

Our Ref: 3732/01/TO'K/NDR

30 October 2024

North Hertfordshire District Council
Development and Conservation
PO Box 10613
Nottingham
NG6 6DH

Dear Sir or Madam

PROPOSED DEVELOPMENT OF A PHOTOVOLTAIC SOLAR ARRAY, BATTERY STORAGE FACILITY AND ASSOCIATED INFRASTRUCTURE ON LAND TO SOUTH OF WYMONDLEY SUBSTATION, NEAR ST IPPOLYTS, NORTH HERTFORDSHIRE (PP-13442475)

We write on behalf of the Applicant, Brockwell Storage and Solar Limited (BSSL), with regard to the submission of a planning application for the above development located on land to the south of Wymondley substation, near St Ippolyts, North Hertfordshire. For reasons set out below, the proposal is hereafter referred to as the 'Resubmission Scheme'.

The Resubmission Scheme relates to the same applicant, description of development and site of a previous application that was refused planning permission by North Hertfordshire District Council (NHDC) on 22 November 2023 (NHDC ref: 22/00709/FP), hereafter referred to as the '2023 Scheme'.

The Council will note that RNA Energy Limited were the Applicant for the 2023 Scheme. However, they were acquired by Brockwell Energy Limited on 13 March 2024, following which RNA Energy Limited then became BSSL, but maintained the same company registration number. Accordingly, the Applicant for the Resubmission Scheme is the same entity as the Applicant for the 2023 Scheme, albeit its trading name has changed.

This cover letter lists the documents submitted as part of, and in support of, the planning application and also sets out the position in relation to the planning application fee.

Planning Application Documents

The planning application documentation for the Resubmission Scheme comprises the following:

- i. Planning Application Form and Certificates
- ii. This Cover Letter
- iii. Planning Design & Access Statement with the following appendices:
 - o Local Need Assessment
 - o Site Selection Report
 - o Planning Policy Wording
 - o Landscape and Visual Impact Assessment
 - o Heritage Impact Assessment
 - o Archaeological Geophysical Survey
 - o Ecological Assessment

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- Breeding Birds Survey
- Flood Risk Assessment
- Drainage Strategy Addendum (split into two parts due to size)
- Agricultural Land Classification Survey
- Noise and Vibration Assessment
- Transport Statement (split into two parts due to size)
- Glint and Glare Assessment
- iv. Statement of Community Involvement
- v. Statutory Biodiversity Metric Tool
- vi. Planning Application Drawings:
 - 3732-01-01 - Site Location Plan
 - 3732-01-02 - Statutory Plan
 - 3732-01-03 Rev G - General Arrangement
 - 3732-01-04 - Illustrative PV Frame & Panels, and String Inverters
 - 3732-01-05 - Indicative Transformer Station
 - 3732-01-06 - Battery Storage Container
 - 3732-01-07 - Typical Cable Trench
 - 3732-01-08 - Substation Elevation
 - 3732-01-09 - Switchroom Building
 - 3732-01-10 - Control Centre
 - 3732-01-11 - Indicative Deer-Stock Fencing, Access Track & CCTV
 - 3732-01-12 Rev G - Landscape Masterplan

Planning Application Fee

The date of refusal of the 2023 Scheme (22 November 2023) was prior to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023 (the '2023 Fee Regulations') coming into force (on 6 December 2023). As such, Regulation 18 of the 2023 Fee Regulations applies.

This states that, in relation to any 'second application', the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (the '2012 Fee Regulations') continue to apply.

Regulation 9 of the 2012 Fee Regulations sets out the criteria to be satisfied in order for resubmission applications to be exempt from a planning application fee. With regard to these criteria, the Resubmission Scheme has been submitted within 12 months of the date of refusal of the 2023 Scheme (before 22 November 2024); it relates to precisely the same site as the 2023 Scheme; it is development of the same character / description as the 2023 Scheme; and has been submitted by the same applicant as the 2023 Scheme. On this basis, the planning application benefits from 'a free go' and is exempt from payment of a planning application fee. The Planning Portal fee calculator also confirms there is no fee payable in this situation.

We trust that both the foregoing and the planning submission are self-explanatory. However, please do not hesitate to contact the undersigned should you have any queries.

Yours faithfully

Nick Roberts

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Technical Director on behalf of Axis