

**BASILDON BOROUGH COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
Town and Country Planning (Development Management Procedure) Order 2015**

Mr Owen Horrell  
Enso Energy Limited  
The Priory  
Long Street  
Dursley  
GL11 4HR

For: Enso Green Holdings J  
Limited  
c/o Enso Energy Limited  
GL11 4HR

In pursuance of the powers exercised by them as local planning authority this Council, having considered your application to carry out the following development:-

**Installation of a solar farm and battery storage facility with associated infrastructure on land at Barleylands, South of Great Burstead on Land West of Southend Road (A129) and South East of Coxes Farm Road, Billericay; and installation of underground cabling from proposed solar farm along A129 (London Road/Southend Road, Wickford) to eastern borough boundary to link to Rayleigh Main Substation, Rawreth**

On land at

**Street Record  
London Road  
Rawreth  
Essex**

In accordance with the plan(s) accompanying the said application, the Council do hereby give notice of their decision to **REFUSE PERMISSION** for the said development for the reasons set out overleaf:-

Planning Services, Basildon Centre, St. Martin's Square, Basildon, Essex SS14 1DL

Yours faithfully



Mrs. Christine Lyons.  
Head of Planning - Growth

Dated:03.04.2023

1. The proposal represents inappropriate development within the Green Belt which is by definition harmful and prejudicial to the openness of the Green Belt. The proposed development is in conflict with Green Belt purpose (c) of paragraph 138 of the NPPF, 2021. The very special circumstances that have been evidenced do not provide sufficient reason to justify a departure from the National Planning Policy Framework (NPPF). The proposed development would cause substantial harm to the openness of the Green Belt. For these reasons, the proposed development is contrary to paragraphs 147, 148 and 151 of the NPPF, 2021.
2. The proposed development would have a substantial adverse impact on both landscape character, visual amenity and cumulative effects on the Public Right of Way (PRoW) network and other promoted walks/trails by virtue of the sense of enclosure created by the industrial nature of the height and style of the proposed perimeter fencing. The proposed development would fail to contribute to and/or enhance the natural and local environment by recognising the intrinsic character and beauty of this part of the countryside. This is contrary to paragraphs 130, 145, 155(a), 174 and 185 of the NPPF, 2021.
3. The proposed development would be unacceptable in the absence of a S106 Agreement to secure obligations/contributions relating to Skylark mitigation; healthcare; decommissioning; and S106 monitoring, which are considered necessary to mitigate the impacts of the proposed development.

#### Informative

01. The applicant is advised that on 25<sup>th</sup> July 2022 in accordance with S101 of the Local Government Act 1972, Rochford District Council devolved to Basildon Borough Council the discharge of Rochford District Council's planning control functions under section 70(1) (Part III) of the Town and Country Planning Act 1990 to determine this cross-boundary planning application and its functions under section 106 of the same Act. Therefore, this decision notice is issued on behalf of both Authorities.

**Planning Services, Basildon Centre, St. Martin's Square, Basildon, Essex SS14 1DL**

Yours faithfully



Mrs. Christine Lyons.  
Head of Planning - Growth

Dated:03.04.2023

## NOTES

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission for the proposed development, then an appeal to the Secretary of State can be made under section 78 of the Town and Country Planning Act 1990.

An appeal against the refusal to grant planning permission must be lodged within six months of the date of the decision notice except in the case of householder applications which is 12 weeks.

If the proposed development relates to the same or substantially the same land and development as is already the subject of an Enforcement Notice, then an appeal must be lodged within 28 days of the date of the decision notice.

If an Enforcement Notice has been served relating to the same or substantially the same land and development as proposed in the refused application, then an appeal must be lodged within 28 days of the service date of the Enforcement Notice, or within six months [12 weeks in the case of a householder appeal] of the date of this decision notice, whichever period expires first.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development, having regard to the statutory requirements, to the provisions of any development order and to any direction given under a development order.

In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

## Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of and development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.