

Planning Proof of Evidence (Summary)

Evidence of Paul Burrell.

In respect of Land at Grove Farm and land East of the Railway Line, Bentley, Suffolk.

Construction of a Solar Farm (up to 40MW export capacity) with ancillary infrastructure and cabling, DNO substation, customer substation and construction of new and altered accesses.

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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Contents.

1. Personal Background	3
2. Summary	4

1. Personal Background

- 1.1. My name is Paul Burrell. I hold a BSC (Soc Sci) Hons in Geography and a Diploma in Urban Planning.
- 1.2. I am a Chartered Town Planner and have been a member for thirty-five years. I hold the position of an Executive Planning Director at the consultancy Pegasus Group. I am also the National Head of Planning at Pegasus.
- 1.3. I have considerable experience in advising on planning matters concerning low carbon and renewable energy projects, including solar schemes, onshore wind farms and energy from waste facilities. I have secured planning permission for various solar farm and battery storage projects across England and Wales, including acting as planning expert witness in the *Halloughton, Greatworth, Langford, Hillfield Lane, Scruton, Fobbing, Belvoir, Southlands* and *Woolpots* appeals, many of which I refer to later in my Evidence.
- 1.4. The evidence that I have prepared and provide for this Section 78 appeal is true and has been prepared and is given in accordance with the guidance of my professional institution. I can confirm that the opinions expressed are my true and professional opinions.
- 1.5. This document provides a summary of my main Proof of Evidence.

2. Summary

2.1. My Planning Proof of Evidence has been prepared on behalf of Green Switch Capital Ltd ("The Appellant") and relates to a planning appeal submitted pursuant to Section 78 of the Town and Country Planning Act 1990, concerning land at Grove Farm and land east of the railway line, Bentley ("The Appeal Site").

2.2. The appeal follows the refusal by Babergh District Council (the relevant Local Planning Authority, "the LPA") of the application for full planning permission (BDC ref: DC/23/0656, "the Application") for a proposed development ("the Proposed Development") comprising the following:

"Construction of a Solar Farm (up to 40MW export capacity) with ancillary infrastructure and cabling, DNO substation, customer substation and construction of new and altered accesses."

2.3. The Application was refused at Planning Committee and a Decision Notice was duly issued by the LPA on 6th February 2025.

Scope of Evidence

2.4. My Planning Proof of Evidence addresses the Planning Policy matters raised in the Reasons for Refusal, as well as the overall planning balance.

2.5. Having set out the reasons for refusal, the proposed amendment to the scheme as Refused, and the LPA's amendments to the Reasons for Refusal which reflected the subsequent designation of the Conservation Area, my evidence draws on the Statement of Common Ground with the LPA in describing the Appeal Site, the Appeal Proposals, the Planning History and the relevant Development Plan policies.

2.6. In Section 6 of my Evidence, I set out the relevant Development Plan policies and relevant National policy and guidance.

2.7. In Section 7 of my Evidence, I set out the headline case for the Appellant which addresses the Main Issues as confirmed by the Inspector following a Case Management Conference call which involved the main parties to the Appeal.

2.8. I turn to an examination of relevant planning policies from the Development Plan at Section 8 of my Evidence, and conclude that it is my opinion that the Appeal Scheme complies with the Development Plan policies cited by the LPA in their Reasons for Refusal. Even if there were to be a conflict with part of a policy, or even one policy in the Development Plan, this conflict would not automatically lead to the conclusion that there is conflict with the development plan taken as a whole. I therefore consider the Proposed Development is in accordance with the Development Plan when read as a whole.

2.9. At Section 9 I review other Material Considerations, including energy policy considerations, UK legislation and policy, and explain the current Government's energy policy evolution. I also review the UK's progress in meeting the challenging energy targets. I also examine the current NPPF and the very recently published consultation draft NPPF. I also review the very latest National Policy statements for Energy and Renewable Energy Infrastructure which will come into force this month.

- 2.10. In Section 10 I review other Main Issues and matters raised, including Noise, Glint and Glare, Visual Impact, the effect on Best & Most Versatile agricultural land and Ecology and BNG.
- 2.11. I conclude in Section 11 by considering the overall planning balance, and draw my conclusions. In this section I explain how I believe the decision maker should approach the determination of this Appeal, before going on to identify any material considerations that need to be weighed in the overall planning balance.

The Decision-Making Framework

- 2.12. The starting point for the determination of a planning application or appeal is the Development Plan. The planning system is “plan led” and planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 2.13. I consider the determination which would be in accordance with the Development Plan would be to allow the appeal because the Proposed Development accords, where relevant, with the Development Plan when read as a whole.

Overall Planning Balance Considerations

- 2.14. Taken overall, as I consider that the Proposed Development is broadly in accordance with the Development Plan, this would normally indicate that planning permission should be approved without delay (NPPF, Paragraph 11). There are no material considerations that indicate permission should be refused.
- 2.15. However, should the Inspector conclude that the Development Plan indicates that the appeal should be dismissed, then, applying S38(6), there is a need to consider whether material considerations indicate otherwise.

Material Considerations and Weight

- 2.16. In considering the weight that should be afforded to each consideration in the overall planning balance, I apply the following scale ranging from high to low:
- Substantial
 - Significant
 - Moderate
 - Limited
- 2.17. Such weight may be ‘positive’ as a benefit, ‘adverse’ as a harm, or of ‘neutral’ effect. I then set out in evidence below an assessment of each of these material considerations followed by a conclusion on whether the benefits outweigh any adverse impacts identified when taken as a whole.

Planning Balance Summary Table

Material Considerations which are Benefits	Weight (Positive)
Generation of 40MW of renewable energy and subsequent reduction in carbon emissions	Substantial Positive Weight
Contribution to Energy Security	Substantial Positive Weight
Meeting Local Electricity Needs	Substantial Positive Weight
Grid Connection	Moderate Positive Weight
Biodiversity Net Gain and Enhancements	Substantial Positive Weight
Economic Benefits	Moderate Positive Weight
Soil Resource	Limited Positive Weight
Farm Diversification	Limited Positive Weight
Green Infrastructure and Landscape Legacy	Limited Positive Weight
Material Considerations which are Neutral	Weight (Neutral)
Highways and Transport	Neutral Weight
Noise	
Glint and Glare	
Residential Amenity	
Material Considerations which are Adverse	Weight (Adverse)
Effect on Landscape Character and Visual Amenity	Limited Adverse Weight
Impact on Heritage Assets	Moderate Adverse Weight

Overall Conclusion

- 2.18. I consider that the Proposed Development is in general accordance with the Development Plan when read as a whole and, even if the Inspector were to conclude that there would be some conflict with relevant policies:
- i. That would not necessarily lead to a conflict with the Development Plan taken as a whole; and
 - ii. If it did, there are significant identified benefits that constitute material considerations indicating that the proposed Development should be allowed notwithstanding that conflict.
- 2.19. In view of the foregoing, the Inspector is respectfully requested to uphold this Appeal and to grant planning permission.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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