

Belchamp St Paul & Belchamp Otten Parish Council

Proposal to Build Solar Farm in Bakers Road Belchamp St Paul

Current Position 20 September 2024

The application to build the solar farm was granted by the Planning Committee of Braintree District Council (BDC) at its meeting on 10 September 2024. The BDC reference is 23/01413/FUL and the full decision can be located within the documents link on the BDC planning website.

In 2023 BSR Energy filed a planning application with BDC to build a solar farm on 53.28 hectares of farm land at a site near Cutbush Farm, Bakers Road, Belchamp St Paul. Following widespread opposition by local residents, an extraordinary meeting was called by the Parish Council (PC) on 3 August 2023 to consider the matter. The vote was as follows:

Opposing the application	99
Supporting the application	31
Total number of votes	130

This represents a majority of 76% against the proposal.

On the strength of this vote an objection to the plan was filed by the PC on 23 August 2023. Further objections were filed by the PC in October 2023, February and May 2024. The principal grounds of objection are the loss of Best and Most Versatile agricultural land, and the lack of a robust sequential site assessment to identify alternative sites. Opposition to the plan from residents and Parish Councils is noted in paragraph 1.4 of the Executive Summary of the BDC decision document. There are in addition 33 detailed objections by the PC, and these are set out in paragraph 8.1.1 of the BDC document.

Separate to the issue of the plan itself, a formal complaint was raised by the PC based on the refusal of BDC to fully publish a submission by the PC, so denying the full arguments to the wider public. Complaints were also made against a lack of due process in the planning procedures, and a possible conflict of interest between BSR Energy and its independent consultants RSK Adas. This complaint remains outstanding, and was not explored in the BDC decision document.

Unlike appeals against planning permission refusals, appeals against planning permission grants are not available. Referral to the Local Government Ombudsman is an option, but their recommendation is only advisory, and cannot change the planning decision itself. The only legal remedy is judicial review in the High Court.

The PC considered these matters in its well-attended meeting of 3 September 2024. Please refer to paragraph 2948/2 of the minutes of that meeting, published on this website.

A working group has been established under the leadership of Mr Clive Waite of Bakers Rd, Belchamp St Paul, in order to direct progress towards a judicial review of BDC's decision. A major objective of this group is fund-raising, as legal action in the High Court is expensive.

In order to show support for the working group, please contact Clive at Clive.waite@icloud.com.