



Appeal Decision

Hearing held on 9 September 2026

Site visit made on 10 September 2026

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2026

Appeal Ref: 6007160

Land north of Aylsham Road, east of Holt Road, Cawston, NR10 4HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Becca Leake of Exagen Development Ltd against the decision of Broadland District Council.
 - The application Ref is 2025/1531.
 - The development proposed is construction, operation, and subsequent decommissioning of a renewable energy park, comprising ground mounted solar photovoltaics (PV) together with associated infrastructure, including inverters, transformers, substation, cabling, CCTV, fencing, access and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for construction, operation, and subsequent decommissioning of a renewable energy park, comprising ground mounted solar photovoltaics (PV) together with associated infrastructure, including inverters, transformers, substation, cabling, CCTV, fencing, access and landscaping at Land north of Aylsham Road, east of Holt Road, Cawston, NR10 4HR in accordance with the terms of the application Ref 2025/1531 and subject to the conditions set out in the attached schedule.

Applications for costs

2. At the hearing an application for costs was made by Exagen Development Ltd against Broadland District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The Council confirmed that an Environmental Impact Assessment was not required for the development. There is no reason to disagree.
4. A revised National Planning Policy Framework (the Framework) was issued on 17 August 2026 and is a material consideration in this appeal. Both main parties have commented on its implications for their cases, and I have taken those additional representations into account.

Planning Policy Context

5. The appeal site lies outside any defined settlement limits within an area designated as countryside in the development plan. Outside settlement limits Policy GC2 of the Broadland Development Management DPD (DM DPD) permits development which does not result in any significant adverse impacts where it

accords with a specific development plan policy. DM DPD Policy GC5 encourages renewable energy technology where impacts are or can be made acceptable and Policy 2(10) of the Greater Norwich Local Plan (GNLP) supports free-standing renewable energy networks subject to the acceptability of wider impacts.

6. The policy approach is consistent with the Framework Policy S5. Specifically, Policy S5.1 identifies acceptable forms of development outside settlement boundaries, supporting infrastructure development including energy proposals. Qualifying forms of development under Policy S5.1, including solar development, should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

Main Issue

7. As agreed between the parties and in accordance with the local and national policy context outlined above there is in principle policy support for the proposed development outside settlement boundaries subject to an assessment of its specific impacts.
8. In this case, the main issue in dispute is the effect of the proposed development on best and most versatile (BMV) agricultural land.

Reasons

9. The appeal site comprises 93.44 hectares (ha) of agricultural land, with the main solar array, associated infrastructure and Battery Energy Storage System (BESS) occupying parts of four irregularly shaped fields to the north of Aylsham Road, Cawston. The proposed development is for a temporary operational lifespan of up to 40 years from the date the first electricity is exported to the grid.

BMV agricultural land

10. Most of the appeal site is classified as BMV agricultural land. Broadly, 18.5% is Grade 1, 49.6% is grade 2, 28.4% is grade 3a. The remaining 3.5% is grade 3b or non-agricultural land. It is agreed that the area of land that would be physically disturbed by the development would amount to about 4ha of the 93.44ha appeal site and the effects of the development would be temporary and fully reversible.
11. The recently published Predictive Agricultural Land Classification Map for England (Predictive ALC Map) has been analysed by the appellant and it is concluded that the proportion of land of BMV quality in Norfolk and Broadland District Council is 93.9% and 88.5% respectively and it is agreed between the parties that the Predictive ALC Map shows that the whole of the County of Norfolk is mostly comprised of BMV agricultural land. Therefore, there is no evidence or expectation that poorer quality land would be found or be available at the scale of the development within either administrative area.
12. Policy N2 of the Framework says that development proposals should contribute positively to the natural environment and support nature recovery by taking into account the quality of agricultural land, and if significant development of agricultural land is necessary, use areas of poorer quality land where possible. Policy 3 bullet point 6 of the GNLP seeks to ensure that development proposals are designed to respect conserve and enhance natural assets taking into account local design and other guidance, however the development plan policies

referenced in the reason for refusal do not specifically address BMV agricultural land.

13. Interested parties argue that the proposal should be accompanied by an alternative site assessment or sequential test. However, Bramley¹ establishes that neither the Planning Practice Guidance (PPG), or the Framework requires either exercise for a proposal of this nature.
14. Although Lullington² confirms that decision-makers are entitled to scrutinise the justification for developing BMV agricultural land, it does not impose a requirement for a separate site selection exercise rather it establishes that the adequacy of the justification is a matter of planning judgement. Here, the Council accepts that poorer quality land is not available as a realistic alternative. In addition, the predictive mapping shows BMV land to be widespread across the district. In these circumstances, I find it unlikely that a suitable alternative site could be identified which would avoid BMV land entirely.
15. While interested parties indicate that within the land holding the farmer has lower grade land that could be considered, I see no reason to question the appellant's evidence at the hearing that the farmer has confirmed that this part of the farm land holding is the least productive. Nor do I have any reason to question the appellant's evidence that the scheme's final layout was determined by a balance of operational, environmental and landscape considerations including land quality.
16. I acknowledge the views that another approved solar site that would export electricity to the same substation may include lower grade agricultural land, but there is no substantive evidence before me that such land would be all non-BMV agricultural land. Nor does the existence of a site which would be served by the same substation mean that the wider public benefits in maximising renewable energy do not apply to the appeal scheme. Overall, I am satisfied that the proposal complies with the requirements of Policy N2(1)(b) of the Framework to use areas of poorer quality land where possible.
17. Turning to the Council's reason for refusal which is concerned with the loss of BMV agricultural land across the site for over 40 years. In its appeal statement the Council refers to the land as being a natural asset and references the loss of the land from production. However, little has been provided by the Council either in its statement or at the hearing of any specific economic, food security or local agricultural impacts resulting from the use of the land for solar development for a period of 40 years. Furthermore, there is no other clarification from the Council as to why the agricultural land would be lost.
18. The solar panels would occupy 42ha of the land area of the appeal site and a total of 66 ha would be used for the development. Except for the small area covered by tracks, the substation, BESS and the attenuation pond, which would not be available for agriculture during the life of the solar farm, the remainder of the appeal site would continue to be available for agricultural purposes.
19. In respect of agricultural use, it is agreed that land under and around the panels would include an agricultural grazing use which could be secured by condition. The appellant's evidence also confirms that those areas within the site that do not

¹ Bramley Solar Farm Residents Group v Secretary of State 2023 EWHC 2842 Admin

² Lullington Solar Park Ltd v Secretary of State for Levelling Up, Housing and Communities [2024] EWHC 295 (Admin)

contain panels can continue to be farmed, including for arable crops, and the areas which would provide mixed species grassland around the panels could be cut for hay.

20. While acknowledging that there would likely be no arable production on the area of the solar panels during the life time of the development and consequently this area may be less versatile, much of the appeal site could still be used for some agricultural purpose during the operation of the solar farm. It is also the intention that the land would be returned fully to agricultural use at the end of the operational period of the solar farm. Furthermore, it is agreed between the main parties that there is no requirement for land to be farmed, or farmed intensively, and that the effects of the proposed development on the wider rural economy are not significant locally, regionally or nationally.
21. Moreover, the appellant's uncontested evidence demonstrates that resting the land from intensive agriculture would be likely to improve soil health by increasing the organic matter in the soil and improving soil structure and drainage. Therefore, there would be no loss of soil quality in the long term because of the development.
22. Natural England also confirms there would be limited soil disturbance with no permanent loss of agricultural land quality likely to occur provided appropriate soil management is employed. I see no reason to conclude differently from Natural England. A Soil Management Plan condition is imposed to safeguard soil resources, and to secure appropriate agricultural and biodiversity land management across the period.
23. Overall, I conclude that the development would not result in the loss of BMV agricultural land. Therefore, in this respect, there would be no adverse impacts of the development to consider in relation to Policies 2(10) and 3 (bullet 6) of the GNLP and Policies GC2 and GC5 of the DM DPD in respect of BMV agricultural land. Nor would there be any conflict with the Framework policy outlined above.
24. The appellant refers to other appeal and council decisions including a site at Heydon that they contend is particularly similar to the appeal scheme. However, I find that the Council has failed to provide substantive evidence to demonstrate that BMV agricultural land would be lost, therefore, it has not been necessary for me to draw comparisons with or rely upon other cases to reach my conclusion.
25. Interested parties have referred to a recently refused solar scheme at Alderford but I have little detail of the scheme before me to assess its relevance or comparability to this appeal proposal.

Heritage

26. In accordance with the statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have considered the impact of the proposal on the setting of nearby heritage assets, informed by the submitted heritage impact assessment, which sets out the significance of heritage assets, and my onsite observations.
27. The Framework requires decision-makers to assess the effect of development on the significance of heritage assets, including any contribution made by their setting. Setting is defined as the surroundings in which a heritage asset is experienced and may contribute positively, negatively or neutrally to significance.

28. Dix's Farmhouse is a grade II listed building located on the west side of Holt Road. The significance of Dix's farmhouse principally derives from its historic and architectural interest. As land farmed by the occupiers of Dix's Farmhouse, there is some historic association between the appeal site and farmhouse and, as part of the wider rural setting of the farmhouse, the appeal site contributes to its significance.
29. However, due to the physical separation provided by Holt Road, the presence of mature trees and vegetation within the immediate garden of the property and hedging along the appeal site frontage there is limited intervisibility between the farmhouse and the appeal site. Furthermore, the solar panels would be set back within the fields adjacent to the farmhouse so that its rural farming context would not be notably altered in a visual sense.
30. Even so, the development as a whole would change the balance of land use on the appeal site away from farming to energy production for an extended period and given the previous farming association between the two sites there would be some minor harm to the significance of Dix's farmhouse as a result of the change.
31. The grade II listed water tower, now converted to a residential dwelling and referred to as the Old Water Tower by the occupiers of the property, stands in Warren Wood. The tower's significance principally derives from its historical, architectural and technological interest associated with its date of construction, intactness and as the only ten-sided water tower in Europe. The water tower was purposely constructed in a woodland, and the tower is primarily experienced in its immediate woodland setting today.
32. The proposal would alter the largely arable farming landscape located near to the woodland. However, there is little to suggest that the heritage significance of the water tower is functionally, historically or visually derived from this agricultural land and there is limited intervisibility between the tower and the appeal site. The appeal site does not form a key viewpoint from which the asset's unique architectural form is appreciated, nor does the development disrupt its character. Therefore, the proposal would not undermine or diminish the appreciation of the asset and the effects on the significance of the water tower would be neutral.
33. Nevertheless, in accordance with Policy HE5 of the Framework, I find that the proposal would result in harm to the significance of Dix's Farmhouse through effects on its setting. Given the limited intervisibility, degree of separation and nature of the proposed development, I find that the identified harm would be minor.
34. In accordance with Policy HE6 of the Framework and my statutory duty, that harm attracts considerable importance and weight. Although I assess the proposal's benefits in more detail below, even when giving substantial weight to the asset's conservation, I am satisfied that the scheme would deliver substantial public benefits through its contribution to renewable energy generation. I find that the public benefits outweigh the minor harm to the significance of the designated heritage asset. The proposal accords with Policies HE5 and HE6 of the Framework and Policy 3 of the GNLP. The Council similarly concludes that the development would not conflict with development plan policy.

Other Matters

Landscape

35. The application was accompanied by a Landscape and Visual assessment which assessed the potential landscape and visual effects of the proposal, including the cumulative effects with other solar farms in the wider area. The Council concluded that the harmful impacts of the proposal would be relatively localised and could be effectively mitigated. Full landscape planting detail and a landscape management plan could be sought by condition. While noting the concerns of interested parties in particular in relation to Marriott's Way and the numbers of renewable energy schemes that have been and would be accommodated in the area, from the evidence before me and what I saw on my site visit, I see no reason to come to a different conclusion and I agree with the Council that the proposal would comply with Policies 2 and 3 of the GNLP and Policies GC4(i), EN2 and GC5 of the DM DPD.

Cable route

36. The solar farm would connect to Salle Substation, located broadly to the west of the appeal site on the opposite side of Cawston village, approximately 2.5 km away. An indicative route to the substation, submitted as part of the Environmental Impact Assessment screening opinion request, shows an underground cable running broadly along the B1145 through the village. However, the route has not been confirmed. In any event, the off-site cable connection falls outside the appeal site and would be delivered separately by the Distribution Network Operator (DNO) under statutory undertaker powers and, where applicable, permitted development rights.
37. I recognise local concerns regarding the absence of a defined cable route and the potential for further disruption following recent utility works in the area. However, the off-site cable connection falls outside the scope of this appeal and would be subject to separate statutory and regulatory controls. In the absence of convincing evidence to the contrary, I have no reason to conclude that those controls would not operate as intended. Consequently, this matter does not weigh against the appeal proposal.

Glint and glare

38. The Glint and Glare Impact Assessment supporting the application considered the effects of glint and glare on residential receptors, and aviation infrastructure. In terms of residential receptors due to a combination of existing embankments, local terrain and vegetation along with the orientation and angle of the PV panels no effects are predicted at any of the assessed residential receptors because of the development, including the Old Water Tower. Furthermore, no glare effects are predicted for Norwich Airport's final approach paths nor the air traffic control tower. Additional flight paths were modelled and while green glare is predicted on certain sections of these paths, this would be of low intensity and is deemed acceptable. The assessment has been undertaken in accordance with best practice, and I see no reason to disagree with its conclusions.

Living conditions

39. There are several properties on the periphery of the appeal site. The water tower is a tall structure set within woodland which has been converted to a dwelling. The property has a living room and balcony on the top level from where the area surrounding it can be observed. However, views towards the appeal site are limited because of the treed setting of the property. Such views may be more apparent in the winter, but the density of planting would still limit views.
40. While the rural aspect of the views from the old water tower would be somewhat changed by placing of panels within the fields next to the woodland, views through to the substation and BESS compound would be largely obscured because of the intervening distances and the proposed and existing tree and shrub planting. The panels would be visible between the trees and the view somewhat changed, but the development would not detract from the overall living conditions of the property. Moreover, the noise assessment confirms that the impact of operational noise due to the development would be below the level at which adverse impacts would occur, during both day and night-time periods.
41. Regarding the woodland plots, I appreciate that efforts are being made within the woodland to encourage biodiversity and that some have bought plots for recreation purposes. However, I have no substantive evidence that the development would undermine the woodland's wider ecology, indeed the evidence indicates the scheme would deliver a significant biodiversity net gain (BNG). Furthermore, during the operation of the site, the development would generate few vehicle movements, lighting would be limited to the BESS compound and CCTV angled inwards. Consequently, there is no reason to conclude that the development would adversely affect the owners' recreational enjoyment of the woodland.
42. The group of properties broadly to the west of the appeal site, including the holiday accommodation at Beechcroft Barns, are surrounded by open land outside the appeal site. Whilst the holiday barns contain large windows with an open outlook towards the appeal site, and neighbouring dwellings benefit from views across the surrounding countryside, the solar panels have been positioned to avoid the overhead power line crossing the site and to provide a setback from the Holt Road frontage. Consequently, the development would be located a considerable distance from these properties.
43. Furthermore, additional planting would supplement the mature field boundary adjacent to the existing farm track, enhancing the landscaped buffer between the appeal site and neighbouring properties. Given the separation distances involved, together with the existing mature field boundaries and proposed landscaping, I am satisfied that an attractive rural setting would be maintained for the holiday accommodation and nearby dwellings.
44. There is no robust scientific evidence presented in this case to suggest that the solar development poses any risk to human health. Therefore, while I note the concerns raised by residents living nearby, they are not supported by notable objective evidence and do not form a basis for resisting the development.
45. In relation to the construction period, I have no compelling evidence before me to conclude that the scheme would take significantly longer to construct than the 6 months indicated by the developer. A condition to secure a Construction

Management Plan would protect residents and visitors during the construction phase of the development.

46. Overall, the Council concluded that subject to conditions the proposal complies with Policy GC4 of the DM DPD which encourages schemes that reduce reliance on non-renewable energy sources provided that, among other things, the amenity of existing properties is considered. I see no reason to disagree.

Highway matters

47. The parties agree that the proposal presents no highway safety or capacity concerns, and the transport statement demonstrates that there are no residual impacts in terms of highway safety or the operational capacity of the surrounding highway and transport networks. The construction traffic to the appeal site can be safely managed through appropriate planning conditions. In respect of highway matters, the proposal complies with Policy TS3 of the DM DPD.

Fire safety

48. Concerns have been raised regarding fire risks due to the BESS compound's proximity to the woodland. The development includes an outline battery safety management plan. This has been prepared to ensure that fire safety risks related to the development are understood, accounted for, and mitigated, in agreement with relevant bodies, before construction begins. Notably Norfolk Fire and Rescue Service did not object to the scheme.
49. Outside of the planning system, regulatory regimes exist to ensure safety of facilities. Furthermore, a detailed Fire Safety Management Plan would be secured by condition providing an appropriate mechanism to agree specific mitigation measures prior to construction.

Decommissioning

50. The appellant's evidence demonstrates that well established recycling methods exist for solar panels which would prevent undue waste generation. It is also concluded that traffic movements during decommissioning would be similar to those of the temporary construction period resulting in no severe or unacceptable highway safety impacts.
51. While precise details may evolve over the lifespan of the solar farm, a comprehensive decommissioning and site restoration scheme can be conditioned. The mechanism would require identification and protection of ecology features at the end of the project's life. The temporary effects of the decommissioning process itself would be managed and mitigated via the proposed decommissioning condition to ensure the site is fully and appropriately restored. In this respect, I am satisfied that the requirements of Policy W3 of the Framework are met.

Biodiversity

52. The appellant's Ecological Impact Assessment is reasonable and proportionate for the nature of development proposed and includes mitigation measures that would ensure that Priority and Protected Species would not be harmed, including nesting birds, bats, badgers and amphibians, including great crested newts. In addition,

the biodiversity enhancements for the site may provide improvements to habitat for some of those species.

53. The proposed development would deliver BNG of over 70% in relation to the habitat areas and nearly 90% for the hedgerows, through the on-site delivery of biodiversity gain. The net gain delivered would be achieved through a combination of habitat creation and enhancement, with the ongoing management and monitoring of the enhanced habitats an integral aspect of the delivery of the scheme. A Habitat Management and Monitoring Plan condition would secure the provision of BNG in accordance with the appeal details.

Habitat Regulations

54. As the competent authority under the Conservation of Habitats and Species Regulations 2017 as amended, I am required to consider whether the appeal scheme either alone or in combination with other plans or projects is likely to have a significant effect on any European Protected site. The appeal site lies within the wider geographic vicinity of the Broads Special area of Conservation (SAC) and Ramsar, the River Wensum SAC and the Norfolk Valley Fens SAC.
55. Regarding Nutrient Neutrality the Council's evidence notes that the appeal site sits within the catchment area of either the Broads SAC or the River Wensum SAC. While the precise catchment division has not been definitively isolated in the evidence, both catchments are currently affected by nutrient neutrality requirements due to unfavourable habitat conditions.
56. By its nature the solar scheme does not involve the provision of overnight accommodation and as such it is not likely to lead to a significant effect as it would not involve a net increase in population in the catchment and is not considered a high-water use development. Natural England has confirmed that nutrient neutrality would only be relevant if the proposal would result in an increase in overnight stays. Furthermore, the development involves the move away from intensively farmed land for arable agriculture and pig farming on at least 66 ha of the site, and therefore intrinsic characteristics of the project mean there would be no additional nutrient loading into either the Broads or the Wensum catchments. Having regard to these factors I am satisfied that likely significant effects (LSE) on the Wensum and Broads SACs can be ruled out.
57. Regarding the geographically closest European site, the Norfolk Valley Fens SAC; this SAC is a European designated site legally protected for its rare lowland, spring fed valley fens, specialised wetland habitats and endangered narrow-mouthed Whorl snail populations. This SAC is not currently a catchment area subject to Natural England's advice on nutrient neutrality. Natural England considered the potential impact pathways including hydrological links to Norfolk Valley Fens SAC and decided that there would be no LSE to the SAC either alone or in combination with other developments. The intrinsic characteristics of the development as discussed above applies and would rule out LSE.
58. My conclusion is reinforced by my consultation with Natural England who as the statutory nature conservation body has explicitly confirmed that it excluded any LSE arising from the development, both in relation to nutrient neutrality within the river catchments and regarding the interest features of the Norfolk Valley Fens SAC.

59. Having regard to the nature of the solar development, the cessation of intensive agricultural inputs on part of the site and the statutory advice of Natural England I am satisfied that the project would not have any LSE on the Broads SAC, the River Wensum SAC or the Norfolk Valley Fens SAC either alone or in combination with other plans or projects. An appropriate assessment is therefore not required and there is no policy or statutory reason to resist the development on these grounds.

Benefits

60. The appeal scheme would provide a generating capacity of 25 MW (AC) to the grid, and it is estimated that the development would meet the equivalent energy needs of approximately 13,900 homes and displace roughly 6,871 tonnes of carbon dioxide per annum. The 10 MW BESS would allow energy storage during times of peak generation. These features ensure the development would be a cost-effective contributor to the UK's energy security and the transition to net zero, directly addressing the national climate emergency and the Broadland District Council's July 2023 climate and biodiversity emergency declaration.
61. The proposal would generate temporary jobs during the construction and decommissioning phases, alongside a small number of permanent positions once operational. The development would also contribute to the wider economy and provide business rates over its 40-year life span. There may also be benefits to the farm by diversifying the farm income. Furthermore, I have concluded that there would be significant gains in biodiversity because of the development.
62. In accordance with the Framework the benefits of improving energy security, supporting economic development and/or the transition to a net zero future should be given substantial weight.

Planning Balance

63. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
64. In this case, while I have identified minor harm to heritage assets, the substantial public benefits of providing renewable energy decisively outweigh this harm under the provisions of the Framework. Because Policy 3 of the GNLP is to be considered in accordance with the requirements of the Framework I find no conflict with the development plan in this respect. The proposal does not conflict with the development plan in relation to the main issue in this appeal or any other matters and I find no conflict with the development plan when taken as a whole.
65. The Framework is a material consideration of critical importance. Given my findings that overall, the proposal would result in minor harm to heritage assets there is very little adverse impacts to weigh against the proposal. Furthermore, Policy W3 of the Framework mandates that substantial weight must be given to the benefits of renewable energy schemes, as I have found here.
66. In the absence of any development plan conflict and given that the balancing test set out in Policy S5.1 of the Framework overwhelmingly favours approval, there are no material considerations that would justify a decision otherwise than in accordance with the development plan.

Conditions

67. I have considered the suggested planning conditions against the tests in the Framework and the advice in the Planning Practice Guidance. After the hearing closed the Council and the appellant provided a revised conditions list reflecting the hearing discussions. My consideration has taken account the Framework and advice in the Planning Practice Guidance. I have amended conditions further largely to ensure precision and enforceability.
68. The appellant has requested an extended implementation period of 6 years, citing the changing regulatory framework of the electricity grid network. While the modified connection agreement, following the transmission impact assessment, indicates a firm transmission reinforcement date of 2034 at the Norwich main grid supply point³ the evidence clarifies that under the reformed National Energy Systems Operator framework 'first ready, first served' involves prioritising projects that are more advanced in their development, such as those with planning permission and land rights secured. In such cases, there is a reasonable prospect of the project moving forward in the regional queue as non-viable schemes are excluded.
69. Imposing a standard 3-year time limit condition would fail the test of reasonableness, as it would limit a viable renewable energy scheme facing delays beyond its control. Section 91(1)(b) of the Town and Country Planning Act 1990 explicitly provides the statutory discretion to direct such other period whether longer or shorter as considered appropriate based on material circumstances. The PPG advises that a longer time period may be justified for very complex projects where there is evidence that 3 years is not long enough to allow all the necessary preparations to be completed before development can start. At the hearing the appellant confirmed that with the planning permission in place and the land rights secured a 6-year commencement period is achievable as the project could be prioritise and accelerate advancement in the queue for connection. The requested 6-year period would provide a necessary and practical window that balances national targets for rapid decarbonisation with local planning certainty.
70. The Council raised no concerns about the 6-year time limit in considering the application, nor did they provide any evidence at the hearing to indicate that a limit of 6 years was not justified having regard to material circumstances or the development plan. Based on the evidence before me I am satisfied that the 6-year period has been justified. I alter the standard time limit condition accordingly.
71. I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. Conditions setting out the time limit for the operational period of the solar farm and its subsequent decommissioning and restoration, are necessary in the interests of agriculture and landscape character.
72. To safeguard cultural heritage, it is necessary to secure a scheme of archaeological investigation, mitigation, and recording. I have also imposed a condition covering external materials to protect the character and appearance of the area. To ensure operational and fire safety a Battery Safety Management plan is necessary and reasonable and to safeguard protected species and to protect the character and appearance of the area a condition requiring details of lighting

³ Paragraph 2.7.7 of the appellant's statement of case

within the BESS compound and restricting lighting elsewhere on the site is necessary.

73. Conditions to secure a Biodiversity Construction Environmental Management Plan (BCEMP), construction and traffic management plans, the protection of hedges and trees during construction, a landscaping scheme and a habitat management and monitoring plan are necessary and reasonable in the interests of the environment and protected species, the living conditions of residents, and the safe and efficient operation of the highway. The BCEMP includes a clause to secure updated surveys if more than three years has at the time of construction this takes into account the extended time limit for implementation.
74. Conditions to secure details of access gates, visibility splays and detailed design of the access are required to ensure safe operation of the highway. Noise conditions are necessary and reasonable to make certain that the fixed noise attenuation measures are provided and noise is minimised during the operational period of the development to protect residents. The acoustic fence condition has been added to ensure that the fencing is retained and maintained. I have imposed a condition to require details of any unexpected contamination. The condition varies from that proposed by the parties to ensure that the requirements of the condition are precise and enforceable.
75. The surface water drainage condition is necessary to ensure the proper management of surface water. To protect the soil as a resource during construction and in the long-term a soil management plan is required. To ensure the continuation of an agricultural use on the site alongside the generation of renewable energy in accordance with the evidence submitted a condition requiring a grazing management plan is reasonable and necessary. I see no reason why the grazing plan should be provided prior to commencement, but I agree that for precision and enforceability the detail of what is required in the grazing plan should be identified.

Conclusion

76. The proposal accords with the development plan and there are no material considerations that indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

Diane Cragg

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Thea Osmund-Smith	Barrister at No5 Chambers
Andrew Ross	Turley Associates.
Tony Kernon	Kernon Countryside Consultants Ltd.
Richard Vickers	RV Design.
Jon Huckle	Huckle Ecology Ltd.
Becka Leake	Exagen Development Ltd
Tom Tabram	Exagen Development Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Glen Beaumont	Broadland District Council
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INTERESTED PARTIES:

Cllr Dave Thomas	District councillor for the Ward
Mr David Forster	
Mr Graham Watts	
Mrs Joanna Watts	
Mrs Barbara Hemmings	
Mr Stuart Richardson	

Schedule of Conditions

Time Limit for Commencement

1. The development hereby permitted must be begun before the expiration of six years from the date of this permission.

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the application form, plans and drawings received as listed below:

Drawing numbers:

WRW01A-EXG-00-00-D-K002-P02 Site Location Plan
WRW01A-EXG-04-00-D-K001-P02 Site Layout Plan
WRW01A-EXG-95-00-D-L001-P02 Landscape Mitigation Plan
WRW01A-EXG-05-ZZ-D-K001-P01 Typical Solar MV Inverter Elevations
WRW01A-EXG-05-ZZ-D-K005-P01 Typical Auxiliary Transformer Elevations
WRW01A-EXG-05-ZZ-D-K007-P01 Typical Palisade Fence and Access
WRW01A-EXG-05-ZZ-D-K006-P01 Typical 33kV Transformer Elevations
WRW01A-EXG-05-ZZ-D-K002-P01 Typical Solar Panel Elevations
WRW01A-EXG-05-ZZ-D-K003-P01 Typical Solar Farm Deer Fence and CCTV
WRW01A-EXG-05-ZZ-D-K004-P01 Typical Customer Substation Building
WRW01A-EXG-05-ZZ-D-K008-P01 Typical BESS and Substation CCTV and Lighting Posts
WRW01A-EXG-05-ZZ-D-K009-P01 Typical DNO Substation Building
WRW01A-EXG-05-ZZ-D-K010-P01 Typical Acoustic Barrier Fence
WRW01A-EXG-05-ZZ-D-K011-P01 Typical Battery Transformer
WRW01A-EXG-05-ZZ-D-K012-P01 Typical Battery Unit
WRW01A-EXG-05-ZZ-D-K013-P01 Typical Spare Parts Container
WRW01A-EXG-05-ZZ-D-K014-P01 Typical Water Storage Tank

Duration of Temporary Permission

3. The development hereby permitted is only for a temporary period of 42 years from the date of the commencement of development, which shall be notified in writing to the Local Planning Authority (LPA). At the end of this 42-year period, the development shall cease and all buildings, materials and equipment brought on to the land in connection with the development shall be removed.

Archaeology

4. No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the LPA in writing.

A) The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation, 6) Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of

investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under Part (A) and any addenda to that WSI covering subsequent phases of mitigation.

and,

C) The development shall not be put into operation until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under Part (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Colour Finishes

5. Development shall not progress above slab level until details of the colour finishes to the battery storage containers, spare parts container, transformers, inverters, the customer and District Network Operator buildings hereby permitted have been submitted to and approved in writing by the LPA. The development shall then be constructed in accordance with the approved details.

Battery Safety Management Plan

6. No battery energy storage system shall be constructed until a Detailed Battery Safety Management Plan ["DBSMP"] has been submitted to and approved in writing by the LPA.

The DBSMP shall be in accordance with the submitted Outline Battery Safety Management Plan and NFCC Compliance Report, dated May 2025 and shall have regard to the details submitted by the Norfolk Fire and Rescue Service in their consultation response dated 4th June 2025.

The development shall be implemented and operated only in accordance with the approved DBSMP.

Lighting

7. No permanent external lighting shall be provided within the approved development other than as part of the "solar POC substation and BESS compound area" (shown on plan WRW01A-EXG-04-00-D-K001-P02). No external lighting shall be provided as part of the "solar POC substation and BESS compound area" unless its detailed design, location, hours of use and level of illuminance (in Lux) have first been submitted to and agreed in writing with the LPA. The submitted details shall be in accordance with the recommendations for lighting within the Ecological Impact Assessment, dated May 2025. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiance. The lighting shall be designed in accordance with the Institute of Lighting Professionals Guidance Note 1 on Obtrusive Light and Guidance Note 8 Bats and Artificial Light. The lighting shall thereafter be implemented only in accordance with the approved details and shall be retained as such thereafter.

Landscaping Scheme

8. No development shall take place other than works required for the creation of the temporary construction compound until a detailed landscaping scheme has been submitted to and approved in writing by the LPA. The detailed landscaping scheme shall reflect the approved Landscape Mitigation Plan (drawing number WRW01A-EXG-95-00-D-L001-P02) received on 26th September 2025 and shall include:
- a) planting plans;
 - b) written specifications (including cultivation and other operations associated with plant and grass establishment);
 - c) schedules of plants, including species, plant sizes at time of planting and proposed numbers/densities;
 - d) implementation programme;
 - e) detail on the size and frequency of mammal gaps/gates.
 - f) Details of how any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the implementation programme shall be replaced in the next planting season with plants of the same size and species.

Habitat Management and Monitoring Plan

9. Prior to development commencing a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to and approved in writing by the LPA. The HMMP shall include provision for all retained and proposed habitats and landscape features within the site and ensure the achievement of at least a net gain of 72.27% in habitat units and 90.07% in respect of hedgerow units (based on the submitted Biodiversity Net Gain Assessment dated September 2025). The HMMP shall include, but not be limited to:
- a) the planned habitat enhancement and/or creation works to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan and a timetable for their implementation relative to the commencement of development;
 - b) the management measures to maintain retained and proposed habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of habitat enhancements and/or creation works; and
 - c) the monitoring methodology (to include reporting) and frequency in respect of the retained, enhanced and/or created habitat. These shall be completed on the anniversary of the completion of the habitat enhancements and/or creation works for years 1, 3, 5, 10, 15, 20, 25 and 30.

The habitat enhancements and/or creation works shall then be implemented in accordance with the approved details and within a timescale to be agreed as part of the HMMP.

The development shall thereafter be operated and managed in accordance with the HMMP.

Biodiversity Construction Environmental Management Plan

10. No development shall take place until a Construction Environmental Management Plan for biodiversity ["Biodiversity CEMP"] has been submitted to and approved in writing by the LPA. The Biodiversity CEMP shall provide measures for the protection of retained biodiversity features, protected species and habitats during the construction period, based on the Ecological Impact Assessment dated May 2025, and include (but not be limited to) the following:
- A risk assessment of potentially damaging construction activities for biodiversity;
 - Practical measures (both physical measures and sensitive working practices) to avoid or mitigate impacts during construction;
 - A Precautionary Method of Working Statement for great crested newts;
 - Details of how temporary lighting will be used during the construction period for security or other construction activity to avoid or minimise impacts on retained features and habitats;
 - Details regarding a pre-construction badger survey. Should the survey recommend any mitigation measures, these shall be implemented and adhered to in accordance with the approved details for the duration of the construction period;
 - If (at the time of construction) three years have passed since surveys for relevant protected species were undertaken, then updated surveys shall be required to support the measures to be identified within the Biodiversity CEMP

The approved Biodiversity CEMP shall be implemented and adhered to for the duration of the construction period.

Tree Protection

11. Operations on site shall take place in strict accordance with the approved Arboricultural Impact Assessment (AIA), Tree Retention, Removal and Protection Plan (TRRPP) and Arboricultural Method Statement (AMS) prepared by Barton Hyett Associates dated 1st May 2025. No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TRRPP.

The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site.

Construction Management Plan

12. Development shall not begin until a Construction Management Plan ["CMP"] has been submitted to and approved in writing by the LPA detailing the measures to

be taken to avoid and mitigate adverse effects on nearby residential receptors in respect of noise, dust, dirt and any other pollutants during the construction period. The approved CMP shall be implemented and adhered to for the duration of the construction period.

Decommissioning

13. Not less than 12 months prior to the expiry of the temporary permission or within 6 months of the planned cessation of electricity generation from the development (whichever is sooner), a scheme of works for the decommissioning of the development shall be submitted to and agreed in writing with the LPA which shall include a timetable for works, decommissioning, traffic management plan, access, access route including provision for addressing any abnormal wear and tear to the highway, a decommissioning plan to address noise and dust and details of any measures that are necessary to protect ecological features and habitats within the site upon cessation of the use. The subsequent decommissioning of the development shall be carried out in accordance with the agreed details within 12 months of the expiry of this permission or within 12 months of the cessation of electricity generation (whichever is sooner).

Access Gates

14. Any access gates to be provided adjoining the public highway at the access to the approved development shall only be hung to open inwards to the site, set back from the near channel edge of the adjacent carriageway (and thereafter retained) a minimum distance of 18m (from the edge of the adjacent carriageway) to allow large vehicles to pull completely clear of the highway and open the gates.

Visibility Splays

15. Visibility splays for access into the development hereby approved shall be provided in full accordance with the details indicated on the plan (2408024 – 04 rev C) included in the submitted Construction Traffic Management Plan dated 25th April 2025. Visibility splays measuring 2.4 metres x 160 metres shall be provided to each side of the access where it meets the near edge of the adjacent highway carriageway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Construction Traffic Management Plan

16. Prior to the commencement of any works onsite a revised Construction Traffic Management Plan ["CTMP"] shall be submitted to and approved in writing by the LPA. The CTMP must be in accordance with the principles of the CTMP dated 25th April 2025 and include details of the routing of construction vehicles (including management and monitoring measures to ensure the use only of this route), on-site parking provision for construction vehicles, details of wheel cleaning facilities for construction vehicles on site to prevent material from the site emerging the public highway (and their use/retention), as well measures for identifying and addressing any abnormal wear and tear to the highway (arising during the construction period) along the B1145 (the exact area to be agreed as part of the CTMP to be approved).

For the duration of the construction period all HGV traffic associated with the construction of the development will comply with the Construction Traffic Management Plan.

Detailed Access Design

17. Notwithstanding the details indicated on the submitted drawings no works shall commence on site until detailed drawings for the proposed site access arrangements as indicated on Drawing No (2408024 - TK04- Rev D and 2408024 – 04 rev C) included in the submitted Construction Traffic Management Plan dated 25th April 2025 have been submitted to and approved in writing by the LPA. The access will need to be constructed with a bound surface from the B1145 for at least the first 18m from the edge of the adjacent carriageway. The access for the development shall be implemented in accordance with the approved details prior to any other construction works taking place and shall thereafter be retained and maintained in accordance with the approved details.

Noise

18. Prior to the development being brought into use the 3.5-metre-high acoustic barrier detailed in the Noise Impact Assessment, dated April 2025 shall be fully installed. The barrier shall be permanently retained and maintained in accordance with the manufacturer's specification throughout the operational life of the development.
19. The rating level of noise emitted from the operational equipment when measured and assessed in accordance with BS4142:2014+A1:2019 at the residential noise sensitive receptors identified in the Noise Impact Assessment, dated April 2025 shall not exceed representative background sound level during the day time (07:00 to 23:00) and shall not exceed the representative background sound level by more than 2dB during the night time (23:00 to 07:00)

Contamination

20. Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the LPA. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the LPA. Where unacceptable risks are found, the development [or relevant part of the development] shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the LPA.

Surface Water Drainage

21. Prior to the commencement of any works onsite a detailed drainage scheme (to include a programme of implementation) shall be submitted to and approved in writing by the LPA which shall be in accordance with the submitted Surface Water Drainage Strategy, dated April 2025. The works shall then take place in accordance with the approved details and be completed in accordance with the approved programme of implementation.

Soil Management Plan

22. Prior to the commencement of the development a Soil Management Plan (SMP) shall be submitted to, and approved in writing by, the LPA. The SMP shall include the following:

- a) Measures to protect soils during development with reference to the guidance found in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites,
- b) A works programme showing how all soil handling and trafficking operations will be undertaken and which makes allowance for poor weather/ ground conditions stoppages,
- c) Details of how construction activities will be managed across the site to minimise impact on soils, and
- d) Details of appropriate equipment and methods for stockpiling, re-spreading, and ameliorating of soil compaction in accordance with good practice techniques to minimise the risk of soil compaction. The development shall be carried out strictly in accordance with the approved Soil Management Plan.

Grazing Management Plan

23. Prior to the development being brought into operational use a Solar Farm Grazing Management Plan ["SFGMP"] shall be submitted to and approved in writing by the LPA. The SFGMP shall detail when the grazing of livestock will commence, which parts of the site shall be used for the grazing, between which months of the year grazing will take place and how the grazing is to be managed. The development shall be operated and maintained in accordance with the approved SFGMP throughout the lifetime of the development.