the report since the planning application committee report was published.

Paragraph	Issue	Amendment
Condition 12	Updated wording	<p>Replace '<i>Within one year of the date of this permission...</i>' with '<i>No later than one year prior to the expiration of the 35 year permission, or if the PV is array is no longer used for the purposes of electricity generation, whichever is the soonest, a scheme shall be submitted for the decommissioning of the array</i>'.</p>