

Our Ref: 3732-01/NDR-02

27 March 2025

By email only: Ben.Glover@north-herts.gov.uk

Mr Ben Glover
North Hertfordshire District Council
Development and Conservation
PO Box 10613
Nottingham
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Dear Ben

PLANNING APPLICATION REF: 24/02455/FP - PROPOSED DEVELOPMENT OF A SOLAR ARRAY AND ASSOCIATED INFRASTRUCTURE AT SPERBERRY HILL ON LAND TO THE SOUTH OF WYMONDLEY SUBSTATION - UPDATED GREEN BELT ASSESSMENT

We write on behalf of the Applicant, Brockwell Storage and Solar Limited (BSSL), with regard to the implications of updated national planning policy in relation to the above scheme.

As you will be aware, in December 2024, the Government adopted a revised National Planning Policy Framework (NPPF), which introduced a fundamental change in Green Belt policy relevant to the determination of the planning application for the Sperberry Hill Solar Array and BESS project. On 27th February 2025, an associated update to Planning Practice Guidance (PPG) was published. This new PPG provides the prescriptive guidance on the application of the new national Green Belt policy

As a consequence of the above, we are now able to provide you with the Applicant's position on the implications of the new policy on the application. As per all other documentation related to the proposal, it is hereafter referred to as the 'Resubmission Scheme', with the earlier similar development, for which planning permission was refused by North Hertfordshire District Council (NHDC) on 22 November 2023 (NHDC ref: 22/00709/FP), referred to as the '2023 Scheme'.

Please refer to our attached Technical Note 1 which provides a detailed updated Green Belt assessment. Its conclusions, which we consider to be entirely robust, are that:

- The Resubmission Scheme application site is grey belt land, as introduced in the December 2024 version of the NPPF.
- The Resubmission Scheme, i.e. the submitted scheme on the application site, demonstrably meets / accords with all of the relevant criteria in NPPF paragraph 155.

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- As a consequence of the above, the Resubmission Scheme is not inappropriate development in national Green Belt policy terms.
- As such, it causes no Green Belt harm and is excluded from the policy requirement to give substantial weight to any harm to the Green Belt, including to its openness.

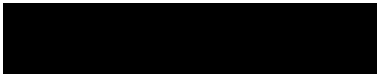
You will recall, as emphasised within the submitted Planning Design and Access Statement (PDAS), that the Council's decision to refuse the 2023 Scheme was '*very finely balanced*'. In short, in the Council's view (as set out in the first reason for refusal), the harm to the Green Belt, which was required to be afforded substantial weight under the previous NPPF, plus the other harm arising from the proposal, was not clearly outweighed by the scheme's benefits.

The Applicant sought to address this very fine imbalance with the Resubmission Scheme. It did so by demonstrably and materially reducing the harm that the scheme would cause (as described in PDAS paragraphs 3.2.4 and 3.2.5), whilst maintaining the same benefits. As such, it was BSSL's position that, at the time the Resubmission Scheme planning application was submitted, the Green Belt / planning balance now clearly fell in favour of the scheme.

The application of the new national policy and the findings of our Technical Note 1 fundamentally alter this position. In short, the harm to the Green Belt no longer sits in the planning balance. As such, that balance must now tip overwhelmingly in favour of the scheme and accordingly the planning application should be approved.

We trust that the foregoing and attached Technical Note 1 are self-explanatory. However, please do not hesitate to contact the undersigned should you have any queries.

Yours sincerely

A black rectangular box redacting the signature of Nick Roberts.

Nick Roberts

Technical Director on behalf of Axis