



PLANNING STATEMENT

BURSTEAD SOLAR FARM AND BATTERY STORAGE 'FREE GO'
LAND SOUTH AND EAST OF GREAT BURSTEAD, BILLERICAY, ESSEX

NOVEMBER 2023



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1. INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Enso Green Holdings J Limited (“The Applicant”) to accompany ‘Free Go’ planning applications to Basildon Council (BC) and Rochford District Council (RDC) for the proposed installation of a solar farm and battery storage facility with associated infrastructure (“the Proposed Development”) on land south and east of Great Burstead, Billericay, Essex (“the Site”, hereafter Burstead Solar Farm). The application is made following previous refusal on landscape and Green Belt grounds (BC reference: 22/00411/FULL and RDC reference: 22/00359/FUL) as a ‘Free Go’ application.
- 1.2 The Proposed Development will provide a reliable source of clean renewable energy which will be supplied to domestic and commercial consumers via the National Grid network. The battery storage facility would be utilised to reinforce the power generation of the solar farm.
- 1.3 The Solar Farm would generate up to 17 MW to the National Grid, providing the equivalent annual electrical needs of approximately 4,250 family homes in England. The anticipated CO₂ displacement is around 3,271 tonnes per annum, which represents an emission saving equivalent of a reduction in approximately 1,139 cars on the road every year.
- 1.4 A significant increase in renewable energy generation is supported by national and local planning policy and relevant material considerations, such as the UK Governments 2050 ‘net zero’ target, which will require a rapid and expanded deployment of low-carbon electricity generation, including solar farms, if climate change is to be tackled within our lifetimes.
- 1.5 This report sets out the planning policy context relating to the benefits and acceptability in principle of the Proposed Development assessed against the applicable planning framework and details how environmental issues have been addressed and should be read in the context of the entire submission documentation to fully understand the Proposed Development, its potential impacts and planning merits.

The Applicant

- 1.6 Enso Green Holdings J Limited is a joint-venture partnership between Enso Energy and Cero Generation.
- 1.7 Enso Energy is one of the UK’s leading developers of renewable energy projects. Cero Generation is a leading solar energy company, working across Europe to support the transition to a net-zero future, for this and every generation. Active throughout the project lifecycle,

from development through to construction and operations, Cero's highly experienced team collaborates with local partners to bring world-class industrial, commercial and technical expertise to its projects.

- 1.8 Cero's 8 GW solar development portfolio is one of the largest in Europe, covering both utility-scale and on-site generation projects, as well as integrated energy storage solutions. Dedicated to delivering high-quality, high-performing assets, and providing its corporate and industrial clients with the solutions to accelerate their pathway to a net-zero future. Cero Generation is a Green Investment Group portfolio company, operating on a stand-alone basis.

EIA Screening

- 1.9 An Environmental Impact Assessment (EIA) Screening Request in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) for a proposed solar farm and battery storage facility on the Site was submitted by the Applicant to Basildon Council on 29th July 2021. This provided details of the baseline condition, the proposed approach to the assessment and the likely potential effects arising from the Proposed Development.
- 1.10 A Screening Opinion (reference: 21/01186/SCREEN) was received on 2nd September 2021 confirming an Environmental Statement (ES) would not be required under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017.
- 1.11 This 'Free Go' application has not been preceded by another Screening Opinion and relies on the previous confirmation.

2. SITE AND SURROUNDINGS

Existing Site

- 2.1 The Site comprises land totalling approximately 119.5 ha connected through an underground cable route to the point of connection at Rayleigh Substation.
- 2.2 The Site is mainly rural in character, with a complex wider setting including Great Burstead to the north, Noak Hill Road (A176) to the west, industrial units at Gurnards Farm to the immediate west of the eastern parcel and the Barleylands recycling centre to the south of the western parcel. The A129 (Southend Road) separates the two parcels of the Site which are located approximately 900 m apart. The field network within the Site is characterised by irregular shaped fields with a mixture of hedgerow and tree boundaries. There are Public Rights of Way which intersect the Site. The eastern parcel lies to the south of Bridleway 306_34 and is crossed by Footpath 306_36. The access from Granites Chase is adjacent to Footpath 306_37. The western parcel is crossed by Footpaths 306_61, 306_62, 306_63 and 306_64. Footpath 306_60 lies to the immediate west of the Sites boundary adjacent to the rear gardens of properties on Noak Hill Road (A176). The River Crouch lies to the south of the Site.
- 2.3 The site forms Green Belt.
- 2.4 The Sites topography rises from approximately 21.5 m AOD to approximately 55 m AOD in the eastern parcel and from approximately 16 m AOD to approximately 52.5 m AOD in the western parcel.

Surrounding Area

- 2.5 The surrounding area comprises scattered farms with larger settlements nearby to the north, south and west. Billericay lies to the north of the Site with the northern edge of Basildon to the south. The Rayleigh Substation is located approximately 8 km to the east. The surrounding area forms Green Belt.

Planning History

- 2.6 This application is made following a previous refusal by the Councils (BC reference: 22/00411/FULL and RDC reference: 22/00359/FUL) to which this 'Free Go' is now made. The 'Free Go' application is made by the same Applicant, within 12 months of the refusal and a development of the same character and description as the development to which the earlier refused application related and no other land included within the Site. The applications were

refused on landscape and Green Belt grounds. It is considered the third reason for refusal, skylark mitigation, could have been addressed if a resolution to grant permission had been made by the Councils. The Decision Notices stated:

“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.”

- 2.7 There are no other relevant development control applications made at the Site save for those which typically relate to uses associated with general agriculture or the Barleylands Farm Park.

- 2.8 The operational Outwood Solar Farm lies to the immediate northeast of the eastern parcel of the Site and has been varied (and appealed) on a number of occasions since planning permission was first sought in 2014. The Crays Hall Solar Farm lies to the immediate east of the eastern parcel of the Site being allowed on appeal in 2023.

Designations

- 2.9 The Site is not covered by any statutory or non-statutory designations or assets that relate to biodiversity, landscape and cultural heritage.
- 2.10 There are no designated landscapes, such as Areas of Outstanding Natural Beauty, within the study area that would be potentially affected by the Proposed Development. Five international statutory designated sites for nature conservation are within 10 km of the Site, the closest being the Essex Estuaries SAC and the Crouch and Roach Estuaries (Mid-Essex Coast Phase 3) SPA and Ramsar Site, which are all 8.5 km east. Seven national statutory designated sites for nature conservation are located within 5 km of the Site, the closest being the Mill Meadow Local Nature Reserve, located approximately 1.2 km northwest. There are 15 Local Wildlife Sites within 2 km of the site, including the Parsonage Farm Green Local Wildlife Site which is adjacent.
- 2.11 There are a number of scattered listed buildings surrounding the Site with Grade I listed church of St Mary Magdalene to the northeast of the western parcel. An additional three Grade II listed buildings are nearby to the church with a Grade II Brick Farm Building at Burstead Grange. Parts of Great Burstead form a Conservation Area (the boundary of which was amended in 2013) and lies adjacent to part of the western parcel of the Site.

3. PROPOSED DEVELOPMENT

- 3.1 The Proposed Development is for the construction, operation, maintenance and decommissioning of a ground mounted solar farm which will generate electricity for distribution to the National Grid. Provision is also provided for a battery storage facility which would be utilised to reinforce the power generation of the solar farm. All associated plant and equipment, together with associated development (such as CCTV and fencing) is included within the proposals. The Proposed Development would operate for a temporary time period of 40 years. Only the eastern parcel includes development as part of the 'Free Go' application.
- 3.2 The connection to the grid will be made at the National Grid Rayleigh Substation, located approximately 8 km east of the Site. The cable would run below ground from the boundary of the Site directly to National Grid owned land at the substation.
- 3.3 While the Site extends to 119.5 ha only a small portion of this land will be "developed" and affected by the proposals. Both beneath and between the rows of PV solar panels remains vegetation, existing and further improved through the implementation of a Biodiversity Management Plan. Land within the western parcel will continue in the current agricultural use with the Proposed Development of the refused application having been removed as part of this 'Free Go' application.
- 3.4 The proposal include for approximately 21 ha of grassland for sheep grazing (under and beneath the solar arrays), 17 ha of meadow grassland (outside the Solar Farm perimeter fencing) and 3,300 m² of new woodland. 1.2 km of new hedgerow is proposed.

4. COMMUNITY ENGAGEMENT

- 4.1 The Applicant is committed to early engagement with the local community and other parties as it recognises that good quality, pro-active pre-application discussions should lead to better informed planning applications and improved outcomes for all involved.
- 4.2 A full and detailed account of the consultation process and engagement with the local community is provided in the Statement of Community Involvement.
- 4.3 The consultation centred around an in-person public exhibition which was held on 8th November 2021 at Barleylands Farm Park. Prior to the public exhibition, the Applicant sent out a brochure in late October 2021 to approximately 1,300 residential households and businesses locally inviting them to the public exhibition and seeking comments on the Proposed Development.
- 4.4 A website for the project was created (<https://ensoenergy.co.uk/enso-projects/burstead-solar-farm/>). The website provided visitors with an overview of the proposals, a copy of the information presented at the public exhibition as well the opportunity to get in contact with the development team or leave feedback.
- 4.5 In response to issues raised during the public consultation process, the design of the scheme has been amended as follows:
- Increased offset of the proposed development from Burstead, particularly in the north west corner of the eastern parcel near to properties on Noak Hill Road (A176) and from St Mary Magdalene Church;
 - Increased offsets to PRoW within the site;
 - Additional landscaping and a detailed scheme of ecological improvements responding to comments;
 - Full assessment of agricultural land.

5. RENEWABLE ENERGY AND CLIMATE CHANGE

International Context

The Paris Agreement (2016)

- 5.1 The UK commitment to the reduction of greenhouse gas emissions through the ratification of the United Nations Framework Convention on Climate Change (UNFCCC) Paris Agreement in November 2016. The Paris Agreement committed its signatories to “*hold the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels*”. The agreement, that was adopted by nearly every nation, also made it clear that the global economy will need to be zero-carbon by the second half of the 21st Century.
- 5.2 7 years after the commitments made in the Paris Agreement several research studies have suggested that at current rates of action by Governments around the world the average global temperatures are still likely to increase above 2°C. Further action is rapidly required to reduce global temperature rises.

Climate Change 2021: The Physical Science Basis

- 5.3 The Intergovernmental Panel on Climate Change (IPCC) has published the Sixth Assessment Report. The report assesses the physical science basis of Climate Change; multiple lines of scientific evidence confirm that the climate is changing due to human influence. The report states:
- It is unequivocal that human influence has warmed the atmosphere, ocean and land. The scale of recent changes across the climate system as a whole and the present state of many aspects of the climate system are unprecedented over many centuries to many thousands of years.
 - Human-induced climate change is already affecting many weather and climate extremes in every region across the globe; the increased frequency and intensity of hot extremes, marine heatwaves, heavy precipitation, agricultural and ecological droughts in some regions, and proportion of intense tropical cyclones, as well as reductions in Arctic sea ice, snow cover and permafrost.
 - Global surface temperature will continue to increase until at least the mid-century under all emissions scenarios considered. Global warming of 1.5°C and 2°C will be

exceeded during the 21st century **unless deep reductions in CO₂ and other greenhouse gas emissions occur in the coming decades.** (our emphasis)

- Many changes due to past and future greenhouse gas emissions are irreversible for centuries to millennia, especially changes in the ocean, ice sheets and global sea level.

5.4 From a physical science perspective, the IPCC outline limiting human-induced global warming to a specific level requires limiting cumulative CO₂ emissions, **reaching at least net zero CO₂ emissions**, along with strong reductions in other greenhouse gas emissions. Strong, rapid and sustained reductions in nitrogen emissions would also limit the warming effect.

5.5 With a high level of confidence, the IPCC conclude the ‘Emissions pathways that reach and sustain net zero Greenhouse Gas emissions defined by the 100-year global warming potential are projected to result in a decline in surface temperature after an earlier peak’. Achieving net zero emissions is therefore essential to limiting future Climate Change.

National Context

5.6 The objectives of the UK renewable energy policies are in accordance with the overall international policy objectives. These are focused on a number of key climate change challenges, which include:

- The reduction of CO₂ emissions to tackle climate change;
- The promotion of competitive energy markets in the UK;
- Affordability to customers; and
- Security of decentralised energy supplies.

5.7 This support is rooted in the Government’s policy of growing the economy in a decarbonising way and achieving its legally binding target of net-zero greenhouse gas emissions by 2050¹ following a national climate emergency being declared by UK Parliament in May 2019 building upon the previous target to reduce greenhouse gas emissions by at least 80% relative to 1990 levels by 2050. To achieve this ambitious target many commentators note it will require a step

¹ Climate Change Act 2008 (2050 Target Amendment) Order 2019

change in the way in which the UK generates electricity and in many other ways of life (including food production, travel and business).

- 5.8 To help achieve this net-zero target the Government is rapidly seeking to transition from a traditionally fossil fuel dependent economy to increasing amounts of secure, resilient renewable and low carbon energy, including solar power.
- 5.9 Recent announcements by the Prime Minister and Government Ministers in the Powering Up Britain (March 2023), British Energy Security Strategy (April 2022), Net Zero Strategy (October 2021) further reinforce the requirement for change.
- 5.10 While not planning policy, there are a plethora of material considerations to this planning application, in Government policy over the last decade which has sought and continues to seek to drive the rapid delivery of renewable energy within the UK.

Local Context

Climate Emergency

- 5.11 On a local level, Basildon Council has set an ambitious target to achieve net-zero carbon emissions by 2030 and net zero emissions by 2050. In July 2020, Rochford District Council made a commitment to work towards becoming carbon neutral by 2030 for its own operations in their Carbon Neutral 2030 Council Strategy.
- 5.12 While Essex County Council has not declared a Climate Change Emergency it has set up the 'Essex Climate Action Commission' which in July 2021 published a 'Net Zero: Making Essex Carbon Neutral' report. This included a number of recommendations including that "Essex to produce enough renewable energy within the county to meet its own needs by 2040." and a requirement for "1.43 GW of large-scale solar panels to be built on available land without compromising current agricultural land by 2030.". This later recommendation would equate to 5% of the low grade agricultural land outside of AONBs and National Parks being utilised for solar generation. Other 'energy' recommendations within the report include a wide remit of other related matters, such as: increasing EV charging networks, use of biomass, retrofitting of domestic and commercial heating with renewable energy systems and generation of green hydrogen.

6. PLANNING POLICY CONTEXT

National

Overarching National Policy Statement For Energy (EN-1) (November 2023)

- 6.1 Whilst directed at Nationally Significant Infrastructure Projects (NSIP) over 50MW, National Policy Statements (NPSs) are material considerations to applications under the Town and Country Planning Act 1990 (as amended). EN-1 is the national policy on energy and establishes the need for energy related development, with the Government not requiring decision makers to consider need on individual applications because of this. The Proposed Development will help meet this need and, moreover, with the battery storage it will address intermittency and help to relegate the role of fossil fuels as a back-up.

The National Policy Statement for Renewable Energy Infrastructure (EN-3) (November 2023)

- 6.2 The EN-3 makes it clear that electricity generation from renewable sources of energy is an essential element of the transition to net zero, stating that *“Our analysis suggests that demand for electricity is likely to increase significantly over the coming years and could more than double by 2050. This could require a fourfold increase in low carbon electricity generation, with most of this likely to come from renewables”*.
- 6.3 EN-3 includes, for the first time, considerations of solar.
- 6.4 Paragraph 2.10.13 is clear that *“Solar farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation”*. Paragraph 2.10.14 continues *“Solar farms can be built quickly and, coupled with consistent reductions in the cost of materials and improvements in the efficiency of panels, large-scale solar is now viable in some cases to deploy subsidy-free”* Paragraph 2.10.9 add, specifically with Solar, 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”** (our emphasis).*
- 6.5 EN-3 confirms that the connection of the proposed solar farm into the relevant electricity network will be an important consideration for applicants of solar (Paragraph 2.10.22).
- 6.6 Details on site selection, technical considerations, potential impacts, how they should be assessed, best practice in mitigation and the issues to be considered in decision making in relation to solar photovoltaic generation are set out in further detail in EN-3.

6.7 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied. At its core is the need for the planning system to contribute to the achievement of sustainable development – meeting the needs of the present without compromising the ability of future generations to meet their own needs.

6.8 Paragraph 8 of the NPPF explains that achieving sustainable development means the planning system has three overarching and interdependent objectives:

- **“an economic objective** - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- **an environmental objective** - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

6.9 The environmental objective in particular is applicable to renewable energy developments.

6.10 Paragraph 11 of the NPPF stipulates when determining planning applications a presumption in favour of sustainable development should be applied and specifically:

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

6.11 Paragraph 12 underlines that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. The policies within the Local Development Framework are considered below.

6.12 Section 6 of the NPPF refers to the economy and paragraph 84 in particular states that in supporting a prosperous rural economy planning decisions should enable the development and diversification of agricultural and other land based rural business.

6.13 Paragraph 100 states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

6.14 Paragraph 111 directs that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.15 Paragraph 120 (a) states that planning policies and decisions should “encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.”

6.16 Paragraph 137 outlines that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

6.17 Paragraph 138 sets out that

“Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas;

- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

- 6.18 Paragraph 147 of the NPPF states “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.
- 6.19 Paragraph 148 states “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any harm resulting from the proposal, is clearly outweighed by other considerations.”
- 6.20 Paragraph 151 states “When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. **Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”.**
- 6.21 Paragraph 152 sets out that the planning system should support the transition to a low carbon future in a changing climate and it should help minimise vulnerability and improved resilience. It states that it should shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, and support renewable and low carbon energy and associated infrastructure.
- 6.22 Paragraph 157 states that local planning authorities should expect new development to take account of landform, layout, building orientation, massing and landscaping.
- 6.23 Paragraph 158 sets out that when determining planning applications for renewable and low carbon development, local planning authorities should **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 **approve the application if its impacts are (or can be made) acceptable.**

- 6.24 Paragraph 159 sets out that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 6.25 Paragraph 167 directs 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. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 6.26 Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing soils, minimising impacts on biodiversity and preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air or noise pollution.
- 6.27 Paragraph 180 sets out the principles that local planning authorities should apply with regard to habitats and biodiversity when determining planning applications including refusing applications where significant harm to biodiversity cannot be mitigated/compensated for; protecting SSSIs; refusing developments that result in the loss or deterioration of irreplaceable habitats unless there are wholly exceptional; and opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can

secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

- 6.28 Paragraph 185 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 6.29 Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 6.30 Paragraph 202 outlines that where a 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.
- 6.31 The Glossary of the NPPF defines renewable and low carbon energy, including energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment including from the sun. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Planning Practice Guidance

- 6.32 The key aim of the Planning Practice Guidance is to provide easily accessible and understandable guidance on the implementation of the policies within the NPPF. It contains specific guidance on planning policies for renewables energy developments and on how planning applications should be determined with regards to their impact on the natural and

historic environment. Consideration of the fundamental aspects of this guidance in relation to the application are detailed below.

Renewable and Low Carbon Energy

6.33 The guidance provides further advice on renewable and low carbon energy projects to facilitate the delivery of the low carbon future. It states that the Government remains committed to increasing the amount of energy from renewable and low carbon technologies to ensure that the UK has a secure energy supply, to slow down climate change and to stimulate new jobs and businesses.

6.34 Paragraph 13 within the guidance specifically relates to large scale ground-mounted solar². It states that:

“The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

Particular factors a local planning authority will need to consider include:

- 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 structures 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;

² Paragraph: 013 Reference ID: 5-013-20150327, published 27 March 2015

- the proposal's visual impact, the effect on landscape of glint and glare 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 large-scale 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; and
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

The approach to assessing cumulative landscape and visual impact of large-scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.”

Climate Change

6.35 Addressing climate change is stated as being one of the core land use planning principles which the NPPF expects to underpin decision-taking on planning applications. The guidance seeks to ensure that the planning system helps to implement the objectives of the Climate Change Act 2008 by radically reducing greenhouse gas emissions and adapting to the forecast impacts of climate change. The guidance makes it clear that Councils need to take account of global climate change including, for example, providing opportunities for renewable and low carbon energy technologies.

Natural Environment

- 6.36 The guidance was updated in July 2019 to address how planning can take account of the quality of agricultural land and that an agricultural land classification assessing the quality of farmland can enable informed choices to be made about its future use within the planning system. Planning decisions should take account of the economic and other benefits of the best and most versatile agricultural land. There are five grades of agricultural land, with Grade 3 subdivided in 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a.

Green Belt

- 6.37 Guidance was published in July 2019 to address the of Green Belt in the planning system and in particular what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt. It states that:

“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation³”.

- 6.38 Consideration is given to NPPF policies within Section 7 of this Planning Statement.

Local

Development Plan

- 6.39 The site is located across two authority boundaries, within the jurisdiction of Basildon Council and Rochford District Council as the Local Planning Authority and determining authority for

³ Paragraph: 001 Reference ID: 64-001-20190722, published 22 July 2019

this application. The Local Development Plan for the purposes of determining the application for the proposed development on this site is therefore;

Basildon Council

- Basildon District Local Plan, adopted in March 1998 (with Alterations in September 1999).

Rochford District Council

- Rochford District Core Strategy, adopted 13th December 2011;
- Rochford District Allocations Plan, adopted 25th February 2014; and
- Rochford District Development Management Plan, adopted 16th December 2014.

6.40 Both Councils are working with neighbouring authorities and Essex County Council as part of the South Essex Plan which intends to guide development with a strategic framework and provide high level policies on housing, employment and environmental protection. The Regulation 18 consultation of the South Essex Plan on Issues and Options ran from June to September 2023. While at an early stage with significant work to be undertaken the current timescale expected by the Council is for the adoption of the plan in Q4 2027 with a submission to the Secretary of State in Q2 2026.

6.41 Essex County Council is the Minerals and Waste Planning Authority. The Essex Minerals Plan was adopted in 2014. The Replacement Waste Local Plan was adopted in July 2017. These policies are not considered further.

Basildon Council

6.42 The Basildon District Local Plan was adopted in March 1998 (with Alterations in September 1999). Despite being adopted 24 years ago the remaining saved policies (September 2007) form the current development plan. Weight given to the remaining policies is dependent on their consistency within the NPPF.

6.43 No policies of the local plan relate to renewable energy generation, biodiversity or climate change. As such the NPPF is the applicable policy context for these key matters related to the Proposed Development.

- 6.44 The Site is within the Green Belt. The 'Compliance Review of the Saved 1998 Local Plan Policies' (October 2018) notes policy BAS GB1 'The Definition of the Green Belt' "is considered compliant and weight can be given" to Green Belt. This policy seeks to restrict development within Green Belt boundaries.
- 6.45 No other remaining policies are applicable to the development.
- 6.46 An extract of the Basildon District Local Plan is provided below.

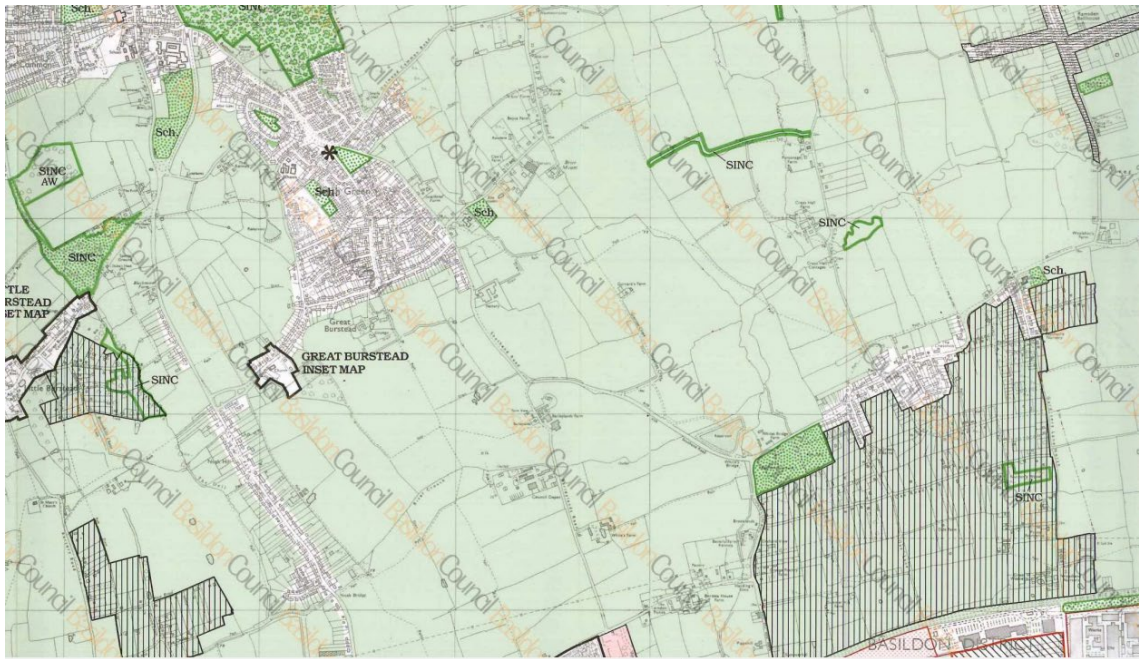


Figure 1: Basildon District Local Plan.

- 6.47 On 4th March 2022 Basildon Borough Council formally withdrew their Emerging Local Plan 2014 to 2034 from examination which had included draft policies on renewable energy generation having been submitted in March 2019. As such the Emerging Local Plan is not considered further. No draft policies have been published for consultation as part of the emerging South Essex Plan. Previously the Council had been developing a Local Plan Core Strategy 2007 to 2014 which reached the preferred options report stage in December 2013 before work on the Emerging Local Plan commenced. There is therefore no applicable emerging planning policy. Significant weight is therefore given to the NPPF and considerations of Green Belt within Section 7 where the applicable policy BAS GB1 is assessed.

6.48 While the majority of the proposed development lies within Basildon Council a section of underground cable and the Rayleigh National Grid Substation is within Rochford District Council. The Development Plan, principally contained within the Rochford District Core Strategy and Rochford District Development Management Plan, are applicable to the Proposed Development. The cable route and connection is within the Green Belt.

6.49 Section 6 of the Rochford District Core Strategy (2011) considers matters of Green Belt. Policy GB1 'Green Belt Protection' is an important consideration identifying that "The Council will direct development away from the Green Belt as far as practicable and will prioritise the protection of Green Belt land based on how well the land helps achieve the purposes of the Green Belt". Of particular relevance to the proposal is Policy ENV6 'Large Scale Renewable Energy Projects' states:

"Planning permission for large-scale renewable energy projects will be granted if:

- the development is not within, or adjacent to, an area designated for its ecological or landscape value, such as Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar Sites, Sites of Special Scientific Interest (SSSI's), Ancient Woodlands, Local Nature Reserves (LNRs) or Local Wildlife Sites (LoWSs); or if it can be shown that the integrity of the sites would not be adversely affected;
- there are no significant adverse visual impacts."

6.50 The Site is not within an area designated for ecological or landscape value. The grid connection is underground such that there would be no significant adverse visual impacts.

6.51 Policies of relevance within the Rochford District Development Management Plan include:

- Policy DM1 – Design of New Developments;
- Policy DM10 – Development of Previously Developed Land in the Green Belt;
- Policy DM25 – Trees and Woodlands;
- Policy DM26 – Other Important Landscape Features; and
- Policy DM31 – Traffic Management.

6.52 These policies are assessed further within Section 7. The site is not allocated for development within the Rochford District Allocations Plan.

Neighbourhood Plan

6.53 To the south of the western parcel is within the designated Noak Bridge Neighbourhood Plan designated in November 2018. The plan is at an early stage with consultations ongoing with the local residents. No policies are yet prepared with questions and evidence gathering progressing.

6.54 There are no Neighbourhood Plans relevant to the Site within Rochford District Council.

Supplementary Guidance Documents

6.55 There are no relevant SPDs within either Basildon Council or Rochford District Council.

7. PLANNING APPRAISAL

- 7.1 In determining an application for planning permission a decision maker is required by section 70(2) of the 1990 Act to have regard to the provisions of the development plan so far as material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination “*must be in accordance with the plan unless material considerations indicate otherwise*”.
- 7.2 The Courts have determined that it is enough that a proposal accords with the Development Plan when considered as a whole. It is therefore not necessary to accord with each and every policy contained within the Development Plan. Indeed, it is not at all unusual for Development Plan policies to pull in different directions⁴.
- 7.3 The local development plan for the purposes of determining the application for the proposed development on this site is the remaining saved policies of the Basildon District Local Plan (1998) and Rochford District Core Strategy (2011), Allocations Plan (2014) and Development Management Plan (2014) insofar as they are consistent with the National Planning Policy Framework.
- 7.4 The NPPF is a key material consideration. It holds a presumption in favour of sustainable development which states that for decision making this means “approving development proposals that accord with an up to date development plan without delay” (paragraph 11c) and in paragraph 12 reminding decision makers that that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 7.5 This section contains a detailed analysis of the Proposed Development against the identified relevant national and local planning policies and any other material planning considerations. The key issues for the determination of this application are:
- The principle of the development as renewable energy;
 - Landscape and visual impacts;
 - Impacts on biodiversity;

⁴ Laura Cummins and London Borough of Camden, SSETR and Barrett Homes Limited [2001]; R. v Rochdale MBC ex parte Milne [2000] & City of Edinburgh Council v. Secretary of State for Scotland [1997]

- Heritage impacts;
- The use of agricultural land;
- Farm diversification;
- Impacts on amenity;
- Flood risk impacts;
- Traffic impacts and access; and
- Development within the Green Belt.

The Principle of The Development

- 7.6 The Proposed Development comprises a solar farm and battery storage facility, a renewable energy generating station supplying up to 17 MW of clean energy to the National Grid. The battery storage facility would be utilised to reinforce the power generation of the solar farm, maximising renewable energy production from the Site whilst providing security of supply.
- 7.7 The Glossary of the NPPF defines renewable energy as covering those energy flows that occur naturally and repeatedly in the environment including from the sun. The Proposed Development meets the definition therefore of renewable energy as defined in national planning policy.
- 7.8 National policy is strongly supportive of renewable energy as a means of meeting our increasing energy demands, tackling climate change and transitioning to a prosperous and low carbon sustainable economy. Privately funded, large scale solar developments such as the Proposed Development are recognised as being not just necessary but central to meeting an urgent need. Moreover, with the battery storage proposed, the Application goes further by helping to address the intermittency issues associated with renewables generally and will assist to relegate the role of fossil fuels to being one of a back-up.
- 7.9 Paragraph 158 of the NPPF is clear that there is no requirement to demonstrate the need for renewable energy development. The urgency of the need for substantially greater quantities of renewable energy (including large scale solar) is self-evident in light of the recent dramatic step change in Government energy policy driven by its declared Climate Emergency to achieve

a 100% reduction in greenhouse gas emissions by 2050 (net zero). This is a legally binding target.

- 7.10 The ‘Sixth Carbon Budget’ and ‘2021 Progress Report to Parliament’ prepared by the Committee on Climate Change makes it clear that the utmost focus is required from Government over the next ten years. If policy is not scaled up across every sector; if business is not encouraged to invest; if the people of the UK are not engaged in this challenge - the UK will not deliver net zero by 2050. The 2020s must be the decisive decade of progress and action.
- 7.11 The Sixth Carbon Budget demonstrates that in the recommended ‘Balanced Net Zero Pathway’, solar generation increases from 10 TWh in 2019 to 60 TWh in 2035 and 85 TWh in 2050. On average, 3 GW per year will need to be installed to reach this level of solar generation. The Proposed Development would contribute significantly to meeting these targets.
- 7.12 While neither Council have declared a Climate Emergency both have sought to reduce carbon emissions, Basildon Council has set an ambitious target to achieve net-zero carbon emissions by 2030 and Rochford District Council made a commitment to work towards becoming carbon neutral by 2030 (in their own operations). Meanwhile the ‘Essex Climate Action Commission’ has recommended that “1.43 GW of large-scale solar panels to be built on available land without compromising current agricultural land by 2030.” this would include sites such as Burstead Solar Farm which do not form BMV land.
- 7.13 The NPPF (paragraph 11) contains a presumption in favour of sustainable development – meeting the needs of the present without compromising the ability of future generations to meet their own needs (paragraph 7 of the NPPF).
- 7.14 NPPF paragraph 152 states that the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure. Paragraph 157 goes onto state that in determining planning applications, local planning authorities should expect new development to “*take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*”. With paragraph 158 concluding that when determining planning applications for renewable and low carbon development, local planning authorities should “*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 “approve the application if its impacts are (or can be made) acceptable”.

- 7.15 Basildon Council have no policies on renewable energy generation or climate change in their 1998 Local Plan. Rochford District Council through Policy ENV6 are generally supportive of renewable energy schemes where there are no adverse ecological or landscape impacts.
- 7.16 The Proposed Development would supply clean renewable electricity for distribution to the National Grid, contributing to the objective of sustainable development in accordance with NPPF paragraph 11, adopted Local Plan Policy and increasing renewable energy generation in accordance with NPPF paragraph 152. This quantity of additional renewable energy is a significant contribution to meeting both national and local renewable energy targets. It is a significant environmental benefit, displacing as it does 3,271 tonnes of CO₂ per annum, which represents an emission saving equivalent of a reduction in approximately 1,1396 cars on the road every year.
- 7.17 Matters of Green Belt are assessed below. In applying the relevant national and local policy therefore regarding the principle of the development as renewable energy it is clear that the Proposed Development is entirely consistent with both nation and local objectives.

Landscape and Visual

- 7.18 The NPPF (paragraph 174) seeks to protect the countryside for its intrinsic character, its beauty and to encourage Development Proposals in rural areas to reflect the local character and characteristics of the area. Green Belt is not a landscape designation and is assessed separately below.
- 7.19 A comprehensive scheme of landscaping accompanies the application. This includes the retention, protection and enhancement of existing trees, hedgerows and woodland, with new native tree and hedgerow species (including infill planting where gaps are present in the existing field boundary hedgerows) to provide additional visual enclosure. The proposed development does not require the removal of existing hedgerow to accommodate the scheme. Approximately 1.2 km of additional hedgerow is proposed with scattered trees, predominantly located adjacent to the PRoWs and site boundaries. Woodland and woodland buffer strips are proposed which equate to over 3,300 m² of new woodland.
- 7.20 The Landscape and Visual Appraisal (LVA) which accompanies the application, concludes that:

“Overall it is considered that the effect of the proposed development would not bring about an unacceptable harm to the visual amenity of the wider landscape ... it is considered that the proposed solar farm would result in acceptable effects on the character of the local landscape and visual amenity with the proposed mitigation measures in place. The character of the local landscape and its underlying intensive agricultural, rural and settled character would prevail and would not be intrinsically changed so as to lose its fundamental identity with the proposed solar farm development in place”

- 7.21 The landscape proposals and its ongoing management as described in the Biodiversity Management Plan report and within the detailed landscape plan, would help to integrate the solar development into the surrounding landscape and reduce views to the Proposed Development on completion. The effectiveness of the mitigation would improve as the proposed vegetation matures.
- 7.22 The initial landscaping scheme has been amended to respond to feedback received during the consultation held by the Applicant, through consultation with Officers prior to the previous refusals and further considered in this ‘Free Go’ application with the landscaping approach to be taken in the eastern parcel.
- 7.23 The LVA also assessed the cumulative impacts of this and other nearby (Crays Hall and Outwood Farm) Solar Farms which are constructed or approved (at appeal).
- 7.24 In view of the above findings, it is considered that the Proposed Development would therefore accord with the relevant provisions of the NPPF.

Biodiversity

- 7.25 National policy places great importance on the protection and enhancement of biodiversity, including achieving a Biodiversity Net Gain when mitigating impacts of new development. Nationally and locally important nature conservation sites should be protected, along with protected species.
- 7.26 The likely effects of the Proposed Development on nature conservation and biodiversity have been fully assessed in the Ecological Assessment Report (EAR), Breeding Bird Survey, Badger Survey, Water Vole and Otter Survey, Great Crested Newt eDNA and Biodiversity Net Gain (BNG) calculator accompanying the application. The baseline for the EAR has been established through a combination of desk study and field surveys. The baseline biodiversity score for the

Site, detailed in the DEFRA BNG Matrix calculator, has been determined using information provided.

- 7.27 There are no statutory or non-statutory nature conservation sites within the Site. Five international statutory designated sites for nature conservation are located within 10 km of the Site boundary. The closest of these sites are the Essex Estuaries SAC and the Crouch and Roach Estuaries (Mid-Essex Coast Phase 3) SPA and Ramsar Site, which are all approximately 8.5 km east. Eight national statutory designated sites for nature conservation are located within 5 km of the Site, the closest being Mill Meadow LNR, located approximately 1.2 km northwest. Fifteen Local Wildlife Sites (LoWS) are situated within 2 km of the Site. The eastern parcel of the Site lies directly adjacent to Parsonage Farm Green LoWS.
- 7.28 The vast majority of the Site comprises arable use and its characteristics are reasonably common in both a local and national context. Those habitats with the greatest ecological value (i.e. hedgerows) are to be retained within the development.
- 7.29 While full commentary is provided in the accompanying reports, the EAR assess the following:
- Statutory and non-statutory designated sites for nature conservation;
 - Habitats and Flora;
 - Birds;
 - Bats;
 - Badger;
 - Hazel Dormouse;
 - Amphibians;
 - Reptiles;
 - Other species (see EAR); and
 - Invasive Non-Native Species.

- 7.30 The landscape proposed and their ongoing management are described in the Biodiversity Management Plan report, these will provide significant ecological and biodiversity benefits in addition to landscape screening.
- 7.31 The proposals would lead to significant enhancement of the biodiversity on the Site. It is demonstrated by the Biodiversity Net Gain Calculator that a 86.45 % net gain in habitat units and 25.96 % net gain in hedgerow units is achievable through the implementation of the detailed landscape design and ongoing management of the site.
- 7.32 The provisions of the Biodiversity Management Plan report and the proposals included on the detailed landscaping plan can be secured through Condition. The Proposed Development accords with the relevant national policies in this respect.

Heritage

- 7.33 A Settings Impact Assessment, Archaeological Desk Based Assessment and a geophysical survey, has been undertaken to support the 'Free Go' application.

Archaeology

- 7.34 The geographical survey identified the study site has a general potential for the presence of peripheral remains associated with agricultural land use during the prehistoric, Roman, Medieval and Post-Medieval periods. There is also a moderate potential for the presence of former Medieval and Post-Medieval field boundaries, as well as for the presence of Post-Medieval quarrying activity. The study site has a low potential for the presence of remains of interest from other periods. The impact of the proposed development on any below ground remains within the study site is limited, comprising a total below ground impact of less than 1% of the study site area. The overall level of impact of the proposed development on the identified archaeological resources in the study site would therefore be very low, and the risk of a localised impact which would significantly affect the archaeological interest of any buried remains would also be low. It is therefore clear that there is no in principle archaeological constraint.
- 7.35 The cable connection is also considered within the Archaeological Desk Based Assessment.
- 7.36 The Proposed Development could readily accommodate any of the mitigation measures outlined within the Archaeological Desk Based Assessment, without resulting in a significant change to the proposals. Therefore, it is considered that any further archaeological works

could be undertaken post-consent and secured via a suitably worded planning condition if necessary.

Listed Building Setting

- 7.37 The setting and significance of designated heritage assets in the wider area around the study site has been assessed in the submitted Setting Impact Assessment. There are no heritage assets within the site and as such there are no direct impact to any heritage asset. The Setting Impact Assessment considers the potential effects of the proposed development on the significance of heritage assets due to changes to their setting. A total of 22 listed buildings and 4 scheduled ancient monuments are located within the search area. The assessment found that the Proposed Development would not affect the setting or the significance of designated heritage assets in the wider area around the study site.
- 7.38 Accordingly, the proposal accords with the relevant policies of the NPPF paragraph.

Agricultural Land

- 7.39 Both the NPPF and local planning policy seek to resist the loss of Best and Most Versatile (BMV) land, meaning grades 1, 2 and 3a as defined in the Ministry of Agriculture, Fisheries and Food (MAFF) 1988 guidance for grading the quality of agricultural land. Guidance requires the proposed use of any agricultural land to be necessary and for poorer quality land to be used in preference to higher quality agricultural land.
- 7.40 The likely agricultural land impacts of the Proposed Development have been fully assessed in the Agricultural Land Classification (ALC) Report submitted to accompany the planning application. The ALC has determined that the quality of agricultural land across the site is Grade 3b.
- 7.41 The principle physical factors influencing agricultural production are climate, site and soil and the interactions between them which together form the basis for classifying land. While the ALC Report found no one factor limits the grade of the land, the interaction between climate, site and soil result in a wetness assessment that limits the land of the Site to Grade 3b in its entirety.
- 7.42 Accordingly, such land is entirely suitable for development as a solar farm and this is in line with the relevant national guidance for avoiding the temporary loss of BMV. This would also be consistent with the 5% of land used for solar, without compromising current agricultural

land by 2030, detailed in the Essex Climate Action Commission 'Net Zero: Making Essex Carbon Neutral' report (July 2021). It should be further noted that the western parcel will remain in its current use, development is only proposed within the eastern parcel as part of this 'Free Go' application.

Farm Diversification

- 7.43 There is support in national policy (NPPF paragraph 84 (b)) for farm diversification projects that meet sustainable development objectives and help sustain agricultural enterprise, subject to not adversely affecting the countryside and residential amenity.
- 7.44 Due to the relatively low income from farming, many farmers have had to diversify to secure an economically sustainable profit. Farm diversification is broadly defined as “the entrepreneurial use of farm resources for a non-agricultural purpose for commercial gain”. Hence, diversification reflects the reduced dependence of farmers on agriculture as a source of income. Diversification also implies entrepreneurial activity on behalf of the landowner.
- 7.45 The additional income generated by the Proposed Development will help to secure the farming business.
- 7.46 Farming businesses play a vital role in the rural economy, particularly supporting the agricultural supply chain to include feed merchants, machinery sales, maintenance and repair businesses, local builders, delivery drivers and professional services, to name but a few. The Proposed Development would help to support the local agricultural supply chain via the income to the farming business.
- 7.47 Renewable energy is an important form of farm diversification, recognised by the National Farmers Union (NFU) as an important step towards making British agriculture carbon neutral within two decades. As farming is responsible for around a tenth of UK greenhouse gas emissions, supporting renewable energy farm diversification projects will be a vital step to reaching net zero.
- 7.48 Farm diversification is key to the long-term survival of farms such as the one on which the Proposed Development is sited and accords with national policies (NPPF paragraph 84 (b)).
- 7.49 The deployment of solar farms on agricultural land, occasionally referred to as “agrivoltaics”, is the process of integrating solar photovoltaics with an ongoing agricultural operation or use. Solar farms are just one of many land-based renewable resource available to agricultural

enterprises for self-supply and / or export to others; other examples include wind turbines or anaerobic digestion (AD) plants. The scale of these renewable projects can vary in scale.

- 7.50 In March 2015, the NFU Chief Adviser for Renewable Energy and Climate Change stated in a NFU Briefing that “The NFU believes that its members are well-placed to capture renewable natural energy flows, while maintaining our traditional role in food production as well as the delivery of other environmental and land management services. It is the NFU's aspiration that every farmer and grower should have the opportunity to become a net exporter of low-carbon energy”.
- 7.51 The proposed development delivers a multi-purpose land use; the generation of renewable energy; continuing agricultural activity through grazing; environmental stewardship through the creation of wildlife habitats for pollinating insects and other fauna; and planting of new hedgerows and trees allowing for additional carbon sequestration on site. This multi-purpose land use aligns with Section 11 of the NPPF, which seeks to ensure “planning policies and decisions promote an effective use of land... while safeguarding and improving the environment and ensuring safe and healthy living conditions” (paragraph 119).

Amenity

Noise

- 7.52 A Noise Assessment has been prepared to accompany the application. The assessment concluded that the operation of the Proposed Development would generate low noise levels at surrounding properties having modelled the noise levels attributable to the candidate plant and equipment forming the scheme.
- 7.53 The assessment identifies that the Proposed Development will give rise to rating noise levels that are typically equal to or below the measured day and night-time background sound levels (measured in October and November 2021) in the area, at the closest assessed residential receptors, thus giving rise to a Low Impact.
- 7.54 Assessing the noise levels against relevant standards and guidance concluded that the operation of the plant would result in noise levels below that which represents the ‘No Observed Adverse Effects Level’.

7.55 The Proposed Development therefore accords with the relevant guidance and would not give rise to unacceptable impacts. It is concluded the amenity of the closest residential receptors therefore would not be adversely affected by noise arising from the Proposed Development.

Glint and Glare

7.56 A Glint and Glare Assessment accompanies the application having assessed the potential impacts arising on nearby receptors. A 1 km study area around the Site is considered adequate for the assessment of ground-based receptors (residential, road and rail), whilst a 30 km study area is chosen for aviation receptors. Within 1 km of the Site, there are 38 residential receptors (or representative groups of residential receptors), 33 road receptors and no (0) rail receptors which were considered. 14 aerodromes were within 30 km. A number of these receptors are dismissed given glint and glare would be geometrically impossible. Geometric analysis was therefore conducted at 10 residential receptors and 11 road receptors, as well as two airports (Laindon Airstrip and Southend Airport) given the Proposed Development falls within their respective safeguarding buffer zones. The Southend Airport air traffic control tower (ATCT) is also assessed.

7.57 The assessment concludes that:

- Solar reflections are possible at nine of the 28 residential receptors assessed within the 1km study area. Initial impacts were Medium at two receptors, Low at seven receptors and None at the remaining 19 receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts reduce to None at all receptors.
- Solar reflections are possible at 16 of the 22 road receptors assessed within the 1km study area. Initial impacts were High at eight receptors, Low at eight receptors and None at the remaining six receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts reduce to None at all receptors.
- No impact on train drivers or railway infrastructure is predicted.
- No impact was found at the runway approach paths assessed at Stapleford Airport. Yellow glare and green glare were predicted at Runway 25 at Laindon Airstrip which are unacceptable impacts. The position of the sun and standard mitigation methods available to pilots, such as sunglasses and darkened sun visors, reduce the impacts to acceptable and therefore not significant. Only green glare was predicted at Runway 23 at Southend Airport which are acceptable impacts and therefore not significant. Only green glare was predicted at the

Southend Airport air traffic control tower which is a not acceptable impact. All views of the Proposed Development from the air traffic control tower at Southend Airport are blocked by intervening terrain reducing the impacts to None. Therefore, impacts on aviation receptors are not significant.

- 7.58 Taking into account the mitigation and landscaping scheme the effects of glint and glare and their impact on local receptors has been analysed in detail and the impact on all receptors is predicted to be only Low and None impacts, and therefore no significant effect.
- 7.59 The Proposed Development is acceptable in amenity terms and meets the requirements of the NPPF (paragraph 174).

Flood Risk

- 7.60 The vast majority of the development is located within Flood Zone 1. A very small part of the eastern parcel, forms Flood Zone 2 and 3, associated with the River Crouch. Within this area only a small number of PV arrays, fencing and CCTV are to be installed.
- 7.61 Part of the proposed development is located within areas of Flood Zones. The Proposed Development is classified as 'Essential Infrastructure' according to the NPPF Annex 3, which is considered acceptable in Flood Zone 2 and permitted in Flood Zone 3 if the two parts of the exception test is passed. Paragraph 164 of the NPPF states:

"The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."*

- 7.62 Paragraph 165 of the NPPF states:

"Both elements of the exception test should be satisfied for development to be allocated or permitted."

- 7.63 The broader sustainability benefits to the community required for the first part of the exception test, predominantly being the generation of renewable energy and biodiversity benefits associated with the proposal, are detailed throughout this Planning Statement. The accompanying FRA demonstrates that the development will be safe for its lifetime, without increasing flood risk elsewhere in accordance with the second part of the exception test.
- 7.64 In accordance with Paragraph 165 there are considerable wider sustainability benefits to the community that outweigh the flood risk, therefore satisfying both parts of the exception test for the small part of the Site within Flood Zone 3.
- 7.65 The Proposed Development is therefore acceptable in planning policy in terms of its location in accordance with the NPPF having passed the sequential and exception test as 'Essential Infrastructure'.
- 7.66 Additionally, a drainage scheme is proposed which would ensure the Proposed Development will not increase flood risk away from the Application Site. The schemes includes for a number of swales (installed as required) and soakaways channels (of total 325 m length providing approximately 16.3 m³ of storage volume) within the Site and a piped system connecting to an attenuation basin (with class 1 full retention separator) (proving approximately 63 m³ of storage volume) for the battery storage facility. The proposal provides for an excess of storage given the small amount of impermeable infrastructure proposed on the Site.

Traffic and Access

- 7.67 A Construction Traffic Management Plan has been prepared and accompanies the Application, which assesses all traffic and transport matters providing detailed access designs for the improvement of existing accesses to be used for construction and operational vehicle access to the Site from Granites Chase. The access is considered suitable with the relevant visibility splays achieved.
- 7.68 The proposed construction vehicle route provides a route from the strategic highway network to the Site from the A127 (via the Wash Road and Barleylands Road). A scheme of traffic management signage will be developed.
- 7.69 During the construction period, which is approximately 7 months, it is anticipated that there will be approximately 629 HGV deliveries (including a 10% buffer) to the site for all equipment and materials forming the Solar Farm and battery storage facility. This equates to 4 deliveries (8 movements) a day.

- 7.70 Once operational, maintenance vehicle visits (typically transit van or similar) will be limited in number and visiting the Site approximately 10-20 visits per year. These will therefore have a negligible impact on the local highway network.
- 7.71 PRoWs within the Site will remain open and available at all times during construction, operation and decommissioning. Where necessary during construction banksmen will be employed to ensure users of the PRoW network can continue to use the definitive route without being impeded by the ongoing works. There will be no impact on offsite PRoWs. The access routes to both the eastern and western parcel are located adjacent to PRoW in order to minimise impact.
- 7.72 Overall, the Proposed Development is acceptable in traffic and access terms and meets the requirements of the NPPF and RDC DM31.

Green Belt

- 7.73 In regard to assessing the Proposed Development in the Green Belt, the starting point is as set out by the NPPF:

“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence” (paragraph 137).

- 7.74 Paragraph 138 goes on to state that:

“Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

- 7.75 Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances.
- 7.76 Paragraph 148 states “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm⁵ resulting from the proposal, is clearly outweighed by other considerations.”
- 7.77 Very Special Circumstances is thereby the outcome of the balancing exercise and that the harms must be clearly outweighed by the benefits.
- 7.78 The policies in the NPPF set out those types of development that are appropriate (i.e. not inappropriate) in the Green Belt (paragraphs 149 and 150). The Proposed Development is inappropriate development in the Green Belt and very special circumstances needs to be demonstrated.
- 7.79 In this regard paragraph 147 is relevant. It shows the Government contemplates development of the nature now proposed in the Green Belt. Paragraph 151 states:
- “When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources” (our emphasis).
- 7.80 The test of very special circumstances is a planning balancing exercise (which is a matter of planning judgement) to establish whether the harm to the Green Belt and any other harm is clearly outweighed by the scheme benefits. This is also consistent with the approach identified in BAS GB1 (BC) and GB1 (RDC). The balancing exercise is carried out below.

Openness

- 7.81 The concept of “openness” in paragraph 137 of the NPPF is naturally read as referring back to the underlying aim of Green Belt policy that is “to prevent urban sprawl by keeping land permanently open...”. Openness is the counterpart of urban sprawl and is also linked to the

⁵ The phrase “any other harm” means any harm, not only Green Belt harm (see Redhill Aerodrome [2014] EWCA Civ 1386).

purposes to be served by the Green Belt. It is not necessarily a statement about the visual qualities of the land, though in some cases this may be an aspect of the planning judgement involved in applying this broad policy concept. Nor does it imply freedom from any form of development; some forms of development are appropriate and as such are compatible with the concept of openness⁶.

7.82 The Proposed Development is inappropriate development, thereby it is acknowledged that there would be harm to the openness of the Green Belt through the imposition of built form, albeit this impact would be fully reversible owing to the temporary planning consent being sought.

7.83 The word ‘openness’ is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs... and factors relevant to the visual impact on the aspect of openness which the Green Belt presents⁷. It is clear from ‘Samuel Smith’ that visual impact is a factor that may be material to the assessment of openness and it will be for the decision maker to determine whether or not it is to be taken into account in any individual case.

7.84 One factor which can affect the preservation of openness and conflict with Green Belt purposes, is the duration of development and the reversibility of its effects⁸. The application is proposed for a lifetime of 40 operational years. It is, therefore, of limited duration. It is also completely reversible. It will not, therefore, permanently affect the Green Belt. It will not harm, the Green Belt by a failure to keep land permanently open which is the underlying aim of the Green Belt.

7.85 The National Planning Policy Guidance provides further guidance to the decision maker under the heading of:

‘What factors can be taken into account when considering the potential impact of development on the openness of the Green Belt?’⁹:

⁶ R (Samuel Smith Old Brewery (Tadcaster) and others v North Yorkshire County Council [2020] UKSC 3 at [22]

⁷ per Sales LJ Turner v Secretary of State for Communities and Local Government [2016] EWCA Civ 466 at [14]

⁸ Europa Oil and Gas Ltd v Secretary of State for Communities and Local Government [2013] EWHC 2643 (Admin) at [67]; (upheld at [2014] EWCA Civ 825)

⁹ Ref. ID: 64-001-20190722 published 22 July 2019

“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment.

These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.”

7.86 Paragraph 13 of the PPG also provides specific guidance on solar farms stating that “The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.”

7.87 In so far as visual impacts are considered relevant to the assessment of the impact on openness, it is necessary to draw upon the Landscape and Visual Appraisal. As set out above, this identifies the limited visibility of the Site. This will only be further contained through the long-term future management identified in the Landscape Proposals and Biodiversity Management Plan. It assesses the visual impacts as being limited in scale and extent and would reduce over time as the proposed mitigation planting matures. The effects would be reversible with the removal of the Proposed Development.

7.88 A comprehensive assessment of the Site in relation to the purposes prescribed under paragraph 138 of the NPPF is provided in **Appendix 1** which concludes the harm done to the Green Belt by Burstead Solar Farm will be slight. It may cause slight harm only to one of two “essential characteristics”, openness, and one of five “Purposes” of Green Belts, that of assisting safeguarding countryside from encroachment.

7.89 Notwithstanding the operational duration of the proposed Development, it would be entirely reversible and would be decommissioned after 40 years. In addition, as a farm diversification

scheme, a proposed solar farm is not a form of development that is unusual or cannot be accommodated within a rural context.

7.90 It is acknowledged that substantial weight is to be applied to the openness of the Green Belt, however the reversibility of the Proposed Development and limited impact on the purposes of the Green Belt are a key consideration in the planning balance.

Other Harm

7.91 Consideration has been given to ‘other harm’ regarding heritage, biodiversity, agricultural land, farm diversification, amenity, flood risk, traffic and access. Landscape and visual impacts have also been assessed in relation to landscape character and visual receptors, we include it below but it should not be double counted if taken into account in considering openness.

7.92 The supporting assessments are clearly set out below in Table 1, indicating mitigating measures taken to reduce harm as part of the Development:

Assessment	Mitigation Measures	Harm
Landscape and Visual	Input into design to ensure suitable location of key infrastructure such as the onsite substation and battery storage facility. Enhancement measures incorporated within the LEMP.	Limited Temporary Harm (40 years)
Biodiversity	Suitable avoidance measures applied for both habitats and species identified. Enhancement measures incorporated within the BMP. Biodiversity Net Gain of 86.45 % habitat units and 25.96 % hedgerow units.	Enhancement
Heritage	No harm to setting of heritage assets.	No Harm
Use of Agricultural Land	No mitigation measures applied. Benefits demonstrated to soil health due to change in management of the land.	Enhancement

Assessment	Mitigation Measures	Harm
Farm Diversification	No mitigation measures applied. The site would support the rural economy by providing farm diversification for the landowner.	Benefit
Amenity	Location of noise generating equipment has been moved as far practicable from residential dwellings. Proposed planting along the site boundary are predicted to be significantly obstruct views in relation to glint and glare to Southend Road.	No Harm
Flood Risk	Suitable siting of equipment and sustainable drainage methods.	No Harm
Traffic and Access	CTMP details mitigation measures to be employed, including use of banksman and traffic signage.	Construction – Limited Harm (7 months) Operation – No Harm

Table 1: Mitigation Measures taken to reduce harm

7.93 It is concluded from the accompanying assessments that limited weight should be applied to ‘other harm’ when undertaking the planning balance in accordance with paragraph 148 of the NPPF and local policies BAS GB1 (BC) and GB1 (RDC).

Very Special Circumstances

7.94 It is a key planning policy requirement that very special circumstances need to exist for inappropriate development to be approved in the Green Belt.

7.95 It is incorrect to suggest that every circumstance in itself has to be ‘very special’. Some factors which are quite ordinary in themselves could, cumulatively, become very special

circumstances¹⁰. Thus, the correct approach is to consider whether the very special circumstances relied upon by an applicant (and any other identified by the decision maker), when considered as a whole, are sufficient to outweigh any harm to the Green Belt and any other harm arising from the Proposed Development.

7.96 The following are considered to be benefits of the Proposed Development:

Increasing Renewable Energy Generation

7.97 The Proposed Development would supply clean renewable energy to the National Grid, providing the equivalent annual electrical needs of approximately 4,250 family homes in England. The anticipated CO₂ displacement is around 3,271 tonnes per annum, which represents an emission saving equivalent of a reduction in approximately 1,139 cars on the road every year.

7.98 As demonstrated extensively in Section 5, the UK is at a time of climate emergency and there is an urgent requirement for renewable energy infrastructure, particularly when considered in the context of the June 2019 ambitious target to reduce greenhouse gas emissions to net zero by 2050 in accordance with the Climate Change Act 2008. The Essex Climate Action Commission have identified a need for 1.43 GW of large scale solar by 2030.

7.99 Whilst there is no requirement for an applicant to demonstrate the need for renewable energy in planning policy, national energy policy makes clear that renewable and low carbon energy is vital to our economic prosperity and social well-being and that it is important to ensure that the UK:

- Transitions to a low carbon economy and reduces greenhouse gas emissions to address the predominant challenge of our time, climate change;
- supports an increased supply from renewables;
- continues to have secure, diverse and resilient supplies of electricity as the UK transitions to low carbon energy sources and to replace closing electricity generating capacity;

¹⁰ R. (on the application of Basildon DC) v First Secretary of State [2004] EWHC 2759

- increases electricity capacity within the system to stay ahead of growing demand at all times whilst seeking to reduce demand wherever possible; and
- delivers new low carbon and renewable energy infrastructure as soon as possible- the need is urgent.

7.100 When located in the Green Belt, paragraph 151 is clear in stating that “Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”.

7.101 The NPS EN-1 and NPPF state that renewable energy and associated infrastructure should be supported in the planning system, as part of working towards a radical reduction of greenhouse gases to tackle climate change. Paragraph 155 encourages local planning authorities to maximise the potential for renewable energy and to approve such applications where their impacts are acceptable.

7.102 This is afforded significant weight in the planning balance.

Climate Emergency

7.103 On a local level, Basildon Council has set an ambitious target to achieve net-zero carbon emissions by 2030 and net zero emissions by 2050. In July 2020, Rochford District Council made a commitment to work towards becoming carbon neutral by 2030 for its own operations in their Carbon Neutral 2030 Council Strategy.

7.104 While Essex County Council has not declared a Climate Change Emergency it has set up the ‘Essex Climate Action Commission’ which in July 2021 published a ‘Net Zero: Making Essex Carbon Neutral’ report. This included a number of recommendations including that “Essex to produce enough renewable energy within the county to meet its own needs by 2040.” and a requirement for “1.43 GW of large-scale solar panels to be built on available land without compromising current agricultural land by 2030.”. This later recommendation would equate to 5% of the low grade agricultural land outside of AONBs and National Parks being utilised for solar generation. Other ‘energy’ recommendations within the report include a wide remit of other related matters, such as: increasing EV charging networks, use of biomass, retrofitting of domestic and commercial heating with renewable energy systems and generation of green hydrogen.

7.105 The Proposed Development would make a significant and valuable contribution to achieving emission targets on a national and local level.

7.106 This is afforded substantial weight in the planning balance.

Energy Security

7.107 The Proposed Development supplies clean renewable energy to the National Grid, comprising secure, distributed and diversified energy generation which accords with the Government's policy on energy security as identified within NPS EN-1 which explains the need for energy security allied with a reduction in carbon emissions.

7.108 This is afforded substantial weight in the planning balance.

Best Available Technology

7.109 The use of best available and state of the art technology on the Site aims to maximise the use and productivity of the land for the generation of renewable energy. The Proposed Development proposes utilising high-efficiency bifacial panels and at a fixed tilt of between 15-30 degrees and orientated broadly facing south. Bifacial panels absorb light on both sides of the panel, both directly on the top-side, and reflected light is also absorbed on the rear-side.

7.110 The battery storage facility would be utilised to reinforce the power generation of the solar farm, maximising renewable energy production from the Site whilst providing security of supply.

7.111 This maximises renewable energy production from the Site whilst providing security of supply in accordance with Government Policy in reducing the reliance on fossil fuel generation as back up, thereby avoiding the adverse environmental and climate effects.

7.112 This is afforded significant weight in the planning balance.

Good Design

7.113 In addition to using best available technology, through undertaking an iterative design process and pre-application engagement, as outlined in the Design and Access Statement, the design of the Proposed Development has been a key consideration in the layout of the site to minimise harm and provide significant benefits to the development as a whole.

7.114 This is afforded moderate weight in the planning balance.

Alternatives

7.115 The Design and Access Statement sets out the evolution of the design of the Proposed Development.

7.116 Consideration is given to alternative site outside of the Green Belt in **Appendix 1**.

7.117 This is afforded substantial weight in the planning balance.

Temporary and Reversible Impacts

7.118 The Application is proposed for a lifetime of 40 operational years. After the 40 year period the Proposed Development would be decommissioned. All electricity generating equipment and built structures associated with the Proposed Development would be removed from the Site and it would continue in agricultural use. It is therefore considered that the Proposed Development is considered a temporary development.

7.119 This also aligns with paragraph 13 of the Planning Practice Guidance which states that solar farms are normally temporary structures 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 use¹¹.

7.120 Construction traffic associated with the Proposed Development will be limited to the construction period of approximately 7 months and will not have a material effect on the safety or operation of the local highway network.

7.121 This is afforded substantial weight in the planning balance.

Biodiversity Net Gain

7.122 The Proposed Development proposes a significant number of biodiversity benefits within the accompanying BMP. This will primarily be achieved through:

- Retention, protection and enhancement of existing trees, hedgerows and woodland within the site and on its boundaries. Existing gaps within the boundary vegetation will be infilled. Wherever possible the design has sought to minimise the removal of

¹¹ Paragraph: 013 Reference ID: 5-013-20150327, published 27 March 2015

existing landscaping features by making use of existing gaps in hedgerows and field accesses. New internal access track has been minimised while seeking to remain separate from PRow;

- Provision of new native tree belts and ‘structural planting’ woodland blocks to provide visual enclosure. In total 3,300 m² of new woodland planting is proposed, within the site setback from the fields boundaries (such as along the PRow) or within the improved buffer grassland to filter views and provide ecology habitats;
- Provision of new lengths of native hedgerows, some with native trees, surrounding the proposed development. This includes new hedgerow along PRow to provide visual enclosure. In total over 1.2 km (linear) of new hedgerow is proposed;
- Enhancement of site boundary margins, through proposed species rich grassland in line with ecological enhancement aims. Some 17 ha of improved habitat is proposed around the site boundaries between the solar farm fence line and existing field boundaries;
- Enhancement of areas underneath solar panels with a species rich grassland suitable for grazing livestock. Over 21 ha of the site will continue to be grazed by livestock;
- Existing and proposed native hedgerows managed to a height of 3 m or over to enhance visual enclosure, this includes along all PRow on or adjacent to the site. New trees and woodland groups will be allowed to grow to their natural height; and
- Ongoing landscape management of planting during the lifetime of the proposed development.

7.123 The significant enhancement of the biodiversity of the Site is demonstrated by the Net Biodiversity Gain Calculator, which concludes that there will be biodiversity would be significantly improved with a 86.45 % habitat biodiversity net gain and 25.96 % hedgerow net gain through the implementation of the Proposed Development.

7.124 This is afforded substantial weight in the planning balance.

Soil Regeneration

- 7.125 Aims and objectives for safeguarding and, where possible, improving soil health are set out in the Government's 'Safeguarding our soils: A strategy for England'¹². The Soil Strategy for England, which builds on Defra's 'Soil Action Plan for England (2004-2006)', sets out an ambitious vision to protect and improve soil to meet an increased global demand for food and to help combat the adverse effects of climate change.
- 7.126 The greatest benefits in terms of increase in soil organic matter (SOM), and hence soil organic carbon (SOC), can be realised through land use change from intensive arable to grasslands. Likewise, SOM and SOC are increased when cultivation of the land for crops (tillage) is stopped and the land is uncultivated (zero tillage). Global evidence suggests that zero tillage results in more total soil carbon storage when applied for 12 years or more.
- 7.127 Therefore, there is evidence that conversion of land from arable to grassland which is uncultivated over the long-term (>12 years), such as that under solar farm arrays, increases SOC and SOM.
- 7.128 This is afforded moderate weight in the planning balance.

Green Infrastructure

- 7.129 The enhanced landscape structure, delivered through the landscaping proposals, will greatly improve Green Infrastructure corridors and connectivity across and within the Site and is therefore afforded substantial weight in the planning balance.

Farm Diversification

- 7.130 As demonstrated above, the additional income generated by the Proposed Development will help to secure the farming business.
- 7.131 The proposed development delivers a multi-purpose land use; the generation of renewable energy; continuing agricultural activity through grazing; environmental stewardship through the creation of wildlife habitats for pollinating insects and other fauna; and planting of new hedgerows and trees allowing for additional carbon sequestration on site. This multi-purpose land use aligns with Section 11 of the NPPF, which seeks to ensure "*planning policies and*

¹² Department for Environment, Food and Rural Affairs (2009). Safeguarding our soils: A strategy for England

decisions promote an effective use of land... while safeguarding and improving the environment and ensuring safe and healthy living conditions” (paragraph 119).

7.132 This is afforded moderate weight in the planning balance.

Transmission Vs Distribution Connection

7.133 The approach to site selection is detailed within the Design and Access Statement. The scheme proposes to connect to the National Grid (Transmission Network) rather than the Distribution Network.

7.134 The advantages of this process when compared against the distribution network connections is that once a connection is identified, then a search can begin to identify the most suitable solar development land. This avoids considerable delays in securing both the connection with the Distribution Network Operator (DNO), land and ultimately the delivery of renewable energy to meet the UKs net zero target.

7.135 This is afforded moderate weight in the planning balance.

Green Belt Conclusion

7.136 In accordance with paragraph 148 of the NPPF, in addition to the harm by reason of inappropriateness, weight must be attributed to the harm to the openness of the Green Belt and other harm presented. As recognised above the Proposed Development is inappropriate development, thereby it is acknowledged that substantial weight is to be applied to the openness of the Green Belt through the imposition of built form, however the reversibility of the Proposed Development and limited impact on the purposes of the Green Belt are a key consideration in the planning balance.

7.137 Accompanying assessments have been undertaken to assess ‘other harm’ regarding heritage, biodiversity, agricultural land, farm diversification, amenity, flood risk, traffic and access. Landscape and visual impacts have also been assessed in relation to landscape character and visual receptors. It is concluded from these assessments that limited weight should be applied to ‘other harm’ when undertaking the planning balance.

7.138 Paragraph 148 is clear that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. It is a key planning policy requirement

that very special circumstances need to exist for inappropriate development to be approved in the Green Belt.

7.139 The above section demonstrates the benefits of the scheme, taking into account the urgent need for renewable energy generation, climate emergency and other key considerations of the Proposed Development such as achieving a biodiversity net gain for habitats of 86.45 % and hedgerow of 25.96 %, all of which are key material considerations in accordance with the policy tests identified in paragraphs 148 and 151 of the NPPF.

7.140 On balance, it is considered that the benefits of the Proposed Development outweigh the temporary and reversible harm by reason of inappropriateness and any other harm identified. As such very special circumstances exist to justify the Proposed Development in the Green Belt.

8. CONCLUSION

- 8.1 For the reasons outlined in this Planning Statement, it is considered that the Proposed Development is in accordance with the relevant planning policies and guidance at both the national and local levels.
- 8.2 The Site is located within the Green Belt, and therefore in line with policy tests in paragraph 148 of the NPPF harm resulting from the Proposed Development must be clearly outweighed by other considerations.
- 8.3 In accordance with paragraph 137 it is acknowledged that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Local Policies BAS GB1 (BC, 1998) and GB1 (RDC, 2011)
- 8.4 One factor which can affect the preservation of openness and conflict with Green Belt purposes, is the duration of development and the reversibility of its effects. The application is proposed for a lifetime of 40 operational years. It will not therefore permanently affect the Green Belt.
- 8.5 A comprehensive assessment of the Site in relation to the purposes prescribed under paragraph 138 of the NPPF is provided which concludes only slight harm to one of two “essential characteristics”, openness, and one of five “Purposes” of Green Belts, that of assisting safeguarding countryside from encroachment. No other Green Belt harms would be done. The remaining strategic performance and function of the remaining Green Belt would remain effective.
- 8.6 The Proposed Development would not significantly affect landscape, heritage assets, biodiversity, amenity, flood risk or traffic/access and cumulative impacts are also considered acceptable. It therefore concluded that from the accompanying assessment that limited weight should be applied to other harm when undertaking the planning balance in accordance with paragraph 148 of the NPPF.
- 8.7 The Proposed Development represents a clear form of sustainable development, generating clean renewable energy and helping reduce carbon emissions which are required to meet the Climate Act 2050 net zero target. Paragraph 151 goes further to state that such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

- 8.8 The Proposed Development would supply clean renewable energy to the National Grid, providing the equivalent annual electrical needs of approximately 4,250 family homes. The anticipated CO₂ displacement is around 3,271 tonnes per annum, which represents an emission saving equivalent of a reduction in 1,139 cars on the road. This is afforded substantial weight.
- 8.9 The Proposed Development will also provide significant biodiversity enhancements (86.45 % net gain for habitats and 25.96 % net gain for hedgerow), allow for soil regeneration, greatly improve Green Infrastructure corridors and connectivity and represent an important farm diversification project, with indirect socio-economic benefits, at a time when the agricultural land is becoming more challenging to farm due to climate change factors.
- 8.10 The Proposed Development has therefore demonstrated that very special circumstances exist through the benefits presented in Section 7 and in accordance with paragraph 148 and 151 and that the benefits considerably outweigh the slight identified harm to the openness of the Green Belt. This is slight harm only to one of two “essential characteristics”, openness, and one of five “Purposes” of Green Belts, that of assisting safeguarding countryside from encroachment. No other Green Belt harms would be caused. This conclusion is reached based on a full and robust assessment of the Proposed Development.
- 8.11 It is concluded having made the assessment(s) above that the public benefits that result from the development would outweigh the identified harms.
- 8.12 Overall, there is an urgent requirement for the Proposed Development; it is entirely suitable to the Site and its surroundings; it accords with national and local planning policy and all relevant material planning considerations; and will deliver significant environmental benefits.
- 8.13 In summary, based on the Proposed Development and assessments undertaken, the Site is deemed suitable for a development of this nature in terms of planning policy and guidance and planning permission should be granted. It is considered that in line with paragraphs 11 and 47 of the NPPF (2019) and Section 38(6) of the Planning and Compulsory Purchase Act 2004, when undertaking the planning balance, the Proposed Development would accord with the local development plan and that there are no material considerations which indicate otherwise.



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Burstead Solar Farm - Green Belt Compliance

The National Planning Policy Framework and Planning Practice Guidance

1. The application site is located largely within the Metropolitan Green Belt that surrounds London, save for that part of the connection corridor that passes through the urban area of Wickford and small non Green Belt pockets of land to its west.
2. The NPPF contains policy on Green Belts in Chapter 13 between paragraphs 137 and 151. Paragraph 137 states:
“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belts are their openness and their permanence”.
3. For planning applications within Green Belts the NPPF sets out policy in paragraphs 147 to 151 with reference back to paragraph 138 which establishes the five purposes of Green Belt. Paragraph 148 states:
“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”
4. Paragraph 151 is particularly relevant to this project, stating:
“When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. ... very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”.
5. Planning Practice Guidance (Paragraph: 001 Reference ID: 64-001-20190722) also refers to Green Belts, particularly in respect of “openness”.

Other National Planning Policy

6. National Policy Statements (NPS) EN 1 and EN 3 relate to power generation projects generally and to renewable energy. They are most relevant to Nationally Significant Infrastructure Projects for which planning permission is under the Planning Act 2008. For projects such as Burstead Solar Farm (‘Free Go’ application), to which the Town and Country Planning Act 1990 applies, they are material considerations.
7. Both NPS are currently subject to review with drafts having been consulted on earlier in March to June 2023. Draft NPS EN 3 includes policy on solar projects. This includes reiteration at para 3.10.2 of the governments ambitions for a five-fold increase in solar generation to 70GW by 2035. *“It sets out that government is supportive of solar that is co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use.”*

Local Plan policy

8. The Site is a cross boundary application. The areas proposed for the solar panels and the battery store are within Basildon Council, as is the majority of the grid connection route. The eastern part of the grid connection route to the Rayleigh Electricity Sub Station is within Rochford District Council. Local Plan policies of both authorities are therefore considered although those of Basildon are most relevant as the grid connection will be trenched within existing road corridors and therefore have little planning effect generally or in terms of the Green Belt.

Basildon Council

9. The Local Plan comprises those policies of the Basildon Local Plan 1998 (and its Alterations 1999) which were “saved” in 2007. An emerging Local Plan was published in October 2018 and was submitted for Examination in March 2019 but has recently been withdrawn. The policies of the now withdrawn emerging Local Plan now have little status.
10. The 2007 saved Local Plan policies contain no reference to solar farm development and hence none to such developments within the Green Belt. Green Belt policies consider only housing development.
11. The emerging Local Plan contains eleven policies on the Green Belt (GB1 to GB11) and one on Renewable Energy Infrastructure (CC7). Policy GB1 is relevant and essentially replicates the national policy on Green Belt within the NPPF. Policy GB2 concerns the extent of the Green Belt. Policies GB3 to GB11 concern types of development specified in the NPPF which are “*not inappropriate*” and are not relevant to solar farm development.
12. Policy CC7 of the emerging Local Plan states “*Proposals for renewable .. energy schemes ... will be positively considered provided they are in a sustainable and accessible location and comply with all other relevant policies within this plan ...*”.
13. NPPF paragraph 11 states that “*Plans and decisions should apply a presumption in favour of sustainable development. ... For decision making this means ... where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*”
14. Against this background because the policies saved in 2007 are out of date and provide no relevant policy and because the emerging plan has been withdrawn, the NPPF provides the main basis on which the application should be assessed.
15. In preparing its now abandoned emerging Local Plan Basildon updated its Green Belt Review in 2017 and this 520 page document assesses the performance of the Green Belt considering its purposes, established in paragraph 138 of the NPPF. The solar farm and battery sites proposed are contained within parcels 26, and 72 assessed within this document. It is important to note the purpose of the review relates (paragraph 2.8) to anticipated requirements for housing and employment land.

Rochford District Council

16. Rochford's Local Development Scheme 2023-25 indicates it intends to consult on a draft local plan during the autumn and winter of 2023/24 with submission to the Secretary of State in spring 2025. Extant planning policy in Rochford comprises chiefly a Core Strategy dated 2011, a Development Management Plan dated 2014 and an Allocations Plan, also dated 2014, all prepared as part of the now superseded Local Development Framework regime

17. The Rochford Core Strategy, adopted 2011 includes Policy ENV6 that states planning permission will be granted for large scale renewable energy projects if they do not affect the integrity of ecological or landscape designations. Policy GB1 directs development away from the Green Belt “so far as practicable” and supports rural diversification that does not undermine the objectives or character of the Green Belt. The Rochford Development Management Plan contains no specifically relevant policy.
18. As with Basildon the adopted development plan provides no up to date policy or policy relevant to the relatively small element of the underground cable to be constructed in Rochford. There is also no draft Local Plan to be taken into account.

Other LPA Green Belt documents

19. Basildon’s “*Renewable and Low Carbon Energy Constraints and Opportunities Assessment 2015*” showed “*areas suitable for large scale arrays*”, all located within Green Belt.

Green Belt policy approach

20. A basic principle of Green Belt policy is that development within Green Belts is inappropriate and therefore harmful to them (NPPF paragraph 147).
21. Paragraph 147 concludes that inappropriate development should not be allowed except in very special circumstances.
22. NPPF paragraph 148 establishes that very special circumstances may exist only if the harm to the Green Belt is outweighed by other considerations. Paragraph 151 contains policy on Very Special Circumstances relating to renewable energy projects.
23. NPPF paragraphs 149 and 150 set out exceptional types of development that are appropriate in Green Belts, but which do not include solar arrays.
24. In order to confirm the existence of very special circumstances it is relevant to define the harm to the Green Belt from the inappropriate development. This must be done with respect to the essential characteristics of Green Belts in paragraph 137 and the five purposes of Green Belt in paragraph 138.
25. With respect to the Burstead Solar Farm project, these harms are set out below:

Essential characteristics of Green Belts (NPPF paragraph 137)

26. *Openness* – National Planning Practice Guidance states that assessing the effects of a proposal on openness requires a judgment based on the particular circumstances. It lists three specific matters which are
 - (1) *spatial and visual aspects* – at Burstead the solar arrays and battery facilities will be fundamentally low lying elements of development and will be contained within the existing pattern of field boundaries of the eastern parcel. The field boundaries will be strengthened by new planting. The landscape and visual assessment has concluded that whilst the arrays and battery structures will be in places visible from outside the site they will not cause unacceptable harm to the visual amenity of the wider landscape beyond the site boundary. They will not detract from the openness of the countryside to any considerable extent. The grid connection is to be made underground via cable from the Site to the National Grid Rayleigh substation and will not therefore, following temporary construction impacts, give rise to spatial or visual effects on openness of the Green Belt.
 - (2) *duration and remediability* (see “*permanence*” point below)
 - (3) *the degree of activity to be generated such as traffic* – the solar farm will generate very little traffic in its operation and there will be no moving parts as with for example wind turbines.

27. On a balance of these factors, the Green Belt harm of Burstead Solar Farm is mitigated by the existence of field boundaries and the screening effects that will come from the enhancement of landscape planting around the site. The previous proposals included large areas of solar panels to the west in a much more open area of countryside over which public and private views extend. In contrast the eastern part of the solar farm, now proposed as the only part to be developed with solar panels and battery storage, is a more contained area. The field and hedgerow patchwork, enhanced by new planting, proximate to the proposed solar array and battery is such that it has been judged recently (by the Inspector who approved the Crays Hall Solar Farm) that the effects on openness of a solar farm may be mitigated by existing features, enhanced by new planting,
28. *Permanence* – development of a solar array is not a “stepping stone” to other forms of development. The Applicant expects a decommissioning condition to be placed on the planning permission such that when the use of the land for solar generation and related battery storage ends the arrays, batteries, and associated equipment shall be removed and the sites restored to their condition pre-development. There is no permanent Green Belt harm. This is material in considering the harm to the Green Belt openness.

Green Belt purposes (from NPPF paragraph 138)

29. Comments below include reference to the Basildon Borough Green Belt Review 2017 (“2017 GB Review”). The site falls within parcels 26 (northern part) and 72 (southern part) considered in this document.
30. (a) *To check the unrestricted sprawl of large built-up areas* - The 2017 GB Review considered parcel 72 contributes well to this purpose and parcel 26 contributes partly. The proposed array occupies relatively small parts of the two areas, with that part in 72 being close to its boundary with 26. The solar arrays will be rural in nature and the project will change some aspects of this character. Livestock, not currently common at the sites, will graze around the solar arrays which will be established within the existing pattern of field boundaries. The hedgerows will be enhanced both with new planting and by closing existing gaps. Wildflower and biodiversity areas will be created. The Proposed Development will be subject to a restoration condition and hence will not establish any precedent for other development of the Site or wider area. There will be no harm to this purpose of the Green Belt.
31. The officer’s report to committee for the previous, larger, proposal which included a large area immediately south of Great Burstead in the area between Billericay and Basildon concluded that proposal would not this affect Green Belt purpose (a). The current proposals, which are smaller and located further from the existing built-up areas, cannot therefore be said to affect it.
32. (b) *To prevent neighbouring towns merging into one another* - The 2017 GB Review considered both parcels contribute well to this purpose. The solar array will be rural in nature. It cannot be considered part of a town and hence will not lead to towns merging together. Many existing solar arrays are located remotely from towns and occupy countryside sites where housing and other urban development, typical of towns, would rightly be resisted. The continued rural land use at the solar farm site will prevent the merging of towns. There will be no diminished sense, when travelling between local towns, of having left one and then, after passing through rural land, of having entered another. There will be no harm to this purpose of the Green Belt.
33. The officer’s report to committee for the previous, larger, proposal which included a large area immediately south of Great Burstead in the area between Billericay and Basildon concluded that proposal would not this affect Green Belt purpose (b). The current proposals, which are smaller and located further from the existing built-up areas, cannot therefore be said to affect it.

34. (c) *To assist safeguarding the countryside from encroachment* - The 2017 GB Review considered both parcels contribute to this purpose. As the site is currently undeveloped farmland its temporary development into a Solar Farm for 40 years will be a change to the countryside in its current form. A solar farm is simultaneously development but also a rural land use. The land will be grazed whilst it is a solar farm and field boundaries will be enhanced significantly, greatly improving biodiversity. Hence to the extent the proposals will encroach on countryside, the site will also remain countryside and rural in character. Moreover the encroachment effects will be temporary, limited, and will disappear following the removal of the development at the end of its operating life, as required by the decommissioning condition. This harm, which is to relatively small parts of parcels 26 and 72 is therefore mitigated.
35. (d) *To preserve the setting and special character of historic towns* - The 2017 GB Review considered parcels 26 and 72 do not contribute. There is no harm to this Green Belt purpose.
36. Notwithstanding that the larger former proposal would have placed panels in proximity to heritage assets at Great Burstead, the officer's report to committee concluded that proposal not to be in conflict with Green Belt purpose (d), hence the current proposals cannot conflict with it.
37. (e) *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land* – The 2017 GB Review considers all parts of the Green Belt contribute equally to this purpose. Solar farms of this scale are not possible in urban areas. If an equivalent area of derelict or other brownfield development land existed in a town it would rightly be developed for more suitable urban land uses such as housing, offices, factories, schools, hospitals etc. The development of derelict urban land for solar would not therefore be an alternative to development of the planning application sites. There is no harm to this Green Belt purpose.
38. The officer's report to committee for the previous, larger proposal also concluded no harm to purpose (e).
39. To conclude, the effect to the Green Belt characteristics and purposes is at most slight and in most respects does not exist. It is not permanent as the solar array and batteries will be removed at the end of the permission period.
40. To establish very special circumstances it is necessary to consider how this harm, by definition (NPPF paragraph 148) substantial, is outweighed by other considerations – Very Special Circumstances.

Very Special Circumstances

Renewable energy, reducing carbon emissions, wider environmental benefits

41. The purpose of the solar farm is to generate renewable energy, without releasing carbon dioxide or other gases known to cause global warming. The inclusion of the batteries within the project will enable it to operate more efficiently in this regard such that generation of power during periods of low demand does not adversely affect other generators on the system. What is then effectively 'surplus' energy will be stored for periods of high demand including during the hours of darkness.
42. It is estimated that during the arrays will generate the equivalent electricity demand of 4,250 average homes in England. All this power will be generated without any production of greenhouse gases. Assuming currently typical levels of carbon intensity within UK electricity, that amounts to a saving of approximately 130,840 tonnes of carbon dioxide being emitted over the 40 year operational life (3,271 tonnes of carbon dioxide annually), equivalent to the emissions of circa 1,139 cars per year. Further carbon sequestration will be achieved through the planting of new trees and hedgerows within and around the site.

43. NPPF paragraph 151 relates to renewable energy projects. It establishes that “ *very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources*”. This wording is the same as in National Policy Statement EN 3 Renewable Energy, which is a material consideration.
44. NPPF paragraphs 7 and 8 are also relevant. They establish (7) that “ *The purpose of the planning system is to contribute to the achievement of sustainable development*”. This is the sole purpose of planning. Achieving sustainable development means (8) that “ *the planning system has three overarching objectives*”, which are economic, social and environmental. These objectives are interdependent.
45. Paragraph 8 states that the environmental objective of sustainable development is to “ *protect and enhance our natural ... environment; ...including moving to a low carbon economy*”.
46. The generation of renewable energy at the solar farm, and its storage in the batteries, will therefore comply with paragraphs 8 and 151 of the NPPF and with draft NPS EN-3. These are material considerations in determination of this planning application.

Tackling Climate Change

47. Humankind’s understanding of the seriousness of the climate crisis has increased significantly in recent years with the most recent report of the Intergovernmental Panel on Climate Change (August 2021) presenting the starkest conclusions yet about the crisis and the nature, scale and timing of the actions required to mitigate its worst effects.
48. Conclusion D1 of the IPCC August 2021 report’s summary states, without equivocation: “ *From a physical science perspective, limiting human-induced global warming to a specific level requires limiting cumulative CO₂ emissions, reaching at least net zero CO₂ emissions, along with strong reductions in other greenhouse gas emissions.*”
49. Since the IPCC report the Glasgow United Nations Climate Change Conference (COP 26) occurred in October and November 2021. The resulting Glasgow Climate Pact (para 20) “ *calls upon parties [ie nation states] to accelerate the development, deployment and dissemination of technologies ... to transition towards low-emission energy systems, including by rapidly scaling up the deployment of clean power generation ...*”. It contains many other references that support large scale deployment of solar generation in the UK and elsewhere.
50. The Secretary-General of the UN remarked at the opening of COP27 on 7 November 2022:
 - ... “ *We are in the fight of our lives. And we are losing. Greenhouse gas emissions keep growing. Global temperatures keep rising. And our planet is fast approaching tipping points that will make climate chaos irreversible. We are on a highway to climate hell with our foot still on the accelerator. ...*”
 - ... “ *The science is clear: any hope of limiting temperature rise to 1.5 degrees means achieving global net zero emissions by 2050. But that 1.5 degree goal is on life support – and the machines are rattling. We are getting dangerously close to the point of no return.*” ...
 - ... “ *Developed countries must take the lead*”. ...
51. The Climate Change Act 2008 (as amended 2019) sets the UK Government’s statutory objective of achieving a 78% reduction of net CO₂ emissions against a 1990 baseline by 2035 and 100% by 2050 (net zero). This is the main thrust of the UK’s commitment to tackling climate change. It was detailed in the UK’s Net Zero Strategy, published in October 2021. This contains (page 19) key policies on power including “ *more solar*”.

52. Table 10 on page 325 shows that by 2035 “*low carbon Great British generation*” will be 99% of total generation of electricity with the total amount of generation being between 460 and 510 TerraWatt hours (TWh). This is compared to actual 2019 generation of 320 TWh of which 29-33% was low carbon (ie 92.8 to 105.6 TWh). There is an intermediate level of low carbon generation targeted in 2025 of 38-42% of 315 TWh of generation, that is 119.7 to 132.3 TWh. The Burstead solar farm would assist in moving low carbon generation towards the 2025 and 2035 ambitions.
53. As draft NPS EN-3 (para 3.10.2) sets out “*The British Energy Security Strategy [April 2022] states that the government expects a five-fold increase in solar development by 2035 (up to 70GW). It sets out that government is supportive of solar that is co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use.*”
54. Net Zero by 2050 and the constituent objectives on electricity generation and in other areas are extremely challenging targets. Nevertheless achieving net zero is of paramount importance and there should be no delay in achieving progress. Each unit of renewable electricity generation reduces GHG gases. From the date it is commissioned, the rate of GHG accumulation in the atmosphere and hence climate change damage slows.
55. 2023 has seen record breaking wildfires, heatwaves, temperatures and rainfall events. Few people now question the link between these and global atmospheric carbon levels and global warming.
56. The crisis is urgent. What can be done now should be done now. Each unit of GHG gas that accumulates whilst we wait for solutions worsens the crisis. Solar power is proven and a particularly quick to deploy technology. Burstead Solar Farm could be contributing power to reduce reliance on fossil fuels – and hence reduce associated greenhouse gas emissions – very quickly.

Climate Emergency Declaration – National and Local

57. In May 2019 the UK Parliament declared a climate emergency. The motion that was passed to do this included that Parliament calls on the Government to “... *increase support for and set ambitious, short-term targets for the roll-out of renewable and low carbon energy.*”
58. Locally Basildon Council published its Climate Change Policy February 2021. It intends to achieve carbon neutrality as an organisation by 2030 and to support national Net Zero emissions by 2050 (para 1.2) through these actions of its own and by working in partnership with the private sector and other stakeholders to help all sectors reduce carbon (para 1.5). Its objectives include (para 5.1.1) to “... *support projects with our partners and local communities to progressively address the causes .. of climate change ...*”. Rochford District Council seeks to become “Carbon Neutral” by 2030. The Councils are advised by the Essex Climate Action Commission which published their ‘Net Zero: Making Essex Carbon Neutral’ recommendations report in July 2021.
59. Basildon Council’s own approach is to follow a hierarchy of actions to (firstly) avoid carbon intensive activities (which could be achieved by purchasing solar power), then reduce emissions through energy efficiency, then replace high carbon energy sources (eg by procuring renewable power preferentially to that from fossil fuel generation), and finally to offset its remaining emissions.
60. Elected representatives at both national and local level therefore see the imperative of addressing the climate change crisis as very significant objectives. These must be considered in weighing the balance of green belt harm. Basildon’s “*Renewable and Low Carbon Energy Constraints and Opportunities Assessment 2015*” showed “*areas suitable for large scale arrays*”, all located within Green Belt.

61. The current IPCC report and the Glasgow Climate Pact present stark conclusions. The IPCC Report was produced without any serious dissent and with hitherto unseen levels of international co-operation and consensus. It puts the pre-existing policies of the NPPF into clearer focus. The purposes of the planning system include protecting and enhancing the natural environment. That the Burstead Solar Farm will without doubt contribute to this objective and can do so quickly must be part of the weighing of “other considerations” against the Green Belt harm and hence contribute to very special circumstances supporting the project.

Achieving Energy Security

62. National Policy Statement EN 1 sets out the Government’s general policy position on energy and is a material consideration for the determination of planning applications. NPS EN 1 includes that achieving energy security is a main strategic consideration for energy generation. Generating power in the UK from naturally occurring local resources – in this case the sun – is clearly preferable to using fossil fuel purchased on global markets in which price and availability is vulnerable to geo-political events such as the invasion of Ukraine. The Burstead proposals, providing significant quantity of power and, with storage, providing control to allow power supply at times of peak demand regardless of daylight hours or cloud cover, assist this national objective. Energy security, especially when provided by renewable or low-carbon sources, is therefore a matter to be considered in the planning balance.
63. The benefits of generating and storing electricity from the sun via the Burstead Solar Farm therefore significant and highly material to the planning balance.
64. Draft NPS-EN1 re-iterates the British Energy Security Strategy (April 2022), saying (para 2.5.6) it “... *emphasises the importance of addressing our underlying vulnerability to international energy prices by reducing our dependence on imported oil and gas ... and accelerating our deployment of renewables .. so as to ensure a domestic supply of clean, affordable and secure power as we transition to net zero.*” Paragraph 3.3.2 states “*Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable and net zero consistent system in 2050 is likely to be composed predominantly of wind and solar*”.
65. Whereas this matter was given no weight in determination of the previous planning application for a larger Burstead Solar Farm, others take a different view. For example in granting planning permission for Bramley Solar Farm (Basingstoke) in February 2023 a planning inspector afforded energy security “significant weight”.

Securing significant Biodiversity Net Gain and wider environmental benefits

66. NPPF paragraph 145 outlines that within green belts local planning authorities should plan positively to enhance beneficial use including the retention and enhancement of biodiversity. As is set out in the Ecological Assessment Report submitted with this planning application the Burstead Solar Farm will improve biodiversity at the site, hence fulfilling this policy objective. This must be considered as weight for the project in the consideration of the balance with the limited Green Belt harm that it will cause.
67. The land proposed for the Burstead Solar Farm has been in intensive agricultural use for some decades. As is noted in the Basildon Green Belt Review (2017) (pages 219 and 484) the rectilinear field system has suffered from considerable boundary loss. Not only will the specific habitat creation planting and management measures within the project improve biodiversity (the “Biodiversity Net Gain” increase) but the change in management and use of the fields containing the solar panels will generally allow a more diverse grassland sward to develop which over time with the grazing of sheep will start to accumulate carbon within the soil and improve in quality. Moreover water use for irrigation will be lesser with a much lower demand for water associated with extensive sheep cultivation around the panels. The land use change from intensive farming to solar generation will enable a series of positive interventions, enhancing the contributions to biodiversity and climate change avoidance from the project itself.

68. Biodiversity Net Gain has been calculated at Burstead as part of the 'Free Go' application to be 86.45% for Habitat units and a 25.96% gain in Hedgerow units, using the latest Defra Metric.
69. It is noted that the case officer reporting on the previous and much larger Burstead Solar Farm planning application afforded BNG "significant positive weight", nevertheless concluding the combination of this with the renewable energy benefits was not substantial enough to clearly outweigh the harm to the openness of the green belt. This significant positive weight is consistent with appeal decisions elsewhere on applications for solar and battery proposals (see table at the end of this section). The case officer also concluded it to be consistent with the (then) "very recent Maitland Lodge appeal decision" which was a grant of planning permission for 47 houses within the green belt on a site in proximity to Burstead. It is of note that at Maitland Lodge the amount of BNG was 10%. There may be a lack of equivalence given the much higher BNG that Burstead Solar Farm would achieve.

Temporary (and reversible) development


70. As referred to above in respect of the purposes of Green Belts (NPPF paragraph 138), the Burstead Solar Farm is a temporary land use which affords the ability for the land affected by it to be restored to its condition and use prior to the development occurring. The Applicant expects a planning condition may be attached to planning permission requiring this which, in the long term means there would be no effect on the Green Belt. The temporary nature of the Green Belt harm is a matter to be considered in the planning balance.
71. Planning policy guidance (ID:64-001-20190722) says that "the duration of the development, and its remediability – taking into account provisions to return land to its original state or to an equivalent (or improved) state of openness" are matters which may be taken account of in assessing effects on green belt openness.
72. Numerous solar farms have been consented, as is offered for Burstead, with conditions requiring removal and land reinstatement after forty years. Referred to as making the developments temporary, these conditions succeed in making acceptable development which otherwise would not be.
73. Against this background the "very limited weight" attached to this consideration in the previous case officer's report for the larger Burstead planning application seems incorrect and greater positive weight ought to be applied.

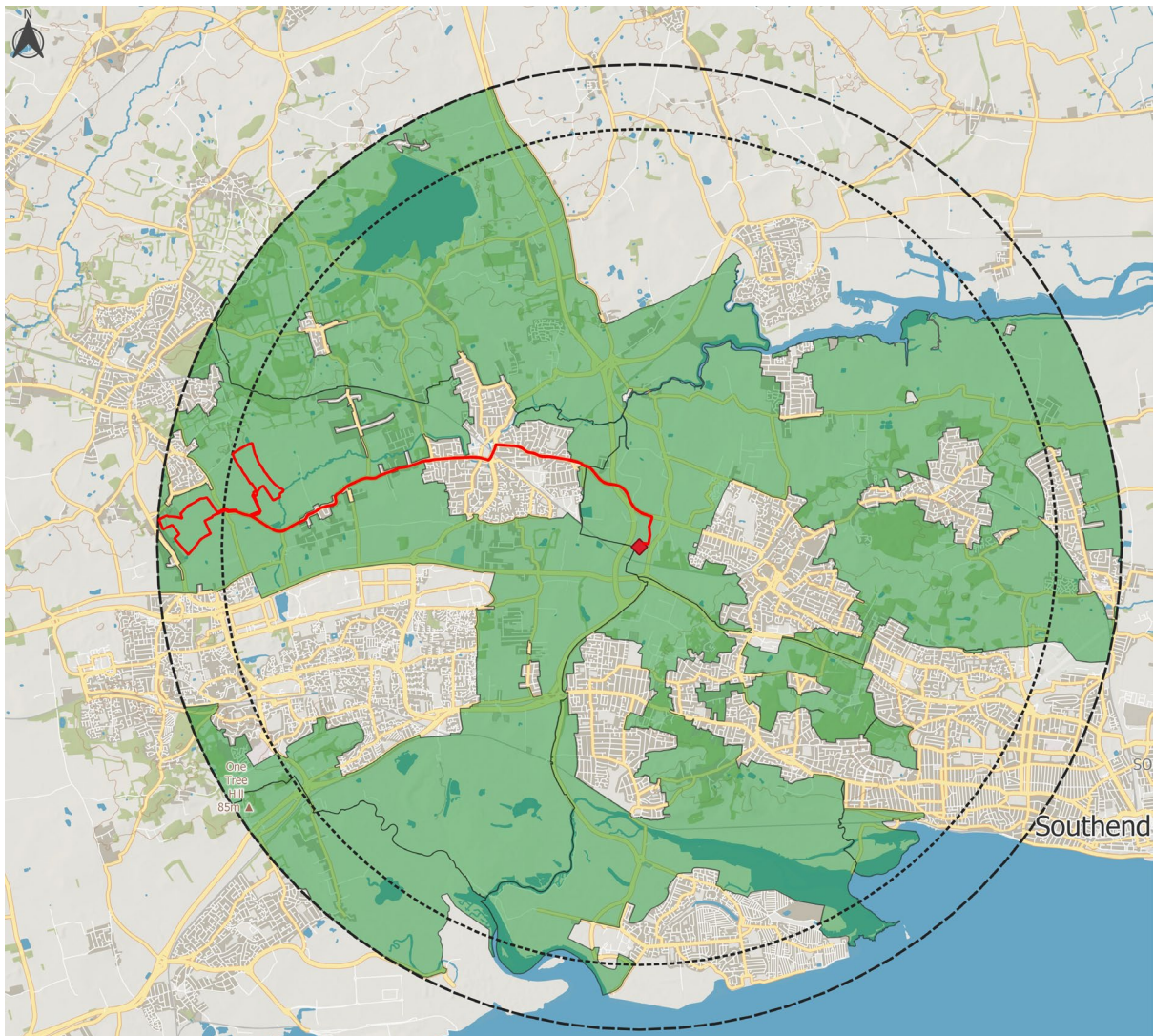
Supporting a prosperous rural economy

74. NPPF paragraph 84 supports a prosperous rural economy and outlines that planning decisions (such as to grant planning permission for Burstead Solar Farm) should enable the diversification of agricultural businesses. This undoubtedly will be achieved. The Solar Farm will provide a new source of revenue into the local economy both directly through rent and rates but will also provide indirect benefits as construction, operation and maintenance activities will lead to spend in the local area. The economic fortunes of the solar farm will be completely unrelated to the existing agricultural economy and it will hence increase economic resilience to, for example, poor harvests and low prices. Agriculture will not however cease as sheep will be grazed. The diversification of the local rural economy Burstead Solar Farm will help deliver will therefore also be a positive for the project to be weighed against Green Belt harm.

Grid Connection

75. There are specific advantages of the solar farm being at Burstead. To address the requirement for renewable power identified in the Net Zero Strategy it might be considered huge swathes of England will be given over to renewable generation. However nothing is achieved if generation capacity cannot connect to customers either through the electricity grid or, as occurs in certain specific circumstances, directly with power users. This therefore makes locations at which connections can be achieved very important.
76. The Applicant has secured capacity to connect the project to the National Grid (NG) owned and operated Transmission Network at the Rayleigh National Grid Substation. A connection directly to the Transmission Network avoids potentially considerable delays securing a connection with the Distribution Network Operator. To make the most of this connection, the solar farm must be in proximity to it.
77. Draft National Policy Statement EN 3 Renewable Energy (which is a material consideration) identifies that solar farms “may seek connection to the transmission network”. It also notes the voltage, availability and distance of the connection can be commercially significant. Finally in paragraph 2.48.12 it states “*locating solar farms at places with grid connection capacity enables the Applicant to maximise existing grid infrastructure...*”. That is what the Applicant seeks to do with its Burstead proposals, that are as close to the point of connection as possible.
78. On Map 1, below, the inner circle described by a radius the length of the straight line between the eastern part of the site and the Rayleigh NG facility contains that part of the site now proposed for solar panels and batteries. Most of other the land within it is either Green Belt, urban (including proposed urban extensions), and/or is affected by flooding and conservation constraints associated with the Thames marshes and river valleys such as the Crouch.
79. The outer circle shows the equivalent area for the larger project subject to an earlier planning application; a greater proportion of this larger circle area was outside the Green Belt and unaffected by other constraints.

Map 1: Extent of Green Belt within same proximity to Raleigh Substation as the proposals  (NB only the eastern area is now proposed for development)



 Raleigh Substation  Green Belt

80. None of the land comprising the proposed solar farm site is “Best and Most Versatile” under the standard Agricultural Land Classification (ALC) system. Hence no other farmland within the circle described above has any advantage in terms of ALC.
81. An area of non-Green Belt land is located in the outer parts of the northern and north eastern quadrants of the circle described above, the Green Belt boundary running slightly east of the A130. This is less than 10% of the total area. Within this area is the existing town of South Woodham Ferrers and a large area allocated for an urban extension to its north. There is also a Royal Horticultural Society garden estate (Hyde Hall) of circa 350 acres. Many of the south facing slopes suitable for solar generation across the centre of the area are planted with vines.
82. To the south and east of the non-Green Belt area in particular the field pattern is more intricate with smaller fields and a higher survival rate of hedgerow. Unless constructed beneath the tidal River Crouch or through South Woodham Ferrers a grid connection from Rayleigh to this area would follow a longer route than that to the Burstead site. Unlike Wickford, through which the proposed grid connection passes, South Woodham Ferrers, being a new town, has no A roads in it, hence a cable route through it would be more disruptive.
83. In contrast the land at Burstead has good field size enabling an efficient layout but also allowing a significant biodiversity gain to be achieved in additional planting proposed. It is mainly on south facing slopes, ideal for a solar farm. These south facing slopes are not under vines.
84. Nevertheless solar farm potential outside the Green Belt exists east of the A130 near to Rettendon. The Applicant’s land search team approached land owners in this area to establish interest in a solar farm. None was forthcoming due in large part to the existence of agreements with developers securing the land as long term strategic residential land bank. This is not surprising given the proximity of the land to the outer edge of the Metropolitan Green Belt and the proximity to good road and rail routes to London. To make the most of the significant opportunity to connect large scale solar to the National Grid the only land that is available (and is not already consented for solar) is that the Applicant proposes at Burstead.
85. The Basildon “*Renewable and Low Carbon Energy Constraints and Opportunities Assessment 2015*” concluded there to be 102MW of large solar array generation capacity in Basildon in 2015. All of this was on Green Belt land. The figure was based on an estimation that 10% of the land would be deliverable. In combination with the existing Outwood solar farm and the consented Cray Hall Farm installation, there would be 54.6 MW¹ delivered, still less than what was envisaged deliverable in 2015.

Efficient use of land

86. The solar farm will be co-located with battery storage. Farming activity, in the form of sheep grazing, will also carry on around the solar panels. This will achieve the efficiency of land use suggested by paragraph 3.10.2 of draft NPS EN-3. This in turn reflects the British Energy Security Strategy, which encourages “all forms of flexibility” (page 25) and emphasises the benefit of co-locating solar generation with battery storage and agriculture to maximise the efficiency of land use (page 19).
87. Likewise paragraph 43 of page 105 of the Net Zero Strategy encourages the integration of solar panels with batteries, as is proposed at Burstead.

Summary

88. Burstead Solar Farm will be inappropriate development in a Green Belt and therefore by definition harmful to it. It may be granted planning permission if the resulting substantial harm is outweighed by Very Special Circumstances in favour of the development.

¹ Burstead Solar Farm ‘Free Go’: 17 MW, Crays Hall Solar Farm: 25.6 MW and Outwood Solar Farm: 12 MW.

89. The harm done to the Green Belt by Burstead Solar Farm will be mitigated by careful siting, design and new planting and the temporary and reversible nature of the development. It may cause slight harm only to one of two “essential characteristics”, openness, and one of five “Purposes” of Green Belts, that of assisting safeguarding countryside from encroachment. No other Green Belt harms would be done. Notwithstanding these judgments, any harm to Green Belt must be afforded substantial weight in a planning balance.
90. Several Very Special Circumstances have been identified. The most significant is that set out in paragraph 151 of the NPPF, which states that the wider environmental benefits of renewable energy projects may be considered Very Special Circumstances. These benefits principally relate to arresting global warming by reducing the generation of electricity from fossil fuels. This must be given substantial weight. Global warming may also be reduced by the absorption of carbon into the biomass and soils that will develop at the solar farm. An advantage of solar generation is its quick build time, hence its benefits could be available very soon after the grant of planning consent.
91. Paragraphs 7 and 8 of the NPPF establish the purpose of planning as achieving sustainable development. Protection and enhancement of the natural environment – such as by replacing fossil fuels with renewable energy sources like solar are a means of doing this. They project will help the move towards a low carbon economy, envisaged by paragraph 8.
92. The biodiversity and nature benefits of hedgerow enhancement and replanting the proposed wildflower area at the site, proposed as part of the solar farm project, will also be wider environmental benefits as mentioned in NPPF paragraph 151. They may also carry substantial weight. Further environmental benefits (soil recovery, water quality improvements, water retention on land) will accrue from the reduced intensity of farming with arable and vegetable crops replaced by sheep grazing. Paragraph 145 of the NPPF encourages planning authorities to plan positively to enhance and retain biodiversity within Green Belts. The Burstead Solar Farm will achieve this.
93. Other Very Special Circumstances include
- Improvement in energy security as envisaged in National Policy Statement EN 1
 - That the proposals are essentially temporary in nature and the land can be restored to its pre-existing state on removal of the solar farm.
 - Supporting a prosperous rural economy, as envisaged in paragraph 84 of the NPPF.
 - The availability of a connection to the UK Transmission Grid at National Grid’s Rayleigh Substation. There is no better site closer to the Rayleigh Substation than that proposed. Although an area of land outside the Green Belt exists to the north east of the Substation which is closer or the same distance from the Substation than the proposed site, the Applicant has been unable to secure a site within it. Some of the land is part of a Royal Horticultural Society Estate, some forms part of a large residential land development allocation, and many of the best south facing slopes are planted with vines. However it also evident land owners in this area perceive hope value for residential development on their land and are hence unwilling to consider solar generation.
 - Efficiency of land use with solar generation, battery storage, sheep grazing, and natural capital enhancement (improved soil structure and health, carbon sequestration in soils, retention of water, reduced pollution of water by fertilisers and farming other input chemicals, biodiversity gains)
94. It is strongly considered that the above benefits of the proposal are substantial and clearly outweigh the harm Burstead Solar Farm being inappropriate development in the Green Belt and therefore constitute very special circumstances allowing the planning permission applied for to be granted.
95. Of the above issues and in consideration of the evident seriousness of the climate crisis and the speed with which solar generation can be delivered, the renewable energy benefits in moving towards a Net Zero economy are substantial and on their own sufficient to clearly outweigh the substantial matter of harm to openness of the Green Belt.

96. The other Very Special Circumstances matters include many considered significant benefits in other schemes (energy security, BNG, soil structure recovery including sequestration of carbon) and together these considerations can also amount to substantial benefits, adding to the weigh of renewable energy benefits.

97. To support this it is interesting to note how Inspectors have weighed these issues in recent solar and battery appeal decisions:

Project	Substantial weight against	Substantial weight for	Outcome
East Hanningfield, Chelmsford 49.9MW solar and battery 3300222 6 February 2023	Moderate effect on green belt openness. Encroachment.	Renewable energy benefits.	Planning permission granted
Crays Hall Farm, Basildon 25.6MW solar and battery 3318171 30 August 2023	Detraction from openness of green belt	94% BNG Environmental benefits from climate change avoidance, soil structure benefit plus lack of alternative sites in Basildon.	Planning permission granted
Monk Fryston, Selby battery store 3290256 July 2022	Green Belt	In line with Net Zero emissions	Planning permission granted
Wolverhampton West battery store 3292837 August 2022	Green Belt	In line with Net Zero emissions	Planning permission granted
Bramley, Basingstoke 45MW solar and battery 3304561 February 2023	None	Early and significant contribution to Net Zero 2050	Planning permission granted
Langford, Devon 3293104 49.9 solar and battery 5 September 2022	None	Inward investment. 179.25% BNG	Planning permission granted

98. There have been numerous other planning permissions granted for solar and battery developments within Green Belts by local planning authorities. An example is at Tebworth, Central Bedfordshire (CB/21/04219/FULL) where consent has granted in May 2022 for 30MW solar farm including battery storage. The case officer's report concluded in this case the very special circumstances, broadly the same as for Burstead, clearly outweighed the substantial harm to the Green Belt.