

Alternative Sites Assessment – Update

**Land at Grove Farm and land east of the Railway Line,
Bentley, Suffolk, IP9 2BZ**

On behalf of Green Switch Capital Ltd

Date: December 2025 | Pegasus Ref: P25-0480

Appeal Ref: APP/D3505/W/25/3370515 | LPA Ref: DC/23/056656



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1. Introduction

1.1. This Alternative Sites Assessment Update has been prepared by Pegasus Group on behalf of Green Switch Capital Limited ("the Appellant"). It relates to planning appeal reference APP/D3505/W/25/3370515 made pursuant to Section 78 of the Town and Country Planning Act 1990, in respect of land at Grove Farm and land east of the railway line, Bentley, Suffolk ("the Appeal Site").

1.2. By way of background, an Alternative Sites Assessment¹ (Axis, October 2023) ("the Original ASA") was prepared and submitted in support of planning application ref. DC/23/056656 in respect of the proposed development. This was prepared in the context of Point 3) of Policy LP25, which states:

"Where proposals for renewable and low carbon energy impact on nature conservation sites, the Areas of Outstanding Natural Beauty, or the setting of heritage assets (including conservation areas), the applicant must be able to convincingly demonstrate that potential harm resultant from the development can be effectively mitigated and that there are no alternative sites available within the District or for community initiatives within the area which it is intended to serve. This includes providing underground power lines and cabling."

1.3. The Original ASA was taken into consideration as part of the planning application and referenced within the Committee Report that recommended refusal of the application² at Paragraphs 3.12–3.14. Although the planning application was refused, no reference to reasonable alternatives was made within the original reasons for refusal on the decision notice³.

1.4. However, within their Statement of Case⁴ the Council updated the first reason for refusal (relating to heritage) to account for the designation of the Bentley Conservation Area, which was made after planning application DC/23/056656 was refused. The reason for refusal now also states:

"...The Appellant has further failed to provide evidence to convincingly demonstrate that there are no reasonable alternatives available for the proposal in light of the designation of the Site within a Conservation Area."

1.5. At the Case Management Conference (CMC) for the appeal on Tuesday 4th November 2025, it was agreed that the Appellants would update the Alternative Sites Assessment to account for the designation of the Bentley Conservation Area and the parties would work together to

¹ CD A3

² CD A40

³ CD A42

⁴ CD C10

agree a scope for the updated assessment. The parties have been in discussions with regards to the scope of the assessment, and these discussions are summarised in Section 2 below along with the scope for this document.

- 1.6. For clarity, this ASA does not replace the Original ASA and should be read alongside it as many of the findings of the original document remain relevant. Reference will be made to the Original ASA where relevant, and the figures included with the Original ASA are reproduced as appendices to this document.

2. Requirement for an Alternative Sites Assessment

- 2.1. Although the Appellant has agreed to update the Alternative Sites Assessment following the CMC, the Appellant wishes to highlight from the outset that the requirement established in Policy LP25 to undertake an alternative sites assessment is not consistent with national policy.
- 2.2. The National Planning Policy Framework (NPPF) sets no requirement for an alternative or sequential site assessments for solar farms. Where an alternative site assessment is required by the NPPF, this is specifically mentioned; in respect of flood risk at Paragraphs 172-181) and or main town centre uses that are not within an existing centre at Paragraph 91 – and there is specific Planning Practice Guidance relating to these matters. The omission within the NPPF of a requirement for an Alternative Sites Assessment for renewable energy development clearly indicates that this is not a requirement of national policy.
- 2.3. This is acknowledged by the Inspector in the Bramley appeal decision⁵ where at Paragraph 57 the Inspector references the requirement of the Climate Change Act 2008 (2050 Target Amendment) Order 2019 to achieve net zero by 2050 and states:

"I was not directed to any legal or policy requirements which set out a sequential approach to considering alternative sites with developments such as the appeal proposal...Accordingly, I do not consider that planning permission be withheld on the basis of a lack of identified alternative sites being considered."
- 2.4. Furthermore, the requirement to undertake an alternative sites assessment in the prescribed circumstances conflicts with the subsequent revised Overarching National Policy Statement for Energy EN-1, which was presented to the Houses of Parliament in November 2023, and which came into effect on 17th January 2024.
- 2.5. The conflict arises in respect of paragraph **4.3.24 of EN-1** which concerns the Secretary of State's decision making, which states:

"The Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals."
- 2.6. There is a clear inconsistency between what is required in Policy LP25 and more recent national policy set out in EN-1.

⁵ APP/H1705/W/22/3304561

2.7. Further, given the recent statements on the urgent national need for the rapid deployment of renewable energy generation (and solar pv generation in particular) and that the updated NPPF (December 2024, as further updated in February 2025) is unequivocal in paragraph 168 that LPAs should not require applicants to demonstrate the overall need for renewable or low carbon development, there is an emphasis on the urgent need for solar deployment to meet the Government's CP 2030 objectives. Requiring a districtwide assessment of alternatives for each and every site that may be judged to impact on nature conservation sites, or the AONBs, or to the settings of any heritage assets as Policy LP25 does, is not consistent with these more up-to-date policy objectives and imperatives.

2.8. As such, the need is clearly so significant, that if there were reasonable alternative sites to the Appeal Site, these should come forward in addition to, rather than instead of, the proposed development.

2.9. In any event, even if another site within the search area was identified as preferable, it is an extensive process to bring the scheme forward before it even reaches the planning stage. To use the Appeal Site as an example, the below sets out the stages and timescales the Appellant has already gone through to reach the current stage of the project:

- The application to the Grid was made on 25th June 2021
- The grid offer from UKPN was received in December 2021
- The first planning work, surveys and environmental studies were instructed in April 2022.
- An EIA screening request was submitted to the Council in August 2022.
- The Option Agreement was completed with the landowner for the Solar Farm in April 2023.
- The Option Agreement for the landowner for the Point of Connection was completed in November 2023.
- Following completion of all the above, the planning application was submitted in December 2023.

2.10. The above timescales demonstrate the number of milestones, the considerable time involved and the amount of work that is required to even get a project to the planning application stage.

3. Scope for the Alternative Sites Assessment

3.1. Notwithstanding the above, it is acknowledged that at the CMC and within her follow up note⁶ the Inspector requested that the scope of this assessment be agreed in advance. Whilst it has not been possible to agree the full scope for the document, a number of principles have been agreed with the other Main Parties. The purpose of this section is to set out the scope under which the document has been taken forward, and in doing so will highlight where particular areas have/have not been agreed.

3.2. Following the CMC, the Appellant wrote to the other Main Parties on Friday 7th November suggesting a scope for the Updated Alternative Sites Assessment. This proposed scope is included at Appendix 1. Following receipt of this document, the Council responded to the Appellant on Wednesday 12th November setting out a number of points where they considered the methodology should be widened or clarified, which is included at Appendix 2. The Appellant responded to these on Wednesday 19th November (included at Appendix 3) and the Council responded further on Wednesday 26th November (Appendix 4). The Rule 6 Party confirmed on Wednesday 19th November that they agreed with the Council's position (Appendix 5).

3.3. As is evident from this correspondence, there are a number of matters which the Main Parties have not been able to reach agreement. In respect of these, this section will highlight where there is an area of disagreement and will confirm the Appellant's justification for the approach that has been taken. The Council's and Rule 6 Party's view on this will be a matter for evidence.

The Original ASA

3.4. As set out at Appendix 1, the original assessment comprised three stages:

- Step 1 – Identify the Search Area
- Step 2 – Identify Long List and then Short List Option Areas
- Step 3 – Identify and Appraise Alternative Sites

3.5. Step 1 relates to establishing a Point of Connection (PoC) before determining the furthest distance the development could be from the point of connection not accounting for any further constraints. It was established through discussions with the DNO that there was available capacity in the local transmission network to import renewable energy, which specifically relates to an overhead high voltage 132kV power line that crosses the District and connects to the Cliff Quay Grid substation. The Search Area was also established as lying within 3km from the PoC.

⁶ CD C21

3.6. Step 1 also concluded that a review of Babergh District's Brownfield Land Register did not identify any land of a suitable size within the Search Area, therefore brownfield and previously developed land are not considered a viable alternative for the proposed development.

3.7. Step 2 involved refining the initial search area down to a Short List to take forward for further assessment. This rules out long list option areas based on land that was judged to be of a higher environmental value than the application site which considered statutory environmental constraints and agricultural land classification. The remaining long list options areas were then reviewed in terms of their size and whether they would be sufficiently large to be a viable alternative for a commercial solar development of the scale of the proposal.

3.8. Step 2 ruled out areas within 3km of the PoC that were within the Suffolk Coast and Heaths AONB (National Landscape) which at the time at the time was judged to be the only relevant statutory constraint in the search area. It also removed higher value Grade 1 and Grade 2 agricultural land from the search area.

3.9. This screening exercise left a 'Long List Option Area' of 11 sites (A-K) that were reviewed as 'Long List Option Areas'. This then discounted areas that were not of a minimum of 48ha in size, judged to be the minimum size requirement for the development. Five sites were ruled out for this reason with a further Three areas ruled out due to being within predominantly built-up areas. This left three alternative option areas (C, F and H) taken forward as a Short List which were refined to remove areas unsuitable for solar development (such as water bodies and urban areas).

3.10. Step 3 first looked at the overall areas to identify connected field groups within them that would be suitable for a commercial solar development. Eight alternative sites were identified within the areas, only four of which met the 48ha threshold, referenced C1, C2, F2 and H3. These were then appraised individually. None of the four sites were judged to be better locations than the application site when assessing all potential constraints to the development and all presented some significant disadvantages. The original assessment therefore concluded that there are no better alternative locations for the development, and the application site is in the best possible location for the proposed development.

Scope for Updated Assessment

3.11. A draft scope was set out within the document at Appendix 1 which was then updated and refined as discussions progressed. For ease of reference, this section will address the scope using the headings first used by the Council in their response of 12th November with reference to the original assessment and the parties' differing views accordingly.

Area of Search and Reliance on the single 132kV line

3.12. This relates to Step 1 of the original assessment. The Council's view as set out in their email of 12th November 2025 is that Policy LP25(3) is framed by reference to "no alternative sites available within the District" (their emphasis), rather than by reference to a single point of connection. Although the Council agree that grid availability was previously a constraint and

recognise the UKPN grid offer on the 132kV line, they consider that the updated ASA should not be limited at the outset to land within 3km of that single line and should undertake a high-level review of realistic points of connection (e.g. other 132kV/33kV lines and substations within Babergh).

3.13. The Council expanded on this view in their response of 26th November, and although it was accepted that a secured connection offer is a '*practical consideration*' the policy test of LP25(3) is not confined to sites capable of using the same PoC as the appeal scheme. The Council consider that an ASA that only considers alternatives tied to one existing offer risks redefining the development plan requirement, and that the purpose of LP25(3) is to test whether there are realistically available alternatives with materially lower harm, even if they do not presently benefit from the Appellant's specific grid offer. The Council also referenced that the grid regime has changed materially since the Original ASA with grid reforms intended to clear the queue and prioritise deliverable schemes which is why they consider a high-level district-wide scan of credible PoCs is now necessary.

3.14. The Appellant's view is that they have an available and deliverable grid connection and grid offer, subject to securing planning permission. A viable grid connection and the receipt of a grid offer is the fundamental starting point of a solar farm scheme, and if one is not available then the scheme does not reach the planning stage.

3.15. National Policy Statement EN-3 (Section 2.10 – Solar Photovoltaic Generation) sets out at Paragraph 2.10.22 that '*The capacity of the local grid network to accept the likely output from a proposed solar farm is critical to the technical and commercial feasibility of a development proposal*'. The scheme does not get beyond this stage without a grid offer. EN-3 was designated subsequently to the preparation of the previous ASA and submission of the planning application and as such needs to be given weight as part of this consideration.

3.16. The Committee Report states at Paragraph 3.12 makes reference to the 'Badley' appeal decision⁷, noted as an '*important material consideration*' and highlighting Paragraph 3.13 the comments of the Inspector at Paragraph 41 of the appeal decision, which states:

"If Part 3 of the policy requires an alternative sites assessment, then the appellant has complied insofar as Appendix 17 of Mr Holliday's PoE was submitted to and discussed at the Inquiry. None of the possible alternative sites currently has a grid connection offer. Given the current queue for grid connections there would likely be a significant time delay before any of these sites could connect to the grid. That is an important consideration in assessing the availability of alternative sites for a solar farm scheme given the urgent need for new electricity infrastructure and solar being a key part of the Government's strategy for low-cost decarbonisation of the energy sector."

⁷ CD H1 – Land at Woodlands Farm, Stowmarket, PINS ref. APP/W3520/W/24/3345132

3.17. The Alternative Sites Assessment for this appeal decision⁸ – referred to by the Inspector in Paragraph 41 – established that the proposed solar farm was entirely reliant on the grid offer received for the specific point of connection. This is the same situation that exists in respect of the proposed development. The applicant received a grid offer on the nearby 132kV line, not any other 132kV or 33kV lines within Babergh. It was and remains entirely reasonable to limit the search to sites where the Appellant can connect to the grid via the power line that they have a grid offer, and a District-wide search of realistic points of connection would not result in any realistic alternatives, simply because the Appellant does not have a confirmed grid offer on any other power line.

3.18. The Appellant therefore considers it appropriate to rely on the existing Point of Connection rather than speculate as to whether grid capacity may be freed up across the whole of the district as part of the ongoing grid connection reform process. If an alternative grid connection was to be considered, Paragraph 2.9 above sets out the steps and time that would be required to secure an alternative site, and on the basis the Appellant does not consider this to be a proportionate or realistic requirement.

3.19. The Council's responses indicate that the recent grid reforms mean that the grid regime has changed materially since the Original ASA which warrants an analysis of alternative points of connection. The Appellant's view however is that grid reform does not alter the parameters here as this reform process does not give the Appellant an alternative grid offer.

3.20. The Appellant's Gate 2 submission is relevant to the grid offer and Point of Connection only as it relates to the Appeal Site. Where a new location is proposed outside of the premises boundary of the original grid application, regardless of a change of Point of Connection, this is "Disallowable" and a project will lose its position in the connection queue. A new application for a grid connection would be required in these circumstances.

3.21. The Council's response appears to indicate that to satisfy LP25(3) the Appellant should, in effect, 'start again' in respect of Points of Connection, which not only fails to recognise the grid offer relates to a specific point of connection, but also fails to recognise that this updated ASA is a retrospective exercise that is only brought about as a result of the Conservation Area designation. It is not proportionate that this designation warrants a district-wide review of realistic points of connection, when the appeal relates to a site with a confirmed point of connection and grid offer which gives the Appellant certainty over a specific Point of Connection. The Appellant does not agree that grid reform is justification for revisiting the entire site selection and grid connection process and departing from the comment at Paragraph 3.14 the Committee Report that states:

"It is clear that the Inspector has deemed an alternative sites assessment to be an academic exercise at this stage. Given the urgent need for decarbonisation of the UK's energy and the long queues for grid connections, other potentially more suitable

⁸ ERM, September 2024

location in constraint terms cannot be considered a true alternative without a grid connection being in place. (Our emphasis). To this end the site proposed is the only site that offers a viable option along the line at this present time.”

3.22. The Appellant agrees entirely with the Council's comment within their own Committee Report that potentially more suitable locations cannot be considered true alternatives without a grid connection in place. This is consistent with national energy policy in that the capacity of the local grid network to accept the likely output from the proposed solar farm is critical to the technical and commercial feasibility of a development proposal.

3.23. The Appellant therefore considers that expanding Step 1 to form a high-level district-wide review of realistic points of connection is an academic exercise, as no other realistic points of connection have a grid offer in place. There has been no change in circumstances since the refusal of the application that warrants the Appellant revisiting this part of the ASA, as the grid offer still stands and is an important material consideration as highlighted by EN-3 and the Badley appeal decision. The Appellant therefore does not agree that there is justification to expand the scope of Step 1 in this regard within the updated ASA below.

Brownfield Land Register

3.24. Step 1 also included a review of Babergh District's Brownfield Land Register. As part of the discussions with regards to the scope of this assessment, it has been agreed that the updated ASA will undertake a further review of Babergh District's Brownfield Land Register.

Aggregation of Smaller Sites and Parcels

3.25. The Council's first response of 12th November 2026 stated that the original scope assumes that “alternatives sites” must be a single c48ha parcel capable of delivering the full 40MW solar farm in one location. However, the Council do not agree that Policy LP25(3) requires that level of rigidity and it would be reasonable for the updated ASA to consider whether two or more smaller sites could together deliver a broadly equivalent quantum of generation.

3.26. The Appellant's view is that the Original ASA adopted a flexible approach as it looked at multiple sites within the short list option areas, including sites smaller than 48ha, and did not focus only on single 48ha parcels of land. The sites that were discounted at this stage were for sound reasons that would remain (i.e., urban areas, very small sites).

3.27. The Appellant has however agreed to revisit this exercise below to analyse whether any of the small sites could be joined to a larger site to form a potential alternative. The 48ha minimum size is also revisited.

Justification for the 3km radius

3.28. The Council's response of 12th November 2026 set out that they did not agree that the 3km radius around the 132kV line should be carried forward as a fixed parameter without further justification, and requested that further explanation was given in respect

3.29. In their response, the Appellant set out that the development proposed is a 40MW solar farm (without a BESS) for which a maximum 3km cable route is considered appropriate. Any additional distance affects the commercial viability of the proposal as it would involve the additional cost of laying cables, requiring further land agreements and causing disruption to the local population and environment whilst additional cables are laid. The further a cable is laid, the more electrical resistance there will be as a longer route leads to greater energy loss, lowering the overall efficiency of the solar farm. A longer cable route also leads to greater complexity in respect of construction and engineering, further planning permissions and legal agreements.

3.30. An appeal at Land East of Hawksworth and Northwest of Thoroton⁹ – which concerned a 49.9MW solar farm on a 94.24ha site – included an assessment of alternative sites that was limited to 2km from the Appeal Site. The justification for this was set out in Para 4.4 of Appendix 2 of the Appellant's proof of evidence, which stated:

"There is no prescribed guidance or standard on what constitutes a reasonable search area for renewable energy development. Since renewable energy schemes require a viable connection to the existing grid network, it is essential that there is a connection point with sufficient capacity. The grid connection point must be able to offer sufficient capacity and must remain viable for the lifetime of the solar farm (i.e. 40 years). Cable trenching costs and thermal power losses limit the distance of a site from a suitable grid connection to 2km."

3.31. The Inspector considered the matter of radius at Paragraph 80, concluding:

"I am satisfied that viability considerations make a 2km grid connection here a reasonable basis for undertaking a realistic alternative sites assessment."

3.32. This paragraph also states the following:

"The PPG provides that considering reasonably available sites could include a series of smaller sites. However, given the likely difficulties in obtaining planning permission for a number of separate sites, and the practicalities of coordinating multiple sites so as to utilise the identified grid capacity in the grid connection offer, this would not be a reasonable alternative to the appeal scheme."

⁹ Ref. APP/P3040/W/23/3330045

3.33. These points also have relevant to the above points regarding the grid connection and the aggregation of sites.

3.34. This approach is underpinned by Paragraph 2.10.24 of EN-3 which confirms that the distance of the solar farm from the existing network can '*have a significant effect on the commercial feasibility of a development proposal*' and footnote 84 to this confirms that '*the route and type of terrain traversed by the cabling linking the solar project to the grid connection may also have an impact on the project's viability.*'

3.35. In response to this the Council have stated that they are content, in principle for the ASA to use a 3km radius around a potential Point of Connection as a working basis for the detailed assessment, '*provided that the ASA first completes the district-wide PoC review in point 1.*' The Appellant has already explained why such a review is not necessary, however this response effectively means than the 3km radius is not agreed either.

3.36. The Appellant's view is that a 3km radius is justified for the reasons given above regardless of the first point with regards to the Points of Connection. The principle of the 3km radius is a separate and distinct point and it is not understood why the Council's agreement to this is predicated on the Point of Connection discussion above. The Appellant considers that they have set out a fair and reasoned justification for the 3km radius and this is a point that should be agreed regardless of whether the requested district-wide review of potential Points of Connection is undertaken.

3.37. The 3km distance was also the basis of the Original ASA and it was not questioned under the consideration of the original planning application. Notwithstanding this, the Appellant has provided further justification for the 3km radius, supported by an appeal decision, as requested by the Council. The Appellant therefore considers that using a 3km radius from the Point of Connection as a search area is a part of the scope that should be agreed.

Treatment of BMV Land / Grade 2 Sites

3.38. The Appellant's draft scope set out that it remains appropriate to discount all land within the National Landscape / AONB at Step 2, and to also discount all land potentially of a higher (Grade 1 and 2) agricultural value than the site. Whilst the first of these was not disputed, the Council's first response does not agree that Grade 2 agricultural land should be removed at Step 2 as the site itself includes Grade 2 BMV land.

3.39. The applicant's justification for this approach was set out within Paragraphs 4.3.1 – 4.3.3 of the Original ASA and was not questioned under the consideration of the original planning application. Although Natural England's Provisional Agricultural Land Classification suggests that the site is all Grade 2 agricultural land, the Agricultural Land Classification Survey undertaken for the site found that it is predominantly Grade 3 agricultural land within 92.9% of the site being Grade 3 land and the remaining 7.1% Grade 2.

3.40. The Appellant therefore does not agree with the Council's assertion that the Appeal Site would be screened out at this stage as the Grade 2 land only forms a very small proportion

of the site. Unlike the other land screened out within the Original ASA, the fact is that an ALC Assessment was undertaken prior to the ASA being prepared as an initial survey in order for the Appellant to be aware of the grading of the land from the outset. This is standard practice in forming part of the early decision process in determining whether a site is appropriate for the proposed use.

- 3.41. It is therefore known that the site is predominantly Grade 3 land, and as such the Appellant considers it appropriate to screen out predicted Grade 2 land at Step 2, as land that is of a higher environmental value than the majority of the Appeal Site. The Appellant has also set out that it is not practical or feasible for a detailed ALC assessment of all other land within the search area to take place in order to inform this assessment which would require rights of access to all of the land in question.
- 3.42. The Council's latest response to this matter states that they cannot agree that Grade 2 land should be excluded at Stage 2, it being a matter of fact that the Appeal Site comprises BMV land, including Grade 2 land. The Council consider that the ASA can use available ALC maps and datasets as part of a desktop sift to identify BMV candidates for comparative assessment without presupposing intrusive survey access. The Council also note that in reviewing the Natural England maps the Appeal Site is indicated to be entirely within Grade 2.
- 3.43. The Appellant's view remains that set out within the Original ASA that all sites that are provisionally identified as Grade 1 and Grade 2 agricultural land should be scoped out from further assessment at Step 2. Although it is acknowledged that the Appeal Site is indicated as entirely Grade 2 on the Natural England mapping, the detailed survey has indicated that it is predominantly Grade 3 agricultural land. Although it is acknowledged that some of this land is Grade 3a, and therefore BMV, Grade 2 land is still of a higher environmental value than this land.
- 3.44. Furthermore, the Appellant has followed the Council's suggested approach in using the ALC maps that are available via Natural England in undertaking this exercise. Although the site includes some Grade 2 land, the proportion (7.1%) is not considered to be significant enough to mean that all potential Grade 2 land should be brought forward for further assessment at this step.
- 3.45. As set out above, it remains relevant that this ASA is a retrospective exercise with regards to this matter, undertaken after a detailed ALC report based on an intrusive survey was produced for the Appeal Site. The fact is that this report was undertaken prior to the Original ASA and is relevant information for the scoping exercise.
- 3.46. Unfortunately, it has therefore not been possible to reach agreement with the other main parties with regards to the treatment of Grade 2 agricultural land within the ASA. The Appellant however is of the firm view that it is appropriate for Grade 2 land to be scoped out of further assessment at Grade 2 and has proceeded with the updated ASA on this basis. This is the same approach as the Original ASA, which the Council did not raise any objections

to, and is not affected by the recent designation of the site within the Bentley Conservation Area which has precipitated this update.

Treatment of Heritage

3.47. The Council set out in their first response of 12th November that they would expect that Stage 2 constraints review to treat conservation areas as spatial constraints capable of influencing site selection. The Council requested that the updated ASA explain how the Bentley Conservation Area (and any other CA) has now been taken into account at Stage 2 and, if necessary, how this affects the shortlisting of sites.

3.48. The designation of the Bentley Conservation Area is clearly a change to circumstances, as a result of which is has been agreed to provide an update to the ASA. However, the Original ASA remains the starting point for such an assessment, which states at Paragraph 4.1.2 that long list option areas were identified based on ruling out land that is judged to be of a **"higher environmental value"** than the Appeal Site. The change suggested by the Council would appear to include conservation areas in this, however land within conservation areas is not of a higher environmental value than the Appeal Site, it is of a comparable environmental value. Such sites (i.e., sites also within the CA) will therefore continue to be considered within Step 3 however ruling out sites at Stage 2 based on such a designation would change the parameters of the general approach of the Original ASA which is not the purpose of this update.

3.49. The Council's view, set out in the 26th November response, appears to be that Conservation Areas are a Stage 2 constraint. It is not apparent what the basis for this is, given that as set out above the purpose of Stage 2 is to rule out land of a higher environmental value than the Appeal Site. Whilst it is agreed that the Bentley Conservation Area is a new circumstance driving the updated ASA, and as such has the potential to alter the Stage 3 assessment, this does not afford it greater weight than the other issues considered at Stage 3.

3.50. It is also important to remember that this update to the ASA is a retrospective exercise, undertaken after the event of the Conservation Area designation. Whilst it is fair and correct that the ASA is updated to account for the Conservation Area designation, as this is a material change of circumstances, the designation does not mean that this automatically becomes a constraint that would rule a site out at Step 2. The Appellant has therefore proceeded on the basis of the original scope and re-assessed alternatives in light of the Conservation Area designation.

3.51. Finally, the Appellant offered to scope out land that would cause substantial harm to heritage assets at Stage 2, on the basis of Paragraph 213 of the NPPF which states that substantial harm to heritage assets should be exceptional, and a similar test to proposals involving National Landscape designations at Paragraph 190 of the NPPF. However, the Council did not agree that this would be a useful update and as such it has not been taken forward.

Extent of Comparative Assessment at Stage 3

3.52. The first comments from the Council on 12th November 2025 highlighted that the Committee Report concluded that the Original ASA did not properly assess harms at alternative locations, and that they would expect the refreshed Stage 3 work to provide a more explicit comparative assessment of heritage and landscape effects across the shortlisted sites in particular given the subsequent Conservation Area designation. In particular, it was suggested that the ASA sets out in a clear way how the degree of harm to heritage assets (including the Conservation Area) at Grove Farm compares with the reasonably available alternatives.

3.53. The Appellant is in agreement that the updated assessment will take account of the Conservation Area when assessing alternative sites however this does not assume that heritage (or, indeed, landscape) assumes any greater importance than other constraints. The Council have confirmed their agreement, so long as adequate assessment is undertaken of these impacts.

Final Scope and Methodology

3.54. As will be evident from the above, although agreement has been reached on a number of matters, there remain some areas where agreement has not been possible in advance of this updated assessment being prepared. The reasons for disagreement will therefore need to be a matter for evidence.

3.55. The final scope for the assessment, which has been refined following discussions with the other Main Parties, is set out as follows:

- There is no need to revisit Step 1 in respect of defining the search area for the reasons highlighted above regarding the Grid Offer, Point of Connection and the 3km radius. Step 1 will be updated to undertake a further review of Babergh District's Brownfield Land Register.
- Step 2 will again exclude from further assessment land that is judged to be of a higher environmental value than the site. The 'Long List Option Areas' will be re-visited to judge whether any smaller sites that were discounted could be taken forward as part of a larger site.
- Step 3 will be extensively re-visited to take account of the designation of the Bentley Conservation Area. This will necessitate a re-appraisal of all of the short list option areas in light of this additional designation. The updated ASA will set out how the degree of harm to heritage assets at Grove Farm compares with the reasonably available alternatives.

3.56. As with the Original ASA, the updated Step 3 will involve an appraisal of whether a commercial solar development at the potential alternative sites would be likely to result in greater or lesser impacts than at the application sites. It should also still be noted that the identification

of alternative sites does not consider landowners and whether or not the land would be commercially available for development. The purpose of identifying alternative sites is simply to make a comparable assessment of theoretical alternative sites within the search area.

3.57. As previously the appraisal of each alternative site at Step 3 will be tabulated and considers the following criteria which is informed by EN-3 in setting out a series of factors that influence site selection for commercial solar farms. These include:

- Irradiance and topography
- Proximity to dwellings
- Accessibility
- Public rights of way
- Network connections
- Landscape impact
- Cultural heritage impact
- Biodiversity impact
- Noise impact

3.58. The tabulated appraisal will again include a qualitative appraisal of each alternative site with the application site, and rates each of the above criteria on the same scale set out at Paragraph 2.3.7 of the original assessment, updated to account for the Conservation Area and to provide a more explicit assessment as requested by the Council.

3.59. The caveats set out within Paragraphs 2.3.8 – 2.3.9 of the original assessment remain relevant, and as previously confirmed at Paragraph 2.3.10, the overall approach to the ASA is considered to be compliant with EN-1, which states that *“the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner.”*

4. Step 1 – Identify the Search Area

- 4.1. As has already been discussed above, the Appellants do not agree with the Council's view that the Search Area should be opened up again to include all potential points of connection within Babergh District. The appeal proposals are based on the same point of connection that as the original planning application that the Original ASA supported and as confirmed at Paragraph 3.2 of the Original ASA, the starting point for any renewable energy generation project is identifying a part of the National Grid where there is available grid capacity to connect the project. The principle of choosing a site based on available grid export capacity is established by EN-3¹⁰.
- 4.2. Paragraph 3.2.4 of the Original ASA confirms that the Appellant established through discussion with the Distribution Network Operator (DNO), UKPN, that there was available capacity in the local transmission network, specifically relating to an overhead high voltage 132kV power line that crosses the District and connects to the Cliff Quay Grid substation. It is on this basis that they have received their grid offer.
- 4.3. The Appellant therefore undertook the Original ASA to establish the most suitable location within a proximate location to this 132kV power line. As set out and justified above, this power line remains the basis of the grid offer and the proposed Point of Connection has not been changed, therefore this remains the basis of establishing a search area. As has also been established above, a 3km radius from the 132kV overhead power line remains the search area for alternative sites from this power line.
- 4.4. As such, the Search Area shown at **Figure 1** remains the Search Area for the updated ASA.

Brownfield Land Register

- 4.5. A review was previously undertaken of Babergh District's Brownfield Land Register to identify any potential land to be of a suitable size within the search area. No sites on the Brownfield Land Register likely to be of a suitable size were identified, and a review of aerial imagery did not identify any suitable areas of previously developed land within the search area. As the Brownfield Land Register will have been updated since the Original ASA was prepared, this review has been re-done to establish whether this remains the case.
- 4.6. As previously, there are no sites on the Brownfield Land Register of suitable size for the proposed development, nor are there any suitable areas of previously developed land within the Search Area. Therefore, as previously, brownfield and previously developed land are not considered a viable alternative for the proposed development.

¹⁰ Paragraph 2.10.25

5. Step 2 – Identify Short List Option Areas

5.1. As previously, Step 2 involves refining the initial Search Area down to a series of 'Short List Option Areas' which are taken forward for detailed assessment at Stage 3. Long List Option Areas are identified by ruling out land which is judged to be of a higher environmental value than the site based on consideration of:

- Statutory Environmental Constraints; and
- Agricultural Land Classification.

5.2. Although it is accepted that this does not include the heritage status of the site, at the time the Original ASA was carried out, there were no Conservation Areas within the search area therefore this was not a matter than was examined at Step 2. As this is a retrospective exercise, is not proportionate or realistic for the Appellant to examine the heritage status of the site at Step 2.

5.3. Long list option areas are then reviewed in relation to their size and whether they would be sufficiently large to be a viable alternative for a commercial solar development of the scale of the proposals. As set out above, this section will be revisited to judge whether any smaller sites that were discounted could be taken forward as part of a larger site. As previously these areas will be further refined to 'Short List Option Areas' through a consideration of the existing land uses.

Statutory Environmental Constraints

5.4. The Original ASA set out that the primary constraint across the Search Area is the Suffolk Coast and Heaths AONB (now National Landscape) which was shown in **Figure 2**. The National Landscape was judged to be the only relevant spatial statutory constraint in the search area, and the Search Area was updated at this stage to remove land within it as shown on **Figure 2**.

Land Type and Agricultural Land Classification

5.5. Agricultural Land Classification has been discussed extensively above. The Appellant has set out why land shown to be within Grades 1 and 2 on Natural England's Provisional Agricultural Land Classification is judged to be of a higher environmental value than the site and should be removed from the Search Area at this stage.

5.6. **Figure 3** therefore removes all land that is provisionally Grades 1 and 2 from the Search Area.

5.7. Land identified as non-agricultural or urban was previously reviewed for its potential to support a commercial solar farm, however no areas were considered suitable and as such these areas were removed from the Search Area. This remains the case.

Long List Option Areas

5.8. **Figure 4** sets out the long list option areas, assigning them all a letter from A to K. The Original ASA then set out a minimum size of 48ha based on a solar farm requiring typically 1.2ha-1.6ha per MW of output. The Original ASA then reviewed the long list option areas to discount any areas not a minimum 48ha in size. Consideration was also given to the land type within each area, and whether there were any clear and obvious constraints that would make an alternative site wholly unviable.

5.9. The Appellant acknowledged that this is not consistent with EN-3 which sets parameters of 0.8ha - 1.6ha per MW of output. However, whilst this figure accounts for associated infrastructure, factors such as drainage, landscape and Biodiversity Net Gain requirements all increase the site size requirements per MW of output. The Appeal Site itself is 46.8ha and as such below the 48ha parameter.

5.10. It is therefore considered reasonable to consider sites less than 48ha in area. Although 0.8ha per MW of output is unlikely to be viable once all planning application requirements are accounted for, it is considered reasonable sites that would achieve 1ha per MW of output. As such, sites of 40ha will now be considered.

5.11. As set out above, the Appellant has also agreed to revisit this exercise in order to determine whether there are any smaller sites that could be aggregated to create a viable solar farm site. Table 1 at Paragraph 4.4.5 of the Original ASA set out the review of each of these option areas (using the same A-K referencing as the original report) and whether they should be taken forward as short list option areas or discounted. An updated version of this table is produced below which now also looks at whether any of the sites discounted due to their small size could be aggregated and brought forward as a short list option area.

Long List Option Area	High Level Appraisal	Taken forward / Discounted
A	<p>At 41ha Option A is now considered to be of a suitable size, however it only contains approximately 16.7ha of land suitable for solar development. The remainder of the site comprises residential properties, and land within Chantry Park, a Registered Park and Garden.</p> <p>Option A is close to Option B; however, Option B is not appropriate for reasons unrelated to size as below. It is also separated from Option B by two main roads including the A14 dual carriageway. An aggregated site of Option A and Option B is therefore not a potential alternative.</p>	Discounted

B	Option B is of an overall suitable size but covers the western extent of Ipswich, the A14 dual carriageway and the village of Washbrook. The land is predominantly built-up with no internal land parcels that meet the required 40ha threshold.	Discounted
C	Option C is of a suitable size, contains land potentially suitable for solar, and is proximate to the point of connection.	Taken forward
D	<p>Option D is 3 hectares and therefore not of sufficient size.</p> <p>Option D is located close to Option C however Option C is already being taken forward – albeit the part of the site closest to Option D is not considered suitable. In any event, the land between the site sites is primarily residential and an aggregated site of Option D and Option C is not a potential alternative.</p>	
E	Option E is an overall suitable size but covers the south-east of Ipswich, the A14 and a local park. The area is predominantly built-up with no internal land parcels that meet the required 40ha threshold.	Discounted
F	Option F is of a suitable size, contains land potentially suitable for solar, and is proximate to the point of connection.	Taken forward
G	<p>Option G is 37 hectares and therefore not of sufficient size.</p> <p>Option G is located close to Option H; however, Option H is already being taken forward. In any event Option G is separated from Option H by land that is within the National Landscape and designated as ancient woodland. An aggregated site of Option G and Option H is therefore not suitable for development.</p>	Discounted

H	Option H is of a suitable size, contains land potentially suitable for solar, and is proximate to the point of connection.	Taken forward
I	<p>Option I is 36 hectares and therefore not of sufficient size. It also includes residential land known as East End.</p> <p>Option I is close to Option J however the land between the two sites is predominantly residential on the outskirts of Brantham. An aggregated site comprising Options I and J that would be of a suitable size for the development and not use existing residential land is not possible and as such is not a potential alternative.</p>	Discounted
J	<p>Option J is 12 hectares and therefore not of sufficient size.</p> <p>See above re Option I.</p> <p>Option J is also close to Option K however is separated by land within the National Landscape that also includes some residential properties. An aggregated site of Option J and Option K is not a potential alternative.</p>	Discounted
K	<p>Option K is of an overall suitable size but is predominantly built-up in character with the settlements of Brantham and Manningtree.</p> <p>There is some potential land in the far south of Option K that could be suitable, however providing a grid connection through the centre of Manningtree to reach the point of connection would be prohibitive economically and in terms of disruption to the local community. It would be required to traverse roads, railway lines and residential areas within the built up area of Manningtree, which is not a viable option for a cable route.</p>	Discounted

5.12. As with the Original ASA, Areas C, F and H are taken forward for further assessment. Area A has been reassessed given the revised site size parameters set out above but is not taken forward. A re-examination of the long list option areas to determine if any of the sites discounted could be aggregated and brought forward as a short list option area has not resulted in any additional sites that should be taken forward beyond this stage.

Short List Option Areas

5.13. The short list option areas taken forward for further assessment remain those shown at **Figure 5**. The further refinement described within Paragraph 4.5.1 of the Original ASA remains applicable for the same reasons.

6. Step 3 – Identify and Appraise Alternative Sites

6.1. Within the Original ASA, alternative sites were identified within the short list option areas based on connected field groups that are considered suitable for a commercial solar development. Eight potential sites were identified within these that are shown at **Figure 6**.

6.2. Of these eight sites, five have taken forward for assessment on the basis that the others did not meet the 40ha threshold. These were:

- Alternative Site C1
- Alternative Site C2
- Alternative Site F2
- Alternative Site F3
- Alternative Site H3

6.3. A revision of the threshold to now also include sites of 40ha and above has resulted in Site F3 now also being brought forward for further assessment.

6.4. It is however considered that the sites within the option areas that were discounted at this stage should also be revisited in case they could form a site with another discounted site. The discounted sites within these option areas are referenced F1, H1 and H2. In respect of these:

- Site F1 is to the east of F2 and is separated from Site F2 by the railway line and an area of Ancient Woodland. The woodland in particular makes an aggregated site unfeasible.
- Site H1 is separated from the other sites within Alternative Area H by the railway line and a large commercial recycling centre. It is not feasible for Site H1 to join with the other sites to the east as this would require the use of private land that the Appellant has no option over.
- Site H2, although mainly separated from Site H3 by the A137 and some residential dwellings, could nonetheless potentially form part of Site H3 as the sites could be linked to the south. Given that Site H2 would be reliant on Site H3 to meet the site criteria, and Site H3 is taken forward for further assessment in any event, the below assessment will be updated to include H2 as part of H3 (rather than a separate assessment), now referenced as Site H2/3.

6.5. An appraisal of each of these alternative sites is set out below. As previously, this comprises an assessment of each site using the EN-3 criteria highlighted above, rating each consideration in comparison to the Appeal Site using the same scale set out at Paragraph

2.3.7 of the original assessment. Following discussions with the Council with regard the scope of this assessment, these assessments include a more detailed assessment of certain aspects of the site, where this is considered necessary.

Site C1

6.6. The below table presents a high-level appraisal of Alternative Site C1. **Figure 7** illustrates the statutory planning and environmental constraints in proximity to Site C1.

Criteria	Appraisal of Alternative Site C1	Comparison with Appeal Site
Irradiance and Topography	Site C1 is likely to receive similar levels of irradiance as the Appeal Site. The topography is of Site C1 is slightly less favourable than the Appeal Site due to being more strongly sloping from west to east and from south to north.	-
Proximity to Dwellings	Site C1 is proximate to several properties, but less than the Appeal Site.	+
Accessibility	Access to Site C1 would need be taken from J56 of the A14, before following the A137 and then 'The St'. The St is a narrow single track access that would likely be highly unsuitable for construction traffic of the magnitude required for a 40MW solar farm. Temporary passing places will be required, or other traffic management. The Appeal Site is not constrained in this way.	--
Public Rights of Way	Site C1 is crossed by a number of public rights of way that would be incorporated into the scheme, however the routes would be channelised through the solar farm and consequently there would be a notable loss of amenity. The Appeal Site is not constrained in this way.	--
Network Connection	Site C1 benefits from the 132kV power line crossing the landholding, and therefore the grid connection could be delivered slightly more easily than at the Appeal Site.	+

<p>Landscape and Visual Impact</p>	<p>Site C1 is across sloping topography, crossed by public footpaths, but in close proximity to a dual carriageway and crossed by overhead pylons. Overall, the receiving landscape is likely to be of slightly reduced sensitivity than the Appeal Site.</p> <p>The topography of Site C1 is likely to notably increase its zone of visual influence compared to the Appeal Site and reduces options for using planting to provide screening. There are also public footpaths crossing the site where recreational users of the countryside will have their experience of views across the landscape substantially changed.</p> <p>Mitigation is not likely to be effective in reducing all significant effects, principally due to the topography and the footpaths crossing the site.</p> <p>As such it is considered that whilst the short-term landscape effects would be similar to the major/moderate to moderate adverse impacts identified at the Appeal Site, in the medium and long term the impacts will not be reduced as effectively through mitigation planting. This will result in greater landscape effects than the long-term moderate/minor and minor adverse effects at the Appeal Site identified within the LVIAs.</p> <p>As such, the Appeal Site is judged to be a slightly better option than Site C1.</p>	<p>-</p>
<p>Cultural Heritage Impact</p>	<p>Site C1 is in the wider setting of three Grade II listed buildings at Thorington Hall. Given its proximity to the heritage asset, it is likely that a solar farm development at Site C1 would result in a level of less than substantial harm to these heritage assets through a change to its setting.</p> <p>It is agreed that the development at the Appeal Site will result in less than substantial harm to a Grade II* heritage asset at St Mary's Church, and the Appellant acknowledges the development would result in less than substantial harm to the Bentley</p>	<p>+</p>

	<p>Conservation Area it now lies within. It would also result in harm to non-designated heritage assets.</p> <p>A heritage comparison between the two sites is finely balanced; the development of Site C1 would result in harm to a greater number of designated heritage assets, however the harm at the Appeal Site would be to a more significant Grade II* asset as well as the Conservation Area it lies within. Furthermore, there are a number of non-designated heritage assets that will be affected.</p> <p>Previously it was judged that heritage was a neutral differentiator. On balance, as a result of the adoption of the Conservation Area, Site C1 is now judged to be a slightly better option than the Appeal Site in respect of heritage.</p>	
Biodiversity Impact	<p>It is assumed that hedgerows and trees will be retained across Site C1 and that a biodiversity net gain will be achieved. Overall, biodiversity is judged to be a neutral differentiator.</p>	=
Noise Impact	<p>The existing background noise levels at Site C1 are likely to be greater than at the Appeal Site. However, both sites could be designed to meet noise requirements and avoid unacceptable impacts to nearby residents. Overall, noise is judged to be a neutral differentiator.</p>	=

Conclusion in respect of Site C1

6.7. Overall, Site C1 has some benefits over the Appeal Site due to being proximate to less residential properties and to the east of its grid-connection, as was the case with the previous assessment. A re-appraisal of the heritage impacts in light of the Conservation Area designation has found Site C1 to now be slightly more favourable in respect of this aspect, although this is finely balanced and Site C1 would clearly also result in harm to a number of nearby heritage assets.

6.8. However, the adverse impacts found within the Original ASA remain. It is unlikely that safe and suitable construction access could be achieved to Site C1, resulting in significant concerns with regards highway safety. There would also be adverse impacts on the Public Right of Way Network and topographical challenges. It is further considered there to be

greater landscape impacts associated with development Site C1 than the Appeal Site due to the long-term impacts not being able to be reduced as effectively through mitigation planting.

6.9. As such, although it is acknowledged that the designation of the Conservation Area has made Site C1 slightly more favourable than the Appeal Site in respect of the heritage aspect, this does not alter the significant harms that were previously concluded to result from the development of Site C1. Previously, it was concluded that the constraints and potential adverse impacts from development at Site C1 were considered to be greater than at the Appeal Site as a result of these challenges. Although the heritage comparison has changed slightly as a result of the Conservation Area designation, this is not sufficient to alter the conclusion of the Original ASA that the constraints and potential adverse effects from development at Site C1 are greater than at the Appeal Site.

Site C2

6.10. The below table presents a high-level appraisal of Alternative Site C2. **Figure 8** illustrates the statutory planning and environmental constraints in proximity to Site C2.

Criteria	Appraisal of Alternative Site C2	Comparison with Appeal Site
Irradiance and Topography	Site C2 is likely to receive similar levels of irradiance as the Appeal Site. The topography of Site C2 is comparable to the Appeal Site in that it is broadly flat. Irradiance and topography are a neutral differentiator.,	=
Proximity to Dwellings	Site C2 is proximate to several properties with existing open views across the site, which is comparable to the Appeal Site. The proximity to dwellings is considered to be a neutral differentiator.	=
Accessibility	Access to Site C1 would need be taken from J56 of the A14, before following the A137 and then 'The St'. The St is a narrow single track access that would likely be highly unsuitable for construction traffic of the magnitude required for a 40MW solar farm. Temporary passing places will be required, or other traffic management. The Appeal Site is not constrained in this way.	--

Public Rights of Way	Site C2 is crossed by a number of public rights of way that would be incorporated into the scheme, however the routes would be channelised through the solar farm and consequently there would be a notable loss of amenity. The Appeal Site is not constrained in this way.	--
Network Connection	Site C2 is separated from the 132kV line by a railway line in a comparable way to the Appeal Site however access to the land to install the grid connection would be notably more challenging due to the surrounding woodland (some of which is Ancient Woodland) and that the nearby agricultural overbridge to the railway is unlikely to be suitable for the small number of HGV movements required.	-
Landscape and Visual Impact	<p>Site C2 is a flat topography of arable fields crossed by public footpaths and overhead power lines. The receiving landscape character is likely to be of a similar sensitivity as the Application Site.</p> <p>The zone of visual influence is likely to be slightly greater than the Application Site due to the more open boundaries to the north and west. There are public footpaths crossing the site where recreational users of the countryside will have their experience of views across the landscape substantially changed.</p> <p>Mitigation planting has the potential to be effective in reducing some significant effects due to the flat topography in the medium- to long-term, however the visual experience for footpaths crossing the site would be fundamentally different.</p> <p>As such it is considered that the short-term landscape effects would be more harmful than the major/moderate to moderate adverse impacts identified at the Appeal Site, and in the medium and long term there will be greater landscape effects than the long-term moderate/minor and minor adverse effects at the Appeal Site identified within the LVIA.</p>	-

	As such, the Appeal Site is judged to be a slightly better option than Site C1.	
Cultural Heritage Impact	<p>Site C2 is within the setting of a number of Grade II listed buildings which sit around its boundary to the north and west, with open views from the assets across the site. These include three listed buildings at Blackstocks Corner, and two further listed buildings on the western boundary known as Crope Hall and Charity Farmhouse.</p> <p>A solar farm development at Site C2 would likely affect the setting of all five of these listed buildings through a change to their setting. It is a likely conclusion that due to their proximity to the site, the development would result in less than substantial harm to all five of these heritage assets.</p> <p>It is agreed that the development at the Appeal Site will result in less than substantial harm to a Grade II* heritage asset at St Mary's Church, and the Appellant acknowledges the development would result in less than substantial harm to the Bentley Conservation Area it now lies within. It would also result in harm to non-designated heritage assets.</p> <p>A heritage comparison between the sites is finely balanced; Site C2 would result in harm to a much greater number of designated heritage assets, however the harm at the Appeal Site would be to a more significant Grade II* asset as well as the Conservation Area it lies within. Furthermore, there are a number of non-designated heritage assets that will be affected.</p> <p>Previously the application site was judged to be a slightly better option than Site C2. Overall it is considered that as a result of the designation of the Conservation Area, the impacts are now comparable and heritage is now judged to be a neutral differentiator.</p>	=
Biodiversity Impact	It is assumed that hedgerows and trees will be retained across Site C2 and that a biodiversity net	=

	gain will be achieved. Overall, biodiversity is judged to be a neutral differentiator.	
Noise Impact	The existing background noise levels at Site C1 are likely to be comparable or slightly greater than at the Appeal Site. However, both sites could be designed to meet noise requirements and avoid unacceptable impacts to nearby residents. Overall, noise is judged to be a neutral differentiator.	=

Conclusion in respect of Site C2

6.11. Overall, as previously concluded, Site C2 does not have any obvious benefits over the Appeal Site, with a number of neutral differentiators between the sites. There remain notable disadvantages to Site C2 in relation to the construction access, the grid connection and the public right of way network and further disadvantages in respect of visual impact.

6.12. A re-appraisal of the heritage impacts in light of the Conservation Area designation has now found the sites to be comparable in terms of heritage impacts, whereas previously the Appeal Site was judged to be a better option in respect of heritage. Heritage is now concluded to be a neutral differentiator. This is considered to be a fair assessment; there are five Grade II listed buildings on the boundary of Site C2 that would be impacted, and the impact on five distinct heritage assets is considered to be a comparable impact to the impact of the Appeal Site on heritage in respect of this high-level assessment.

6.13. On balance, the re-appraisal of the heritage impacts in light of the conservation areas does not alter the previous conclusions. Although heritage is now neutral instead of the Appeal Site being favourable, this does not alter the significant harms that were previously concluded to result from the development of Site C2. Previously, it was concluded that the constraints and potential adverse impacts from development at Site C2 were considered to be greater than at the Appeal Site as a result of these challenges, with no obvious advantages to developing site C2. Although the heritage comparison has changed slightly as a result of the Conservation Area designation, this does not alter the conclusion of the Original ASA that the constraints and potential adverse effects from development at Site C2 are greater than at the Appeal Site.

Site F2

6.14. The below table presents a high-level appraisal of Alternative Site F2. **Figure 9** illustrates the statutory planning and environmental constraints in proximity to Site F2.

Criteria	Appraisal of Alternative Site F2	Comparison with Appeal Site
Irradiance and Topography	Site F2 is likely to receive similar levels of irradiance as the Appeal Site. The topography of Site F2 is comparable to the Appeal Site in that it is broadly flat. Irradiance and topography are a neutral differentiator.,	=
Proximity to Dwellings	Site F2 is proximate to several properties, but less than the Appeal Site.	+
Accessibility	Access to Site F2 could come from either the A12 or A137, however from either direction this would be down narrow single-track roads that would likely be highly unsuitable for construction traffic of the magnitude required for a 40MW solar farm. Temporary passing places would be required, or other traffic management. The Appeal Site is not constrained in this way.	--
Public Rights of Way	Site F2 is not crossed by public rights of way, but has footpaths around its boundary in a similar way to the Appeal Site. Public rights of way are a neutral differentiator.	=
Network Connection	Site F2 is separated from the 132kV line by a railway line in a comparable way to the Appeal Site, and therefore the grid connection is a neutral differentiator.	=
Landscape and Visual Impact	Site F2 has flat topography of arable fields, and is crossed by overhead lines to its south-west. There are important heritage assets to the north and south of the site. The boundaries are open to the road to the south, and to Old Hall Lane to the west, which increases its visibility. The site is overall likely to be	-

	<p>of a comparable or slightly higher sensitivity than the Appeal Site.</p> <p>The zone of visual influence is likely to be slightly greater than the Appeal Site due to the more open boundaries to the south and west. There would be open views from public footpaths to the west and north where recreational users of the countryside will have their experience of views across the landscape changed.</p> <p>Mitigation planting has the potential to be effective in reducing some of the significant effects due to the flat topography in the medium- to long- term, however, the visual experience to nearby footpaths would be altered.</p> <p>As such it is considered that the short-term landscape effects would be more harmful than the major/moderate to moderate adverse impacts identified at the Appeal Site, and in the medium and long term there will be greater landscape effects than the long-term moderate/minor and minor adverse effects at the Appeal Site identified within the LVIA.</p> <p>The Appeal Site is therefore judged to be a slightly better option than Site F2 due to its greater existing enclosure and limited visibility.</p>	
Cultural Heritage Impact	<p>Site F2 is in the setting of Grade I and Grade II* listed buildings, with the Grade I listed building on the southern boundary. Due to the open views between the Grade I listed building (Bentley Hall Barn) and the clear relationship that this agricultural land to the north of it has with the asset, it is likely that there would be a notable level of heritage harm.</p> <p>Site F2 is also now within the Bentley Conservation Area.</p> <p>It is agreed that the development at the Appeal Site will result in less than substantial harm to a Grade II* heritage asset at St Mary's Church, and the Appellant acknowledges the development would</p>	--

	<p>result in less than substantial harm to the Bentley Conservation Area it now lies within. It would also result in harm to non-designated heritage assets.</p> <p>In a comparison between the sites, it is considered likely that development at Site F2 would result in a higher degree of harm to the Grade I Bentley Hall Barn than the Appeal Site would have on the Grade II* St Mary's Church. This is due to its higher grade, its closer proximity to the site and the clearer relationship between Site F2 and the heritage asset for agricultural use. The designation of the Bentley Conservation Area has a neutral effect on this comparison as both sites are wholly within the Conservation Area.</p> <p>As such, the Appeal Site was previously judged to be a better option than Site F2, and this remains the case.</p>	
Biodiversity Impact	<p>It is assumed that hedgerows and trees will be retained across Site F2 and that a biodiversity net gain will be achieved. Overall, biodiversity is judged to be a neutral differentiator.</p>	=
Noise Impact	<p>The existing background noise levels at Site F2 are likely to be greater than at the Appeal Site. However, both sites could be designed to meet noise requirements and avoid unacceptable impacts to nearby residents. Overall, noise is judged to be a neutral differentiator.</p>	=

Conclusion in respect of Site F2

6.15. Overall, site F2 has one slight benefit over the Appeal Site regards its proximity to less residential dwellings. However, the notable disadvantage in respect of construction access remains, and further disadvantages in relation to visual impact.

6.16. Notably, a re-appraisal of the heritage impacts as a result of the Conservation Area designation has resulted in the same negative result as the Original ASA. This is as Site F2 is also within the Bentley Conservation Area, therefore its designation has had a neutral impact on the comparison between the sites. As previously, there is a notable disadvantage to Site F2 with regards heritage due to the proximity of the site to the Grade I listed Bentley Hall Barn

and its clear relationship with this heritage asset. The less than substantial harm that will result on heritage assets as a result of the appeal scheme would result in a lesser degree of harm than developing Site F2.

6.17. As such, a re-appraisal of Site F2 as a result of the Conservation Area designation does not alter the significant harms that were previously concluded to result from the development of Site F2. Previously, it was concluded that the constraints and potential adverse impacts from development at Site F2 were considered to be greater than at the Appeal Site as a result of these challenges with no significant advantages to developing Site F2. This therefore does not alter the conclusion of the Original ASA that the constraints and potential adverse effects from development at Site F2 are greater than at the Appeal Site.

Site F3

6.18. As set out above, Site F3 is now included within the detailed assessment. The below table presents a high-level appraisal of Alternative Site F3. **Figure 9** also includes the statutory planning and environmental constraints in proximity to Site F3. Although the red line for Figure 9 edges Site F2 only, it also includes F3 to its west.

Criteria	Appraisal of Alternative Site F2	Comparison with Appeal Site
Irradiance and Topography	Site F3 is likely to receive similar levels of irradiance as the Appeal Site. The topography of Site F3 is comparable to the Appeal Site in that it is broadly flat. Irradiance and topography are a neutral differentiator.	=
Proximity to Dwellings	Site F3 is proximate to several properties with existing open views across the site, which is comparable to the Appeal Site. The proximity to dwellings is considered to be a neutral differentiator.	=
Accessibility	Access to Site F3 would likely use the same route as to the Appeal Site, and as such access is a neutral differentiator.	=
Public Rights of Way	Site F3 is crossed by Public Rights of Way, including a Public Bridleway, that would be incorporated into the scheme, however the routes would be channelised through the solar farm and consequently there would be a notable loss of	--

	amenity. The Appeal Site is not constrained in this way.	
Network Connection	Site F3 is further from the 132kV line than the appeal site and access to the land to install the grid connection would be more challenging due to the additional land that would be required.	-
Landscape and Visual Impact	<p>Site F3 has flat topography of arable fields and there are important heritage assets to the north and east of the site. Similarly to the Appeal Site, it does not have open boundaries and the site is overall likely to be of a comparable sensitivity than the Appeal Site.</p> <p>The zone of visual influence is likely to be comparable to the Appeal Site due to the similar lack of open boundaries. There would however be open views from public footpaths that traverse the site where recreational users of the countryside will have their experience of views across the landscape changed.</p> <p>Mitigation planting has the potential to be effective in reducing some of the significant effects due to the flat topography in the medium- to long- term, however, the visual experience to nearby footpaths would be altered.</p> <p>As such it is considered that the short-term landscape effects would be comparable to the major/moderate to moderate adverse impacts identified at the Appeal Site, however in the medium and long term there will be greater landscape effects than the long-term moderate/minor and minor adverse effects at the Appeal Site identified within the LVIA due to impact to the users of the PROWs.</p> <p>The Appeal Site is therefore judged to be a slightly better option than Site F3 due to there being less of an impact on views from Public Rights of Way.</p>	-

Cultural Heritage Impact	<p>Site F3 is within the setting of the same Grade II* listed buildings as the Appeal Site at St Mary's Church and Bentley Hall. It would also be in the setting of the Grade II Pond Hall.</p> <p>The majority of Site F3 is also now within the Bentley Conservation Area.</p> <p>Site F3 is also now within the Bentley Conservation Area.</p> <p>It is considered that Site F3 would result in a comparable level of harm to similar heritage assets to the Appeal Site. Heritage is therefore judged to be a neutral differentiator.</p>	=
Biodiversity Impact	<p>It is assumed that hedgerows and trees will be retained across Site F3 and that a biodiversity net gain will be achieved. Overall, biodiversity is judged to be a neutral differentiator.</p>	=
Noise Impact	<p>The existing background noise levels at Site F3 are likely to be greater than at the Appeal Site. However, both sites could be designed to meet noise requirements and avoid unacceptable impacts to nearby residents. Overall, noise is judged to be a neutral differentiator.</p>	=

Conclusion in respect of Site F3

6.19. Overall, site F3 has no notable benefits over the Appeal Site; it borders the Appeal Site to the west and as such has very similar constraints. In particular the access would be similar, and development would have a similar impact on the same heritage assets, including the Bentley Conservation Area.

6.20. The site has one notable disadvantage in comparison to the Appeal Site in that it is traversed by Public Rights of Way including a Public Bridleway. There would be a notably greater loss of visual amenity to users of these routes, which also has associated landscape impacts. Site F3 is also further from the Point of Connection than the Appeal Site.

6.21. As such, a new appraisal of Site F3 does not result in a reasonable alternative to the Appeal Site. Most of the constraints, notably heritage, are comparable, there are no benefits and

some disadvantages. The constraints and potential adverse effects from development at Site F3 are greater than at the Appeal Site.

Site H2/H3

6.22. As set out above, we now include an appraisal of Site H2 as part of the appraisal for Site H3; Site H2 is not of sufficient size to accommodate the proposal in itself however it could potentially be amalgamated with H3.

6.23. The below table presents a high-level appraisal of Alternative Site H2/H3. **Figure 10** illustrates the statutory planning and environmental constraints in proximity to Site H2/H3. Although the red line for Figure 10 edges Site H3 only, it also includes H2 to its west.

Criteria	Appraisal of Alternative Site H2/H3	Comparison with Appeal Site
Irradiance and Topography	Site H2/H3 is likely to receive similar levels of irradiance as the Appeal Site. The topography of Site H2/H3 is comparable to the Appeal Site in that it is broadly flat. Irradiance and topography are a neutral differentiator.,	=
Proximity to Dwellings	Site H2/H3 is proximate to several properties with existing open views across the site, which is comparable to the Appeal Site. Therefore, the proximity to dwellings is judged to be a neutral differentiator.	=
Accessibility	<p>Access to Site H3 would come via the A137 to the west and would have to then either utilise Church Road to the north or Stutton Lane to the south. Church Road is closely fronted by a number of properties near the junction with the A137 and therefore the magnitude of construction traffic required for a 40MW solar farm would likely result in an adverse impact. Stutton Lane is currently marked unsuitable for HGVs.</p> <p>Site H2 is less constrained by access and Station Road to the north could be utilised, however this does not improve the accessibility of the site as it is still reliant on H3. Overall, the Appeal Site is still</p>	-

	considered to be less constrained by construction access.	
Public Rights of Way	Sites H2/H3 are crossed by Public Rights of Way that would be incorporated into the scheme, however the routes would be channelised through the solar farm and consequently there would be a notable loss of amenity. The Appeal Site is not constrained in this way.	--
Network Connection	<p>The grid connection from Site H3 to the 132kV power line was previously stated to be problematic as it would likely need to follow the A137 and Station which would cause local disruption whilst trenching took place. Whilst Site H2 is closer to the power line, it is no more accessible as either the same disruption would occur, or the power line would need to be taken through the recycling centre and/or an area of woodland to the west.</p> <p>The site is perhaps slightly less constrained as a result of the inclusion of H2, however, the Appeal Site is still less constrained than this alternative.</p>	-
Landscape and Visual Impact	<p>Site H2/H3 is adjacent to the National Landscape on its southern boundary and is therefore considered to be within the setting of the National Landscape for the purpose of NPPF Paragraph 189. Site H3 is also in close proximity to Tattingstone and Alton Water to its east. Aerial imagery suggests that sites H2/H3 comprise a patchwork of small to large-scale arable fields. Smaller fields are more susceptible to change from solar development. The sensitivity of Site H2/H3 is clearly higher than the Appeal Site.</p> <p>Development of Site H2/H3 would result in adverse impact in relation to the site's position in the setting of the National Landscape, and Alton Water to the east. Development of Site H2/H3 would likely detract from people's experience of visiting these areas, including for footpaths across the site.</p> <p>Mitigation planting has the potential to reduce some significant effects due to the broadly flat</p>	--

	<p>topography in the medium- to long- term, however the visual experience for nearby footpaths would be altered, as would the setting of the National Landscape.</p> <p>The Appeal Site is judged to be a better option than Site H2/H3 due to its greater existing enclosure, limited visibility, and increased separation from the National Landscape and Alton Water.</p>	
<p>Cultural Heritage Impact</p>	<p>Site H3 has several listed buildings along its eastern boundary, including the Grade II* listed Tattingstone Wonder. It is likely that a degree of mitigation could be provided to offset boundaries between the solar area and these features, however there would likely be residual effects on setting. It is a likely conclusion that due to their proximity to the site, the development would result in less than substantial harm to these heritage assets.</p> <p>It is agreed that the development at the Appeal Site will result in less than substantial harm to a Grade II* heritage asset at St Mary's Church, and the Appellant acknowledges the development would result in less than substantial harm to the Bentley Conservation Area it now lies within. It would also result in harm to non-designated heritage assets.</p> <p>The original assessment judged the Appeal Site to be a better option than H3, however this assessment needs to be re-visited due to the designation of the Bentley Conservation Area. A heritage comparison between the sites is now finely balanced; Site H2/H3 would result in harm to a similar number of designated heritage assets, and both sites would affect a Grade II* listed building.</p> <p>Overall it is considered that as a result of the designation of the Conservation Area, the impacts are now comparable and heritage is now judged to be a neutral differentiator.</p>	=
<p>Biodiversity Impact</p>	<p>It is assumed that hedgerows and trees will be retained across Site H2/H3 and that a biodiversity</p>	=

	net gain will be achieved. Overall, biodiversity is judged to be a neutral differentiator.	
Noise Impact	The existing background noise levels at Site H2/H3 are likely to be greater than at the Appeal Site. However, both sites could be designed to meet noise requirements and avoid unacceptable impacts to nearby residents. Overall, noise is judged to be a neutral differentiator.	=

Conclusion in respect of Site H2/H3

6.24. Overall, Site H2/H3 does not have any obvious benefits over the Appeal Site, with a number of neutral differentiators between the sites. There remain notable disadvantages to Site H2/H3 in relation to landscape and visual impact and the public right of way network that are not improved by including Site H2 within the assessment. Providing the grid connection remains a disadvantage albeit at a lesser degree due to the closer proximity to Site H2 to the 132kV line, and construction access remains a disadvantage.

6.25. A re-appraisal of the heritage impacts in light of the Conservation Area designation has now found the sites to be comparable in terms of heritage impacts, whereas previously the Appeal Site was judged to be a better option in respect of heritage. Heritage is now concluded to be a neutral differentiator. This is considered to be a fair assessment; there are a number of listed buildings on the eastern boundary of Site H3 including a Grade II* listed building. The impact on these heritage assets is considered to be a comparable impact to the impact of the Appeal Site on heritage in respect of this high-level assessment.

6.26. On balance, the re-appraisal of the heritage impacts in light of the conservation areas does not alter the previous conclusions. Although heritage is now neutral instead of the Appeal Site being favourable, this does not alter the significant harms that were previously concluded to result from the development of Site H3, particularly in terms of landscape. Site H2 is just as much within the setting of the National Landscape as H3, and as such no improvement has been made in respect of this matter.

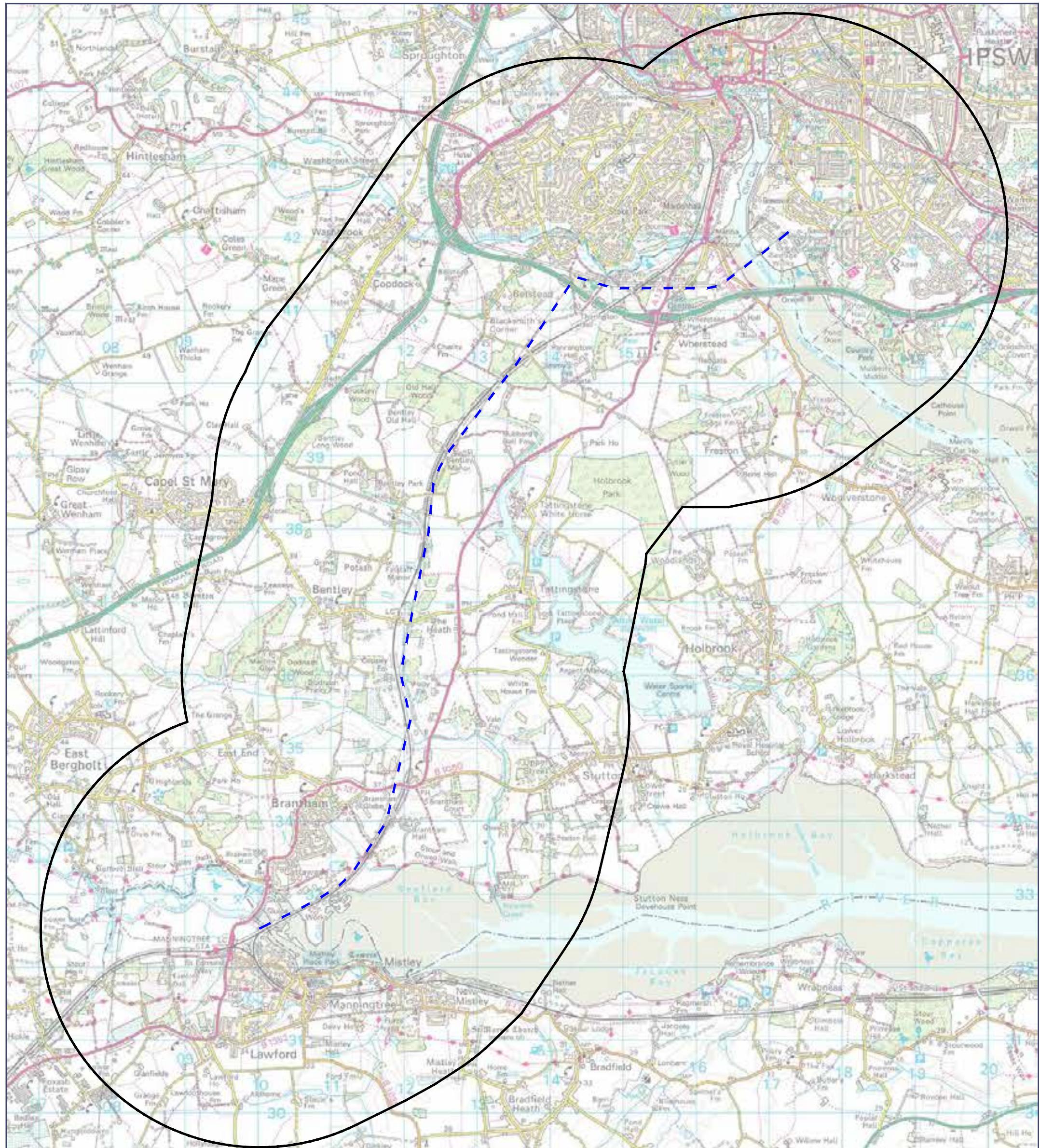
6.27. Previously, it was concluded that the constraints and potential adverse impacts from development at Site H3 were considered to be greater than at the Appeal Site as a result of these challenges, with no obvious advantages to developing site H3. Although the heritage comparison has changed slightly as a result of the Conservation Area designation, and site H2 is now included within the assessment, this does not alter the conclusion of the Original ASA that the constraints and potential adverse effects from development at the site are greater than at the Appeal Site.

7. Conclusion

- 7.1. Notwithstanding the comments we make in Section 2 with regards the need for such a document, this Alternative Sites Assessment (ASA) has been prepared as an update to be read alongside the Original ASA that was submitted alongside planning application DC/23/056656. It is not intended to replace the Original ASA, as much of the original document remains relevant, rather it revisits and updates the previous assessments and conclusions in light of the designation of the Bentley Conservation Area, which occurred after the original application was determined. In addition, the 48ha minimum size criteria has been reduced to 40ha, resulting in the detailed appraisal of an additional site.
- 7.2. At the CMC the Inspector requested that the parties agree a scope for this assessment in advance of this being prepared. Although discussions have taken place and a number of matters have been agreed, it has unfortunately not been possible to agree all aspects of the scope within the timescale required prior to the document being prepared. The areas of disagreement will therefore be a matter for evidence.
- 7.3. This updated ASA provides an updated review of potential alternative development sites to the Appeal Site that are of a size and location suitable for a commercial solar development, in light of the recent designation of the Bentley Conservation Area. The updated ASA demonstrates, taking the Conservation Area designation into account, that there remain no better locations within Babergh District for a commercial solar farm with a generating capacity of 40MW to connect into the 132kV power line identified as the point of connection.
- 7.4. The Appeal Site therefore remains the best possible location to provide the requisite essential renewable energy, whilst avoiding or minimising environmental harm. In addition, the characteristics of the Appeal Siter are well suited to accommodating a commercial solar array due to the broadly flat underlying topography and the existing landscape framework of hedgerows and trees that provide opportunities for integration, visual screening and biodiversity enhancement.



Appendix – Figures 1–10



132kV Power Line

Search Area

0344 8700 007
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Project

 axis

Grove Farm Solar

Figure Number

Figure 1

Figure Title

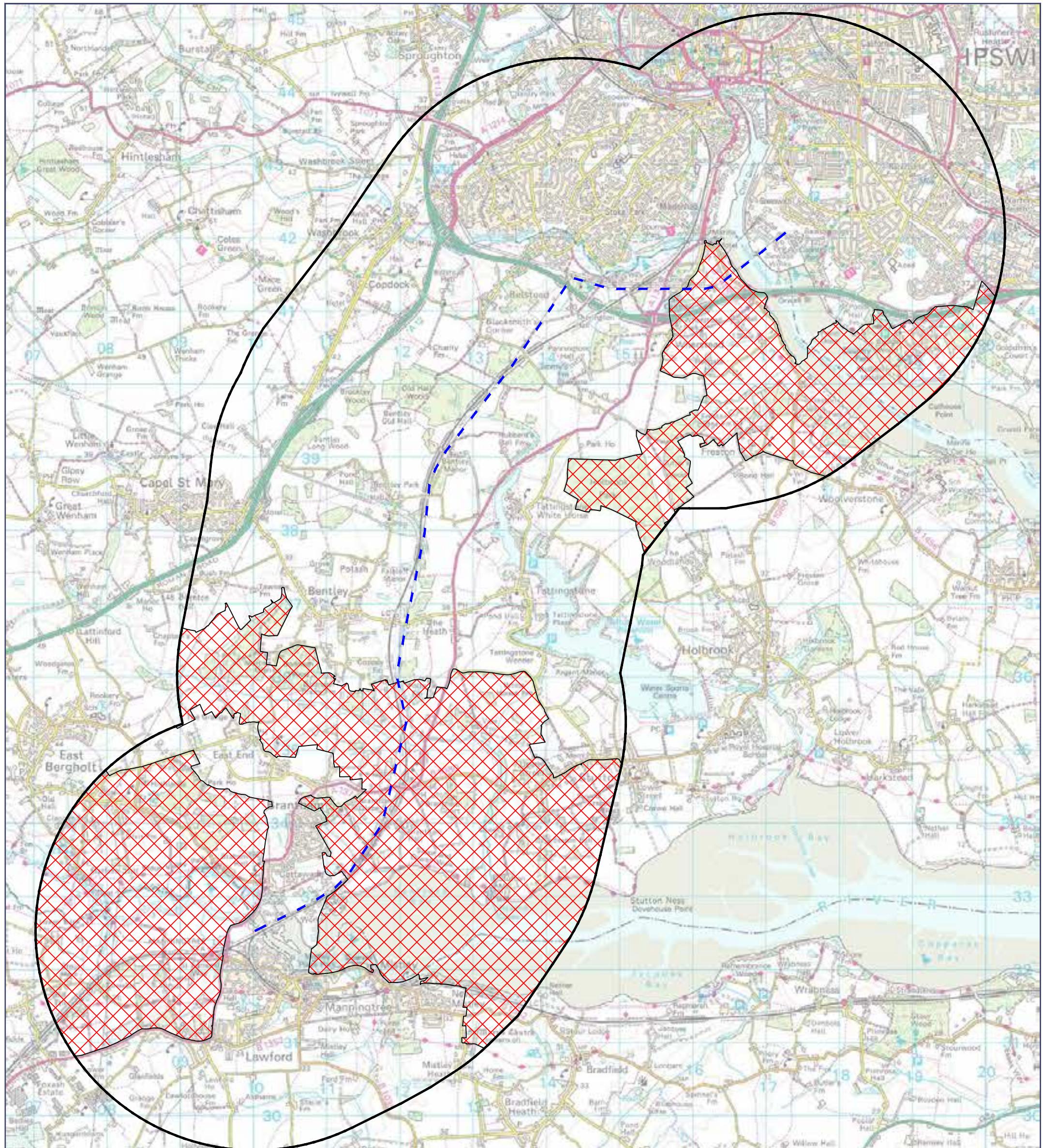
Search Area

Scale

1:50,000 @A3

Date

July 2023



132kV Power Line

Search Area

Land removed from search area
for statutory constraint (AONB)

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Project

axis

Grove Farm Solar

Figure Number

Figure 2

Figure Title

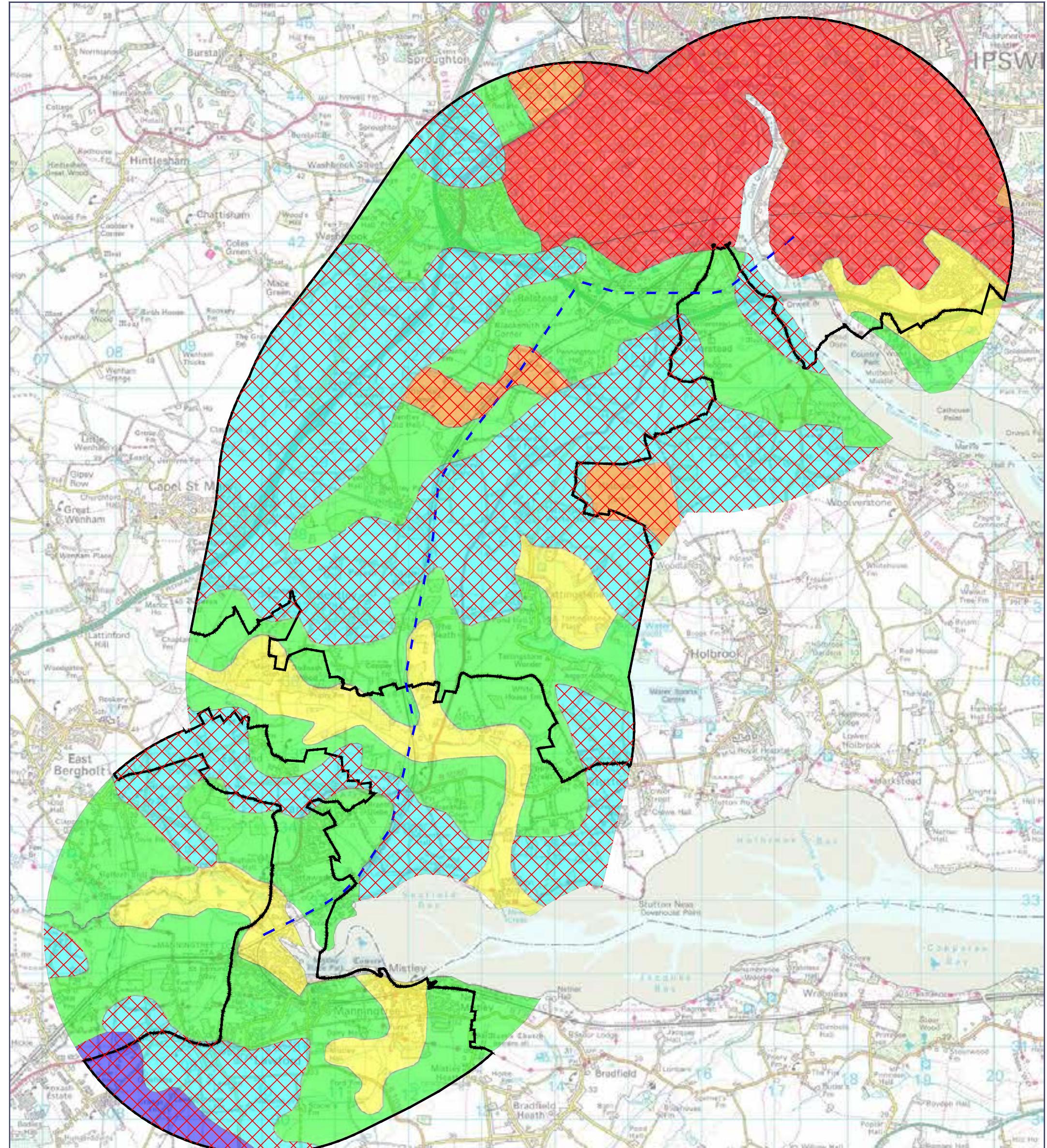
AONB Constraint

Scale

1:50,000 @A3

Date

July 2023



132kV Power Line

Search Area

Land removed from search area
(Grade 1 & 2, Non-Agricultural,
Urban)

Grade 1 Agricultural Land

Grade 2 Agricultural Land

Grade 3 Agricultural Land

Grade 4 Agricultural Land

Non-Agricultural

Urban

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Project

 axis

Grove Farm Solar

Figure Number

Figure 3

Figure Title

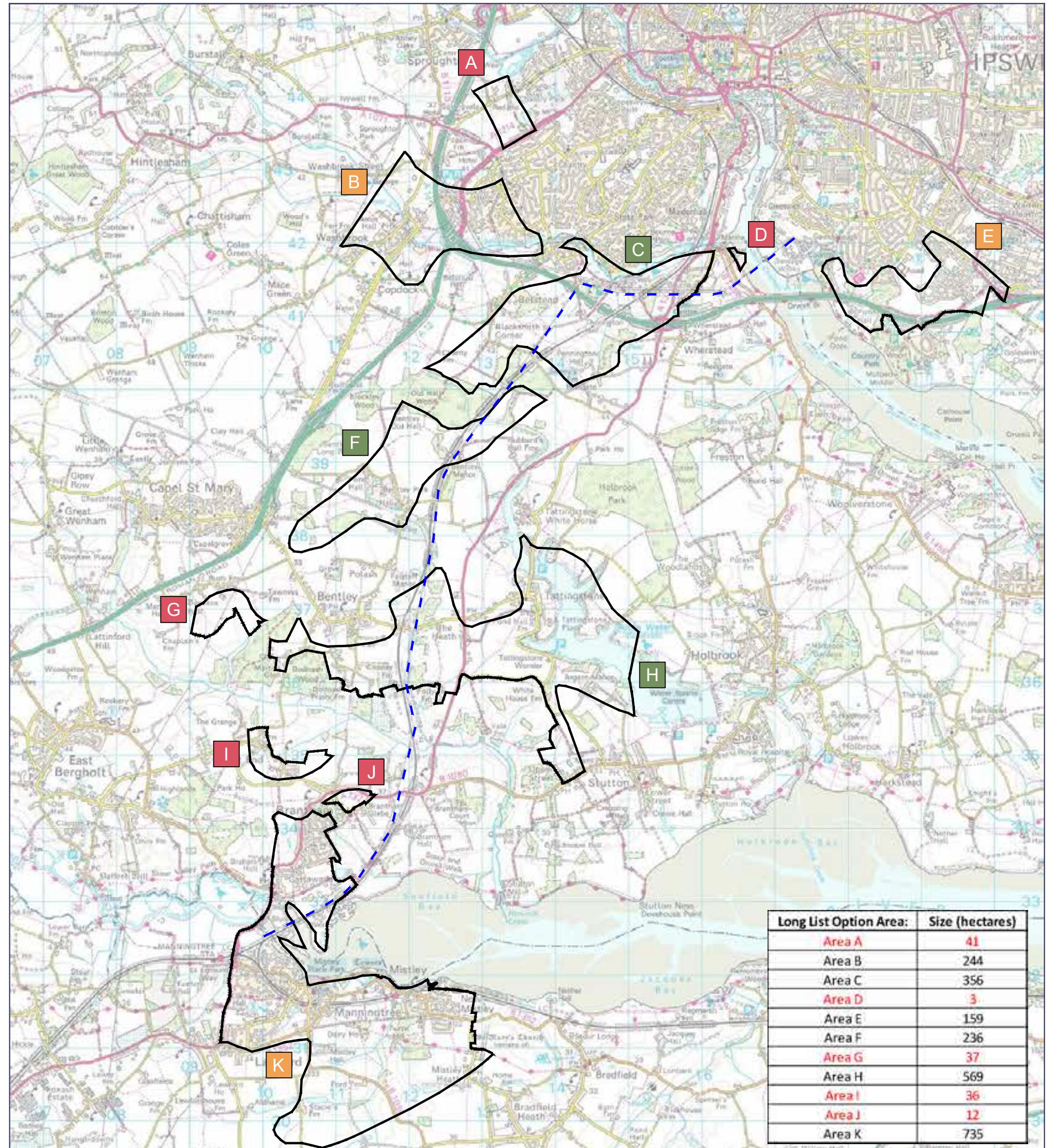
Provisional Agricultural
Land Classification

Scale

1:50,000 @A3

Date

July 2023



132kV Power Line

 Long List Option Areas

Long list option area taken forward

Long list option area discounted on size

Long list option area discounted for other constraint (refer to report)

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axis.co.uk

Project

 axis

Grove Farm Solar

Figure Number

Figure 4

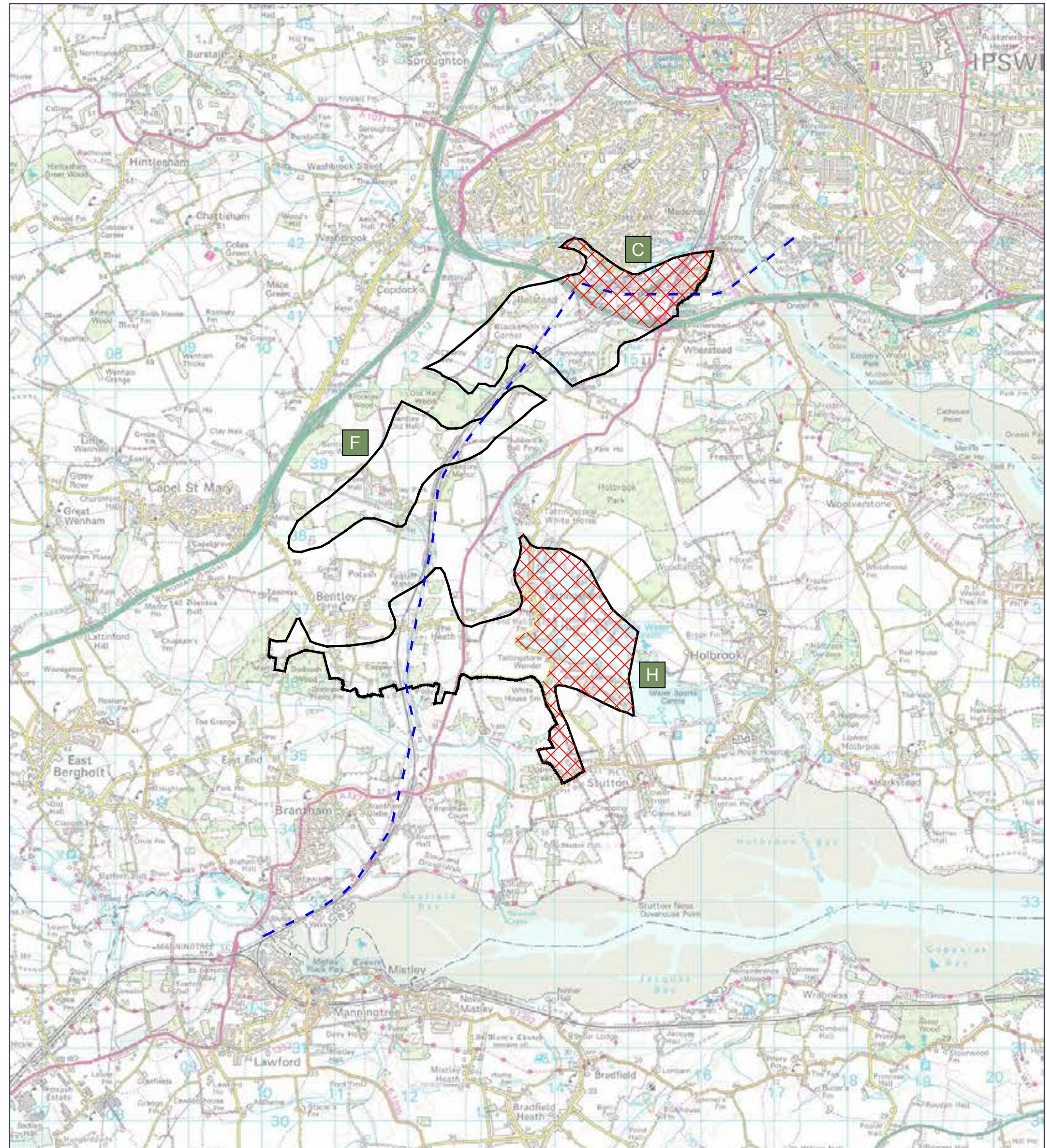
Long List Option Areas

Scale

1:50,000 @A3

Date

July 2023



132kV Power Line

Short List Option Areas

Short List Option Area

Land removed from short list option area (refer to report)

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Project

 axis

Grove Farm Solar

Figure Number

Figure 5

Figure Title

Short List Option Areas

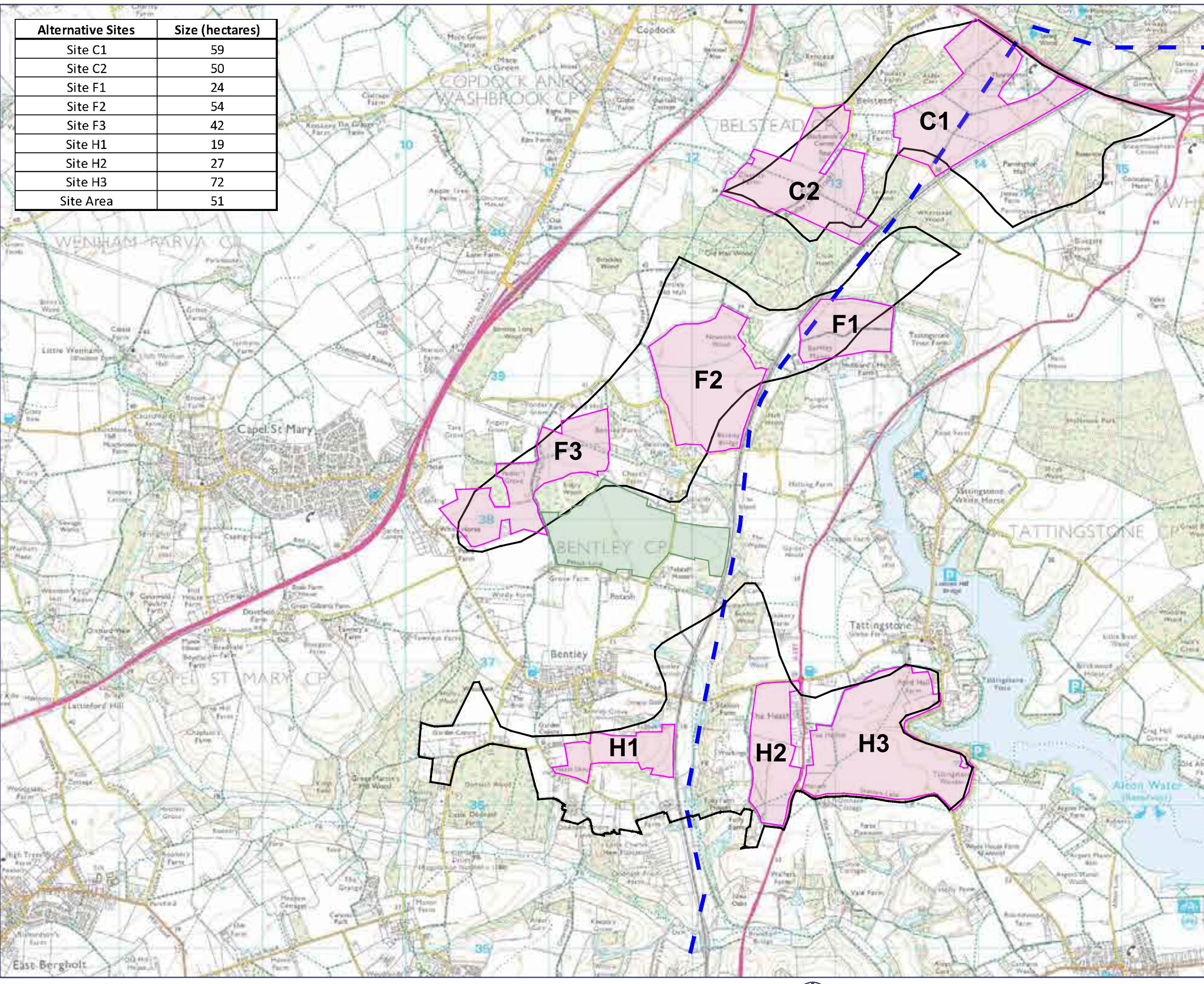
Scale

1:50,000 @A3

Date

July 2023

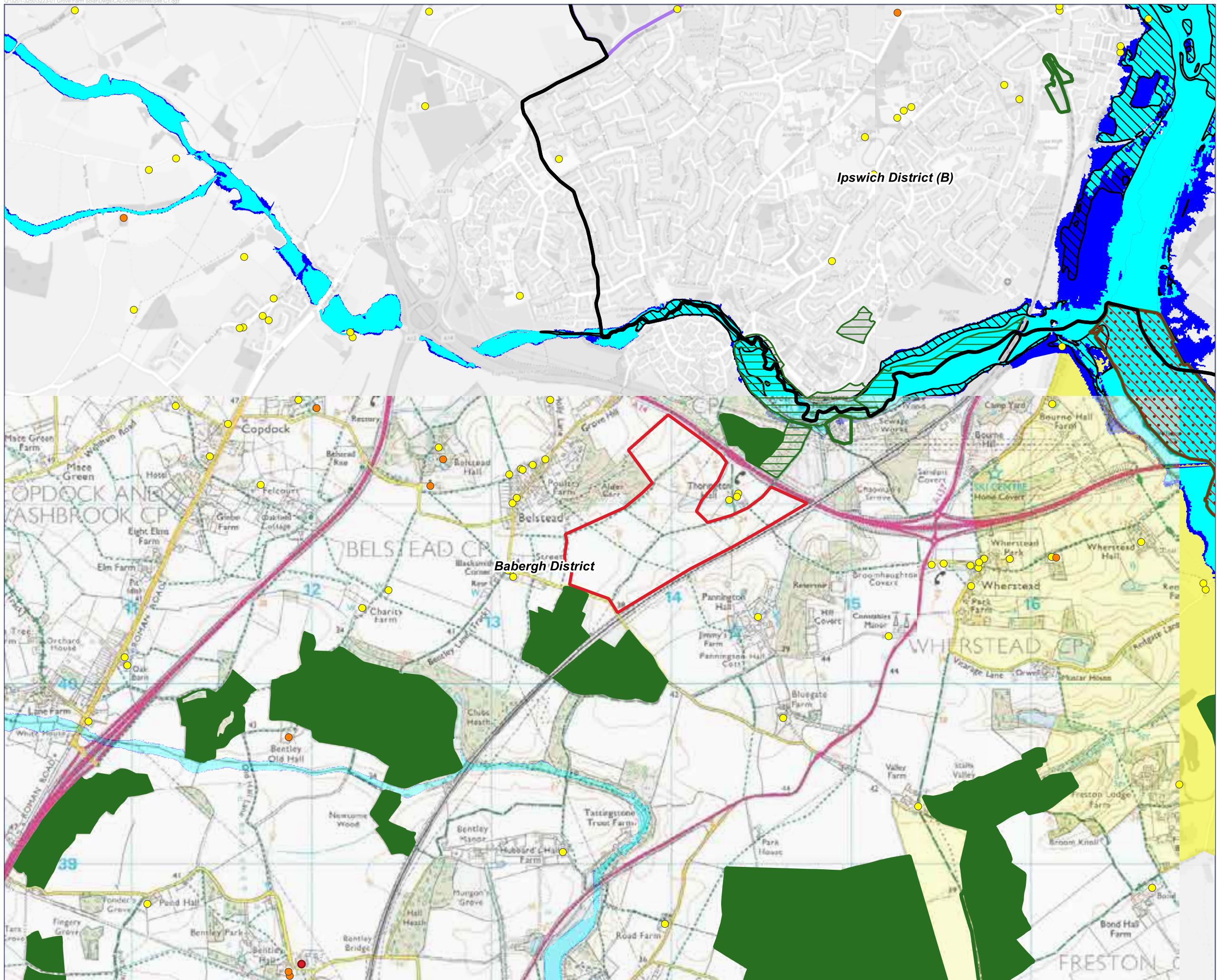
Alternative Sites	Size (hectares)
Site C1	59
Site C2	50
Site F1	24
Site F2	54
Site F3	42
Site H1	19
Site H2	27
Site H3	72
Site Area	51



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- 132kV Power Line
- Short List Option Areas
- Alternative Sites
- Site Area



- Site C1
- Local Authority Boundary
- Listed Buildings:
 - I
 - II*
 - II
- Registered Parks and Gardens
- Local Nature Reserves
- Ramsar
- Special Protection Area
- Site of Special Scientific Interest
- Ancient Woodland
- Areas benefiting from Flood Defences
- Flood Zone 3
- Flood Zone 2
- Area of Outstanding Natural Beauty

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Project

Grove Farm Solar

Figure Number

Figure 7

Figure Title

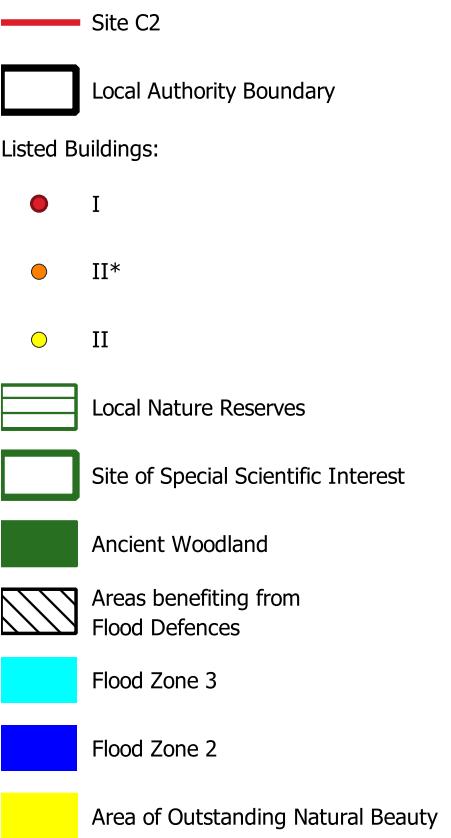
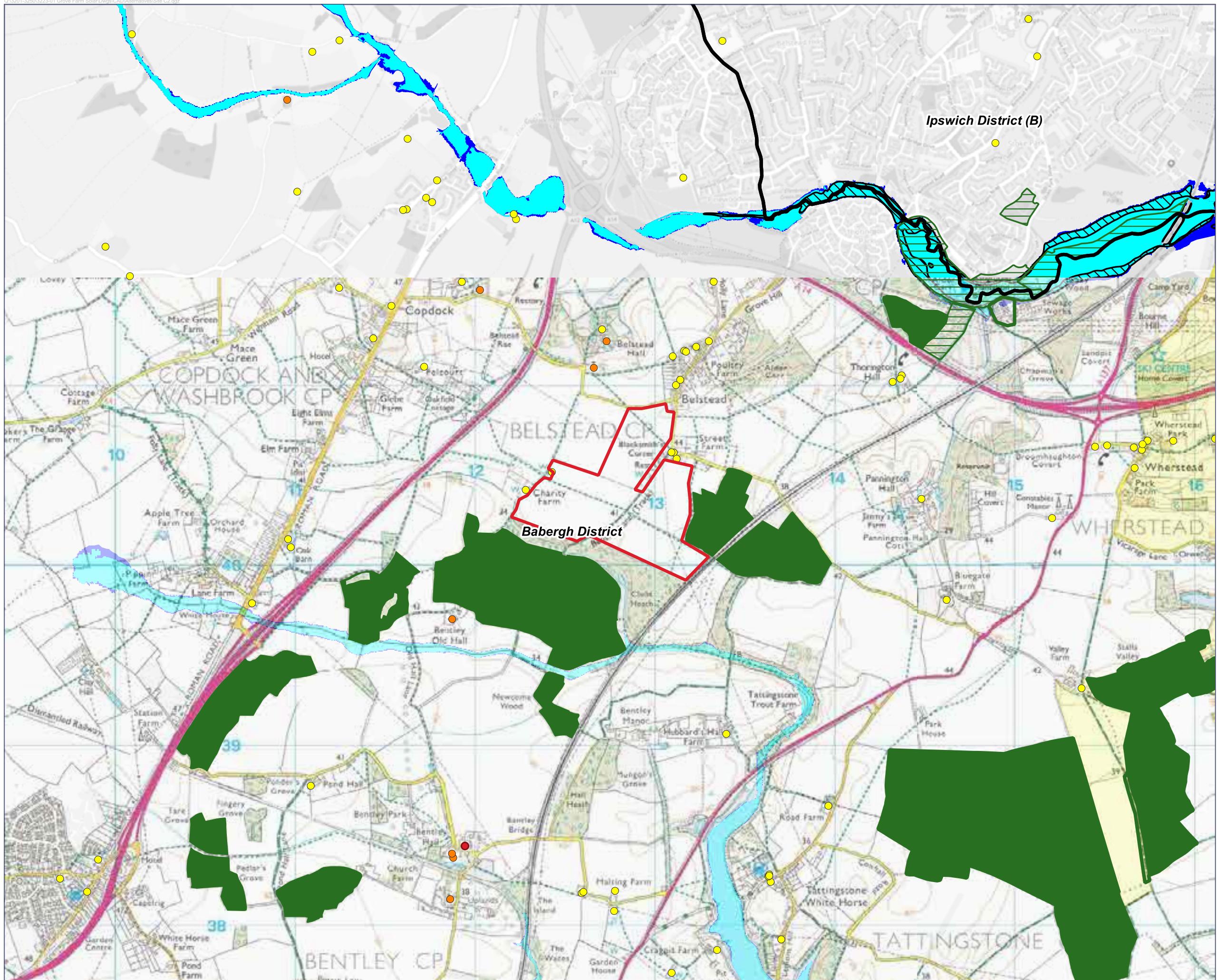
ASA Site C1
Environmental Constraints

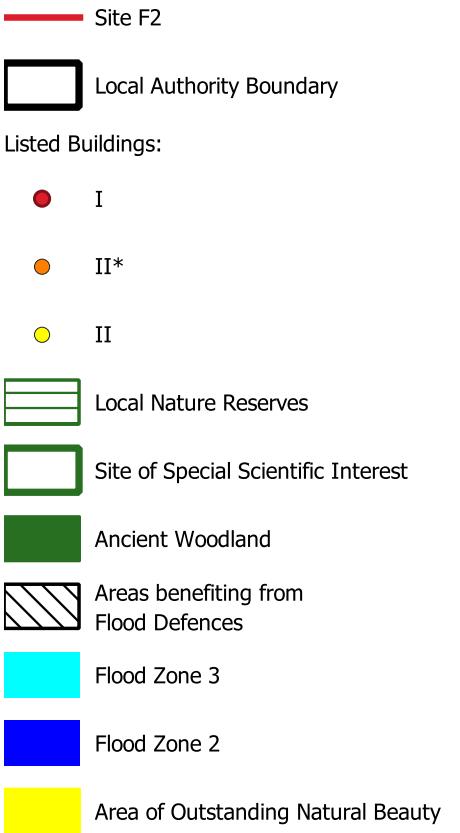
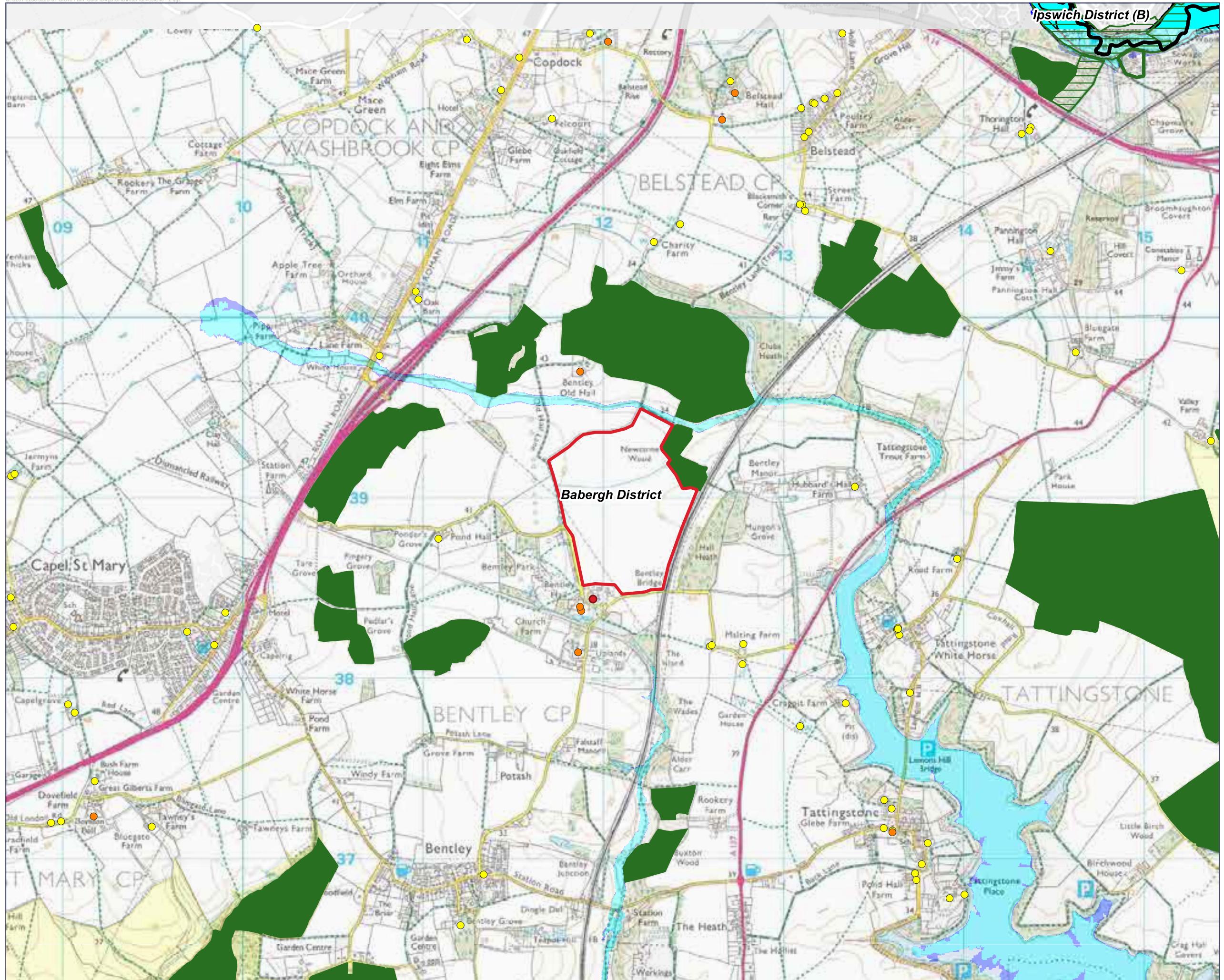
Scale

1:20000@A3

Date

July 2023





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axis.co.uk

Project

Grove Farm Solar

Figure Number

Figure 9

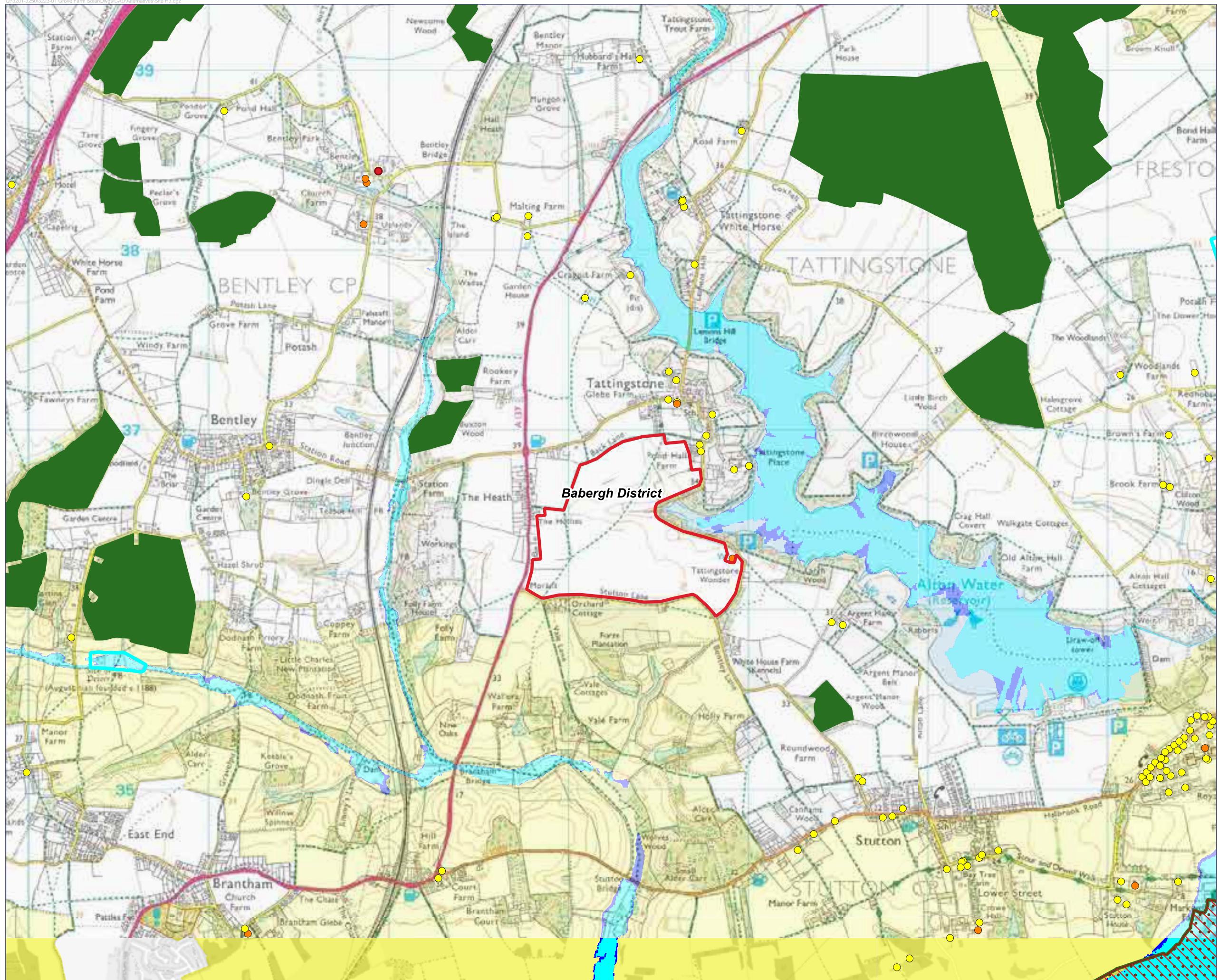
ASA Site F2
Environmental Constraints

Scale

1:20000@A3

Date

July 2023



- Site H3
- Local Authority Boundary
- Listed Buildings:
 - I
 - II*
 - II
- Scheduled Monuments
- Ramsar
- Special Protection Area
- Site of Special Scientific Interest
- Ancient Woodland
- Flood Zone 3
- Flood Zone 2
- Area of Outstanding Natural Beauty

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Project

Grove Farm Solar

Figure Number

Figure 10

Figure Title

ASA Site H3
Environmental Constraints

Scale

1:20000@A3

Date

July 2023

Appendix 1 –

Draft ASA Scope issued 7th November 2025

Grove Solar Farm Alternative Sites Assessment – Draft Scope

V1 – dated 5th November 2025

- Original Assessment – October 2023 Alternative Sites Assessment (Axis)
- Committee Report – Feb 2025 Committee Report (Item No.8A)

Introduction

This document sets out a proposed scope for an updated Alternative Sites Assessment (ASA) in respect of the current appeal concerning the proposed 40MW solar farm at Land at Grove Farm. The original planning application was accompanied by an Alternative Sites Assessment however the appeal parties and the Inspector agree that this should be updated for the purposes of the appeal in light of the designation of the Bentley Conservation Area, which was designated after the original planning application was determined.

This document sets out a proposed scope for the updated ASA for agreement with the LPA and Babergh Parish Council and Bentley Parish Council (which has Rule 6 status for the appeal) prior to the Appellant preparing an updated ASA.

The Original Assessment

The original assessment comprised three stages:

- Step 1 – Identify the Search Area
- Step 2 – Identify Long List and then Short List Option Areas
- Step 3 – Identify and Appraise Alternative Sites

Step 1

Step 1 sets out that to identify a suitable initial search area requires firstly a consideration of the specific requirements of the project which for a commercial solar development involves establishing a Point of Connection (PoC) before determining the furthest distance the development could be from the point of connection not accounting for any further constraints. It was established through discussions with the DNO that there was available capacity in the local transmission network to import renewable energy, which specifically relates to an overhead high voltage 132kV power line that crosses the District and connects to the Cliff Quay Grid substation.

It was set out that the maximum distance a project can be from the PoC before a scheme is no longer viable to be 3km. The Search Area was therefore established as lying within 3km from the PoC.

No objection was set out within the Committee Report to the search area therefore it is reasonable for the updated ASA to comprise the same search area. In addition, further information has now been provided alongside the Statement of Common Ground with regards to the Grid Offer the appellant has received from UKPN and its satisfying of the readiness criteria of the NESO Grid Report in securing an advanced position in the connection queue. The Grid Offer therefore still stands and as such the same 3km Search Area should apply.

Finally, Step 1 concluded that a review of Babergh District's Brownfield Land Register did not identify any land of a suitable size within the Search Area, therefore brownfield and previously developed land are not considered a viable alternative for the proposed development. This is unlikely to have changed but the updated ASA will undertake a further review with the assistance of the LPA to confirm.

Step 2

Step 2 involved refining the initial search area down to a Short List to take forward for further assessment. This rules out long list option areas based on land that was judged to be of a higher environmental value than the application site when based on a consideration of the following spatial designations:

- Statutory Environmental Constraints; and
- Agricultural Land Classification

The remaining long list options areas were then reviewed in terms of their size and whether they would be sufficiently large to be a viable alternative for a commercial solar development of the scale of the proposal.

Step 2 ruled out areas within 3km of the PoC that were within the Suffolk Coast and Heaths AONB (National Landscape) which was judged to be the only relevant statutory constraint in the search area.

The Agricultural Land Classification Report set out that the site is made up predominantly (92.9%) of Grade 3 agricultural land with the remaining land Grade 2. These figures are not disputed. The original assessment therefore removed higher value Grade 1 and Grade 2 land from the search area.

This screening exercise left a 'Long List Option Area' of 11 sites (A-K) that were reviewed as 'Long List Option Areas'. This then discounted areas that were not of a minimum of 48ha in size, judged to be the minimum size requirement for the development. 5 sites were ruled out for this reason with a further 3 areas ruled out due to being within predominantly built up areas.

This then left three alternative option areas (C, F and H) taken forward as a Short List which were refined to remove areas unsuitable for solar development (such as water bodies and

urban areas). No objection was set out within the committee report to the methodology with regards to reviewing sites at Step 2.

Step 3

Step 3 then first looked at the overall areas to identify connected field groups within them that would be suitable for a commercial solar development. Eight alternative sites were identified within the areas, only four of which met the 48ha threshold, referenced C1, C2, F2 and H3. These were then appraised individually.

To summarise, none of the four sites were judged to be better locations than the application site when assessing all potential constraints to the development and all presented some significant disadvantages. The original assessment therefore concluded that there are no better alternative locations for the development, and the application site is in the best possible location for the proposed development.

The Committee Report stated in this regard that the ASA '*was not considered sufficient to comply with the policy as it fails to properly assess harms from alternative locations.*' No further detail is given as to why, and this is a matter we would seek to address within this updated ASA. Furthermore, it is acknowledged that the assessments were made before the designation of the Bentley Conservation Area, which might alter some of the assessments given, particularly with regard to heritage, as these were made comparatively with the appeal site.

Scope for Updated Assessment

In respect of the above, it is not considered that Step 1 requires revisiting in respect of the search area. It has been demonstrated that the grid offer from UKPN still stands and the proposed grid connection remains the same. The development is still required to be within 3km of the grid connection. The reasoning behind the search area within the original report was not disputed by the LPA and still stands.

The updated assessment will undertake a further review of Babergh District's Brownfield Land Register as set out above.

It is also not considered that Step 2 requires revisiting. It remains appropriate to discount all land within the National Landscape/AONB, and to discount all land potentially of a higher (Grade 1 and 2) agricultural value than the site. It also remains appropriate to discount at this stage areas that are not of a sufficient size to accommodate the development, and land within built up areas which is clearly not appropriate for the proposed development. Again, this methodology was not previously questioned and should still stand.

The three short list option areas taken forward to Step 3 therefore should remain the same, and the refinements made to these prior to the detailed assessments remain relevant. The four sites within the option areas (C1, C2, F2 and H3) should remain the only sites taken forward for detailed assessment, as these are the only sites of capable of accommodating the proposed development within the option areas.

The updated ASA is therefore proposed to re-assess these four areas in light of the Bentley Conservation Area designation, as this land had not been designated at the time of the original assessment. None of the assessments made prior to this at Step 1 and Step 2 should change as a result of this designation, as none of these assessments discounted any land as a result of such a designation.

The updated ASA will also seek to address the comment within the Committee Report that the original assessment did not properly assess harms from these locations. Further detail is required from the LPA on what needs to be done to address this point, and why the assessments previously made are not considered now (at this time) sufficient.

Appendix 2 –

LPA Response 12th November 2025

From: [Jasmine Whyard](#)
To: [Paul Burrell](#)
Cc: [Ian Poole](#); [Michael Ruddock](#); [Bentley Parish Council](#)
Subject: RE: Grove Farm- Alternative Sites Assessment
Date: 12 November 2025 14:32:34
Attachments: [image001.png](#)



Hi Paul,

Thank you for sending through the draft scope for the updated Alternative Sites Assessment (ASA). We welcome the opportunity to agree the approach in advance and are keen to work with you, and with the R6 Party, to ensure the refreshed ASA fully addresses Policy LP25(3) and is as helpful as possible to the Inspector.

Having reviewed the draft scope, we have a few points where we think the methodology should be widened or clarified:

1. Area of search and reliance on the single 132kV line

Policy LP25(3) is framed by reference to “no alternative sites available within the *District*” (my emphasis), rather than by reference to a single point of connection. We understand that grid availability was previously a constraint, and we recognise the previous UKPN offer on the 132kV line, but we think the refreshed ASA should not be limited at the outset to land within 3km of that single line. Our preference is that the scope is amended so that the ASA undertakes at least a high-level district-wide review of realistic points of connection (e.g. other 132kV/33kV lines and substations within Babergh). That would sit more comfortably with the wording of LP25 and with the changed grid context i.e. Grid Reform, since the original ASA.

2. Brownfield Land Register and previously developed land

We agree that the Brownfield Land Register should be revisited. [see 3. below]

3. Aggregation of smaller sites and parcels

The current scope effectively assumes that the “alternative site” must be a single c.48ha parcel capable of delivering the full 40MW in one location. We are not persuaded that LP25(3) necessarily requires that level of rigidity; again, bearing in mind that the appeal site now entirely sits within a Conservation Area. In our view, it would be reasonable and more in line with other “reasonable alternatives”-type exercises, for the ASA to consider whether two or more smaller sites /land parcels could together deliver a broadly equivalent quantum of generation. Even if such options are ultimately rejected, the updated ASA should at least explain why an aggregated approach is not considered realistic (if that is your position).

4. Justification for the 3km radius

Related to the above, we do not think the 3km radius around the 132kV line should simply be carried forward as a fixed parameter without further justification. If you intend to retain it, we would expect the refreshed ASA to include an explanation of the assumed cable costs, losses and viability thresholds that underpin the 3km figure, and to indicate whether extending the radius (for example to 4km, or 5km) would in practice bring any additional realistic options into play. That kind of sensitivity check would help the Inspector understand why the chosen search band is appropriate. For example, there are other examples where a longer connection distance has been employed e.g. a current scheme in East Suffolk where a 6km connection is proposed.

5. Treatment of BMV land and Grade 2 sites

As stated, the original sift removed all Grade 1 and Grade 2 land at Step 2, even though the appeal site itself includes Grade 2 BMV land and is now also within the newly designated Bentley Conservation Area. On that basis, the appeal site would, on your own methodology, have been screened out at an early stage. For the updated ASA, we would therefore like to see BMV/G2 land included so it can be assessed whether there is any other such land elsewhere in the District where the overall combination of landscape, heritage and

other adverse impacts would be materially lower than at Grove Farm (including, for example, locations outside a Conservation Area).

6. Treatment of Heritage

In addition, given both the spatial extent and sensitivity of the newly designated Bentley Conservation Area, and the PPG's emphasis on taking great care with large-scale solar in the setting of heritage assets, we would expect the Stage 2 constraints review to treat conservation areas as spatial constraints capable of influencing site selection. It would be helpful if the updated ASA could explain how the Bentley Conservation Area (and any other CA) has now been taken into account at Stage 2 and, if necessary, how this affects the shortlisting of sites.

6. Extent of comparative assessment at Stage 3

Finally, in light of both the officer report conclusion that the first ASA did not properly assess harms at alternative locations (and given the subsequent designation of the Bentley Conservation Area), we would expect the refreshed Stage 3 work to provide a more explicit comparative assessment of heritage and landscape effects across the shortlisted sites. In particular, it would be helpful if the updated ASA sets out in a clear way how the degree of harm to heritage assets (including the Conservation Area) at Grove Farm compares with the reasonably available alternatives. This is probably a matter than we can discuss further once the sites shortlist has been composed.

We hope these comments are helpful and are offered in the spirit of reaching as much agreement as we can on the methodology. We would be very happy to discuss the above on a Teams call with you and the Rule 6 Party (copied), if that would assist in finalising the scope.

Kind regards,

Jasmine Whyard, BA (Hons), MSc

Principal Planning Officer- Development Management

Babergh and Mid Suffolk District Councils- Working Together

Email: jasmine.whyard@baberghmidsuffolk.gov.uk

Tel: 01449724846

From: Michael Ruddock <Michael.Ruddock@pegasusgroup.co.uk>

Sent: 07 November 2025 15:24

To: Jasmine Whyard <Jasmine.Whyard@baberghmidsuffolk.gov.uk>; Bentley Parish Council <clerk@bentleysuffolkparishcouncil.gov.uk>

Cc: Paul Burrell <Paul.Burrell@pegasusgroup.co.uk>

Subject: Grove Farm- Alternative Sites Assessment



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Good afternoon,

Further to the CMC on Tuesday, please see attached our suggested scope for the updated Alternative Sites Assessment for your comments. I would be grateful if we could have this agreed as soon as possible as we only have three weeks until the deadline to produce this.

Just on another matter, please could both the Council and the Rule 6 party send me contact details of their landscape and heritage witnesses to enable our witnesses to contact them to agree topic-specific statements of common ground, as requested by the Inspector.

Appendix 3 –

Appellant Response 19th November 2025

ASA Scope – Response to LPA Points

1. Area of search and reliance on single 132kV line

The point still stands that the Appellant has an available and deliverable grid connection and grid offer. Grid connection is the fundamental starting point of such schemes and if one is not available it would not reach the planning stage.

NPS EN-3 (Section 2.10 – Solar Photovoltaic Generation) sets out at 2.10.22 that '*The capacity of the local grid network to accept the likely output from a proposed solar farm is critical to the technical and commercial feasibility of a development proposal*'. The scheme doesn't get beyond this stage without a grid offer. EN-3 was designated subsequently to the preparation of the previous ASA and submission of the planning application and as such needs to be given weight as part of this consideration.

Para 3.13 of the Committee Report in referring to the Badley Appeal Decision ref. APP/W3520/W/24/3345132 (which is noted as an 'important material consideration') highlights that none of the alternative sites have a grid connection offer, and that there would be a significant time delay before any of these sites could connect to the grid. This was an '*important consideration*' in assessing the availability of alternative sites given the urgent need for energy infrastructure.

The ASA for the Badley Appeal Decision – which was accepted by the Inspector – established that the solar farm was entirely reliant on the grid offer received for the specified Point of Connection. This is the same case for the proposed Grove Farm Solar Farm.

This remains the case – extending the search area is an academic exercise as the appellant does not have a grid connection and grid offer on a different 132kV line. Grid reform is not relevant as this doesn't give the Appellant an alternative grid offer. It therefore remains a reasonable approach to rely on the 132kV line as set out in the original ASA.

The appellant would suggest expanding the ASA to clarify their justification here, which would in effect form a high-level district-wide review of realistic points of connection as requested.

2. Brownfield Land Register

The point is agreed, no further comment.

3. Aggregation of Smaller Sites and Parcels

It is argued that the original ASA adopted a flexible approach as it looked at multiple sites within the short list option areas, including sites smaller than 48ha, and did not focus only on single 48ha parcels of land. The sites that were discounted at this stage were for sound reasons that would remain (i.e., urban areas, very small sites). We would however suggest revisiting this exercise to analyse whether any of the small sites could be joined to a larger site to form a potential alternative.

4. Justification for the 3km radius

The development proposed is a 40MW solar farm (without a BESS) for which a maximum 3km cable route is considered appropriate. Any additional distance affects the commercial viability of the proposal as it would involve the additional cost of laying cables, requiring further land agreements and causing disruption to the local population and environment whilst additional cables are laid.

Appeal reference APP/PO3040/W/23/3330045 at Land East of Hawksworth and Northwest of Thoroton – which concerned a 49.9MW solar farm on a 94.24ha site – included an assessment of alternative sites that was limited to 2km from the appeal site. The justification for this was set out in Para 4.4 of Appendix 2 of the appellant's proof of evidence, which stated:

"There is no prescribed guidance or standard on what constitutes a reasonable search area for renewable energy development. Since renewable energy schemes require a viable connection to the existing grid network, it is essential that there is a connection point with sufficient capacity. The grid connection point must be able to offer sufficient capacity and must remain viable for the lifetime of the solar farm (i.e. 40 years). Cable trenching costs and thermal power losses limit the distance of a site from a suitable grid connection to 2km."

The Inspector considered the matter of radius at Paragraph 80, concluding:

"I am satisfied that viability considerations make a 2km grid connection here a reasonable basis for undertaking a realistic alternative sites assessment."

This paragraph also states the following:

"The PPG provides that considering reasonably available sites could include a series of smaller sites. However, given the likely difficulties in obtaining planning permission for a number of separate sites, and the practicalities of coordinating multiple sites so as to utilise the identified grid capacity in the grid connection offer, this would not be a reasonable alternative to the appeal scheme."

These points are also relevant to matters 1) and 3) above in respect of the grid connection and aggregation of sites.

This approach is underpinned by Paragraph 2.10.24 of EN-3 which confirms that the distance of the solar farm from the existing network can '*have a significant effect on the commercial feasibility of a development proposal*' and footnote 84 to this confirms that '*the route and type of terrain traversed by the cabling linking the solar project to the grid connection may also have an impact on the project's viability.*'

5. Treatment of BMV land and Grade 2 sites

Although the appeal site involves Grade 2 land, this is only a very small proportion (7.1% / 3.43ha) of the site and the majority is lower grade 3a/3b. It is therefore not agreed that the site would have been screened out at this stage as a result of the Grade 2 land as 92.9% of the site is lower grade land. It is not agreed that Grade 2 land should be assessed further for its suitability as this is higher grade land than the application site.

The fact is that an ALC Assessment was undertaken prior to the ASA being prepared as an initial survey in order for the appellant to be aware of the grading of the land from the outset. This is standard practice in forming part of the early decision process in determining whether a site is appropriate for the proposed use. It is not feasible to assess all other land within the search area in that level of detail as this requires access rights, and it remains our view that refining the search on the basis set out in the original ASA is appropriate.

6. Treatment of Heritage

Para 4.1.2 of the ASA states that "Firstly, 'Long List Option Areas' have been identified based on ruling out land which is judged to be of a higher environmental value than the Application Site based on a consideration of spatial designations..."

Notwithstanding our view that the site should not have been included within the Bentley Conservation Area in any event – which will be a matter for evidence – it is agreed that if a scheme was to cause substantial harm to a heritage asset then this would be a matter that would be sufficient to discount a site from consideration at Stage 2. This is on the basis on Paragraph 213 of the NPPF which states that substantial harm to heritage assets should be exceptional. This is a similar test to proposals involving National Landscape designations at Paragraph 190 of the NPPF which states that permission should be refused for major development other than in exceptional circumstances.

As such, it is not considered that the presence of a Conservation Area designation is of itself a Stage 2 constraint. However, it is accepted that any sites that would clearly cause substantial harm to a heritage asset should be ruled out at Stage 2, and the ASA will be updated in this regard.

It is also relevant that the ASA is clearly, out of necessity, a retrospective exercise at this point, undertaken after the event of the Conservation Area designation. Therefore, the

review of Stage 2 is continuing to only rule out sites that are only of a 'higher environmental value' than the application site. Any site which is comparable to the site (i.e. also within a CA) will therefore continue to be considered at Stage 3.

7. Extent of Comparative Assessment at Stage 3

The comments suggest that further detailed comparative assessment needs to be made in respect of landscape and heritage. This would give weight to these issues over the others discussed at Stage 3, whereas sites should be considered in the round. The updated assessment will of course now take account of the Conservation Area when assessing these sites however heritage and landscape should not assume greater importance over the other constraints at the ASA stage.

Appendix 4 –

LPA Response 26th November 2025

From: [Jasmine Whyard](#)
To: [Michael Ruddock](#); [Bentley Parish Council](#)
Cc: [Ian Poole](#); [Paul Burrell](#)
Subject: RE: Grove Farm- Alternative Sites Assessment
Date: 26 November 2025 09:13:10
Attachments: [~WRD0004.jpg](#)
[image001.png](#)



Dear Michael,

Thank you for your further note.

Set out below is our response, following your numbering. As previously offered, a meeting between us and the R6 Party may be sensible in order to bottom out these final points.

1. Area of search / reliance on a single 132kV line

We accept that a secured connection offer is a practical consideration. However, LP25(3) is explicit in requiring applicants to demonstrate that there are “no alternative sites available within the District”. The policy test is not confined to sites capable of using the same PoC as the appeal scheme, and an ASA that only considers alternatives tied to one existing offer risks redefining the development plan requirement.

We therefore do not agree that widening the search beyond the single 132kV line is “academic”. The purpose of LP25(3) is to test whether there are realistically available alternatives with materially lower harm, even if they do not presently benefit from your client’s specific offer.

We note also that the grid regime has changed materially since the 2023 ASA, with TMO4+ reforms intended to clear the queue and prioritise deliverable schemes; this is precisely why a high-level district-wide scan of credible PoCs is now necessary.

You indicate at the end of point 1 that you would “suggest expanding the ASA” to provide a district-wide review. We welcome that, but it needs to be explicit in scope and output. In particular, the ASA should:

- a. identify other realistic PoCs within Babergh;
- b. explain, with evidence, why those are or are not realistically capable of accommodating a scheme of this scale within a reasonable timeframe; and
- c. set out clearly how the reformed connections process bears on availability and deliverability, rather than treating your client’s existing offer as determinative in itself.

We will of course distinguish Badley in evidence. For present purposes, we do not accept that Badley establishes a general rule that alternatives without current offers can be disregarded.

2. Brownfield Land Register

Agreed. Thank you.

3. Aggregation of smaller sites / parcels

We welcome your agreement to revisit this.

4. Justification for the 3km radius

We are content, in principle, for the ASA to use a 3km radius around an identified PoC as a working basis for the detailed sift provided that the ASA first completes the district-wide PoC review in point 1.

5. Treatment of BMV land / Grade 2 sites

We cannot agree that Grade 2 land should be excluded wholesale at Stage 2. It is a matter of fact that the appeal site comprises BMV land, including Grade 2 land, so it is illogical to exclude all other alternative sites which may share similar characteristics.

We also do not accept that feasibility of ALC consideration elsewhere is a barrier at the scoping stage. The ASA can use available ALC maps / datasets as part of a desktop sift to identify BMV candidates for comparative assessment, without presupposing intrusive survey access at Stage 2. It should be noted that in reviewing those maps the appeal site is indicated to be entirely within Grade 2 so, again, this should not be a barrier for being assessed within the ASA because in your own case the reality is that “only a very small proportion” of the site is at that grade.

6. Treatment of heritage

We disagree that Conservation Areas are not, “of themselves”, a Stage 2 constraint.

The newly designated Bentley Conservation Area is agreed to be a new circumstance driving the updated ASA. In a policy-driven alternatives exercise, spatial heritage designations (including CAs and their settings) are plainly relevant at the constraints/shortlisting stage, not only where “substantial harm” is obvious (which appears to be an arbitrary threshold). Otherwise, the updated ASA risks repeating the deficiency identified by the officer report in 2025 and fails to grapple with the statutory duty in s.72.

As made clear at the CMC, it is not for the Inquiry to challenge the status of the BCA, which is now settled as a new material consideration and indeed constitutes a designation that engages a statutory presumption against a grant of permission in the event of harm to significance.

7. Extent of comparative assessment at Stage 3

Noted, and agreed, so long as adequate assessment is undertaken of those impacts.

Given the above, it would appear that items 2, 3, 4, and 7, can be agreed.

Item 1. Is capable of being settled but requires a greater degree of transparency and information sharing so that we, and the Inspector, can be fully sighted on the connection offer available and why, on your case, it is not possible for any other site to gain a connection offer (which appears to be the implication of your response). [The UKPN letter is almost entirely redacted, and the letter from Qair (the same appellant) provides only limited information and cropped screenshots]

Given the remaining differences, and to avoid working at cross-purposes, we suggest a short Teams meeting this week with you and the Rule 6 Party to finalise scope and outputs. We remain committed to agreeing as much common ground as possible.

Kind regards,

Jasmine Whyard, BA (Hons), MSc

Principal Planning Officer- Development Management

Babergh and Mid Suffolk District Councils- Working Together

Email: jasmine.whyard@aberghmidsuffolk.gov.uk

Tel: 01449724846

From: Michael Ruddock <Michael.Ruddock@pegasusgroup.co.uk>

Sent: 19 November 2025 16:43

To: Jasmine Whyard <Jasmine.Whyard@aberghmidsuffolk.gov.uk>; Bentley Parish Council <clerk@bentleysuffolkparishcouncil.gov.uk>

Cc: Ian Poole <Places4people@outlook.com>; Paul Burrell <Paul.Burrell@pegasusgroup.co.uk>

Subject: RE: Grove Farm- Alternative Sites Assessment

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Appendix 5 –

Rule 6 Party Response 19th November 2025

From: clerk@bentleysuffolkparishcouncil.gov.uk
To: Michael.Ruddock; ["Jasmine Whyard"](mailto:Jasmine.Whyard)
Cc: [Paul Burrell](mailto:Paul.Burrell)
Subject: RE: Grove Farm- Alternative Sites Assessment
Date: 19 November 2025 15:39:04
Attachments: [image001.png](#)



Good afternoon Mr Ruddock

The Rule 6 party have seen Babergh District Council's reply to you sent on 12 November and agree with it

Kindest regards

Joy

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From: Michael Ruddock <Michael.Ruddock@pegasusgroup.co.uk>
Sent: 07 November 2025 15:24
To: Jasmine Whyard <jasmine.whyard@baberghmidsuffolk.gov.uk>; Bentley Parish Council <clerk@bentleysuffolkparishcouncil.gov.uk>
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Just on another matter, please could both the Council and the Rule 6 party send me contact details of their landscape and heritage witnesses to enable our witnesses to contact them to agree topic-specific statements of common ground, as requested by the Inspector.

Finally, please note I am on leave until Thursday 13th after today, so please could I ask that Paul Burrell (copied into this email) is copied into any correspondence in this period.

Kind regards

Michael Ruddock
Associate Planner - Planning
[E Michael.Ruddock@pegasusgroup.co.uk](mailto:Michael.Ruddock@pegasusgroup.co.uk)
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Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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