Planning Policy Addendum for Construction and operation of a solar farm with all associated works, equipment, necessary infrastructure and biodiversity net gains.

Land West of Boxted.

On behalf of RES Ltd.

Date: February 2025 | Pegasus Ref: R004v2_P21-2950

LPA Ref: DC/23/05127

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Contents.

1. Introduction

1.1. This Planning Policy Addendum had been prepared to update the local and national planning policy since the submission of Application Reference DC/23/05127.

1.2. At the time of the submission of the application the adopted Local Plan was the Babergh Local Plan and the Core Strategy 2011-2031 that was adopted at Full Council in February 2014.

1.3. It is acknowledged that since the submission of our application the Babergh and Mid Suffolk Joint Local Plan Part 1 has been adopted at Full Council in November 2023. As such, this document seeks to demonstrate compliance with the updated policies contained within the Joint Local Plan with specific cross reference to Appendix 03 the Schedule of superseded policies.

1.4. In addition, subsequent to the submission of the planning application, the Government has revised the National Planning Policy Framework (NPPF) and also published a significant policy document relating to the generation of renewable and low carbon energy, the Clean Power 2030 – Action Plan. These documents both form material considerations in respect of determination of the planning application. Accordingly, relevant aspects of these documents are considered at Section 3 of this policy addendum.

2. Babergh and Mid Suffolk Joint Local Plan

2.1. The table below provides an assessment against the most recently adopted Joint Local Plan policies.

Joint Local Plan Policy	Assessment Against Revised Policy
Policy SP09 – Enhancement and Management of the Environment	It is acknowledged that this Policy at Part 1 states *"The Councils will require development to support and contribute to the conservation, enhancement and management of the natural and local environment and networks of green infrastructure, including: landscape, biodiversity, geodiversity and the historic environment and historic landscapes."* Part 4 of this Policy states that *"Through biodiversity net gains, all development will be required to protect and enhance biodiversity ensuring the measures are resilient to climate change."* The Site is not located within a national or local designation for ecology. Mitigation is proposed on site that will provide enhancement. The supporting ecological appraisal outlines that biodiversity net gains that can be achieved on site. It is concluded that there is a 99.18% net gain in habitat units on site and 48.08% net gain in hedgerow units on site. It is considered that the proposals are in accordance with the requirements of this policy. The effect of the proposal on the historic environment and historic landscapes is addressed in the heritage addendum, concluding that the proposal is in accordance with Policy SP09 (and Policy LP19 considered below).
Policy SP10 – Climate Change	The supporting text to this policy states that "The Plan aims to future proof all development from the impact of climate change, by supporting the transition to a low carbon future in a changing climate, taking account of the long-term implications for flood risk, coastal change, water supply, biodiversity, landscape and visual impacts, the risk of extreme winter and summer temperatures, and overheating from rising temperatures." This overriding objective and addressing the climate change effects identified here in the Local Plan are in direct accord with the objective of the application proposal, in seeking to increase renewable and low carbon energy

	generation and assist in achieving net zero carbon emissions. Part d) of this policy outlines that the Council will require development to mitigate and adapt to climate change by, *"identifying opportunities, where appropriate, to deliver decentralised energy systems powered by a renewable or low carbon source and associated infrastructure, including community-led initiatives."* As this development seeks permission for renewable energy generation it makes a meaningful contribution to the UK's renewable energy and climate change targets representing a substantial benefit of the development. It is therefore considered that the proposals are compliant.
Policy LP15 – Environmental Protection and Conservation	It is stated in the Local Plan that "*The aim of this policy is to ensure that all developments are sustainable and will seek to prevent and mitigate against adverse environmental impacts and climate change, irrespective of the size of the development.*" As noted in regard to policy SP10 above, the principle of the development proposal meets directly with this overriding objective for sustainable development. This policy (Part 2a) requires applicants to prioritise previously developed land and where development needs to take place on greenfield land, avoidance of the best and most versatile agricultural land should be prioritised. A review of the Brownfield Register (2022) identified that there are circa 49.81 hectares of Brownfield Land in the Babergh and Mid Suffolk Council area, spread across 39 sites – the largest being 24 hectares. As discussed within the Planning Statement the use of greenfield land is therefore required. The scheme has prioritised the use of lower quality agricultural land with over 53% of the development area falling within grade 3b agricultural land. Part 3a outlines that applications should "*prevent, or where not practicable, mitigate and reduce to a minimum all forms of possible pollution including but not limited to: air, land, ground and surface water, waste, odour, noise, light and other general amenity including public amenity and visual amenity impacts.*" The likely impacts of the scheme are assessed within the Planning Statement and accompanying specialist

	reports. It is considered that the proposals are in accordance with the requirements of this policy.
Policy LP16 – Biodiversity & Geodiversity	Relevant parts of this policy covering biodiversity are as referenced under the text provided with regards to Policy SP09. It is acknowledged that the site is bound to the south by ancient woodland. The new supporting Arboricultural Method Statement and amended Arboricultural Impact Assessment provides the necessary information with regards to construction so to minimise the impact on this asset. The proposal accords with Policy LP16.
Policy LP17 – Landscape	This Policy states that in order to conserve and enhance landscape character development must: a) *Integrate with the existing landscape character of the area and reinforce the local distinctiveness and identity of individual settlements;* b) *Be sensitive to the landscape and visual amenity impacts (including on dark skies and tranquil areas) on the natural environment and built character; and* c) *Consider the topographical cumulative impact on landscape sensitivity.* As discussed in Part 2 of this Policy a Landscape and Visual Appraisal (LVA) and subsequent Landscape Addendum has been submitted to support this application. This confirms that 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 if which vary due to the frequency of hedgerows, woodland and vegetation associated with properties. It is considered that the proposals are in accordance with the requirements of this policy.
Policy LP19 – The Historic Environment	As required by this Policy 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. The report concludes that the proposal 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 development acceptable in heritage terms. In terms of archaeology, a scope for trial trenching has been agreed with Officers and relevant written scheme of investigation being prepared. It is considered that the proposals are in accordance with the requirements of this policy.
Policy LP25 – Energy Sources, Storage and Distribution	Part 1 of this policy requires compliance with a number of elements in order to achieve Officer support. The assessment against each of these points and the proposed mitigation is provided in detail at Section 6 within the Planning Statement and supplemented within the Addendum Report. With regards to Part 2 of this Policy the applicant would be happy to accept a suitably worded condition in relation to restoration of land following cessation of the scheme. Further detailed consideration of this policy is provided in Appendix 1 to this Planning Policy Addendum. It is considered that the proposals are in accordance with the requirements of this policy. The assessment against the requirements of this policy are included as an appendix to this addendum.
Policy LP27 – Flood Risk and Vulnerability	The site is located predominantly in Flood Zone 1, an area identified as being at the lowest risk of flooding. The proposed development will not add any significant areas of impermeable surfacing. The submitted Flood Risk Assessment and Surface Drainage Strategy concludes that with suitable mitigation and the proposed surface water drainage strategy in place the development will not increase flood risk on site or elsewhere. This is further reiterated within the submitted addendum works. As such, it is considered that the proposals are in accordance with the requirements of this policy.
Policy LP29 – Safe, Sustainable and Active Transport	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. The submitted Construction Traffic Management Plan (CTMP) identifies that temporary traffic movements are

	not considered to be a material increase compared to the existing baseline conditions on the local highway network. A robust mitigation strategy to be agreed will ensure that the construction of the site will not have any unnecessary negative impacts on the local highways network. It is considered that the proposals are in accordance with the requirements of this policy.

3. National Policy

National Planning Policy Framework (2024)

3.1. The Government published the new National Planning Policy Framework in December 2024.

3.2. Paragraph 161 of the NPPF states:

"*The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*"

3.3. Paragraph 164 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.

3.4. Paragraph 165 of the NPPF states that in order to help increase the use and supply of renewable and low carbon energy and heat, plans should:

a. provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts);

b. consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development;

3.5. Paragraph 166 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, building orientation, massing and landscaping to minimise energy consumption.

3.6. Paragraph 168 outlines, that in determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should expect new development to:

a) *Not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.*

3.7. Paragraph 215 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 proposal including, where appropriate, securing its optimum viable use.

National Planning Practice Guidance

3.8. The NPPF is supported by National Planning Practice Guidance (NPPG) which provides more detailed guidance on a range of topics including Climate Change, Green Belt and Renewable and Low Carbon Energy.

3.9. The Clean Power 2030 Action Plan acknowledges that the Planning Practice Guidance for renewable energy contains outdated guidance which requires updating to reflect new policies (page 54). This is further reiterated at page 56 in which it is stated, "we will update the Planning Practice Guidance in 2025 to provide guidance on the application of planning policy for renewable and low carbon development to support the updates to NPPF in practice. This will help local councils in developing policies for renewable and low carbon energy and identifies the planning considerations associated with a proposal for development."

Clean Power 2030 Action Plan

3.10. Following the issue of the revised NPPF in December 2024, the Government also released the Clean Power 2030 Action Plan: A new era of clean electricity.

3.11. The Action Plan highlights that achieving clean power is now a broader goal and key to growing the economy and improving national security and standards of living. The document identifies urgency of enacting policy by "***Sprinting to clean, homegrown energy***", placing delivering clean power by 2030 at the heart of one of the Prime Minister's five missions and the Plan for Change.

3.12. The Action Plan outlines three major challenges as being "**the need for a secure and affordable energy supply, the creation of essential new energy industries, supported by skilled workers in their thousands, the need to reduce greenhouse gas emissions and limit our contribution to the damaging effects of climate change**." There is a clear link made between the steps to address energy security and climate change and the potential economic benefits form employment and investment in the energy industry, assisting the national plan for growth. The document (at page 20) refers to the Clean Power 2030 action plan "**Playing a key part in supporting hundreds of thousands of jobs, as part of the wider transition to net zero**".

3.13. The Government have indicated that a programme of investment worth around £40 billion per year for the next 6 years is on the horizon, and battery storage plays a crucial role in meeting the growth of electricity demand and maintaining a secure energy supply.

3.14. The Government have specifically stated their ambitious target of 45-47 GW solar before 2030 within the Action Plan. It is clear from this document that the Government

acknowledged that renewable energy development is going to be increasingly more crucial for national and internation targets to reach net-zero.

3.15. The plan also outlines the role of a clean power system in meeting net zero by 2050. In this it is noted that "**By 2050, annual electricity demand is likely to at least double as a result of electrification**".

3.16. In terms of the need to act immediately and take the opportunity for renewable energy where grid capacity is present, the Action plan states at page 50 "***There is particular urgency to accelerate the planning process across Great Britain for energy infrastructure since we do not have long for many clean power projects to begin construction if they are to be operational for 2030".*** In relation to existing network constraints and steps to deliver the decarbonised power system by 2030, the Action Plan states (at page 63) *"**Wherever renewables can connect to the distribution network, this should be encouraged for reasons of speed and efficiency**."*

3.17. Clean Power 2030 identifies that the strategy will also represent a significant area for economic growth through expanding employment opportunity in addition to ensuring energy security, affordability and price stability. The Action plan states that "***Another of the key benefits of Clean Power 2030 and the scale up of clean energy sectors is the creation of new job opportunities***". It is the Government's intention that the new industrial strategy will include Clean Energy industries as a priority growth sector. (Page 43 and 44)

3.18. The Government's Action plan looks to the planning sector to be one of the key aspects of supporting progress stating that "***Accelerating clean infrastructure projects through the planning system is critical to achieving our goal and unleashing investment to support the Prime Minister's Growth Mission. Our capacity range will ensure that planners and statutory consultees at the national and local level have a clear sense of which projects to prioritise for consideration and, where appropriate, fast-track through the process to enable decisions on consent to be taken sooner***". (Page 36)

3.19. The Action Plan includes addressing planning and consenting as a measure for removing roadblocks to enable consenting regimes to bring new projects through the system at pace. It is stated that "***Our planning system needs to quickly change to enable government's missions to grow the economy and deliver clean power***". The plan states that ***"There is particular urgency to accelerate the planning process across Great Britain for energy infrastructure since we do not have long for many clean power projects to begin construction if they are to be operational for 2030, especially networks and offshore wind developments."*** (pages 49 and 50)

3.20. Reform of locally consented decision-making is proposed to deliver clean power 2030. The Action Plan identifies that the NPPF does not make clear that local planning authorities should "***consider the benefits associated with renewable energy generation, and proposals' contribution to meeting a net zero future when determining applications for these developments***". (It is noted that the revision to the NPPF in December 2024 incorporates this into the new para 168 (a).)

3.21. It is also stated that the Planning Practice Guidance for renewable energy "***requires updating to reflect new policies***" (page 54). The Government states that this will be updated in 2025 to provide clarity on the application of planning policy. (Page 56)

3.22. In relation to the electricity networks and connections, the Action plan acknowledges that grid infrastructure requires strengthening, with a requirement for "***unprecedented expansion***." (Page 62). Whilst the process of network improvement is needed to reduce network constraints, the Action Plan confirms that "***Whenever renewables can connect to the distribution network, this should be encouraged for reasons of speed and efficiency***." (Page 63)

3.23. The Action Plan gives specific regard to battery storage as a key component of delivering renewable energy and short-duration flexibility in energy provision. It is confirmed that "***A significant increase in short-duration flexibility of 29-35 GW across battery storage, consumer-led flexibility and interconnection capacity from 2023 levels is possible and can play a role in achieving clean power in 2030. The opportunity is huge, as battery storage and consumer-led flexibility are scalable and could be relatively quick to deploy. Their deployment could not only cut bills for consumers but minimise the amount of more costly generation and associated network infrastructure that needs to be built, whilst maintaining security of supply***". (Page 93)

3.24. Further advice is provided on the role of battery storage at Page 95 and 96 of the Action Plan which states:

"Batteries can be used to store electricity when it is plentiful and low cost, such as during low demand periods when wind and solar output is high, for use when electricity generation is less plentiful or during times of peak electricity demand. Batteries can reduce the amount of generation and associated network that needs to be built to meet peak demand, helping Britain reach clean power in a cost-effective way and reducing delivery risk associated with other types of energy infrastructure.

Currently, there is 4.5 GW of battery storage capacity in Great Britain, the majority of which is grid-scale. Based on NESO and DESNZ battery storage growth scenario for 2030, we expect 23-27 GW of battery storage to be needed by 2030 to support clean power, a very significant level of increase. The government expects the majority of this increase to come from grid-scale batteries, with small-scale batteries also making a contribution…. Among the specific actions required for batteries, improving the time it takes for mature grid-scale batteries to obtain grid connections and planning decisions are the most significant actions in order to deliver the huge increase in grid-scale battery capacity."

3.25. It is demonstrated in the considerations outlined in the planning statement submitted with the original planning application that the renewable energy generation objectives of the scheme accord fully with the principles of the Government's Action Plan to achieve clean energy by 2030 and the proposal will assist in meeting this ambition.

Appendix 1 – Planning Policy Addendum Appendix 1 - Policy LP25

Policy Assessment Appendix – Local Plan Policy LP 25.

Land west of Boxted.

On behalf of RES Ltd.

Date: February 2025 | Pegasus Ref: P21-2950

Author: ER

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Contents

1. Introduction

1.1. This Appendix to the revised policy assessment has been prepared by Pegasus Group on behalf of RES Ltd to accompany its planning application for the construction of a 20MW solar farm and associated works at Land west of Boxted. The applicant has a grid offer with an energisation date of 2028.

1.2. The appendix gives specific additional consideration to Policy LP25 of the Local Plan which addresses Energy Sources, Storage and Distribution. The inclusion of this appendix follows additional queries raised by the LPA planning officers in respect of their consideration of Policy LP25, following adoption of the new Joint Local Plan.

1.3. Email correspondence from officers suggested that the applicant may provide additional information in regard to policy LP25 in order to assist their consideration of the proposal. The applicant has queried the Council's view on the approach to alternative site assessment and whilst the Council advised that they were awaiting the outcome of the Ricklinghall appeal[1] decision and any indications on interpretation of LP25 from this appeal, no methodological advice has subsequently been provided by the Council. As such, following the issue of the Ricklinghall decision in April 2024, a meeting was held with Officers in July 2024 to establish a methodology and extent of the area of search. It is also acknowledged that since the determination of the Ricklinghall appeal this policy has been tested further at appeal as referenced within this document.

1.4. It is noted that the Ricklinghall appeal was allowed and whilst the Inspector noted that the proposal would result in less than substantial harm to the significance of heritage assets and would conflict with the joint local plan policies and national policy in this regard, this necessitated weighing this harm against the public benefits of the proposal. Although attaching great wight and importance to these harms, the inspector concluded, in respect of the 6.8mw solar farm

> ***"when judged against the public environmental, social and economic benefits associated with this proposal, these clearly and decisively outweigh the temporary and less than substantial harm"***

1.5. The Inspector's decision makes no reference to the less than substantial heritage harm identified in that instance resulting in the consideration of alternative sites through the application of Policy LP25.

1.6. Reference is made by the Inspector at Ricklinghall to alternative sites considerations in the context of agricultural land. In this the consideration of the scale of the proposed solar farm, the need to identify a grid connection with capacity and a location close enough to a substation to mitigate the loss power during transmission are referred to as relevant factors. No conflict with policy LP25 is found by the Inspector.

1.7. This statement (para 5.14 below) also draws upon a more recent solar PV appeal decision at a site in Stowmarket in which the Inspector specifically considers policy LP25 and finds no

[1] Appeal Ref: APP/W3520/W/23/3314063 -Land to the south of Suggenhall Farm, Church Lane, Rickinghall, Suffolk IP22 1LL

conflict with that policy where the development has provided effective mitigation in respect of heritage impacts, which is also the case in the present application.

1.8. This Appendix statement addresses the request for further consideration of the relevant aspects of Policy LP25, taking account of the wider policy context of national policy and previous appeal decisions.

2. Policy context

2.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Babergh District Council & Mid Suffolk District Council

2.2. As noted in the main Planning Addendum and the policy assessment to which this statement is an Appendix, the LPA adopted a new joint local in November 2023, after the submission of the planning application.

2.3. The new local plan includes Policy LP25 addressing energy sources, Storage and Distribution. The supporting text to this policy states that the policy

> ***"is aimed at encouraging and facilitating the development of renewable and low carbon energy in the Babergh and Mid Suffolk Districts"***
>
> ***Para 15.54 - This is in line with national policy stating that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, as well as supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.***
>
> ***Para 15.55 - The Plan supports proposals for renewable and low carbon energy development providing that any identified potential harm on Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest, AONB designations or Local Wildlife Designations can be effectively mitigated.***

2.4. It is clear that the overall intent of the policy is to support new renewable energy development and that this accords with the Council's sustainable development objectives. This is clarified within the wording of the policy itself, identifying that proposal will be supported where in accordance with Policy LP25 Part 1, criterion (a) impacts on (but not limited to) landscape, highway safety, ecology, heritage, residential amenity, drainage, airfield safeguarding and the local community are taken into account and where appropriate effectively mitigated.

2.5. As noted within the main section of the policy appraisal, to which this statement is appended, the range of issues referred to for consideration of impact are also addressed by other policies of the local plan. No conflict is found with these policies.

2.6. With specific regard to landscape impacts, the submitted Landscape Masterplan (Drawing Ref P21-2950_EN_004 Rev D) confirms the range of landscape mitigations proposed, which provide effective mitigation and demonstrates accordance with this aspect of the policy. Elements of these mitigations also lessen effects on designated heritage assets.

2.7. Criterion (b) relates to schemes where renewable and low carbon energy designs are incorporated into other development. As a standalone energy generating scheme, this criterion is not relevant to the proposal.

2.8. Criterion (c) refers to consideration of the impact on- and off-site power generation infrastructure being acceptable, with regard to other policies in the plan. No matters of concern have been raised in relation to this matter in either officer comments or comments of statutory consultees on the application.

2.9. Criterion (d) requires the provision of mitigation, enhancement and compensation measures when necessary. As set out in the main text of the applicant's planning addendum, a range of mitigations are provided in the form of the landscape and ecological proposals, addressing landscape and heritage effects of the scheme. As stated in the revised application details these mitigations are entirely appropriate and ensure that the proposal accords with relevant policies.

2.10. Criterion (e) requires the approval of connection rights, and capacity in the UK power network, to be demonstrated as part of the planning application (where applicable). This matter is considered in further detail in the Grid Connection Analysis Section 3 of this appendix below, concluding that the requirements of the policy are met.

2.11. Sub paragraph 2 of Policy LP25 states that

> ***"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."***

2.12. The Applicant has confirmed that the proposal seeks planning permission for a limited period of 40 years and that following this period the solar farm and associated infrastructure would be decommissioned and land reverted to its former condition in accordance with a decommissioning strategy to be assessed at the time. This will allow for the accommodation of technological advancement in decommissioning and site restoration methodologies in the intervening period.

2.13. The applicant is happy to agree a suitable planning condition to meet this requirement and accord with the policy.

2.14. Sub paragraph 3 of Policy LP25 states:

> ***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.***

2.15. It is confirmed in supporting documentation to the application and in statutory consultee comments that the proposal would not impact upon nature conservation sites, the Areas of

Outstanding Natural Beauty, therefore these aspects are not relevant to this aspect of the policy.

2.16. The effect of the proposal on heritage assets is considered within the heritage and archaeology section of the planning addendum to the application. It is concluded that there would be a less than substantial harm to heritage assets and that the harm would be outweighed by the substantial public benefits arising from the scheme, in particular the environmental benefits of meeting the need for new renewable energy generation.

2.17. As noted above, in similar circumstances the planning Inspector determining the appeal at Ricklinghall did not find that the limited less than substantial heritage harm identified necessitated consideration of whether the requirement in Policy LP25 for considering alternative sites was engaged and in the Stowmarket appeal (para 5.14 below) the policy was satisfied by the provision of adequate mitigation.

National Policy Considerations

2.18. . There is no requirement in the NPPF, published more recently than the adoption of the local plan, that the existence of impact of a less than substantial harm to a heritage asset, or any other impact would necessitate consideration of alternative sites.

2.19. The NPPG is also referred to in the main text of this policy assessment. Paragraph 13 of the NPPG relating to renewable energy, addresses factors that an LPA will need to consider in respect of large scale ground mounted solar projects, including with regard to heritage asserts stating that

> ***"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 large scale solar farms on such assets."***

2.20. The guidance does not imply that in circumstances of less than substantial harm to a heritage asset the proposal would not be acceptable and nor does it suggest that such a circumstance would necessitate consideration of alternative sites.

2.21. National Planning Statements EN-1 and EN-2 provide policy in respect of National Infrastructure scale energy proposals and are acknowledged as material considerations in respect of renewable energy planning application determined under the Town and Country planning Act 1990.

2.22. The revised NPS is summarised in the main text of the policy statement to which this statement is appended. It is noted that the NPS were designated after the adoption of the Local Plan.

2.23. With specific regard to locational considerations para 2.3.9 of EN-3 states

> ***"As most renewable energy resources can only be developed where the resource exists and where economically feasible, because there are no limits on the need established in Part 3 of EN-1, the Secretary of State should not use a consecutive approach in the consideration of***

renewable energy projects (for example, by giving priority to the re-use of previously developed land for renewable technology developments).

2.24. It is the applicant's view that the level of harm arising to heritage assets found to arise from the proposal is outweighed by the public benefits, such that it should not trigger the requirement for consideration of alternative sites. Additionally, it is considered that interpreting the policy in a way that requires an alternative assessment would not accord with more recent national policy and guidance and would frustrate the overall objective within the policy itself which is to support the development of renewable energy where the identified harm can be effectively mitigated. To interpret the policy in this way would make it internally inconsistent.

2.25. Despite this and also in the absence of further guidance from the LPA on their preferred methodology for considering alternative sites, the applicant has undertaken an assessment and the details of this are set out in Section 4 below.

2.26. However, before doing so the applicant sets out at Section 3 the details of the grid connection which demonstrate compliance with Criterion (e) of Policy LP25.

3. Grid Connection Analysis

Grid Capacity across the UK

3.1. Viable grid connections across the UK are few and far between. This is largely due to the decarbonisation of our energy system as we move from having large carbon producing power plants dotted across the network, to a more distributed system of renewable energy projects that power the grid with clean green electricity at the lowest cost to the consumer[2].

Grid Capacity at Boxted Solar Farm

3.2. A grid connection agreement for Boxted Solar Farm was obtained in June 2021 following discussions with the Distribution Network Operator (DNO) UKPN. The existing 33kV Overhead Line (OHL) between Boxted Primary and Belchamp Grid was identified by the DNO as having capacity for 20MW of solar generated electricity via a cable connection to the OHL point of connection..

3.3. This type of grid connection is becoming an exceptionally rare opportunity for clean energy developers. The OHL connections are becoming increasingly sparse due to the current infrastructure's capabilities which, in turn means more renewable developers will be limited to where projects can be located. Projects will have to be much closer to where DNO substations are positioned to enable direct connections to them.

3.4. With a viable Point of Connection (PoC) being located close to the generation of renewable solar electricity, this increases the viability of the Proposed Development as the grid connections can be made whilst:

- Maximising the use of existing grid infrastructure;
- Minimising disruption to the local community and biodiversity; and
- Reducing energy losses and overall costs of the connection.

Impact of Environment and Community

3.5. Potential impacts on the environment are reduced where the PoC and the substation are closer to the existing grid infrastructure. The location of the substation close to a viable on-site grid connection enables the Proposed Development to maximise existing grid infrastructure and limit the additional infrastructure that needs to be constructed, consequently avoiding impact.

3.6. In light of the above it is concluded that the proposal meets the requirements of criterion (e) of policy LP25.

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

4. Methodology

4.1. This assessment of alternative sites has been carried out according to the following stages:

- Definition of the Study Area (in proximity to grid availability);
- Identification of any key constraints that rule out development in the study area; and
- Assessment of whether there is alternative land available, or any other more appropriate sites capacity of delivering the scale of development proposed, by reviewing the other technical and environmental constraints in the study area and with particular reference to heritage assets.

Study Area

4.2. In order to undertake this assessment , it is necessary to identify an appropriate and reasonable study area. However, there is no national or local guidance with regards to the definition of the study area against which the above criteria should be assessed.

4.3. Accordingly, the study area for this SAS has been defined as follows. The study focusses on the available grid connection. Grid capacity has been identified on the 33kV overhead line (OHL) which runs within the jurisdiction of Babergh District Council. It has also been determined that it would only be viable for a development of this scale to connect into the 33kV OHL when located within 2km of the network. Further details regarding Grid Connection are set out in **Section 3**. Therefore, the criteria used for the assessment has been a 2km offset from this OHL.

4.4. This approach has been accepted in a recent appeal at Great Barr, Walsall (Appeal Reference APP/V/4630/W/24/3347424). The methodology for in this appeal used a 2km search area from the POC. In drawing his conclusions, Inspector Baird outlined that,

"31. Access to the local grid is the biggest constraint facing the alternative energy supply and associated infrastructure industries. Sites need to be located close to a point of connection (POC) to the grid, so as to minimise the loss of energy during transmission.

32. The ASA considered a search area of some 2km from the POC. In my experience, this is generally the maximum distance for a connection before its viability, both in terms of electricity transmission and cost, becomes questionable."

4.5. Policy LP25 of the recently adopted Babergh and Mid Suffolk Local Plan (adopted November 2023) focuses specifically on energy sources, storage and distribution. Part 3 of the policy specifically states:

"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 community initiatives within the area which it is intended to serve. This includes providing underground power lines and cabling,"

4.6. This policy provides additional context for the methodology and analysis of the Study Area, and the technical and environmental constraints that required consideration. The analysis carried out in support of this SAS has duly considered the content of the policy and therefore includes nature conservation sites, Areas of Outstanding Natural Beauty (now known as National Landscapes), heritage assets and Conservation Areas.

4.7. The study area as defined is shown in **Appendix 1 – Study Area Plan**.

Identification of any key constraints that rule out development in the study area

4.8. As well as determining the area of assessment, further constraints have been applied. These constraints are based on the knowledge of the parameters that any solar farm development would have to consider and assess to gain approval through the planning system as well as technical constraints for solar farm development.

4.9. The following constraints that were applied were:

- Slopes greater than 10 degrees;
- Sites which are already allocated for development in the Local Plan;
- 5m buffer from Roads and Railways;
- 50m buffer from Buildings;
- Flood Zone 2 and 3 land;
- Ecological designations such as Local Nature Reserves, SSSIs, woodland including Ancient Woodland, and Greenspace Sites;
- Landscape and Heritage assets such as PRoW Access Land, Registered Parks and Gardens, Scheduled Monuments, Conservation Areas.

Consideration of the availability of any Previously Developed (Brownfield) Land

4.10. The assessment is made with reference to Babergh District Council's published Brownfield Register of previously developed land at a local scale.

Consideration of the availability of any Commercial Roof Space

4.11. Consideration of potential for the use of commercial roof space has been made with reference to:

- The orientation of the roof space;
- The relative presence of urban/rural land within the study area; and
- The opportunities and constraints (barriers) to retro-fitting large-scale solar photo-voltaic schemes to existing structures.

4.12. Reference is also made to the Government's UK Solar Strategy Part 2: Delivering a Brighter Future, published by DECC in April 2014. Since this publication, a review of permitted

development rights (PD) for solar on rooftops has been undertake with an increase of solar developments on rooftops increased from 50kW to 1MW[3]. A solar development less than 1MW is not considered a 'large scale development', with National Planning Policy Guidance stating that this type of sequential assessment is only required for 'large-scale solar developments'. At no point has the Government defined what a large-scale solar development is. On average a 1MW scheme occupies a land space of 2.5ha. Therefore, no areas of previously developed/brownfield land or roof space under 2.5ha will be considered. The scale of site required will need to be of a size to generate the proposed capacity of the Application scheme.

4.13. Where it is shown that there is no previously developed land or commercial roof-space that is both available and suitable, it is deemed that compliance with these criteria has been demonstrated.

[3] The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 14 Renewable Energy

5. Spatial Analysis Findings

Consideration of the Availability of any Previously Developed (Brownfield) Land

5.1. The study area comprises land within the administrative area of Babergh District Council, and the Brownfield Register covers both Babergh and Mid Suffolk jurisdictions. Across both local authorities, there is a relatively small amount of previously developed land. However, constraints are evident in the identified previously developed land and furthermore there is difficulty in providing commercial roof-based solar development on any meaningful scale.

5.2. Babergh and Mid-Suffolk's Brownfield Register (2024) details location, size, whether the site benefits from planning permission and the indicative range of dwellings the site is capable of delivering. The Brownfield Register contains 39 sites across Babergh and Mid-Suffolk, ranging from 0.18 to 24 hectares in area. Collectively, the Brownfield sites cover 102.64 hectares of land in Babergh and Mid-Suffolk, with the sites specifically in Babergh covering 49.81 ha. The majority of the sites within the Register average up to 7 hectares. These brownfield site areas are considerably smaller than the proposed development of 43.7 hectares and would not be able to offer a development of a similar scale to that which is proposed.

5.3. All of the sites noted in the Brownfield Register also benefit from existing planning permissions, or have commenced development on site. All brownfield sites are therefore disregarded as potential alternative sites.

Consideration of the Availability of any Commercial Roof Space

5.4. As stated in Section 2 of this report, any commercial roof space or land which has an area of less than 2.5ha has been deemed to be below the threshold of a large-scale solar development and therefore site outside of the scope of this sequential assessment. A 1MW scheme on average require 2.5ha of land.

5.5. Where roof-space may be available, there are currently significant barriers to the deployment of solar photovoltaic development in these locations, as recognised by the Government in the UK Solar Strategy Part 2: Deliver a Brighter Future, published by DECC in April 2014.

5.6. Paragraph 34 of the UK Solar Strategy confirms the barriers which currently restrict the wider take up of solar photovoltaic development on commercial roofs as:

- The ability to access capital;
- Transaction costs;
- Prioritisation of other issues;
- Sustainability of the building stock (structural stability, wind loading, orientation etc);
- Landlord and tenant issues;
- On-going maintenance liabilities; and
- Environmental issues, including the visual impact of the exposed roofs.

5.7. It is confirmed the Government are working to understand these barriers to deployment and to take action in the future where feasible and appropriate.

5.8. It can therefore be concluded that, although the Government strongly encourages solar photovoltaic deployment on commercial roof-space, commercial rooftop solar on its own will not be enough to contribute to the very challenging national targets for renewable energy generation. It is estimated that the 40GW of solar will be needed by 2030 in order to achieve net zero ambitions, with 63% (or 25GW) of this coming from large scale ground mounted solar farms and 37% (or 15GW) from rooftop deployment (commercial and residential).

5.9. Furthermore, commercial scale rooftop solar projects tend to be less than 5MW in scale, meaning multiple projects would be required to achieve the scale possible with the proposed development.

Alternative Sites Review

5.10. Policy LP25 of the recently adopted Babergh and Mid Suffolk Local Plan (adopted November 2023) focuses specifically on energy sources, storage and distribution. Part 3 of the policy specifically states:

"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 community initiatives within the area which it is intended to serve. This includes providing underground power lines and cabling,"

5.11. As detailed within the Local Plan (paragraph 15.30);

'*The designated heritage assets in Babergh and Mid Suffolk comprise of some 7,000 Listed Buildings, 60 Conservation Areas, 72 Scheduled Monuments and 7 Registered Parks and Gardens.*'

5.12. When considering alternative sites along the Overhead Line on which the point of connection exists, there are a number of sites that could provide alternatives, a number of which are located within close proximity to the designated heritage assets outlined above. As discussed, within the submitted heritage statement there are no designated heritage assets within the site. As concluded there is no harm to the following assets:

- **No harm** to the Grade II Listed 3 and 4 The Street;
- **No harm** to the Grade II Listed Thatched Cottages;
- **No harm** to the Grade II Listed Street Farm Cottage;
- **No harm** to the Grade II Listed Street House;
- **No harm** to the Grade I Listed Church of All Saints;
- **No harm** to the Grade II* Listed Boxted Hall, Grade II Listed Stables and Grade II Listed Garden Wall and Pavilions;

- **No harm** to the Grade II Listed Hare and Hounds;
- **No harm** to the Grade II Listed Somerton Hall; and
- **No harm** to the Hartest Conservation Area.

5.13. The impact to the Grade II Listed Building of Moorhouse Farm and Water Hall is less than substantial harm at the lower end of the spectrum. With regards to the first part of it is considered this test can be met for the following reasons:

- The site does not impact nature conservation sites (including SSSIs, SAC, SPA, NNR, Ramsar Sites and Local Nature Reserves).
- The site is not located within an Area of Outstanding Natural Beauty.
- It has been demonstrated that the potential harm to the setting of heritage assets (including Conservation Areas) as a result of the development can be effectively mitigated; this is both through design choices as to the extent of infrastructure within the fields and through the proposed planting as detailed on Drawing Ref P21-2950_EN_004D.

5.14. This approach to considering the relevant of mitigating heritage impacts on the third part of Policy LP25 accords with the approach recently taken by the Inspector in a solar appeal decision at Stowmarket[4]. At paragraphs 35 and 39 to 42 the Inspector does not interpret policy LP25 as requiring consideration of whether there are sites that may have lesser impact but rather that policy compliance can be achieved by "*effective measures that demonstrably lessened the severity of the impact*" (DL40)

5.15. With regards to the second part of this policy whilst there are a number of alternative sites that could accommodate the development, all would be within close proximity to a number of designated heritage assets (**Appendix 2 – Constraints Analysis**).

5.16. Given the number of heritage assets, including listed buildings within the search area, a detailed assessment of the scope for heritage impact from undefined alternative schemes on any other land would be an unreasonable and overly complex exercise to require of applicants, particularly in the context of the low level of heritage harm identified in relation to the application site.

5.17. Such an assessment would also need to run in tandem with an assessment of the availability of sites and willingness of landowners to engage with the developers. Land discussions and negotiations with multiple potential landowners would be complex and time consuming, resulting in potential delay to energisation, due to capacity already being taken up, therefore causing uncertainty over the deliverability of a scheme able to fulfil the opportunity arising from the grid connection that was original identified. A nation-wide grid review by NESO is currently ongoing and schemes which cannot demonstrate deliverability are seeing grid connections being withdrawn.

[4] Appeal Reference APP/W3520/W/24/3345132

5.18. In support of this point, it is noted that the Inspector at Stowmarket commented (paragraph 41) in relation to Policy LP25 and alternative sites that, ***"Given the current queue for grid connections there would be likely to be a significant time delay before any of these sites could connect to the grid. That is an important consideration in assessing the availability of alternative sites for a solar farm scheme given the urgent need for new electricity infrastructure and solar being a key part of the Government's strategy for low-cost decarbonisation of the energy sector."***

5.19. There is an urgent and compelling unequivocal need for this development and very strong policy support for solar development, to help increase the supply of renewable energy. Significantly increasing the generation of renewable energy will meet government objectives of addressing climate change, increasing the UK's energy security and reducing energy costs for consumers.

5.20. Following the release of the revised National Planning Policy Framework (NPPF) in December 2024, the Government also issued the Clean Power 2030 Action Plan: A new era of clean electricity. The Action Plan highlights that achieving clean power is now a broader goal and key to growing the economy and improving national security and standards of living. The document identifies urgency of enacting policy by "***Sprinting to clean, homegrown energy***", placing delivering clean power by 2030 at the heart of one of the Prime Minister's five missions and the Plan for Change.

5.21. The Government have specifically stated their ambitious target of 45-47 GW solar before 2030 within the Action Plan. It is clear from this document that the Government acknowledged that renewable energy development is going to be increasingly more crucial for national and international targets to reach net-zero. The plan also outlines the role of a clean power system in meeting net zero by 2050. In this it is noted that "**By 2050, annual electricity demand is likely to at least double as a result of electrification."** In this context the applicant has a grid offer with an energisation date of 2028. Therefore, Boxted solar could play an important role in reaching the CP30 targets.

5.22. It is therefore considered that the national need for renewable energy demonstrates that all sites with a viable grid connection agreement should be considered appropriate, subject to addressing the relevant material considerations.

Site Identification – Land west of Boxted

5.23. 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 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 roads of sufficient capacity to accommodate vehicles for construction and decommissioning, with site access connecting to the wider Highway network.

- 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 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.

5.24. The Landscape and Visual Assessment confirms that the Proposed Development can be accommodated without undue harm to landscape and visual amenity.

5.25. The submitted Heritage Statement confirms that impacts on archaeological resource and built heritage assets will be less than substantial and outweighed by the significant public benefits.

5.26. 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.

5.27. 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.

5.28. The site assessment has demonstrated that the proposed site is appropriate for the development. Whilst there may be alternative locations where the effect on heritage assets may be similar or even lesser than the application site, there is no indication that any sites do exist which are more separated from heritage assets (para 5.15 above) and in any event the complexity in assessing this in the absence of realistic scheme designs and associated mitigations is not realistic. The applicant has taken a reasonable and proportionate approach to consideration of alternative sites and concluded that the proposal meets the requirement of the policy.

5.29. Notwithstanding, to interpret policy LP25 as requiring an alternative assessment in this case and so to suggest that the proposal conflicts with policy LP 25 in respect of heritage harm

and the consideration of alternative sites, would require departing from the approach adopted by the Inspector on the Stowmarket appeal. It would also be an approach that focussed on one aspect of the policy when the proposal meets the overall objective of the policy which supports the delivery of renewable energy where any identified potential harm can be mitigated.

5.30. The proposal is in general accordance with Policy LP25. Even if the LPA considers otherwise, it may be concluded as being in accordance with the development plan when read as a whole, having regard to the principles set out case law.[5]

[5] on the application of William Corbett v The Cornwall Council [2020] EWCA Civ 508

6. Summary and Conclusion

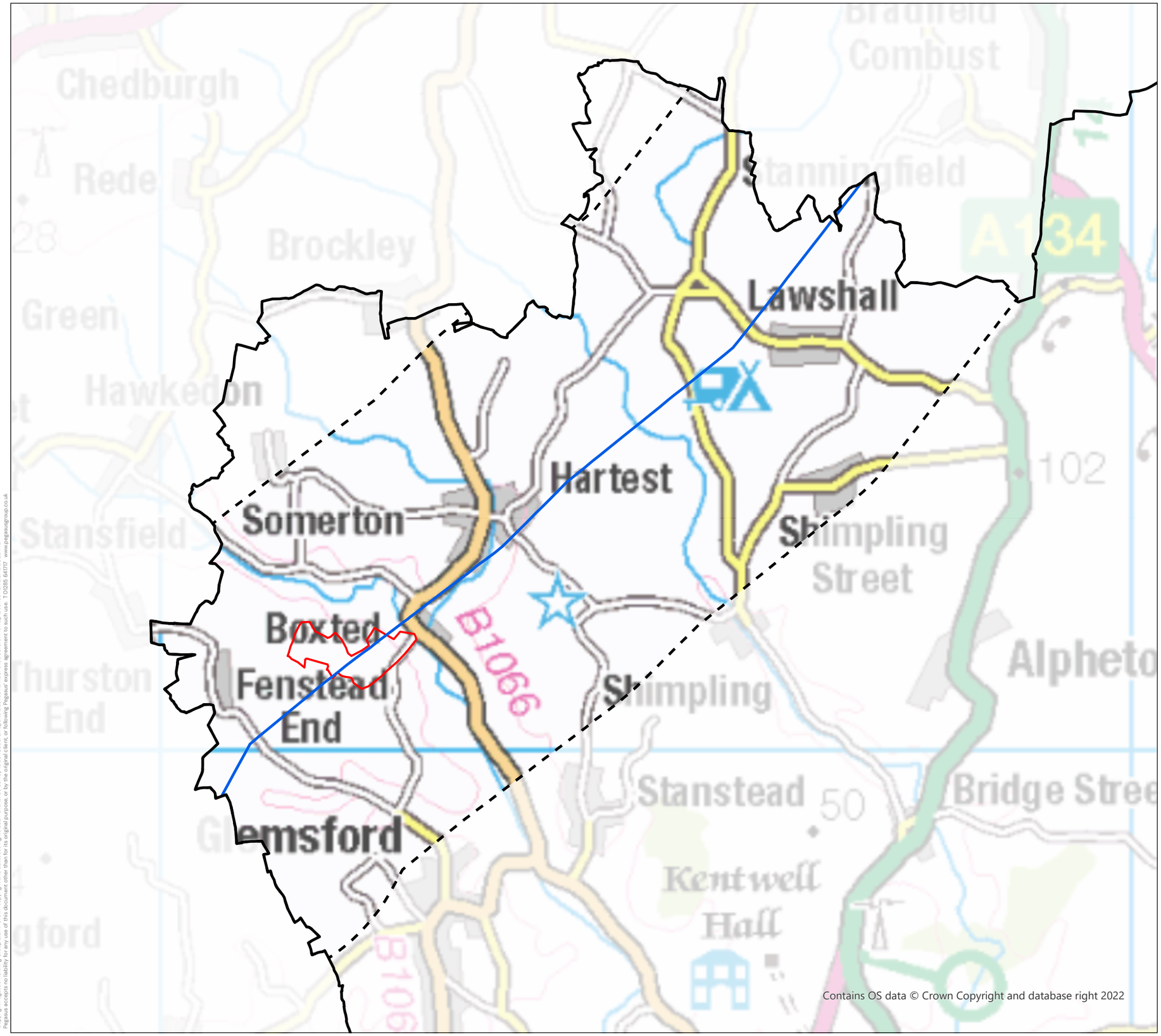
6.1. This Appendix has been prepared on behalf of RES Ltd. to accompany the overall policy assessment included with the Applicants Planning Addendum.

6.2. The Appendix has considered the compliance with planning policy LP 25 of the Local Plan, and other material considerations.

6.3. The proposal will help address climate change, meet locally identified needs to increase renewable energy generation to help to address the national shortfall in renewable energy generation, and provide a clean and cheap source of energy that assists the UK energy security. Furthermore, as discussed above, the applicant has a grid offer with an energisation date of 2028. Significant weight can be applied to the planning balance in favour of increasing renewable energy production by utilising an available and viable 20MW connection to meet the CP30 targets.

6.4. For reasons set out in this appendix it is concluded that the proposal is in general accordance with Policy LP25. Even if the LPA considers otherwise, the planning application may be concluded as being in accordance with the development plan when read as a whole, having regard to the principles set out in case law.

Appendix 1 – Study Area Plan



KEY

- Babergh District Boundary
- Site Boundary
- 33kV OHL
- Study Area

CONSTRAINTS ANALYSIS - STUDY AREA

Boxted Solar Farm

CLIENT
RES Ltd

0 1.5 km

DATE	SCALE	TEAM	APPROVED
21/08/2024	1:40,000@A3	CS	DT

SHEET	REVISION
-	A

DRAWING NUMBER
P21-2950_09

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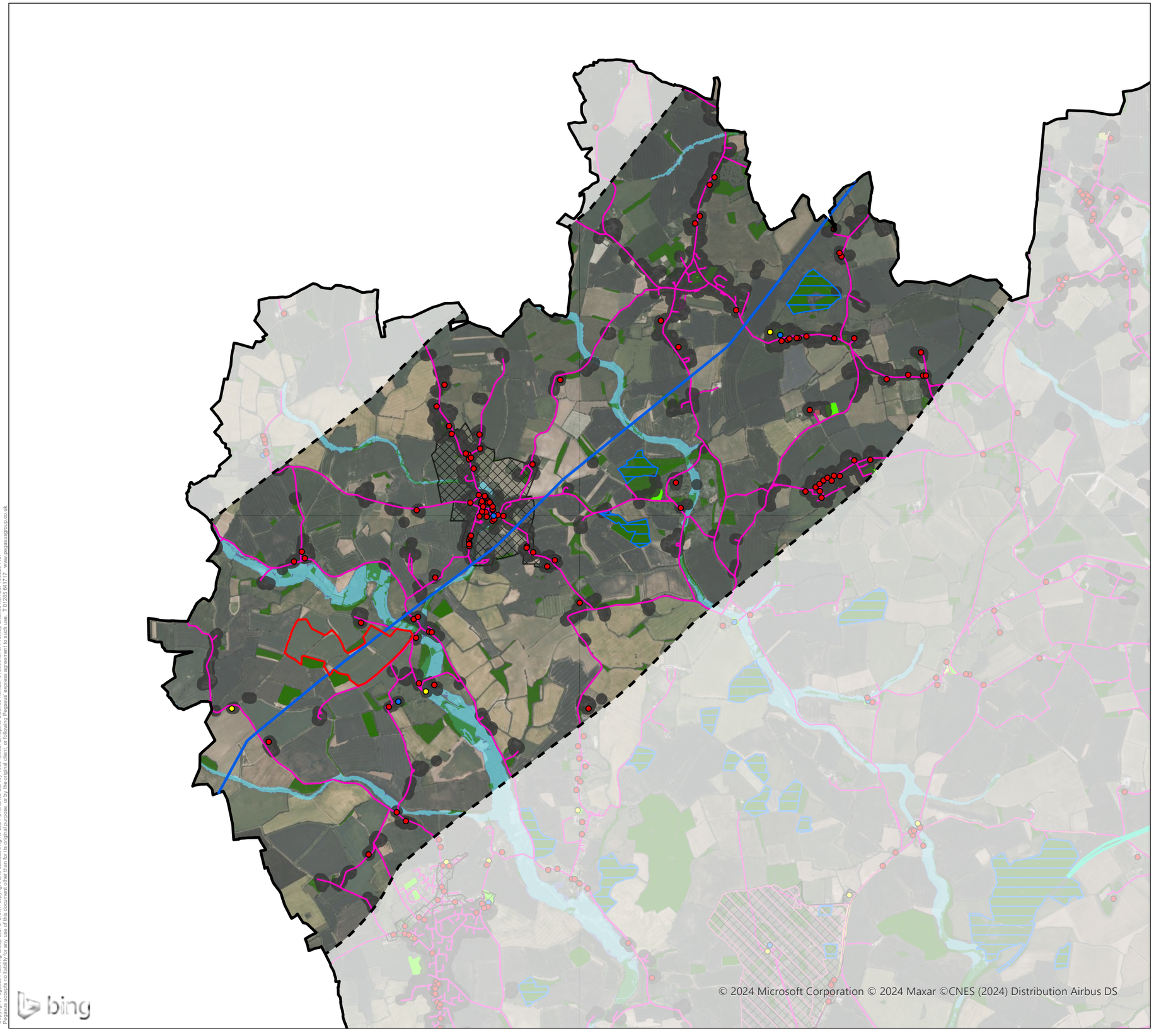
Appendix 2 – Constraints Analysis



KEY

- Babergh District Boundary
- Site Boundary
- 33kV OHL
- Study Area
- Grade I Listed Building
- Grade II* Listed Building
- Grade II Listed Building
- CRoW Access Land
- Registered Parks and Gardens
- Scheduled Monuments
- Conservation Area
- Local Nature Reserves
- Sites of Special Scientific Interest
- Woodland including Ancient Woodland
- Greenspace Site
- EA Flood Zone 3
- EA Flood Zone 2
- 5m from Roads & Railways
- 50m Buffer from Buildings

CONSTRAINTS ANALYSIS - CONSTRAINTS

Boxted Solar Farm

CLIENT
RES Ltd

0 1.5 km

DATE	SCALE	TEAM	APPROVED
09/09/2024	1:40,000@A3	CS	DT

SHEET	REVISION
-	**A**

DRAWING NUMBER
P21-2950_10

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