

# Planning Statement for Planning Application for Solar Development and Associated Works.

**Land West of Boxted.**

On behalf of RES Ltd.

Date: October 2023 | Pegasus Ref: R002v1\_PL

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## Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
0	16.10.2023	ER	CC	Draft
1	20.10.2023	ER	CC	Client Issue



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# 1. INTRODUCTION

- 1.1. This statement has been prepared by Pegasus Group on behalf of the applicant, RES Ltd, in support of the planning application for a solar farm at Boxted Solar Farm, Land West of Boxted.
- 1.2. Following a description of the site, consideration is given to the proposed development. The report assesses the proposal in relation to relevant planning policy and shall demonstrate that the application is in accordance with the current Development Plan. This statement draws conclusions as to the suitability of the proposal for the granting of planning permission in the context of the Development Plan and taking into account any material considerations.

## Who are RES?

- 1.3. Renewable Energy Systems (RES) Ltd is the world's largest independent renewable energy company with over 40 years' experience developing, constructing and operating renewable assets. RES has delivered more than 23GW of renewable energy projects across the globe and support an operational asset portfolio of over 12GW worldwide.
- 1.4. The Group's head office in Kings Langley, near London, is complemented by other offices across the UK including Glasgow, Cardiff, Gateshead, Exeter, Truro, Guildford, Rugby and Larne, with engineers working across the UK. Internationally, RES has overseas subsidiary offices in France, Scandinavia, Turkey, Germany, Spain, Portugal, Australia, Canada, and across the USA. The RES Group employs 3,000 staff.
- 1.5. Within United Kingdom and Ireland, RES has the expertise to develop, construct and operate solar farms of outstanding quality. RES' track record has given them a reputation for excellence that is second to none and they have achieved significant success in the solar energy market. This is demonstrated by the successful granting of planning consent in summer 2022 for Derril Water<sup>1</sup> (42MW).

## Pre-Application Discussions

- 1.6. A request for pre-application advice was submitted to Babergh and Mid Suffolk District Councils in September 2022 (Reference DC/22/O4456). A meeting was held on 19 October 2022 with Officers and subsequent written advice was issued on 11 November 2022 (Appendix 1).
- 1.7. Subsequent pre-application advice was sought from Officers (Reference DC/23/O4373) to discuss amendments to the design of the scheme since the issue of the initial pre-application advice. A meeting with the Case Officer and Landscape Officer was held on 20 September 2023.
- 1.8. The principle of the proposed development was generally accepted in these discussions subject to likely impacts being addressed and demonstrated in any application submission.

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<sup>1</sup> <http://derrilwater-solarfarm.co.uk/>



### EIA Screening

- 1.9. An EIA Screening Request was made under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, to determine whether the proposals comprise an EIA development and whether an Environmental Statement is required. This submission was made in December 2022 (Reference DC/22/O6236). The Screening Decision from Babergh and Mid Suffolk Councils outlined their opinion that an EIA Submission was not required (dated 21st December 2022).
  
- 1.10. For completeness, following the design iterations after the initial pre-application discussions, a further screening request was made in October 2023 (Reference DC/23/O4690). At the point of submission, no response had been received by the Applicant. However, it is acknowledged that the validation process of this Application will require a screening exercise.

## 2. SITE DESCRIPTION AND CONTEXT

- 2.1. The site is located on land at Braggon Hill, West of Boxted (refer to Figure 1 – Site Location Plan and Context Plan below). Boxted Solar Farm comprises approximately 43.7 hectares of agricultural land.



**Figure 1 – Site Location and Context Plan**

- 2.2. The site has been assessed for its suitability and has available grid capacity with a connection towards the centre of the site. Cabling will run from the inverter stations to the 33kv substation, where the electricity will be exported to the existing overhead line to the distribution networks via a Point of Connection (PoC) mast.
- 2.3. The site is also considered suitable for this form of renewable development following initial feasibility works with an engaged landowner.

### Relevant Planning History

- 2.4. A review of the Councils' planning application portal identified no relevant planning history on the site. The application history related to the existing farmsteads located within and adjacent to the site.

### Context

- 2.5. In light of the drive toward net zero, combatting climate change and electrifying the economy, there is a clear need for the deployment of solar farms and other renewable energy generation, which is driven by a plethora of government legislation at both a local and national level in the UK.

- 2.6. In June 2019, the UK became the first major economy to implement a legally binding net zero carbon emissions target by 2050<sup>2</sup>. Decarbonising the power sector is integral to achieving this target and requires major investments into renewable technologies, such as solar power, which are supported by planning policy at both local and national levels.
- 2.7. The National Infrastructure Commission (NIC), official advisor to the Government on Infrastructure, has published a report (Net-Zero: Opportunities for the Power Sector, March 2020<sup>3</sup>) setting out the key infrastructure requirements needed to meet the UK's 2050 net-zero target, including the amount of renewable energy development that would need to be deployed. The NIC recommends that in meeting these targets, the UK's energy mix needs to be made up of around 90% renewables. The NIC recommends that across all scenarios, significant levels of solar, onshore wind and offshore wind will need to be deployed with between 129-237GW (gigawatts) of renewable energy capacity in operation by 2050. Furthermore, the British Energy Security Strategy<sup>4</sup> published in April 2022 states that solar deployment is expected to increase five-fold by 2035.
- 2.8. Babergh and Mid Suffolk Councils declared respective climate emergencies in July 2019 and set up an Environment and Climate Change Task Force (ECCTF). This ECCTF presented their recommendations to Cabinet<sup>5</sup> in July 2020. This report outlines a number of the carbon reduction projects that are being undertaken such as major refurbishment of sheltered housing programmes including installation of air source heat pumps, solar PV system and LED lighting upgrades. Finally, the Councils have produced a Carbon Reduction Management Plan.<sup>6</sup> In terms of the planning process this will mean ensuring that the Local Plan includes a clear strategy and policies for climate change adaptation.
- 2.9. Babergh and Mid Suffolk District Council are members of the Suffolk Climate Change Partnership (SCCP), along with Suffolk County Council, four other local authorities and the Environment Agency. In 2019, the SCCP's local authority members declared a 'climate emergency'. They are committed to working together and aim to make Suffolk carbon neutral by 2030.
- 2.10. It is noted that the LDS<sup>7</sup> prepared by the LPAs also notes the intention to produce a Renewable and Low Carbon Supplementary Planning Document with the stated programme of public consultation in winter 2023/24 and adoption in spring 2024.

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<sup>2</sup> <https://www.legislation.gov.uk/ukdsi/2019/9780111187654>

<sup>3</sup> <https://nic.org.uk/studies-reports/net-zero-opportunities-for-the-power-sector/>

<sup>4</sup> <https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-security-strategy#renewables>

<sup>5</sup> <https://baberghmidsuffolk.moderngov.co.uk/documents/b7106/MCa1966%20ENVIRONMENT%20AND%20CLIMATE%20CHANGE%20TASK%20FORCE%20-%20PROPOSALS%20TO%20CABINET%20-%20APPENDIX%20C%20AMENDED%2006t.pdf?T=9>

<sup>6</sup> <https://baberghmidsuffolk.moderngov.co.uk/documents/s19374/Appendix%20A%20-%20Carbon%20Reduction%20Management%20Plan.pdf>

<sup>7</sup> [h37-bmsdc-joint-local-development-scheme-2022-2025 \(placecube.com\)](https://www.placecube.com/h37-bmsdc-joint-local-development-scheme-2022-2025)

### 3. PROPOSED DEVELOPMENT

3.1. The proposal is for a solar (PV) farm on land at Boxted Solar Farm, Land west of Boxted. The development would have the capacity of up to 20MW of renewable energy.

3.2. The description of development is as follows:

***"Construction and Operation of a solar farm with all associated works, equipment, necessary infrastructure and biodiversity net gains."***

3.3. The solar farm would consist of solar PV panels on metal arrays arranged in rows, allowing for boundary landscaping, perimeter fencing and site access, as detailed on the submitted Infrastructure Layout (Figure 4 – Drawing Number O4806-RES-LAY-DR-PT-004 Rev 2). The arrays are spaced a minimum of 2 meters apart (subject to topography) to avoid any shadowing effect from one panel to another. Construction of the development is anticipated to take 6 months. The development will have an operational life of 40 years, after which time it will be decommissioned, the equipment will be removed and the land restored to its original condition with landscape mitigation retained on site. Decommissioning is anticipated to take 12 months.

3.4. The application comprises a number of agricultural field enclosures of 43.7 hectares. The scheme will produce up to 20MW of renewable energy. The following features are anticipated to be included as part of the proposed solar development:

- The installation of fixed-tilt, bi-facial<sup>8</sup>, ground mounted solar arrays running from east to west across the site (Figure 8 – Drawing Number O4806-RES-SOL-DR-PT-001 Rev 1). The solar arrays will be maximum 3.5m in height including varying ground clearance according to topography and module configuration, to allow for dual purpose renewable energy generation and agricultural sheep grazing. The solar panels will be angled at approximately 10–30° to the horizontal, in order to capture maximum radiation. Furthermore, the solar panels will have a non-reflective surface, which will increase the proportion of radiation absorbed, removing the risk of unwanted reflection and glare;
- Invertors/transformer units which will convert the Direct Current (DC) into an Alternating Current (AC) which is compatible with the Local Distribution Network and National Grid;
- Battery Storage Units;
- Client/DNO substation;
- Grid connection to the existing overhead powerlines within the site;

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<sup>8</sup> Bi-facial solar panels are able to generate power from the reflected and diffuse light on the rear-side of the panels as well as from direct and diffuse light reaching the top of the panels (as opposed to mono-facial panels which have only one side of solar cells collecting light). The use of bi-facial panels means that there is potential to produce more electricity in less space.



- Internal access tracks, to allow for the construction and maintenance of the solar panels;
- As the proposed solar farm will require little maintenance, the site will be unmanned. In order to protect the installation, an unobtrusive deer fence will be installed around the perimeter of the site. CCTV cameras with infra-red lighting will be installed, where required, on the perimeter fence. These will be inward facing towards the solar farm;
- Additional landscaping including hedgerow planting and improved biodiversity management.
- Limited waste will be produced and almost all elements are recyclable; and
- The operational lifetime of the proposed development is 40 years and, being reversible on decommissioning, is therefore considered to be a temporary project.

3.5. The inclusion of battery energy storage units as part of the proposed solar farm is to help increase the flexibility and generation opportunities for Boxted Solar Farm.

3.6. It is proposed to include 2 x battery storage containers measuring a total of 12.1m x 2.4m x 2.9m (length x width x height) at each inverter location. Each inverter location will include the following equipment (locations as shown on Figure 4 – Drawing Number O4806-RES-LAY-DR-PT-004 Rev 2 and example of inverter/battery storage compound shown on Figure 12 – O4806-RES-SOL-DR-PT-002 Rev 2):

- Hardstanding (for set down);
- 1 x inverter which includes: inverter and busplus cabinet, and transformer. Each inverter is approx. 3m width x 5m length x 3m height (see Figure 13 – Drawing No O4806-RES-SOL-DR-PT-003);
- 4 x DC Converter cabinets measuring approximately 1.2m width x 1.8m length x 2.3m height (see Figure 15 – Drawing No O4806-RES-SUB-DR-PT-001); and
- 2 x battery storage containers (with heating ventilation and air conditioning (HVAC) units) attached at the short end. The total measurement of the container units is approx. 2.4m width x 12.1m length x 2.9m height. (See Figure 14 – Drawing No O4806-RES-BAT-DR-RT-001 Rev 1)

3.7. The battery containers are typically modified ISO-style shipping containers set on concrete foundations, with HVAC units. The containers are generally finished in a shade of white or grey.

3.8. The point of connection is located towards the centre of the site. Cabling will run from the inverter stations to the 33kV substation, where the electricity will be exported to the existing overhead line to the distribution networks via a Point of Connection (PoC) mast.

3.9. Care has been taken to retain existing trees and hedgerows where possible: to retain the character of the local area: to maintain existing visual buffers; and to maintain biodiversity.

3.10. Landscape mitigation proposals include:

- Offsetting from the existing field boundaries and hedgerow to avoid impact on the root protection areas. A generous buffer has been incorporated to allow for maintenance.
- Hedgerow along the southern boundary of the site to be infilled wherever necessary with proposed native hedgerow species to ensure dense coverage along boundary length. Hedgerow to be managed to a minimum of 4m height.
- Extensive planting of native hedgerow trees across the site to reflect existing landscape features and strengthen historical field boundaries.
- Creation of new woodland blocks throughout the northern edges of the site to reflect existing landscape character; selected standard trees to be scattered throughout the proposed woodland mixes to add height and structure at implementation.

### **End of Life Decommissioning**

- 3.11. Compared to other power generation technologies, solar parks can be easily and economically decommissioned and removed from the site at the end of their life (40 years) with the site returned to its original form, in this instance: agricultural land. The landscaping delivered by the proposed development will be retained. Decommissioning is anticipated to take 12 months.
- 3.12. There are several aspects involved with the decommissioning phase. The main activities comprise:
- Removal of PV panels with them taken away for recycling.
  - Removal of PV support. With no supporting concrete foundations, these can easily be mechanically abstracted from the ground.
  - Removal of inverters and battery storage units with cranes. The prefabricated concrete slab upon which they are supported can be lifted or broken up and removed.
  - Removal of cable and ancillary structures.
  - Removal of fencing and any ancillary associate equipment.

## 4. PLANNING POLICY CONTEXT

### Legislative Background

- 4.1. This chapter summarises the planning policy and guidance relevant to the development proposed.
- 4.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a key materials consideration in the determination of a planning application and also sets out the framework of policies with which up-to-date development plans must be in accordance.

### Development Plan

- 4.3. The current adopted Local Plan is the Babergh Local Plan 2011–2031 Core Strategy that was adopted at Full Council on Tuesday 25<sup>th</sup> February 2014. This document currently comprises the document against which any current proposals will be assessed alongside the Babergh Local Plan (2006) – please note that the Core Strategy replaces a number of policies referenced within the Local Plan.

### Babergh Core Strategy 2011–2031 (2014)

- 4.4. The policies relevant to this application are as follows:
- Policy CS1 – Applying the Presumption in Favour of Sustainable Development in Babergh
  - Policy CS2 – Settlement Pattern Policy
  - Policy CS3 – Strategy for Growth and Development
  - Policy CS12 – Sustainable Design and Construction Standards
  - Policy CS13 – Renewable/Low Carbon Energy
  - Policy CS14 – Green Infrastructure
  - Policy CS15 – Implementing Sustainable Development in Babergh
  - Policy CS21 – Infrastructure Provision
- 4.5. Specifically, Policy CS13 states that all new development will be required to minimise dependence on fossil fuels and make the fullest contribution to the mitigation of climate change through adopting a sustainable approach to energy use.

### Babergh Local Plan (2006)

- 4.6. The policies relevant to this application are as follows:

- Policy LPO1 – Planning Obligations
- Policy ENO4 – Semi Natural Habitats
- Policy ENO6 – Habitat Creation
- Policy EN10 – Renewable Energy
- Policy CR01 – Landscape Quality
- Policy CR04 – Special landscape Area
- Policy CR07 – Landscape Schemes
- Policy CR08 – Hedgerows
- Policy CR10 – Change of Use from Agricultural Land
- Policy CNO1 – Design Standards
- Policy CNO4 – Design & Crime Prevention
- Policy TPO2- Public Right of Way

4.7. Specifically, Policy EN10 states that planning permission will be granted for development proposals for renewable energy generation, subject to there being no unacceptable impact on the local environment in terms of noise; smell; visual intrusion; residential amenity; relationship to adjoining uses; landscape characteristics; biodiversity; cultural heritage; public rights of way; the water environment; public safety; the treatment of waste products; and highways and access considerations.

#### Emerging Local Plan

4.8. It is acknowledged that Babergh and Mid Suffolk Councils are currently in the process of development the new Joint Local Plan. In September 2023 the Appointed Inspector published their Examination report that concludes that the Joint Local Plan, with its recommended Main Modifications, is sound and capable of adoption. Part 1 of the Joint Local Plan will be considered for adoption at Full Council in November 2023.

4.9. The Emerging Local Plan outlines policy support for renewable energy development, stating:

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 is being acceptable to the relevant LPA 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.*

### **National Policy**

- 4.10. In June 2019, the UK became the first major economy to implement a legally binding net zero carbon emissions target by 2050. Decarbonising the power sector is integral to achieving this target and requires major investments into renewable technologies, such as solar power, which are supported by planning policy at both local and national levels.
- 4.11. The NIC, official advisor to the Government on Infrastructure, has published a report (Net-Zero Opportunities for the Power Sector, March 2020) setting out the key infrastructure requirements needed to meet the UK's 2050 net-zero target, including the amount of renewable energy development that would need to be deployed. The NIC recommends that in meeting these targets, the UK's energy mix needs to be made up of around 90% renewables. The NIC recommends that across all scenarios, significant levels of solar, onshore wind and offshore wind will need to be deployed with between 129-237GW (gigawatts) of renewable energy capacity in operation by 2050. Furthermore, the British Energy Security Strategy<sup>4</sup> published in April 2022 states that solar deployment will increase five-fold by 2035.
- 4.12. Furthermore, the National Policy Statement for Renewable Energy Infrastructure (EN-3) acknowledges that electricity generation from renewable sources of energy is an essential element of the transition to net zero. When specifically considering solar development this document outlines at paragraph 3.10.1 that the government has committed to sustained growth in solar capacity to ensure that we are on a pathway that allows us to meet net zero emissions. As such solar is a key part of the government's strategy for low-cost decarbonisation of the energy sector.
- 4.13. In the recent Government Publication 'Powering Up Britain: Energy Security Plan' (April 2023) it was outlined that the strategy to increase supply of low-carbon energy is dependent on enhancing our strengths on wind, solar and nuclear power generation alongside hydrogen production and carbon capture, usage and storage. Furthermore, the report outlines that the UK has huge potential for solar power, with the aim for 70GW of ground and rooftop capacity

together by 2035. As such, the Government considers that there is a strong need for increase solar deployment as reflected in the latest draft of the Energy National Policy Statements.

#### National Planning Policy Framework (NPPF)

- 4.14. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development in its three dimensions; economic, social and environmental. Central to the NPPF is presumption in favour of sustainable development. For decision taking this means (paragraph 11):
- *Approving proposals that accord with the development plan without delay; and*
  - *Where the development plan is absent, silent or relevant policies are out of date, granting permission unless;*
    - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF; or*
    - *Specific policies in the framework indicate development should be restricted."*
- 4.15. Paragraph 152 of the NPPF states that the planning system should support transition to a low carbon future in a changing climate and should support renewable and low carbon energy and associated infrastructure.
- 4.16. Paragraph 154 of the NPPF states that new renewables development should be planned for in ways that:
- a) *avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*
  - b) *can help to reduce greenhouse gas emissions, such as through its location, orientation, and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.*
- 4.17. Paragraph 157 outlines that when determining planning applications, local planning authorities should expect new development to:
- a) *comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
  - b) *take account of landform, layout and building orientation, massing and landscaping to minimise energy consumption.*
- 4.18. Finally, Paragraph 158 states that, when determining planning applications for renewable and low carbon development, local planning authorities should:
- a) *not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*

- b) *approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.*

4.19. Paragraph 174 outlines that planning policies and 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 wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land*

4.20. Best and most versatile land is defined within the glossary of the NPPF as "Land in grades 1, 2 and 3a of the Agricultural Land Classification."

4.21. Paragraph 202 states that, 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 proposed including, where appropriate, securing its optimum viable use.

National Planning Practice Guidance (NPPG) (first published March 2014)

4.22. The Government's web-based NPPG contains guidance on the planning system and has been subject to updating periodically. The guidance should be read alongside the NPPF and is a material consideration in the consideration of planning applications.

4.23. Renewable and Low Carbon Energy forms one of the chapters in the NPPG. Paragraph O13 (ID: 5-013-20150327) is entitled "What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?" and sets out the following factors for consideration:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structure and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;

- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of largescale solar farms on such assets. Depending on their scale, design and prominence, a large-scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

Overarching National Policy Statement for Energy (EN-1) (July 2011) and revised Draft EN1 (March 2023)

- 4.24. EN-1 was published in July 2011 to set out national policy for energy infrastructure in the UK. Its primary purpose is to be applied to decisions for Nationally Significant Infrastructure Projects, which the Proposed Development the subject of this application is not. It is also confirmed this document can be a material consideration in the determination of planning applications.
- 4.25. Paragraph 3.4.1 sets out the UK commitments to sourcing 15% of energy from renewable sources by 2020. To hit this target, and to largely decarbonise the power sector by 2030, EN-1 states that:
- 'It is necessary to bring forward new renewable electricity generating projects as soon as possible. The need for new renewable energy electricity generation projects is therefore urgent.'***
- 4.26. The National Policy Statement sets out how the energy sector can help deliver the Government's climate change objectives by clearly setting out the need for new low carbon energy infrastructure to contribute to climate change mitigation.
- 4.27. A Draft of NPS EN-1 was published in September 2021. It specifically considers the implications of meeting net zero at Section 2.3 (*page 16*) and explains that the Government's objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable and consistent with meeting our target to cut GHG emission to net zero by 2050. It states that:
- 'this will require a step change in the decarbonisation of our energy system.'*** (*paragraph 2.3.2*)
- 4.28. It further notes that the sources of energy we use will need to change, as fossil fuels still accounted for just over 79% of our energy supply in 2019. It continues:



***'we will need to dramatically increase the volume of energy supplied from low carbon sources and reduce the amount provided by fossil fuels'*** (paragraph 2.3.4)

4.29. This statement again reinforces the messages from the plethora of recent government announcements that there is a need to substantially increase low carbon energy generation beyond current rates of deployment.

4.30. Indeed, the NPS continues to explain the 'urgent need for new generating capacity' (page 28), that wind and solar are the lowest cost ways of generating electricity, and that the government's

***'... analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar'***. (paragraph 3.3.21)

4.31. The revised Draft of NPS EN-1 (Core Document CD 1.3C) was published in March 2023. It is noted that it specifically considers the implications of meeting net zero at Section 2.3 and explains that the Government's objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable and consistent with meeting our target to cut GHG emission to net zero by 2050. It states that *'This will require a step change in the decarbonisation of our energy system'*. (paragraph 2.3.3).

4.32. It further notes that the sources of energy we use will need to change, as fossil fuels still accounted for just over 76% of our energy supply in 2020. It continues *'we will need to dramatically increase the volume of energy supplied from low carbon sources and reduce the amount provided by fossil fuels'* (paragraph 2.3.5). This statement again reinforces the messages from the recent government announcements that there is a need to substantially increase low carbon energy generation beyond current rates of deployment. The Proposed Development would make a meaningful and material contribution.

4.33. Indeed, the NPS continues to explain that wind and solar are the lowest cost ways of generating electricity, and that the government's *'... analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar'* (paragraph 3.3.20).

National Policy Statement for Renewable Energy Infrastructure (EN-3) (July 2011) and revised Draft EN 3 (March 2023).

4.34. EN-3 was also published in July 2011 and sets out the national policy for renewable energy projects. EN-3 should be read in conjunction with EN-1. 4.53 Similar to EN-1, EN-3 sets out the importance of renewable energy in achieving the Government's ambitious targets for renewable energy generation, highlighting that a

***"significant increase in generation from large-scale renewable energy infrastructure is necessary to meet the 15% renewable energy target"***.

4.35. A draft of NPS EN-3 was also published in September 2021. It is again noted that this is a draft document, the contents of which are subject to change, however, it is considered that the guidance set out in this document should be afforded appropriate weight as the latest statement of Government planning policy on solar farms.

4.36. This document confirms that the Government is committed to sustained growth in solar capacity to ensure that we are on a pathway that allows us to meet net zero emissions. The government affirms that

**'as such solar is a key part of the government's strategy for low-cost decarbonisation of the energy sector.'** (paragraph 2.47.1).

4.37. The draft NPS EN-3 explains a number of key considerations involved in the siting of solar farms, and also technical considerations for the Secretary of State to consider. These factors include:

- Irradiance and site topography;
- Proximity of a site to dwellings;
- Capacity of a site;
- Grid connection;
- Agricultural land classification and type;
- Accessibility;
- Technical requirements including, access tracks, site layout design and appearance, security and lighting, project timescales and flexibility;
- Biodiversity and nature conservation impacts and mitigation;
- Landscape, visual and residential amenity impacts and mitigation;
- Glint and Glare impacts and mitigation; and
- Construction impacts and mitigation.

4.38. It is acknowledged that a further draft of this document was published in March 2023. It is however considered that the principles discussed still apply.

UK Government Solar Strategy 2014

4.39. The strategy set out four guiding principles for the Governments strategy for solar PV. The strategy expressed the Governments support for solar projects to proceed as a cost-effective contribution to the UK carbon emission objectives, to deliver genuine carbon reductions, where appropriately sited and responding to the impacts of deployment on grid systems.

4.40. The revised Draft of NPS EN-3 as also published in March 2023. It is again noted that this is a draft document, the contents of which are subject to change, however, it is considered that the guidance set out in this document should be afforded appropriate weight as the latest statement of Government planning policy on solar farms.

4.41. This document confirms that the Government is committed to sustained growth in solar capacity to ensure that we are on a pathway that allows us to meet net zero emissions. It is noted that the government affirms that *'as such solar is a key part of the government's strategy for low-cost decarbonisation of the energy sector.'* (paragraph 3.10.1). It further states (paragraph 3.10.2) that *'solar also has an important role in delivering the government's goals for greater energy independence' and that the 'government is supportive of solar that is co-located with other functions (for example... storage).'*

4.42. These statements are entirely consistent with the subsequent publication in October 2021 of the Net Zero Strategy: Build Back Greener.



#### Powering Up Britain: Energy Security Plan (April 2023)

- 4.43. In the recent Government Publication 'Powering Up Britain: Energy Security Plan' (April 2023) it was outlined that the strategy to increase supply to low-carbon energy is dependent on enhancing our strengths on wind, solar and nuclear power generation alongside hydrogen production and carbon capture, usage and storage. Furthermore, the report outlines that the UK has huge potential for solar power, with the aim for 70GW of ground and rooftop capacity together by 2035.
- 4.44. Within this document it is detailed that the government seeks large scale ground-mounted solar deployment across the UK. It also acknowledges that solar and farming can be complementary.

## 5. SITE SELECTION ASSESSMENT

- 5.1. This section of the report confirms the requirements and circumstances which need to be in place for solar farm to be provided in order to determine a 'Site Search Area' and the detailed considerations undertaken to find suitable land within these identified areas.

### **Fundamental Requirements**

- 5.2. As discussed within the wider Planning Statement, there are a number of fundamental considerations for the applicant to understand whether a solar farm can be accommodated on the land.

### **Capacity of Electricity Network and Ability to Connect**

- 5.3. The solar farm needs to be capable of connecting to the Electricity Network at a location where there is existing capacity.
- 5.4. Further, the Applicant is required to have agreement from the Distribution Network Operator (DNO) to export electricity at that location.
- 5.5. The applicant has secured such an agreement with the DNO.

### **Viable Connection**

- 5.6. A scheme of this scale is typically required to connect into a 33kV High Voltage line in order to export the generated (or stored) electricity. A longer distance between a generating site and the grid, the less economically viable the scheme could become, and the more potential for impact on the local environment.
- 5.7. It is not possible for a solar scheme to connect to lines that have voltage or thermal constraints. The further the distance from suitable grid access as the site is located the greater the challenge of transferring any generated electricity to the grid. Increased cabling and labour costs as well as potentially more third-party land easements increase costs dramatically and can therefore render a project uneconomical.
- 5.8. On this basis, the area of search for this development has therefore been narrowed down substantially, to land with the power line running through it.

### **Site Identification Criteria**

- 5.9. In order to identify potential locations for the solar farm within the Site Search Area, the matters outlined below are considered.

### **Environmental and Planning Constraints**

- 5.10. The Applicant considers the presence of designation and constraints which would mean the principle of a solar farm would unlikely be acceptable or be less preferable than in other locations. Such designations include:
- Planning designations, such as those zoned for other purposes.
  - Landscape designations.

- Ecological designations, including SACs, SPAs, SSSIs and Local Nature Reserves.
- Heritage designations, including scheduled monuments, listed buildings, conservation areas and Ancient Woodland.
- Environmental Agency defined Flood Zone 2 and 3 land.

#### Achieving a Viable Scale and Land Ownership

- 5.11. The UK Government's Renewables Obligation Certificate scheme to subsidise solar PV development ended in April 2017. In the absence of subsidy, the scale of solar farms is required to be larger in capacity in order to achieve a viable scheme and economies of scale.
- 5.12. The Applicant requires sufficient land, with a willing landowner, to accommodate a solar PV development with a capacity of 20MW in order to achieve viability. The land requirements vary depending on various matters, however a significant area of land is required to maximise efficiency and yield of the solar farm to maximise renewable energy benefits.

#### Availability of Non-Agricultural Land/ Previously Developed Land

- 5.13. In recognition of NPPG relating to large-scale solar PV, land which is not in agricultural use and/or previously developed is to be prioritised. Development on rooftops is not considered feasible or viable at the proposed scale, nor are there any previously developed sites available.
- 5.14. The Natural England Provisional Agricultural Land Classification (ALC) Map identified land which is non-agricultural, supported by analysis of aerial photography.
- 5.15. The relevant Brownfield Land Register is consulted for details of potentially available previously developed land within the Site Search Area along with aerial photography analysis. As of December 2022 there are only circa 34.5 hectares of Brownfield Land in the Babergh and Mid Suffolk District Council area, spread across 30 sites (the largest individual site being 4.3ha).

#### Agricultural Land Quality

- 5.16. In circumstances where no non-agricultural or previously developed land is identified in the Site Search Area, and use of agricultural land is therefore necessary, consideration is given to the Natural England Provisional ALC Maps to consider the agricultural land quality.
- 5.17. The ALC maps define agricultural land quality as being Grades 1-5 (1 being 'Excellent' and 5 'Very poor'). It is important to note that the mapping does not distinguish between Grade 3a 'Good' and Grade 3b 'Moderate' land.
- 5.18. Preference is given to the use of poorer quality agricultural land over higher quality land. Within Babergh District Council area only 1.83% of land has been classified as Grade 4 and there is no Grade 5 land.

#### Site Access

- 5.19. The construction and decommissioning phases of the development require access by standard Heavy Goods Vehicles (HGVs) to the site to transport solar panels and support

equipment. It is necessary for any land to be accessible from the highway network from road capable of accommodating such vehicles. Typically, those roads considered suitable in scale to accommodate construction and decommissioning vehicles are 'A' and 'B' roads.

### **Site Identification – Land at Boxted**

5.20. The Application Site is considered to be the most preferable having regard to the relevant matters set out above and was therefore progressed to a planning application. In summary, the reasons are:

- The Application Site allows for a viable connection to the Electricity Network. This will be achieved by connecting to the existing 33kV overhead line via the substation proposed within the site.
- The landowner is willing to enter into an agreement to promote this land for a solar farm and the Application Site is therefore available to accommodate the development.
- The available land and large land holding on which the Application Site is located means that a scheme of a viable scale can be achieved.
- A review of Babergh and Mid Suffolk Council's Brownfield Register<sup>9</sup> does not identify any land of a sufficient size to accommodate the proposed development. Furthermore, there is no suitable rooftop space to accommodate the scale of the development proposed. As such, there is no unconstrained non-agricultural land on which the scheme could alternately be provided. It is therefore necessary for this development to be located on agricultural land.
- The Application Site avoids any statutory environmental and planning designations, including Green Belt land. Whilst it is acknowledged that there is a small area of Flood Zone 2, the scheme has been appropriately designed to account for this constraint and the development is supported by a Flood Risk Assessment.
- The Application Site can be accessed using road of sufficient capacity to accommodate vehicles for construction and decommissioning, with site access connecting to the wider Highway network.
- The Application site has been subject to a detailed agricultural land classification study which confirms the site comprises 17.8% Grade 2, 28.9% Grade 3a and 53.3% Grade 3b 'moderate' quality land, which is not classed as best and most versatile (BMV) land. As outlined within this report, whilst the scheme will result in a temporary loss of best and most versatile land, when considered against the other significant benefits associated with the development, the planning balance makes the harm acceptable in planning terms.
- The Proposed Development is specifically designed to be dual purpose, enabling continued agricultural use, in the form of sheep grazing on species-rich neutral grassland, and renewable generation. It should be noted that the project is fully reversible and does not result in any long-term loss of agricultural land. The site can

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<sup>9</sup> <https://www.babergh.gov.uk/w/brownfield-land-register>



be reinstated back to its current state following the operational period. Furthermore, where a solar farm is installed on land which has been previously farmed, it enables the ground underneath to recover, while providing income for the farming business. This means solar farms help to regenerate soil quality, and so are helping to ensure the continued availability of high-quality agricultural acreage for future generations.

- 5.21. The Landscape and Visual Assessment confirms that the Proposed Development can be accommodated without undue harm to landscape and visual amenity.
- 5.22. The submitted Heritage Statement confirms that impacts on archaeological resource and built heritage assets will be low.
- 5.23. It is acknowledged that there is an area of Ancient Woodland beyond the southern boundary of the site. Appropriate offset has been provided to this constraint and the proposals will not have a detrimental impact on the woodland. This is confirmed and discussed in detail in the Arboricultural Impact Assessment Survey and Report (dated October 2023). This report concludes that no removal of Ancient Woodland is required to facilitate the development.
- 5.24. In the context of the other considerations, relevant to site selection, the Application Site would allow for a viable scheme on land which is available for a solar farm development to achieve the substantial public benefits of renewable energy generation.
- 5.25. The Application Site is therefore considered to represent an appropriate location of the Proposed Development. Any heritage or landscape and visual effects considered must be judged in this context.

### **Conclusions**

- 5.26. The specific land take and land characteristics guiding a c/20MW ground mounted solar scheme make the application site the best and most viable site within the search area, there are no alternative sites that are no more sequentially favourable.
- 5.27. Key to suitability and viability is grid access. Sites must be within 1km of a grid connection to be viable, and for a site such as that being proposed the connection would normally need to be on or adjacent to the site. In this case, the site has a viable grid access point within it.
- 5.28. There are no brownfield sites available that can accommodate the proposal.
- 5.29. Having narrowed the search area, key to the suitability of this particular site was the landowner agreeing to a solar farm on the site and other features such as good screening, neighbouring developments and the contained nature of the site.

## 6. ASSESSMENT OF PROPOSED DEVELOPMENT

- 6.1. The following section of this report assesses the development proposals against the policies of the Development Plan, the NPPF and NPPG. It is considered that the key issues in the determination of the application are the principle of development, the impact upon landscape, amenity and biodiversity, highways and traffic implications and flood risk.

### General Principle of Development

- 6.2. There is a clear need for the development of solar farms and other renewable energy generation, which is driven by numerous government legislation at both a local and national level in the UK.
- 6.3. The Climate Change Act 2008 introduced the first legally binding target for 2050 to reduce greenhouse gases by 80%. This was further enhanced in 2019 with the UK Government amending the Act to a target of achieving net zero greenhouse gas emissions by 2050. Electricity demand is set to increase significantly as fossil fuels are phased out. More recently the IPCC published its Sixth Assessment Synthesis Report in 2023 alongside a Summary for Policymakers. This summarises the state of knowledge of climate change, its widespread impacts and risks, and climate change mitigation and adaptation.
- 6.4. With regard to the urgency of near-term integrated climate action the report states at Paragraph C1:
- 6.5. *"Climate change is a threat to human well-being and planetary health (very high confidence). There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all (very high confidence). Climate resilient development integrates adaptation and mitigation to advance sustainable development for all, and is enabled by increased international cooperation including improved access to adequate financial resources, particularly for vulnerable regions, sectors and groups, and inclusive governance and coordinated policies (high confidence). The choices and actions implemented in this decade will have impacts now and for thousands of years."*
- 6.6. Paragraph C3 then sets out mitigation and adaptation options, stressing the necessity for rapid transitions, involving significant upscaling of mitigations, stating:
- 6.7. *"Rapid and far-reaching transitions across all sectors and systems are necessary to achieve deep and sustained emissions reductions and secure a liveable and sustainable future for all. These system transitions involve a significant upscaling of a wide portfolio of mitigation and adaptation options. Feasible, effective, and low-cost options for mitigation and adaptation are already available, with differences across systems and regions."*
- 6.8. While there is a combination of climatic impact-drivers, fossil fuel emissions are a principal contributor to the climate crisis, so replacing gas and coal powered electricity generators with clean renewable technology is critical if we are to start to undo the decades of damage that have contributed to climate change. Governments, local authorities, communities, and businesses all have a responsibility to play their part in addressing the climate emergency and this project aims to help achieve that.
- 6.9. Saved Policy EN10 of the current Babergh Local Plan is at the present time considered to be the key policy to consider for this type of development. It states that permission will be



granted for development subject to there being no unacceptable impact on the local environment in terms of:

Policy EN10 Requirements	How is this Requirement Met?
Noise	There are no adverse impacts predicted to occur at the nearest residential receptors. At all times during operation of the proposed development, at all residential properties, there are no predicted adverse impacts.
Smell	This matter is not relevant to proposed development.
Visual Intrusion	In view of the localised effects, the development can be accommodated without undue harm to visual amenity.
Residential Amenity	From a landscape and visual perspective, any effects on landscape character and features as a result of the development are confined to locations adjacent to the site itself or within more distant views from the south-facing valley side; the effects of which vary due to the frequency of hedgerows, woodland and vegetation associated with properties.
Relationship to Adjoining Uses	
Landscape Characteristics	
Biodiversity	The site is not located within a nationally or locally designated ecology. Appropriate mitigation is proposed on the site as detailed at paragraph 6.51. The proposal includes provision for biodiversity net gains of 99.18% in habitats and 48.08% and landscape enhancement.
Cultural Heritage	As detailed within the submitted Heritage Statement, the impacts of the Proposed Development upon archaeological resources or designated heritage assets are low. In the case that there is less than substantial harm at the low end of the spectrum, sufficient mitigation is proposed.
Public Rights of Way	There are no Public Rights of Way intersecting the site. Views from the local footpath network have been assessed as

	part of the Landscape and Visual Appraisal (LVA). The submitted LVA states that in terms of views from Public Rights of Way, the proposed introduction of new areas of woodland and other proposed landscaping will provide visual benefits over the life of the development and in perpetuity.
The Water Environment	The site is located predominantly within Flood Zone 1, an area identified as being at lowest risk of flooding. Further details of the drainage strategy are detailed within the Flood Risk Assessment.
Public Safety	As detailed within the Design and Access Statement appropriate fire risk management. There are significant control measures in place to reduce risk considerably.
Treatment of Waste Products	This matter is not relevant to proposed development.
Highways and Access Considerations	As detailed within the Construction Traffic Management Plan, appropriate mitigation will be provided in order to minimise the impact of the Proposed Development on the local highway network.

6.10. Given this summary (combined with the assessments that form this application as a whole), planning permission should therefore be granted unless adverse effects of the development outweigh these beneficial impacts. The individual policy considerations are provided below, in order to make this judgement. As this Planning Statement demonstrates the scheme is in accordance with the key policies from within the Development Plan. Notwithstanding this, the benefits outlined below weigh in favour of the proposals and would outweigh any of the very low-level harm that has been identified.

Benefits of Solar Generation

6.11. Producing electricity with photovoltaic (PV) panels, produces no greenhouse gases during operation and uses no finite fossil-fuel resources. Where, as has been generally recognised, the current consumption of and reliance on fossil fuels is unsustainable, there is a very real need to find a viable long term alternative solution. To this end, there is greater emphasis on renewable energy sources for the production of power, with all Local Authority being encouraged to ensure that a greater percentage of the power consumed in their areas is from these sources, thereby reducing their carbon emissions.

- 6.12. In addition, it is now widely accepted that climate change is happening, and a key contributing factor is carbon emissions from the use of fossil fuels. The increased production of energy from renewable sources, such as solar PV, has very real benefits in off-set saving in carbon dioxide emissions and reducing the potential impact of greenhouse gases on climate change. It will also ensure a constant and affordable source of energy, contribute to economic stability and provide a further form of diversification to support total economies.
- 6.13. The amount of energy which can be harnessed from the sun's radiation is often underestimated. In the UK, we receive a vast amount of solar energy. In an average year we receive as much as 60% of the solar energy which is received on the equator. There is often the misconception that solar technologies can only be used within the summer months, but the UK has a large number of clear spring, autumn and winter days, where the Sun's radiation can be harnessed, meaning that solar technologies can contribute to energy consumption for the whole year.
- 6.14. Furthermore, there is often the misconception that solar technologies require warm, sunny climates but due to the fact that solar panels can convert both direct and diffuse sunlight, energy can still be generated when it is overcast. The cooler temperatures of the UK also improves the efficiency of the modules.
- 6.15. The provision of a broad range of energy solutions, including solar, creates a more robust energy network that is less susceptible to fluctuations in global markets for oils and gas, making the UK energy supply less carbon intensive with greater levels of resilience, security and self-sufficiency. In addition, the Energy Security Strategy, released in April 2022, calls for a major acceleration of new homegrown power generation for greater energy independence and security for the UK.
- 6.16. Energy storage will be a key part in managing the increasingly complex supply and demand needs of the 21st Century. The grid network must be finely balanced; electrical demand must match electrical generation at all times. If this balance is not achieved, it can lead to blackouts and the failure of grid circuits.
- 6.17. The addition of battery storage units would enable excess generation from the solar farm to be stored, then released back to the grid network during times of no or low generation from the solar panels.

#### Social, Economic and Local Community Benefits

- 6.18. The proposed development would generate social, economic and local community benefits, these include but are not limited to:
- Increased renewable energy generation.
  - As the cheapest form of electricity generation (alongside new onshore and offshore wind), solar farms are considered to be a key component of the future energy mix<sup>10</sup>

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/911817/electricity-generation-cost-report-2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/911817/electricity-generation-cost-report-2020.pdf)

- Reduction in carbon emissions has a consequential positive effect upon public health, via the reduction in greenhouse gases and associated improvements to air quality.
- Economic benefits associated with investment and support of jobs during the construction phase of development. RES encourage contractors to source construction materials locally and to use local transport and plant hire companies where possible, in addition to local services and amenities.
- Economic benefits to the wider area in the form of direct impacts relating to the use of local contractors where reasonably practicable and the use of local materials where possible. Indirect impacts may include specialist contractors working on the construction/decommissioning of the Proposed Development utilising local businesses such as hotels, B&Bs and restaurants. The project will also result in the payment of annual business rates, supporting vital local services.
- Appropriate biodiversity and landscape enhancements via increased boundary planting and species-rich grassland.

6.19. The above outcomes associated with the scheme progressing, and associated Local Plan support for renewable energy generation, are considered to cumulatively represent very substantial benefits and as such are material consideration which weigh greatly in favour of planning permission being granted.

6.20. It is considered that the general principle of the development is acceptable. The proposed development provides a real opportunity to make a meaningful contribution to the UK's renewable energy and climate change target as well as providing opportunities to enhance local economic development. The site is sustainably located as it is considered to meet the requirements of national policy.

## Agricultural Land Classification

- 6.21. The site in its current use comprises agricultural land. The accompanying agricultural land classification report (Soil Environment Services Ltd SES/PG/BD/#1 May 2023) confirms that 50 hectares of land was surveyed. The grading of the land as concluded within the submitted report is as follows:

Grade	Survey area		Development area		Limitation
	ha	%	ha	%	
1					
2	8	16.0	8	17.8	Droughtiness and wetness in the south west
3a	17	34.0	13	28.9	Wetness
3b	25	50.0	24	53.3	Wetness
4					
5					
Non-agricultural land					
<b>Total</b>	50	100	45	100%	

- 6.22. The NPPF outlines that planning policies and decisions should contribute to and enhance the natural and local environment by 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.
- 6.23. It is accepted that the proposed development will reduce the arable production when compared to the current use. However, the diversification of the existing farm business will not preclude its use for grazing the site with sheep and therefore retaining agricultural practices alongside solar energy generation. To provide context, the trustees of the estate on which the Proposed Development would be located have been responsible custodians of the land for generations. There is a significant threat to farming practices in the UK due to the challenges caused by climate change, which is having an impact on the viability of some agricultural businesses. Projects like Boxted Solar Farm can enable diversification of agricultural businesses while tackling the effects of climate change.
- 6.24. The proposed development will reduce intensive cultivation practices and move towards the establishment of biodiversity or pollinating areas for the duration of the scheme. The proposed development also introduces conservation management measures for skylark.
- 6.25. It is acknowledged that development is generally supported in areas outside of best and most versatile (BMV) land. However as detailed within the Draft National Policy Statement EN-3, developers consider several factors when identifying the location and layout of sites including solar irradiance, proximity to available grid capacity to accommodate the scale of generation, predominance of open land, topography, previous land use and the ability to mitigate environmental impacts and any flood risk. Therefore, it is not considered that the absence of BMV land should be a predominant factor in determining the suitability of site selection. This should be considered on balance, with all benefits arising from the scheme.

- 6.26. The proposed development will result in a temporary loss of an area of best and most versatile land (but not in its entirety, nor permanently). When considering the most appropriate locations for solar development, there are a number of requirements for a site to be viable and suitable. Other criteria include, but are not limited to:
- Suitable location which benefits from sunlight intensity levels.
  - Suitable grid connectivity.
  - Site of suitable shape, orientation and size that can accommodate the development proposals.
  - Suitable location which is served by appropriate highway infrastructure.
  - Suitable site which is available for the duration of the development.
  - Not located within a sensitive area as defined by the EIA Regulations.
- 6.27. The site meets the criteria outlined above.
- 6.28. In a recent Appeal (dated 27<sup>th</sup> June 2023) on Land south of Leeming Substation, west of the village of Scruton, North Yorkshire (PINS ref: APP/G2713/W/23/3315877) the Inspector acknowledged that, similar to the scheme presented as part of this application, the appeal application would change the use of the land for a period of 40 years. the Inspector acknowledged that apart from the small areas for the fixed infrastructure, the majority of the land would still be used for some agricultural purposes during the 40 year period and that the intention would be returned fully to agricultural use at the end. It was further stated, *"moreover, I am satisfied from the evidence before me that resting the land from intensive agriculture would be likely to improve soil health by increasing the organic matter in the soil and improving soil structure and drainage, even if a return to arable farming would then start to reverse this improvement."*
- 6.29. The Inspector concluded that, *"there would be nothing in planning terms to prevent the farmers using the fields that form the appeal site for the grazing of sheep at present or even leaving them fallow. Given this, the fact that the proposal would limit the ability to carry out any arable farming does not, in my opinion, mean that it results in the loss of agricultural land when it can still be used for other agricultural uses. Furthermore, current government schemes actually encourage farmers to take land out of production and put it to grass, meadows, or trees for carbon capture."*
- 6.30. When considering the benefits arising from solar development, the Inspector stipulated, *"In recent years both the Government and the local council have declared an Environmental and Climate Change Emergency. Various recent government publications have highlighted the need to significantly increase generation from onshore wind and solar energy production, as it seeks to ensure that by 2035 all our electricity will come from low carbon sourced. To achieve this ambitious target, it is clear that considerable growth in large scale solar farms will be necessary and this cannot be achieved solely by the use of brownfield land."*
- 6.31. As such, whilst the proposed development will result in the temporary loss of a small portion of BMV land, when considered against the other significant benefits associated with the development, the planning balance makes the harm acceptable in planning terms.

## Landscape and Visual Amenity

- 6.32. The site extends across a broad swathe of sloping land to the south of the River Glem. It is separated into a series of arable agricultural fields divided by mature hedgerows. Adjacent to the site boundary are several blocks of mature woodland, including Lownage Wood and Park Wood which are identified as ancient woodland. The parcel is located within the 'Undulating Ancient farmlands Landscape Character Type (LCT-23) in the Joint Babergh and Mid Suffolk District Council Landscape Guidance.
- 6.33. There are no public rights of way crossing the site, but one route follows the south-eastern boundary and would have potential for views of the scheme, albeit these would be likely to be filtered by existing boundary vegetation. Visibility from other footpaths in the wider landscape is likely to be significantly reduced by existing vegetation. There are also a small number of residential properties in the vicinity of the site, including those in the settlements of Boxted and Hartest, but again the majority of these appear generally well screened by existing vegetation.
- 6.34. Policy CS15 of the Babergh Core Strategy (2014) outlines that proposals for development must respect the local context and character of the different parts of the district. All new development within the district, will be required to demonstrate the principles of sustainable development, and where appropriate to the scale and nature of the proposal, should:
- i. *Respect the landscape, landscape features, streetscape/townscape, heritage assets, important spaces and historic views.*
  - ii. *Make a positive contribute to the local character, shape and scale of the area.*
- 6.35. Furthermore, saved Policy CRO4 outlines that development proposals in Special Landscape Areas will only be permitted where they:
- Maintain or enhance the special landscape qualities of the area, identified in the relevant and landscape appraisal;
  - Are designed and sited so as to harmonise with the landscape setting.
- 6.36. It is acknowledged that it does however lie within a Special Landscape Area (SLA) as identified in the current Babergh Local Plan.
- 6.37. However, It is noted that the emerging Babergh and Mid Suffolk Joint Local Plan no longer includes an SLA Policy and that there would therefore be no additional policy protection to the area should the plan be adopted.
- 6.38. A Landscape and Visual Appraisal (LVA) has been prepared to accompany this planning application and confirms that the scheme can be effectively integrated and assimilated into the surrounding landscape with the adverse effects highly localised to the immediate environs only.
- 6.39. The LVA concludes that the Proposed Development has been designed in a manner that is sympathetic to the existing landscape character. Due to the relatively localised effects identified in the assessment and proposed mitigation, the Proposed Development can be accommodated without undue impacts on landscape and visual amenity.

6.40. It is therefore considered that the proposed development is consistent with the requirement of Policy CS15 of the Core Strategy and saved Policy CRO4 of the Local Plan.

### **Trees and Landscaping**

6.41. Saved Policy CRO7 of the Babergh Local Plan outlines that if planning permission is granted for development in the countryside, a high standard of landscaping will be required. Furthermore, Policy CRO8 also states that where development proposals affect hedgerows of amenity or landscape significance, planning permission will only be granted where:

- Hedgerows are retained in full; or
- Suitable mitigation such as replacement planting and management programmes are proposed.

6.42. The proposed development has been designed to retain existing trees and hedgerows on site, only extending existing gaps for the purpose of construction. The design incorporates an appropriate buffer to the adjacent Ancient Woodland. The application is supported by an Arboricultural Impact Assessment (Ref 4890) that acknowledges that the proposed access track does pass through the Ancient Woodland buffer. This allows an existing well-used farm access and existing gap in the hedgerow to be utilised. This is not anticipated to result in any significant arboricultural impacts due to the historic usage of this area of the site.

6.43. The remainder of the proposed solar farm development is not anticipated to result in any significant arboricultural impacts on retained trees, tree groups, woodland or hedgerows at the site. As such it is concluded that the proposal is feasible from an arboricultural perspective and if carefully implemented according to an approved arboricultural method statement there would be no or only low potential negative impact on retained trees.

6.44. As such, it is concluded that the proposed development accords with the requirements of saved Local Plan Policy CRO7.

### **Ecology and Biodiversity**

6.45. There are no statutory designated site within or adjacent to the proposed site. The Cavendish Wood SSSI is located approximately 2.7km to the southwest of the site.

6.46. The NPPF also identified that planning policy should identify and pursue opportunities for securing measurable gains for biodiversity.

6.47. Saved Policy EN06 of the Babergh Local Plan states that if development is proposed, scope for habitat creation for wildlife will be actively sought. If new habitats are created, measures will be put in place to ensure suitable management and if appropriate, public access in perpetuity. The targets included in the Suffolk Biodiversity Action Plan will be taken into account.

6.48. Furthermore, Policy CS16 of the Core Strategy (2014) outlines that where appropriate to the scale and nature of the proposal should, *x*) ... *increase the connectivity of habitats and the enhancement of biodiversity, and mitigate some of the impact of climate change.*

6.49. The application is supported by an Ecological Assessment that summarises the potential ecological constraints to the development. This report concludes that, accounting for the



designed-in avoidance, mitigation and enhancement measures and the additional measures targeted at protected species, all ecological impacts from the Proposed Development can be adequately avoided, mitigated or compensated for.

6.50. The Landscape Masterplan Plan shows the following enhancements including, but not limited to:

Grassland under and around the solar arrays will be sown to a mixed native grassland with wildflower species and can be managed through low intensity grazing by sheep.

- Creation of new woodland blocks throughout northern edges of the site to reflect existing landscape character.
- Planting of native hedgerow trees across the site to reflect existing landscape features and strengthen historical field boundaries.

6.51. The supporting Appraisal outlines the biodiversity net gains that can be achieved on site. This concludes that there is a 99.18% net gain in habitat units on site and 48.08% net gain hedgerow units on site. The details of the habitat creation and ongoing management are detailed in the submitted Landscape Ecological Management Plan (LEMP).

6.52. Appropriate offsets from existing features on site have been reflected within the design of the scheme. It is considered that necessary mitigation has been reflected in the scheme. Where necessary a Construction Environment Management Plan (CEMP) can be conditioned to any planning consent.

6.53. As such, it is demonstrated that the scheme is compliant with Policy CS16 of the Core Strategy and Local Plan saved Policy ENO6.

#### **Heritage and Archaeology**

6.54. There are no designated assets located within the boundary of the site. However, it is noted that located approximately 485m to the north of the boundary are a group of four listed buildings, all grade II:

- Somerton Hall
- Hall Cottages
- Hare and Hounds
- Moorhouse Farm

6.55. 60m to the east of the site boundary is the grade II listed Water Hall and located approximately 200m to the northeast of the proposed site is the settlement of Boxted which contains four grade II listed buildings:

- Street Farm Cottage
- 3 and 4 The Street;
- Street House;
- Thatched Cottages.

- 6.56. Boxted is not a Conservation Area. The nearest Conservation Area is the settlement of Hartest around 1.4km to the northeast of the site.
- 6.57. Around 200m south of the site is the parkland of Boxted Hall, a grade II\* asset itself located further south at around 470m from the site. This parkland is not registered or locally listed, however it does contain assets including the grade I listed Church of All Saints and the grade II listed Hill House. The potential for visibility of the proposed scheme from these assets is notably reduced as they are well-screened by existing vegetation.
- 6.58. Policy CS15 of the Babergh Core Strategy (2014) outlines that proposals for development must respect the local context and character of the different parts of the district. All new development within the district, will be required to demonstrate the principles of sustainable development, and where appropriate to the scale and nature of the proposal, should:
- iii. *Respect the landscape, landscape features, streetscape/townscape, heritage assets, important spaces and historic views.*
- 6.59. The application is supported by a Heritage Statement which provides information with regards to the significance of the historic environment and archaeological resource on the site. The report assesses the implication of the scheme on both archaeological potential and built heritage.
- 6.60. The report concludes that the Proposed Development will have a low impact on assessed archaeological resource and will display no harm to some designated heritage assets. With regard to those experiencing less than substantial harm on the lower end of the spectrum, mitigation is proposed which makes the Proposed Development acceptable in Heritage terms.
- 6.61. As such, it is considered that the proposed development is in accordance with the requirements of Policy CS15 of the Core Strategy and the relevant paragraphs of the NPPF.

### **Highways and Transport**

- 6.62. As detailed on the submitted Infrastructure Layout (Figure 4 – Drawing Reference O4806-RES-LAY-DR-PT-004 Rev 2), access to the site will be obtained from Braggons Hill to the east of the site. The full extent of the route for construction traffic is detailed within the submitted Construction Traffic Management Plan.
- 6.63. Whilst it is acknowledged that there will be an increase in highway movement during the construction period, it is not anticipated that outside of this time, the proposed development will accrue a high number of trips.
- 6.64. A Construction Traffic Management Plan has been submitted in support of the application. This document sets out the framework for managing movement of traffic associated with the proposed development in order to mitigate against the effects of traffic travelling to and from the site during the construction period.
- 6.65. It is concluded in the prepared Construction Traffic Management Plan that the identified temporary traffic movements are not considered to be a material increase compared to the existing baseline conditions on the local highway network. Furthermore, the implementation of a robust mitigation strategy which will be agreed upon and finalised between the

appointed contractor and Suffolk County Council will ensure that the construction of the site will not have any unnecessary negative impacts on the local highways network.

### **Flood Risk and Drainage**

- 6.66. The site is predominantly located within Flood Zone 1, an area identified as being at lowest risk of flooding. The submitted Flood Risk Assessment also highlights that the site is considered to be at low risk of flooding from surface water.
- 6.67. The NPPF outlines at paragraph 167 that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.
- 6.68. The application is supported by a Flood Risk Assessment that concludes that the proposed development will not add any significant areas of impermeable surfacing. It is important to note that although the panels will deflect precipitation, the panels will not increase the impermeable area of the site. There is deemed to be no increase in flood risk from the proposed development.
- 6.69. In terms of the drainage strategy for the site, it is proposed to retain the existing agricultural drains within the site allowing the site to drain naturally. All access tracks will be permeable and constructed out of gravel or grass reinforcement or would simply be a mown path for vehicles to gain access to panels for maintenance. It is also proposed to utilise a series of gravel trenches on site to manage surface water runoff from the proposed impermeable areas. The proposed access tracks will also feature an adjacent drainage swale to manage surface water runoff from said tracks.
- 6.70. Overall, the Flood Risk Assessment and Surface Drainage Strategy concludes that with suitable mitigation and the proposed surface water drainage strategy in place, the Proposed Development will not increase flood risk on site or elsewhere.
- 6.71. It is therefore considered that the proposals are in accordance with the relevant requirements of the NPPF.

### **Noise**

- 6.72. The proposed development has sought to locate inverters and the substation at a sufficient distance from the nearest residential receptors. Background noise surveys were undertaken to monitor the existing levels at the nearest noise sensitive receptors. An assessment of the acoustic impact of the proposed Bosted Solar Farm has been undertaken in accordance with BS 4142:2014+A1:2019. During daytime operation of the proposed development, at all residential properties, the predicted noise impact is low or minor, indicating no adverse impacts are predicted. Night time levels were assessed against absolute limits, which also demonstrated that no adverse impacts on the residential properties are predicted.
- 6.73. Overall, there are no adverse impacts predicted to occur at the nearest residential receptors.

### **Other Matters**

#### Glint and Glare

- 6.74. The extent to which the proposed development will have an impact on light sensitive receptors have been assessed within a Glint and Glare report. Generally, solar photovoltaic (PV) system are constructed of dark, light-absorbing material designed to maximise light absorption and minimise reflection.
- 6.75. This report concludes that the proposed development does not pose any risks towards any of the assessed/considered light sensitive receptors, namely nearby dwellings, road infrastructure and aviation.

#### Crime Prevention

- 6.76. RES Ltd will be following the necessary national guidance to ensure the security of the future development site and the infrastructure located within the site's boundary.
- 6.77. The level of security provided by the proposed fencing is considered generally acceptable and need to be balanced with visual considerations. It is considered that if anything more substantial was to be installed this would not be acceptable visually.
- 6.78. The CCTV system proposed (as detailed on Figure O4806-RES-SEC-DR-PT-003 Rev 1) will be capable of recording clear images that will meet the standards as set out in the Home Office Publication 28/09 CCTV Operational Requirement Manual 2009 as well as the UK Police Requirement for Digital CCTV Systems 09/05. As such, it is considered that scheme meets the relevant national standards and can be maintained in a manner that will ensure the security of the scheme across the lifetime of the development.

## 7. PLANNING BALANCE

7.1. To summarise, the above planning assessment has demonstrated the following:

- This planning application is in compliance with the Development Plan and national planning policy and guidance. Policy compliance strongly supports planning permission being granted;
- The development and operation of the solar farm would give rise to a wide range of social, environmental and economic benefits which amount to a very substantial weight in favour of planning permission being granted (against what are very limited effects);
- The impacts associated with the development at this location are limited, and the proposal is in compliance with relevant issue specific planning policies in the Development Plan, so do not weigh against the development.

7.2. Whilst it is accepted that the proposal will result in changes to the local environment, such as visual impact, those changes are not such that would constitute a breach of the policies contained within the Development Plan. This is also the case where any identified harm can be addressed by way of a planning condition, such as matters of landscaping, ecological mitigation and enhancement. This application, as summarised by the planning statement, has demonstrated accordance with policy and is consequently in accordance with the guidance contained within the NPPF and NPPG.

7.3. Notwithstanding this accordance with the development plan, the change to the local environment could be perceived as being harmful. This statement and those others that form part of this application have set out the benefits of the proposal and these are substantial in their weight (particularly in combatting climate change and meeting ambitious targets for renewable energy production). As such, those benefits can be regarded as further supporting the acceptability of Boxted Solar Farm against the Development Plan or should a more pessimistic view be taken as being capable of outweighing any conflict with the Development Plan (which we do not consider there to be).

7.4. The benefits of a solar scheme of this scale can be listed as, but not limited to:

- Increased renewable energy generation, equivalent to provide electricity to assist towards reducing CO<sub>2</sub> emissions per annum.
- Economic benefits associated with investment and support for on-site employment during the construction period and with associated management and maintenance of the scheme. Furthermore, economic benefit will come from payment of rates to support local services.
- Appropriate biodiversity and landscape enhancement via increased boundary planting and species-rich grassland resulting in a gain in biodiversity across the site.
- Reduction in carbon emission has a consequential positive effect upon public health and community benefits, via the reduction in greenhouse gases.

- 7.5. In consideration of compliance with the Development Plan and other planning policy requirements, the significant benefits associated with the Proposed Development and limited adverse effects, it is clear that this development is, on balance, acceptable in planning terms.
- 7.6. The Proposed Development has been shown to achieve the main objectives of sustainable development (environmental, social and economic) without causing undue detriment to any of these matters. The presumption in favour of sustainable development set out in the NPPF therefore applies here. As the NPPF directs, in such circumstances and where the application complies with the Development Plan, the application should be approved without delay.

## 8. SUMMARY AND CONCLUSIONS

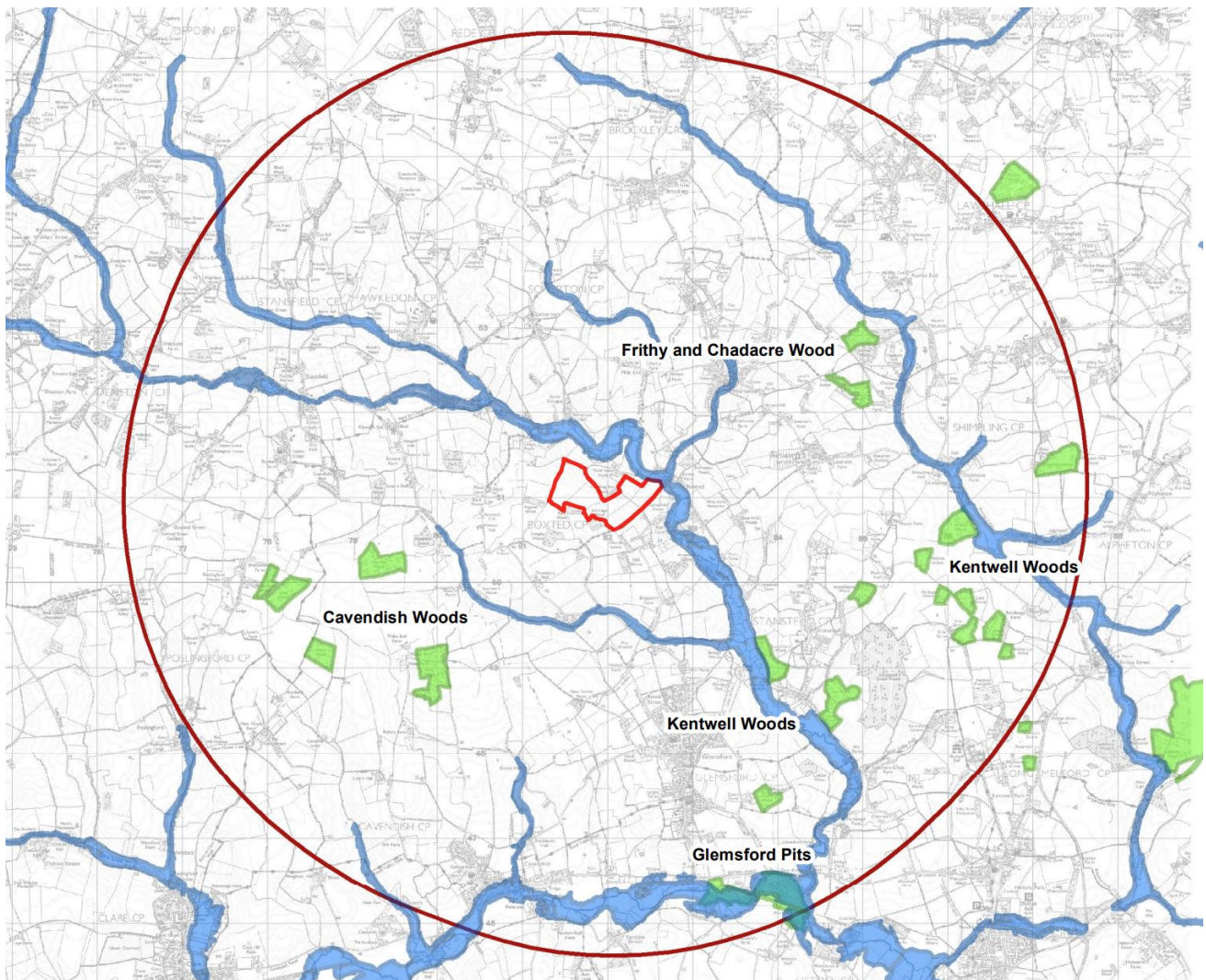
- 8.1. This Planning Statement has been prepared by Pegasus Group on behalf of RES Ltd in support of the accompanying application for full planning permission for a solar farm on land West of Boxted.
- 8.2. The proposed development would involve the construction of a ground mounted solar farm with associated works. The solar farm will have a capacity of 20MW.
- 8.3. The development supports the UK Government's intention to move to a low carbon economy, which represents a substantial benefit. The impacts of the proposal have been shown to be acceptable and, where necessary mitigation measures have been set out to reduce potential impacts of the proposed development.
- 8.4. The significant benefits associated with this proposal, primarily through the generation of renewable energy to provide low carbon electricity and a valuable contribution towards meeting the challenging obligations of the Government regarding renewable energy generation, and also in the form of economic investment and ecological and landscape enhancements, are factors which weigh heavily in favour of this development.
- 8.5. This statement therefore demonstrates that, upon considering the following matters, this proposal, on balance falls well within the scope of acceptability:
  - Compliance with the Development Plan and national planning policy guidance.
  - the significant benefits associated with the scheme; and
  - the relatively benign impacts associated with the development.
- 8.6. Accordingly, this proposal represents sustainable development and, as such, this planning application should be approved without delay.



## **Appendix 1 – Pre-Application Advice Reference DC/23/04456**



# PRE-APPLICATION ENQUIRY DC/22/04456



Land South Of, Moorhouse Farm Lane, Boxted, Suffolk

## Pre-application Enquiry

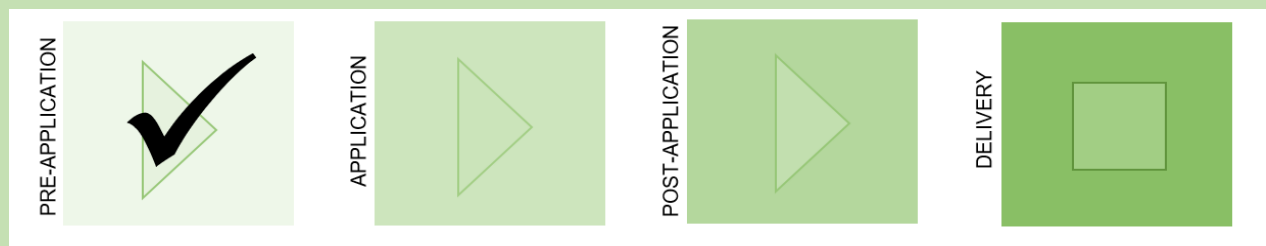
This advice is provided as part of the Council's pre-application advice service.

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

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

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

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



## The Proposal

### The proposed development is for:

Meeting and written response - Proposal Solar Development.

### The supporting material comprises:

Constraints Map P21-2950\_03 - Received 06/09/2022

Site Location Plan Heritage Assets P21-2950\_02 - Received 06/09/2022

Defined Red Line Plan P21-2950\_01 - Received 06/09/2022

## Relevant Planning History

No planning history relevant to this application.

## Planning Policy

### Emerging Local Plan – New Joint Local Plan

The Joint Local Plan will replace the current Local Plan, for both Babergh and Mid Suffolk District Councils.

The Joint Local Plan has been at examination for review by an Inspector. Following a meeting with the Inspector in December 2021 it is proposed to split the plan into two parts.

Part 1 will include policies, setting out development which is acceptable, and restrictions to development. These Part 1 policies will then be reviewed and subject to change by the Inspector through examination. During this process the policies will gain more weight. This will mean they become more relevant when determining planning applications.

Once Part 1 of the Plan moves towards adoption, and then becomes adopted the Councils will have an up to date plan. This may affect the advice given in this pre-app enquiry.

Part 1 of the Joint Local Plan will be followed by the preparation of Part 2 as soon as possible. Part 2 will be an allocations document, detailing sites across the district for development.

You are advised to look at the progress of the Joint Local Plan as it comes forward. The new policies may impact on your proposal. Details are available on the link below:

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

### National Planning Policy Framework (NPPF)

The NPPF was revised in 2021, and includes, at its heart, a presumption in favour of sustainable development, however this does not affect the statutory status of the development plan (Local Plan) as the starting point for decision making.

#### The Council's Adopted Development Plan is:

Babergh Local Plan (2006)  
Babergh Core Strategy (2014)

[Babergh District Council » Babergh Mid Suffolk](#)

#### Relevant Policies include:

CN01 - Design Standards  
CN06 - Listed Buildings - Alteration/Ext/COU  
CR04 - Special Landscape Areas  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS15 - Implementing Sustainable Development  
NPPF - National Planning Policy Framework  
CS13 - Renewable / Low Carbon Energy

### Other relevant documents include:

- Planning guidance for the development of large-scale ground mounted solar PV systems (BRE, 2014). This national guidance sets out best practice for large ground mounted arrays in respect of planning considerations and requirements.
- National Policy Statements: The policy context for the determination of NSIP scale proposals. This development is below the threshold for consideration as an NSIP but EN-1 and the revised draft EN-3 provide helpful context and an indication of the government's direction of travel in respect of renewable energy development.
- Energy Security Strategy 2022: Reinforces the net zero agenda and sets out a package of priorities, funding and policy objectives to move the country back to energy independence This includes provision for onshore wind, solar and other technology including recognition of the need for network capacity and flexibility such as battery storage.
- Net Zero strategy 2021: A decarbonisation plan setting out the UK objective of achieving net-zero emissions by 2050. Part of the plan for "Building Back Better" after the covid pandemic.
- Energy white paper 2020: Builds on the Ten-point plan for a green industrial revolution, addressing the transformation of our energy system, promoting high-skilled jobs and clean, resilient economic growth as we deliver net-zero emissions by 2050.
- United Kingdom Food Security Report 2021: Sets out an analysis of statistical data relating to food security.

### Constraints

- The site is located in the countryside. There are no trees subject to TPOs on site.
- There is a Public Right of Way that runs east to west along the south of the site
- There are not listed buildings within the site itself but there are designated and non-designated heritage assets within the wider setting and the site has the potential for below ground assets (archaeology).
- The site is mostly within Flood Zone 1 however there are portions of the site that fall within Flood Zones 2 and 3. With this most of the site is at a very low risk of surface water flooding however some sections are within areas up to high risk of surface water flooding.
- The site consists of only Grade 3 Agricultural Land
- The site is within a Special Landscape Area
- The site does not contain but does border two designated Ancient Woodlands.

## Consultation Responses

### Heritage Team

The pre-application enquiry relates to the proposed solar farm on an area of agricultural farmland to the south of Moorhouse Farm. I carried out a limited site visit on 4th October from public roads. No detail has been provided on the proposed layout of the site, e.g., access points, sub stations, array distribution and pattern, or security fencing or lighting.

The landscape is designated a special landscape area with the 2006 Babergh Local Plan. It is characterised within the Babergh Mid Suffolk Landscape Character Assessment as Undulating Ancient Farmlands. This type of landscape occurs only once in the district and is predominantly an area of "ancient enclosure", with irregular field patterns, bounded by large, established hedges. The



area has retained its historic character and development has been effectively managed. Gaps in the hedgerows afford long open views of arable farmland and scattered ancient woodland.

The proposed site is typical of the characterisation. The field patterns are irregular and unchanged from the 19th century OS maps; both Park Wood and Lownage Wood are ancient woodland; the road that bounds the southeast side of the site and leads to Holy Trinity Church is narrow and winding and bound by hedges. Boxted Hall is a moated site.

The landscape gently raises to the south-west and forms the setting for a number of heritage assets, designated and undesignated. Closest to the site is Water Hall – on the east side of Water Lane that bounds the south-east of the site and the group within Boxted Village. Also of note are Boxted Hall – a grade II\* large 16th century moated house and the grade I listed Holy Trinity Church. Moorhouse Farm, to the north of the site is identified within the Suffolk HER as a model farmstead that appears on the First Edition OS map. “Moors” also appears on Hodgkinson’s Suffolk County map of 1783. This group is therefore potentially “non-designated” heritage assets, and the impact on its setting would be a material consideration in any future planning application.

Additional heritage assets are identified within figure 2, submitted with the pre-application enquiry, but there is no heritage statement or impact assessment upon their significance.

Not all of these assets will be affected by the proposal. For example, it is unlikely that those within Hartest will be harmed due to the distance from the site and intervening landscape. However, there may be far reaching views of the site from those assets on higher ground. The circle of influence drawn around the site is therefore a good basis from which to assess potential impact.

There will be glimpsed views of the site though gaps in the hedgerow, and from higher ground. The size of the site and the topography means that if it is fully developed, its visual impact would be considerable. It has the potential to obliterate the ancient field patterns and change the character of the visual backdrop and landscape setting in which the heritage assets are experienced. The harsh angular structures and reflective material would contrast sharply with the current rural tranquillity of the site and surroundings. Matters that require further consideration or raise concern include:

- The potential relationship between Boxted Hall and the site. Is there any historic association or visual connection? This is not apparent but should be considered given the location of the site in relation to the Hall. The Hall is set low within the landscape, and there may not be direct intervisibility between the two. However, the north-west entrance to the Hall is off Water Lane, opposite the access to Moorhouse Farm, so the site will form part of the experience of anyone using this drive.
- Views from Holy Trinity church – the site can be viewed from the church yard and will be visible on approach to the church from the north-east.
- Proximity to Water Hall. This is directly opposite the site. Although it is currently well screened from view by vegetation, this is impermanent. If the vegetation were removed or cut back, there would be direct intervisibility between the site and the building.
- Views of the site from heritage assets on The Street and group northeast of the site, mentioned in the submitted preliminary enquiry letter.
- Views to and from Moorhouse Farm. Much of the surrounding farmland would be given over to the proposed solar farm and the impact on the character of its setting would be considerable

It is difficult to assess the impact of the proposed use without more detailed information. However, I do consider that harm to the setting of surrounding heritage assets is likely. This is predominantly

due to the impact on the landscape character of the site. Whilst it may be possible to reduce or mitigate harm, by looking at the location of the panels and other development and introducing planting or screening, I do not believe it could be eliminated. The level of harm would be “less than substantial” but could range anywhere from medium to low.

As required by paragraph numbers 202 and 203 of the National Planning Policy Framework, any harm to the heritage assets should be balanced by the public benefits of the proposal.

## **SCC - Highways**

Whilst it is accepted that the permanent traffic generation and impact of the proposal on the highway will be negligible, the impact during the construction phase would be significant, and details of the anticipated construction traffic movements, routes and all access points should be detailed within a Transport Statement or similar document.

A Construction Delivery Management Plan will be required and can be submitted and agreed at planning stage or conditioned for approval prior to commencement of construction.

The route to the site from the B1066 is a narrow single track road with limited opportunities for vehicles (particularly large vehicles) to pass one another and a narrow bridge. It is considered that significant volumes of large (HGV) traffic movements on this road may be detrimental to highway safety, even for a limited period of time. Details of how this would be managed to avoid conflicting movements, including any mitigation should be clearly set out in any planning submission.

### **Access:**

Any new or increased usage of existing accesses would need to be suitable for the vehicles they would accommodate (would suggest that SCC DM04 access is used), have a bound surface and visibility splays in accordance with DMRB for the speed limit or measured speed. Any existing accesses that do not meet the above criteria would only be acceptable if there is no increase in use.

Any new temporary accesses (for construction) would also need to be suitable for the vehicles they would accommodate (would suggest that SCC DM04 is used) and visibility splays in accordance with DMRB for the speed limit or measured speed. However, it may be acceptable to use temporary traffic signals for a limited duration to avoid the need for large sections of vegetation to be removed to enable access for a temporary period. If applicable, the accesses would also need to be reinstated as verge following completion of the construction phase.

All access and parking or site compound areas must provide sufficient space for a vehicle to exit in a forward gear.

### **Other Comments:**

Cable route - if cable routes are required within the highway and the provision of connection to the electricity grid is not being undertaken by a statutory utility company (such as UKPN), private utility companies require a Section 50 licence and approval of the cable route, which can cause issues if verge is limited or other restrictions exist.

A Construction Management Plan will be required to ensure safe working, minimal disturbance to the existing communities and adverse impact on the public highway during the construction phase.

## Ecology - Place Services

As for any proposal, a planning application will need to be supported by adequate ecological surveys and assessments to enable the LPA to determine any application submitted in line with national and local policy and its statutory duties. This will include likely impacts on designated sites (international, national and local), Protected species and Priority habitats and species - not just significant ones.

Ecological assessments should take data search records and survey information and use professional judgement to come to reasoned conclusions as to the likelihood of species being present and affected by the proposed development. All surveys must be undertaken by suitably qualified ecologists at the appropriate time of year using standard methodologies.

Effective and robust measures, in line with the mitigation hierarchy, must be also proposed which have a high degree of certainty for their deliverability in the long term. If there are residual impacts, these will need to be compensated for on site or offset and appropriate enhancements included to ensure that a Biodiversity Net Gain is demonstrated from the development

### Ecological reporting

Any reporting accompanying a planning application should follow CIEEM guidelines (these also comply with BS42020). Guidelines include Preliminary Ecological Appraisal Report, Guidelines for Ecological Impact Assessment and Ecological Report Writing.

### Statutory Designated Sites

There are no Statutory Designated Sites present within 1km of the site. However, the site is situated within the Impact Risk Zone (IRZ) for Kentwell Woods Site of Scientific Interest (SSSI) located 2.5km to the south-east of the site and Frithy and Chardacre Wood Site SSSI located 2.5km to the north-east of the site.

These Statutory Designated Sites are located a sufficient distance from the proposed site and the works do not trigger any further consultation with Natural England. As a result, we are satisfied that no further consideration is required.

### Non-Statutory Designated Sites

There are seven non-statutory designated site that are present within a 1km radius of the proposed development. This includes the following sites:

- Lownage Wood County Wildlife Site, located immediately adjacent to the proposed site boundary.
- Park Wood County Wildlife Site, located immediately adjacent to the proposed site boundary.
- Dripping Pan Wood County Wildlife Site, located immediately adjacent to the proposed site boundary.
- Church Grove County Wildlife Site, located 0.08km to the south of the site.
- Oak Grove – Boxted County Wildlife Site, located 0.28km to the south of the site
- Rochester Wood County Wildlife Site, located 0.31km to the north-east of the site
- Longley Wood County Wildlife Site, located 0.37km to the south-west of the site

These non-statutory designated sites are all ancient and semi-natural woodland, ancient replanted woodland or probable ancient woodland. Therefore, they are important due to being habitats of high

distinctiveness with associated rare woodland flora and fauna. Consequently, any ecological assessment must determine the likely impacts of the development upon these non-statutory designated sites.

#### Ancient woodland and veteran trees

Any ancient woodland and veteran trees present within or immediately adjacent to the site boundary should be identified as part of the proposals.

The designs must include a minimum 15m buffer around Lownage Wood and Park Wood, as well as Dripping Pan Wood (a probable ancient woodland). The buffer must be justified that this will be sufficient to avoid impacts during the construction and operation phase upon the ancient woodlands, in line with Government guidelines<sup>1</sup>.

The proposal should also demonstrate that all veteran trees will be protected through the lifetime of the development, with protection measures in line with British Standard BS 5837: Trees in relation to design, demolition and construction.

#### European Protected Species

Considerations for European Protected Species must be undertaken within the ecological assessment, even if they are subsequently scoped out.

#### Bats

Any trees required to be felled from the proposed development will need to be assessed for Potential Roost Features for bats. This Preliminary Roost Assessment will need to determine whether subsequent aerial surveys or emergence / dawn surveys are required to provide certainty of likely impacts on bats. However, if no trees are required to be removed, then no further information will be required for roosting bats.

In addition, the development may result in adverse impact upon foraging and commuting bats. Therefore, it is recommended that Bat Activity Surveys may be required to identify the species of bats present, the levels of bat activity and the importance of habitats present. Alternatively, reasonable justification should be demonstrated that impacts to foraging and commuting bats can be avoided from the proposed scheme.

This level of bat survey is necessary so that the LPA has certainty of likely impacts on bats prior to determination. It is highlighted that mitigation measures will need to be outlined and the LPA will need to be satisfied that the proposed mitigation is appropriate, especially if bats are identified to be present and affected and an EPS mitigation licence is required from Natural England. Any information supplied by the applicant's ecologist must be in line with the Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins, 2016).

If external lighting is required for the solar park, then a Wildlife Lighting Design Scheme will be required via a condition of any consent, which follows BCT & ILP Guidance<sup>2</sup>. Therefore, a suitably qualified ecologist should advise the external lighting strategy, which should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need
- Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.



- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
- Lights should be designed to prevent horizontal spill (e.g. cowls, hoods, reflector skirts or shields) and situated away from trees and boundary hedgerows.
- If CCTV is proposed, then this include infrared lighting.

#### Great Crested Newts

It is recommended that a Habitat Suitability Index assessment for Great Crested Newts (GCN) should be conducted for all ponds within 500 metres to determine the likelihood of the site supporting the species. Further surveys should then be conducted if any ponds are considered likely to support the species, unless reasonable judgement can be made why further surveys are not required. This should preferably include reference to the Natural England Rapid Risk Assessment Calculator, to justify the likelihood of an offence occurring for this European Protected Species

Any GCN surveys conducted should be completed prior to determination of a planning application to ensure that LPA has certainty of impacts for this Protected Species. If the presence of GCN is identified, then the applicant's ecologist should demonstrate that the mitigation hierarchy has been applied and whether an EPS mitigation licence will be required from Natural England to allow the development to lawfully proceed.

The applicant may be interested to know that Natural England's District Level Licensing for GCN is now available in Suffolk – see <https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes> - where sites can be registered to be covered by this strategic mitigation scheme. Guidance for developers and registration forms to join the scheme are available and the LPA will need a countersigned agreement with Natural England as evidence of site registration prior to determination where this European Protected Species is likely to be present and affected by development.

#### Hazel Dormouse

Whilst we note no recent records of the European Protected Species present within the woodlands and hedgerows within the site boundary, we consider it highly likely that the area has never been surveyed to determine whether the species is present within the local area.

Therefore, the ecological assessment should identify whether there is a likelihood that this species will be present and affected from any vegetation removal for this scheme. If significant clearance is proposed or if clearance will affect potential commuting corridors between the local woodlands, it is recommended that a presence / likely absence survey is carried out to support this application.

Any Hazel Dormouse surveys conducted should be completed prior to determination of a planning application to ensure that LPA has certainty of impacts for this Protected Species. If the presence of Hazel Dormouse is identified, then the applicant's ecologist should demonstrate that the mitigation hierarchy has been applied and whether an EPS mitigation licence will be required from Natural England to allow the development to lawfully proceed.

Opportunities may also be present within the scheme design to enhance dormouse foraging and nesting opportunities and improve ecological networks for this species, if the species identified to be present within the wider landscape.

#### UK Protected species

Considerations for Protected Species should be undertaken within the ecological assessment, even if they are subsequently scoped out.

#### Badgers

It is recommended that an ecological assessment for this application should include considerations for Badger. It is advised that Badger activity should be recorded for at least 30 metres from the working area. If Badger activity is confirmed then the potential impacts on badgers, then a mitigation strategy must be provided in a separate badger report. This should be marked clearly as confidential, as this should not be issued to the public domain.

#### Reptiles

It is recommended that an ecological assessment should include assessment of the likelihood of reptile species being present within the site. If deemed necessary, a reptile population survey should be conducted for this application, to establish the presence/population size of reptiles present on site and inform appropriate mitigation and compensation measures.

#### Nesting birds

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present

#### Priority Species

Considerations for Priority Species should be undertaken within the ecological assessment, even if they are subsequently scoped out.

#### Priority Farmland Birds

A Breeding Bird Survey should be conducted to establish whether Priority farmland bird species will be present and affected by a development. Any surveys conducted should preferably follow the BTO Common Bird Census methodology. If priority farmland birds are identified as a result of the survey then appropriate mitigation options should be recommended to avoid impacts to all Priority farmland bird species facilitating the site.

This should contain particular consideration for ground nesting birds, notably Skylark. This is because there is minimal evidence to suggest that Skylark will regularly nest between solar panels, albeit some nesting has been recorded in some circumstances<sup>3</sup>. This is likely because ground-nesting birds often require an unbroken line of sight and therefore would actively avoid nesting at solar farms in most cases. However, it is acknowledged that Solar Farms will actively increase foraging opportunities in most circumstances.

As a result, a bespoke Skylark Mitigation Strategy must be provided if it is indicated that Skylark breeding territories are confirmed to be present and will not be maintained within the development site. This should be completed with consideration of the recent prototype methodology submitted in

CIEEM In Practice<sup>4</sup> . Therefore, it is highlighted that a solution justifying that the Solar Farm will overall provide a benefit for Skylark, via the increase of foraging habitat for Skylark, will not be supported by the LPA, unless it can be demonstrated that the wider landscape has ability to support an increased carrying capacity of Skylark.

The implementation of the compensation and enhancement measures could then be secured for the lifetime of the development 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 Whirlledge and Nott<sup>5</sup> .

#### Brown Hare

Any ecological assessment should also consider likely impacts upon Brown Hare. Therefore, this Priority Species should be recorded during ecological surveys and mitigation and compensation measures should be incorporated where necessary.

**Priority habitats** The ecological assessment will need to identify whether Priority Habitat is present or immediately adjacent to the site and whether this habitat will be affected by the proposals. If Priority Habitats is to be affected then appropriate considerations, in line with the mitigation hierarchy, should be provided within the report. It is indicated that if Priority Habitat needs to be removed to facilitate the development, then appropriate compensation must be outlined prior to determination.

#### Schedule 9 – Non-native invasive species (NNIS)

Considerations should also be made to any non-native invasive species or risks posed by the development to native species present in the locality.

#### Biodiversity enhancements and Net Gain

Biodiversity Net Gain is development that leaves biodiversity in a better state than before (CIEEM, 2016). It is also an approach where developers work with local governments, wildlife groups, landowners and other stakeholders in order to support their priorities for nature conservation. The ten principles set out in CIEEM's paper Biodiversity Net Gain - Good practice principles for development, 2016 should be used together to demonstrate net-gain in this development.

The National Planning Policy Framework sets out that projects should provide biodiversity net gains, under paragraphs 174[d] and 180 [d]. Therefore, to ensure that measurable biodiversity net gains will be achieved, a Biodiversity Net Gain Assessment could be submitted to the local planning authority which uses the DEFRA Biodiversity Metric 3.1 (or any successor). The Biodiversity Net Gain Assessment should inform the soft landscape proposals and should ideally guidance contained within the Biodiversity Net Gain Report & Audit Templates (CIEEM, 2021)<sup>6</sup> .

Therefore, the plan should contain the full biodiversity metric calculations, including sufficient technical information to justify the baseline habitats condition. The finalised project designs should also be informed by the ecological functionality of the site pre-intervention, with measures implemented to enhance Priority species where applicable. We also encourage the developer to explore all reasonable options to create and restore coherent ecological networks within the site, which can help deliver connectivity across the wider landscape.

It is highlighted that we expect the soft landscaping will contain woodland buffering, species-rich meadow creation on the boundaries of the solar farm and native hedgerow planting / buffering where possible. In addition, it should be determined whether sheep grazing will occur on the land around the panels. If this is the case, then particular consideration should be given to the stocking

density livestock and the timings of when they will be present, as overgrazed Solar Farms will typically provide limited biodiversity value. This should be outlined within any Landscape and Ecological Management Plan to be secured as part of the proposal.

Furthermore, we will expect that bespoke biodiversity enhancements should be incorporated into the development (bat boxes, bird boxes - including options for Barn Owl, reptile hibernacula / log piles etc).

**Solar Farm Decommissioning** The scheme will also need to consider the de-commissioning ecological impacts of the proposals, as Solar Farms have a relatively short lifespan. Therefore, we recommend that further information must be included within submitted planning documentation to address this matter.

## **Landscape - Place Services**

The site is located to the west of Boxted and to the south of River Glem. The site is made of a series of arable fields divided by vegetated field boundaries sloping down towards the River Glem river valley to the north. There are two ancient woodlands adjoining the southern boundary (Park Wood and Lownage Wood) and Dripping Pan Wood to the north. The woodland blocks (designated and non-designated) and field boundaries are of historic value and contribute to the landscape character of the area.

Looking at the available aerial photography and without the benefit of a site visit, the site boundaries appear to be well vegetated, to the exception of the south-eastern boundary (along the Byway). The condition, density and coverage of the existing vegetation should be assessed through a tree and hedgerow survey. There is a PROW network to the east, part of which forms part of the promoted Glem Valley Walk. There is also a cluster of listed buildings towards the north-east corner of the site, with Water Hall (Grade II) located adjacent to the site's boundary.

### Review of proposed scheme

Given this proposal will bring forth development in the countryside, we do have major concerns on the visual and landscape impact as a result. For this reason, it is important that landscape and visual harm is minimised, and existing landscape characteristics and qualities are conserved and enhanced on-site.

The UK Government's position on power is set out in the Overarching National Policy Statement for Energy (EN-1), which recognises the importance of understanding and addressing landscape and visual impacts (Department of Energy and Climate Change, 2011). It includes a section on criteria for "good design" for energy infrastructure, which states that:

*"Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area."*

Furthermore, Para 2.4.2 of the National Policy Statement for Renewable Energy Infrastructure (EN-3) also states "Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology."

Proposal should have regards to NPPF (2021) Para 174 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).

The site is within the Stour Valley Special Landscape Area designation, which is still valid under the current adopted Local Plan (Babergh Local Plan saved Policies (2006)). Relevant Policies include, but are not limited to:

- Policy CR04 'Special Landscape Areas' which states that, "development proposals in SLAs will only be permitted where they maintain or enhance the special landscape qualities of the area and have been designed and sited to harmonise with the landscape setting"; and
- Policy CR07 'Landscaping Schemes', which requires development to reflect the characteristics of the locality, use indigenous species and proposed landscaping must link with existing features to provide wildlife corridors. The creation of woodlands is also promoted if appropriate.

The site is also within the Stour Valley Project Area. This assigned area has been defined as a valued landscape for a number of reasons: cultural connections, historical associations, beauty and tranquillity of the countryside. New development in the Stour Valley Project Area should not significantly impact those defined qualities of the area that make it important to residents and visitors. Any new development should also conform with the Dedham Vale AONB and Stour Valley Management Plan 2021-26 and their Management Plan Policies.

#### Landscape Character

The site is covered by two County level landscape character types (Suffolk Landscape Character Assessment): Undulating Ancient Farmland and Rolling Valley Farmlands.

The key characteristics of the Undulating Ancient Farmland LCT can be reflected on the site and its surrounding:

- Undulating arable landscape
- Oak, ash and field maple as hedgerow trees
- Blocks of ancient woodland
- Dispersed settlement pattern of loosely clustered villages, hamlets and isolated farmsteads
- A large-scale landscape with long undulating open views trees, either in hedges or in woods, are always a prominent feature

The key characteristics of the Rolling Valley Farmlands LCT are:

- Gentle valley sides with some complex and steep slopes
- Organic pattern of fields smaller than on the plateaux

Common guidance for both LCTs below:

- Reinforce the historic pattern of sinuous field boundaries
- Recognise localised areas of late enclosure hedges when restoring and planting hedgerows
- Maintain and increase the stock of hedgerow trees
- Maintain the extent and improve the condition of woodland cover with effective management
- Maintain and restore the stock of moats and ponds in this landscape.

There are a number of elements associated with a solar farm development which have the potential to influence the significance of the impacts on landscape character and visual amenity. These include:

- Height and layout of the panels
- Colour of the panel's surrounding frames
- Treatment of the ground below and between the panels
- Perimeter fencing

As described above, the site carries a number of landscape constraints and because of this we have concerns over the negative impacts that the proposed development will have on this valued landscape and the AONB Project Area which might not be able to be mitigated. Any proposals put forward should also consider the following:

- Previous landscape studies carried out for this area such as the "Valued Landscape Assessment, Stour Valley Additional Project Area" (March 2020) by Alison Farmer Associates.
- Impact on the setting of nearby listed building, Water Hall in particular.
- Appropriate siting of the solar array and associated infrastructure. The site consists of a series of north facing sloping fields. The topography could increase the negative effects of this development in the landscape.
- Sensitive design, materials and colour of any security/boundary fencing, maintenance tracks and other elements (battery storage, transformer, etc).
- Appropriate landscape mitigation that contributes to the landscape character (Undulating Ancient Farmland and Rolling Valley Farmlands).
- Enhancement planting – strengthening of existing field boundaries and vegetation. There are opportunities for hedgerow creation, new hedgerow trees and to strengthen existing vegetations and field boundaries.
- Deliver improvements to biodiversity through wildlife buffer areas and meadow planting under and within the solar array areas.

If the applicant is forthcoming with a planning application, we would recommend the following:

#### LVIA

An LVIA will be required to accompany any future application. We would expect the principles set out in the third edition of "Guidelines for Landscape and Visual Impact Assessment" (GLVIA3) to be followed. We suggest that methodology, viewpoints and visualisation representation are agreed with the LPA prior to the assessment being undertaken to ensure all parties agree with the approach. All visual representations should also be in line with "The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19" (Landscape Institute, September 2019) to ensure the assessment of visual impact is accurate and in turn an appropriate judgement of the assessed impacts can be made. For instance, although the majority of the views may be Type 1 visualisations. Where relevant, we would expect photomontages (Type 3) to be used for those views that will be greatly impacted and/or have the most sensitive receptors.

The LVIA should assess views at worst case scenario and therefore the assessment should be carried out during the winter months, where visual impact is at its maximum.

The LVIA should take into consideration the SLA qualities and valued characteristics when judging the landscape impact and any proposed mitigation. An assessment of the landscape value will be required and should be included in the LVIA. The Landscape Institute has produced technical guidance on this: TGN 02-21: Assessing landscape value outside national designations.



Landscape mitigation recommendations should form part of the LVIA report. For example, the presence of ancient woodlands and woodland areas will require sufficient standoff buffer areas to protect and enhance these habitats.

#### Trees and Hedgerows

At this stage there is no detail on the proposed solar array layout, but we would expect that this considers the existing field patterns, hedgerows and hedgerow trees. In turn we would expect a Tree Survey and an Arboricultural Impact Assessment to be submitted and approved by the LPA to ensure the development does not have an adverse impact on existing landscape feature. This assessment should be undertaken in accordance with BS 5837:2012 Trees in relation to design demolition and construction recommendations and should provide details on trees and shrubs to be retained and/or removed, the impact on them and any constraints.

Similarly, a Hedgerow Assessment (in accordance with the Hedgerows Regulations 1997) assessing wildlife and landscape value, as well as archaeological and historic value will be required to assess the value of any hedgerows on site or site's boundaries and the impact on them.

#### Landscape Enhancements

We advise that a Landscape Strategy is submitted as part of any future application. This document should set the overarching principles proposed as part of the scheme. This should include detail on mitigation measures (highlighted in the LVIA), retained landscape features, landscape enhancements and green corridors and connectivity. This should be accompanied by a detailed plan for long term management that details vegetation management techniques such as grazing, mowing and strimming.

Habitat creation opportunities should be explored. These would improve the value and character of the landscape, whilst contributing to local distinctiveness. For example, site buffers and spacings between array rows should be planted with appropriate wildflower mixes and foraging plants. Natural England Technical Information Note (TIN101) provides guidance on how to maximise the environmental benefits of solar parks.

#### Layout and Design

Because of the topography of this site, the siting of the solar array and associated infrastructure needs careful consideration, and the proposed development should demonstrate that it does not have a negative effect on the landscape.

Security lighting should be minimised; passive infra-red (PIR) technology should be designed and installed to minimise glare, light pollution and impacts on biodiversity (particularly bats).

Details of how surface water run-off will be managed is needed, especially if new tracks are proposed. Where possible, soft engineered approaches should be incorporated to ensure landscape character is not impacted further and to enhance the green infrastructure network.

### **SCC - Flood & Water Management**

#### Flood Risk

- 1) Fluvial – Zone 1 Low Probability, land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%)

- 2) Fluvial – Zone 2 Medium Probability, land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% – 0.1%) in any year
- 3) Fluvial – Zone 3 High Probability, land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year

<b>Flood Risk Vulnerability Classification</b>					
<b>Flood Zones</b>	<b>Essential Infrastructure</b>	<b>Highly Vulnerable</b>	<b>More Vulnerable</b>	<b>Less Vulnerable</b>	<b>Water Compatible</b>
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test Required	✓	✓	✓
Zone 3a†	Exception Test Required †	✗	Exception Test Required	✓	✓
Zone 3b*	Exception Test Required*	✗	✗	✗	✓*

Key:

✓ Development is appropriate

X Development should not be permitted

In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

\* In Flood Zone 3b (functional floodplain) essential infrastructure that must be there and has passed the Exception Test, and water-compatible uses, should be designed and constructed to:

- remain operational and safe for users in times of flood; result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

- 4) Pluvial – Surface water flooding is predicted to affect the site. Risk is low to high.
- 5) Groundwater – None
- 6) Reservoir – None
- 7) Foul – None known

#### NPPG Surface Water Hierarchy

- Infiltration – Mixture of soil type across site, but likely to be permeable.
- Discharge to Watercourse – Belstead Brook runs through part of the site
- Discharge to Surface Water Sewer – None

#### Vulnerability Watercourse

- Source Protection Zone III - Total Catchment



### Internal Drainage Board District Catchment

Suffolk County Council issue Land Drainage Act consents for most of Suffolk, however, some ordinary watercourses are managed by an Internal Drainage Board (IDB). Where a site is within a IDB catchment district other drainage levies may also apply;

- None

### National Legislation/Codes

- National Planning Policy Framework
- National Planning Policy Guidance
- Defra's Non-Statutory Technical Standards for SuDS
- Building Regulations: Approved Document H - Drainage and Waste Disposal (2015 edition)
- BS8582:2013 Code of Practice for Surface Water Management for Development Sites

### Local Policy

- Suffolk Flood Risk Management Strategy and Appendices
- Babergh District Council (CS12 Sustainable Design and Construction Standards & CS15 Implementing Sustainable Development in Babergh)

### Anglian Water SuDS Adoption

Anglian Water would expect surface water from the proposed development site to be disposed of using sustainable drainage systems and/or soakaways. Connection to main sewers would only be considered acceptable when evidence is provided, as part of the planning application, to show that the surface water hierarchy has been followed. This evidence should include trial pit logs from infiltration tests and investigations in respect of discharging to a watercourse.

In order for Anglian Water to assess a proposal to dispose surface water into the public network the manhole connection point and the proposed discharge rate would need to be stipulated.

If the applicant would like Anglian Water to consider adopting any on-site SuDS the Expression of Interest form, available on our website, should be completed as soon as possible.

We encourage early engagements with LLFA SuDS teams whenever the Developer indicates they want their SuDS adopted by AW, so we can shape the design even prior to planning approval. As a quick guide to our SuDS adoption criteria:

We will adopt SuDS schemes that are designed and constructed, with our joint engagement, to the criteria within our SuDS adoption manual and CIRIA C753, specifically the design must have the following:

- Effective upstream source control measures;
- Effective SuDS conveyance design;
- Effective SuDS volume control measures;
- Effective exceedance design; and
- Effective maintenance schedule demonstrating that the assets can be maintained both now and in the future with adequate access; and
- Accompanied by a RoSPA risk assessment to demonstrate all safety considerations are included in final design.

### Summary

The proposal to demonstrate that they: -

- will not be increase the percentage of impermeable area
- can utilise the existing surface water drainage system or;
- they can design a surface water system in line with the national and local policy/guidance
- Ensure that they have sufficient surface water treatment stages prior to any discharge.

The applicant will need to supply a flood risk assessment and surface water drainage strategy with any applicant. The applicant will need to submit the documents in appendix A, Suffolk Surface Water Drainage (SuDs) Guidance, Standards & Information.

The applicant will need to supply a flood risk assessment and surface water drainage strategy with any application. The applicant will need to submit the documents in appendix A, Suffolk Surface Water Drainage (SuDs) Guidance, Standards & Information.

Please read the LLFA standing advice on flood risk and surface water drainage for PV/Solar farms.

## **Flooding Standing Advice**

### Introduction

Suffolk County Council as Lead Local Flood Authority (LLFA) has identified the need for additional guidance and clarification in relation to planning application for Solar Panels (PV) and Solar Farms relating to flood risk and surface water drainage. This builds on principles established by Solar Arrays which have formed part of Nationally Strategic Infrastructure Projects and neighbouring counties flood risk and SuDS guidance with respect to solar arrays.

### Flood Risk

It is generally accepted that PV panels and the associated auxiliary buildings/structures have a limited impact on flood risk due to their comparatively small footprint and lack of ground contacting surfaces. However, it does not mean that this does not need to be fully considered. The LLFA will still expect a site-specific flood risk assessment (FRA) to be submitted with every PV application that is more than 1 hectare in size or is in a flood risk area. If the site is within a area at risk of flooding, the flood risk sequential and exception test maybe applied by the local planning authority.

There are several flood risks that need to be assessed, including.

- Fluvial (river)/ Tidal (sea)
- Pluvial (surface water)
- Reservoir
- Groundwater
- Foul/Sewer Flooding

The FRA should include reference to any historical flood instances that have been recorded.

For flood incident records, please contact the lead local flood authority by emailing them [floods@suffolk.gov.uk](mailto:floods@suffolk.gov.uk) .

If you need assistance with understanding what is required this is the current guidance Flood risk assessments if you're applying for planning permission - GOV.UK ([www.gov.uk](http://www.gov.uk))

### Surface Water Drainage

The density, height and number of PV panels will dictate the type of surface water management system that is required by the LLFA.

This can be done by utilising perimeter swales or filter strips every 5th row of PV panels.

Auxiliary buildings, depending on where they are located, and their plan area can normally have the surface water drainage design/built in accordance with Building Regulations Part H. However, a surface water drainage strategy utilising SuDS principles may be required if the LLFA believe this is necessary depending on the site.

### Below Panel Maintenance

As below the panel will normally be laid to grass or pastureland, the type of maintenance will vary depending on how the ground below and around the panels is to be utilised.

### Grass

If the area is to be laid to grass, it is recommended that a seed mix is used which provides a ratio of approximately 80/20% grass/wildflower seeds to allow for biodiversity enhancement/net gain. The management of this area should then be carried out in accordance with a management plan that focuses on the target species that are to benefit of the grass and wildflower areas, such as invertebrates and birds. Careful consideration shall be given to the use of wheeled machinery to avoid soil compaction.

### Pastureland

If the area below the panels is to be used for pastureland or grazing land, consideration should be given to

- Choice of species of grazing stock (usually sheep)
- Density of livestock stocking (this would usually be expected to be at a low density)
- Intensity of grazing (intermittent conservation grazing would usually be expected)
- Avoidance of soil compaction caused by grazing

### Surface Water Flow Routes

Existing flood flow routes or blue corridors should be maintained.

### Ordinary Watercourses

If you want to do works to a watercourse in Suffolk, it is likely that you will need to be granted consent by either SCC LLFA, an Internal Drainage Board, or the Environment Agency.

Main rivers are the responsibility of the Environment Agency, and applications to work on main rivers must be submitted to them. You can use this map created by the Environment Agency to find out whether or not the application in question is on a main watercourse.

The responsibility to manage flood risk from ordinary watercourses (streams and ditches, etc) in Suffolk rests with us, as the Lead Local Flood Authority (LLFA). Therefore, anyone who intends to carry out works in, over, under or near an ordinary watercourse in Suffolk must contact us to obtain

Land Drainage Consent before starting the work. The reason for this is to ensure that any works do not endanger life or property by increasing the risk of flooding, or cause harm to the water environment.

More details can be found at <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/working-on-a-watercourse/>

## **Advice:**

### **Principle of Development**

Core Strategy policies CS1 and CS2 support the broad principles of sustainable development and guiding development towards the most sustainable locations. Under policy CS2 settlement boundaries are identified which act as locational steers for all development. Areas within defined settlement boundaries are planned to accommodate all types of development and discourages development within the countryside. However, CS2 permits development within countryside locations in 'exceptional circumstances', it is likely to be considered that a renewable energy scheme is one of those exceptional circumstances and is not likely to be suitable nor found within a settlement. The principle of development of a solar farm is therefore likely to be considered in accordance with the development plan.

Moreover, the principle of renewable energy development is supported by the NPPF (and other existing and emerging Government policy). It should be noted that the climate crisis and shifting and evolving world events (including energy and food security) may mean that the overall position and policy stance on renewable energy that feeds down from Central Government could change.

It is noted that Members raised particular concerns in regard to food security and the loss of agricultural land. It is therefore advised that data pertaining to the production level of the land proposed as part of the site area is submitted alongside an application to assist both Officers and Members. Such data should include what the yield of the farm area has been in recent years. Grade 3A land is classified as best and most versatile agricultural land, any adverse loss of this land is likely to warrant a refusal if not justified, Grade 3B is classed as moderate quality agricultural land which is less likely to warrant refusal if there is a significant loss of this land. This data would allow a realistic number to be used during determination and committee discussion and would help quantify the loss of agricultural land in the district and whether this will be an adverse impact.

There is no Grade 2 agricultural land allocation on the site and it is entirely made up of Grade 3 agricultural land. Soil testing will be required to confirm the agricultural land classification of the soil. Information and evidence should accompany a submission, detailing why this proposed location was chosen, especially in lieu of agricultural land available within the district, which may be of a lower graded quality.

As set out in the consultee comments above, this proposal has the potential to adversely affect the local environment including flooding, ecology but predominantly the landscape. It is therefore advised that an Environmental Impact Assessment Screening Opinion (EIA) is applied for to assess what topics should be covered (Scoped in) and omitted (Scoped out) of an environmental statement at application stage.

## **Ecology**

The advice from Place Services Ecology is outlined above which highlights all relevant ecology concerns and constraints that are present on the site and could raise concern at application stage.

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

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

The application must detail proposals for biodiversity net gain and enhancement measures, in accordance with the NPPF, including provision for decommissioning and reinstatement of the site.

## **Landscaping and visual impact**

The advice from Place Services Landscape is outlined above which highlights all relevant landscape concerns and constraints that are present on the site and could raise concern at application stage.

Given the countryside location, topography of the area, the nature and scale of the development, including the specific features of solar array developments such as glint and glare, and the availability of public views across the site, it is highly probable that the proposal will have a substantial visual impact on the character and appearance of the area.

The Landscape officer raises major concerns in this respect and any application submission must adequately assess the visual impact of the development and provide appropriate mitigation measures.

The site lies within a designated Special Landscape Area and, as such, the proposal is considered likely to conflict with policy CR04.

## **Heritage**

The advice from Babergh Mid Suffolk's Heritage Team is outlined above which highlights all relevant heritage concerns and constraints that are present on the site and could raise concern at application stage.

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

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

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

The Heritage Team have assessed there is likely to be a low to medium amount of less than substantial harm cause by this proposal. Paragraph 202 of the NPPF would be a relevant consideration and a balanced judgement between the level of harm and the public benefits would be required.

## **Highways**

The advice from Suffolk County Council's Highways is outlined above which highlights all relevant highways concerns and constraints that are present on and around the site and could raise concern at application stage.

The operation of the proposed development is unlikely to generate significant traffic movements, such that it would have an unacceptable highway impact. However, the impact of traffic associated with the construction and decommissioning phases are likely be significant, such that a Construction Management Plan will likely be required.

An application submission should include details of anticipated vehicle types, volumes, access points and routes.

The route to the site from the B1066 is a narrow single track road with limited opportunities for vehicles (particularly large vehicles) to pass one another and a narrow bridge. It is considered that significant volumes of large (HGV) traffic movements on this road may be detrimental to highway safety, even for a limited period of time. Details of how this would be managed to avoid conflicting movements, including any mitigation should be clearly set out in any planning submission.

Accesses must be constructed appropriately for their intended use including provision of sufficient visibility splays.

## **Flood risk**

The advice from Suffolk County Council's Floods is outlined above which highlights all relevant flooding concerns and constraints that are present on and around the site and could raise concern at application stage.

It is generally accepted that PV panels and the associated ancillary buildings/structures have a limited impact on flood risk due to their comparatively small footprint and lack of ground contacting surfaces.

An application submission will need to include a Flood Risk Assessment and Surface Water Drainage Strategy and should have regard to the SCC standing advice for solar developments.

The site is mostly contained within Flood Zone 1 (low fluvial flood risk) however parts of the site are located within Flood Zone 2 (medium fluvial flood risk) and 3 (high fluvial flood risk). Having reviewed surface water flooding maps again, most of the site is at a very low risk of surface water flooding but there are portions that are in areas which have up to a high risk of surface water flooding.

Any land that is at risk of pluvial (low, medium or high) and fluvial (Flood Zones 2 and 3) flooding, should be excluded from the site area (site location plan). All development should be within areas at the very lowest risk of flooding in order for the development to pass the flood risk sequential test as there would reasonably be other agricultural land wholly at a very low risk of flooding within the district. Therefore, if any of the proposed site is vulnerable to flooding an application would likely fail the sequential test.

### **Conclusions/ Planning Balance**

Planning policy is generally supportive of appropriate renewable energy development providing the impacts of the development are or can be made acceptable.

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

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

### **Planning Risk Assessment**

Although policies generally to support renewable energy proposals, it is important to note the changing political climate could have an impact on the acceptability of this scheme if an application were put forward. Solar farm proposals create a high profile and a lot of public interest which results in multiple comments being submitted that will be considered during determination. All material planning considerations that affect this proposal should be addressed at application stage through the supporting materials noted below. Harm cause to any designated assets including heritage assets and designated landscape assets should be mitigated as much as reasonably possible, if this is not done to an acceptable level then the application is unlikely to be supported. The harm caused and mitigation methods provided will be fully assessed by statutory consultees and support is subject to their full assessment.

### **Expected Supporting Material in the Event of a Planning Application**

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

- Landscape Visual Assessment
- Hedgerow Assessment
- Landscape Enhancement Scheme
- Ecological Assessment
- Preliminary Roost Assessment
- Bat Activity Survey
- Wildlife Suitability Index Assessment for Great Crested Newts
- Breeding Bird Survey



- Skylark Mitigation Strategy
- Transport Statement
- Site Specific Flood Risk Assessment
- Surface Water Drainage Strategy
- Construction Management Plan
- Heritage Impact Assessment

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

- For Householder development (not suitable for joint Listed Building Application) you can submit electronically on our website <https://www.midsuffolk.gov.uk/planning/development-management/apply-for-planning-permission/>
- For all types of development you can submit electronically via the Planning Portal [https://www.planningportal.co.uk/info/200232/planning\\_applications](https://www.planningportal.co.uk/info/200232/planning_applications) (please note that applying via this site may incur a submission charge)
- For all types of development you can download the relevant application form from the Planning Portal and send to us by email or post [https://www.planningportal.co.uk/info/200126/applications/61/paper\\_forms](https://www.planningportal.co.uk/info/200126/applications/61/paper_forms)

## Application Progress

If you submit a formal application we recommend you track its progress by searching using your application reference on our [Public Access webpage](#) and reviewing any comments received.

Technical Consultees are expected to provide formal comments within 21 days from the validation date but may do so sooner. By tracking the progress of your application this can allow you to review comments and provide any additional information during the course of the application.

Note: Pre-applications are not available to search online.

You can register and sign up to receive alerts for your application and any others in your area. Details of how to register can be found on our website via this link:

<https://www.babergh.gov.uk/assets/DM-Planning-Uploads/ldox-PA-3.1-for-Planning-User-Guide.pdf.pdf>



## **Contributions**

### **Community Infrastructure Levy**

Applications for development are subject to Community Infrastructure Levy (CIL).

All new build development over 100sqm (internal), including residential extensions and annexes and all new dwellings regardless of size must pay CIL.

CIL is payable on Permitted Development as well as Planning Permission development

CIL is payable when the development is commenced and you must notify of commencement using the appropriate forms

Failure to submit a Form 6 Commencement Notice and give a minimum of 1 day's notice of commencement will result in the loss of exemptions, relief and/or the right to pay CIL by instalments.

As part of any application you will need to submit the appropriate CIL form. Further information is available on our website:

<https://www.midsuffolk.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/>

The CIL forms are also available online:

[https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5)

The phasing of community infrastructure levy (CIL) payments may be very important to your cash flow and viability of a development, especially for major developments and any development with Self Build Housing aspirations. If it is intended at any time that your development will be phased then you will need to ensure such phasing is expressly detailed in the planning application prior to determination. You should ensure phasing is clear within the description of development, any conditions imposed and any planning obligations. You will need to also ensure the planning case officer is fully aware of the intention to phase the development and include a phasing plan that shows the relevant phases of the development as well as a clear linear sequence of such phases that would align with the phasing of CIL payments you would find acceptable.

## Building Control

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

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

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

## NOTES

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

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

**Isaac Stringer**

Planning Officer

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8th November 2022

Any questions please contact us



Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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