

Energy and Climate Adaptive  
Infrastructure Policy

# Large scale solar schemes

Supplementary Guidance Document

Supported by



Department for Levelling Up,  
Housing & Communities

This is a supplementary guidance document, to support the Energy and Climate Adaptive Infrastructure Policy<sup>1</sup>, which was adopted by Suffolk County Council's Cabinet, on the 16th of May 2023.

## Scope and purpose of this Supplementary Guidance Document

The County Council recognises that solar project locations are dependent on the location and availability of transmission and distribution network connections, and that the ambition is to deliver 70GW of solar by 2035<sup>2</sup>.

While the Council considers that the priority should be to deliver solar generation as part of multifunctional land use on buildings, and around areas of built infrastructure, such as warehousing and employment sites. It is recognised however, that utility scale ground mounted solar will also be required to reach this target.

Suffolk has natural and geographic advantages that make it attractive for locating specific low-carbon technologies, including solar power. This, therefore, creates significant challenges for the economy, environment, and communities of Suffolk.

Therefore, the highest standards of design, delivery, and mitigation, are required to deliver acceptable solar schemes.

The purpose of this Supplementary Guidance Document is to outline how, in principle, the Council will:

- Seek to engage with project promoters of these schemes, to ensure that the adverse impacts of these projects are properly understood, minimised, mitigated, and compensated for.
- Seek to ensure the best possible outcomes through the design of projects, that deliver improved biodiversity, access, landscape fabric, water management, and where appropriate, retain compatible agricultural production.
- Seek to ensure that communities hosting new NSIP-scale solar projects are treated fairly by project promoters, in that they should have a genuine opportunity to engage with the promoter, to shape the emerging project effectively and demonstrably, from the earliest possible stage of its development.
- Seek to maximise the benefits of economic growth, skills, and STEM (Science, Technology, Engineering and Maths) educational inspiration, that can be secured from NSIP-scale solar projects.

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<sup>1</sup> <https://www.suffolk.gov.uk/asset-library/energy-and-climate-adaptive-infrastructure-policy.pdf>

<sup>2</sup> <https://www.gov.uk/government/groups/solar-taskforce>

## The role of the County Council

Suffolk County Council is not the decision-maker for Nationally Significant Infrastructure Projects (NSIP). However, the County Council is a key statutory consultee, and its view carries significant weight with the Examining Authority (ExA) and, by extension, the Secretary of State (SoS). Particularly because it has responsibility for a wide range of interlocking issues across the whole county, which affect decision-making, and has a key role in representing, developing, and supporting, its local communities and protecting their environment.

The role of the County Council is set out in more detail in the Energy and Climate Adaptive Infrastructure Policy.

## The role of project promoters

As responsible corporate entities, promoters of solar projects will be interested in achieving positive outcomes for the community, environment, and economy. Promoters should be seeking to deliver inclusive growth in renewable generation, through working with partners, such as Suffolk County Council.

To make a project more acceptable, Suffolk County Council expects any large solar promoter to propose schemes that will deliver social, environmental, and economic objectives, including those necessary to mitigate impact. It is critically important for the promoter to work with Suffolk County Council and the relevant district/borough council, not just on the mitigation of impacts, but also on the integration of their projects into the community and landscape. This should begin at the earliest stages of consultation, that is, as soon as possible after the project is in the public domain.

Promoters should approach communities with a clear rationale for delivering on a range of wider local objectives as part of their project. By exploring the full extent of potential partnerships at an early stage, promoters will significantly reduce the risks around managing potentially competing demands, and any resultant obligations will be full and active commitments, clearly supported by both the promoter and the other parties.

## Engagement with the County Council

Robust and effective Planning Performance Agreements (PPA) will be essential to ensure effective collaboration and engagement with Suffolk County Council. As set out in the Energy and Climate Adaptive Infrastructure Policy, the Council expects that

the costs of its engagement with the project promoter throughout the consenting process, will be covered under the terms of a Planning Performance Agreement. This will be on a full cost recovery basis, to ensure that local services and local taxpayers are not disadvantaged financially by the Council's engagement with the project promoters. A detailed explanation of the Council's position on Planning Performance Agreements can be found in our guidance for project promoters<sup>3</sup>.

The Council considers that effective engagement and co-design with statutory consultees from the earliest stage, (including during site finding and land assembly) is necessary to facilitate an effective response to the constraints imposed, and opportunities offered, by the natural and historic environment of Suffolk, and the likely community and environmental issues that arise from large scale solar projects.

## Engagement with communities

Solar projects consented under the NSIP process are capable of reshaping place. As a result, Suffolk County Council considers, that over and above effective consultative engagement, there is a need to involve and collaborate with communities. Therefore, the co-designing of projects with the host communities, is essential.

Given the dispersed pattern of settlement, which is generally found in Suffolk, these proposals will have significant, widespread, and lasting impacts, on the character of the places in which people live. The scale of solar projects consented through the Planning Act 2008 is such that NSIP scale solar projects, are not just an object in the landscape, they are, in fact, likely to change the landscape, across a wide area.

Therefore, genuine, and effective dialogue between the project promoter and representatives of the affected localities is critical, to allow those communities, directly impacted by the scheme, to shape its design and delivery. Likewise, it is essential for project promoters to engage effectively with host communities during the construction of the project.

Project promoters should work effectively with community leaders, with a particular focus on engagement with Parish Councils and their representatives.

## Engagement with other project promoters

As set out in the Climate Adaptive and Energy Infrastructure Policy, the harm to the environment and communities of Suffolk will arise both from the construction and operation of the promoter's project itself, and from its in combination, and cumulative effects, with overlapping and consecutive projects. The Council will expect promoters to develop a demonstrable understanding of the wider

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<sup>3</sup> <https://www.suffolk.gov.uk/asset-library/planning-performance-agreements-for-nationally-significant-infrastructure-projects.pdf>

development environment for their project, and to work with the Council and other promoters, to manage and mitigate these impacts.

The Council expects that project promoters will collaborate to minimise the construction impacts of their projects, coordinate development, and share infrastructure, to minimise the adverse cumulative and in combination effects of developments, on communities and the environment.

## Ecology, Landscape, Heritage, Amenity and Access

As set out in the National Policy Statement EN-1 (November 2023) the County Council expects that project promoters will ensure the effective application of the mitigation hierarchy, including, where required, compensation measures<sup>4</sup>.

Early consideration of; the natural environment, its ecology and biodiversity, the character and visual sensitivity of the landscape, Cultural Heritage (including Archaeology), public amenity and access to the countryside, as well as vehicular access opportunities and constraints, should shape the development of the scheme, including during land assembly. In order to mitigate, maintain, and where possible enhance, the quality of access and public amenity, the Council considers that land option agreements should retain the right to set up additional Rights of Way, as at least binding permissive routes, for the operational lifetime of the project.

The post construction monitoring of the effectiveness of all landscape and ecological mitigation and enhancements, including Biodiversity Net Gain, requires a robust mechanism, secured through the terms of the Development Consent Order, and relevant control documents. This will ensure that the agreed mitigation and enhancement goals are achieved.

A dynamic and adaptive approach should be applied to aftercare and long-term management of mitigation measures, which is focused on achieving these goals. This may result in extended periods of higher-intensity aftercare, and replacement planting, in areas where milestones are not met. It is always preferable that landscape and ecological mitigation and enhancements, once effective, should be retained beyond the lifetime of the scheme, and this should be secured through the terms of the development consent order, or by private treaty with the relevant landowners.

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<sup>4</sup> EN1 para 4.2.10-4.2.13 and as defined on p173 - <https://assets.publishing.service.gov.uk/media/65a7864e96a5ec0013731a93/overarching-nps-for-energy-en1.pdf>

## Nationally Designated landscapes and their settings

The Levelling up and Regeneration Act (s245) places a duty on public authorities such as the County Council, and the Secretary of State, to “further the purposes” of a designated landscape when exercising their function. Therefore, the project promoter will need to consider this duty that is on the decision maker, and the statutory consultees, when promoting and designing a solar project. Furthermore, even if all of a project is outside one of Suffolk’s three nationally designated landscapes, that is; The Broads, the Suffolk Coast & Heaths National Landscape, and the Dedham Vale National Landscape, the applicant will need to also have due regard for:

- the setting of those landscapes.
- potential impacts on their character and special qualities.
- potential impacts on their reasons for designation.

## Tourism and the visitor economy

Tourism, and the visitor economy, makes a very significant contribution to economic activity in rural Suffolk. Therefore, the Council will expect project promoters to identify tourism and visitor businesses that maybe adversely impacted, by both the operation and construction of their projects.

Impacts are likely to consist of loss of recreational opportunities, in and around visitor attractions, and impacts on the accessibility of tourism and recreational businesses, as a result of the construction of energy projects.

Furthermore, it should be recognised, that the presence of construction activity is likely to have an adverse impact on the inclination and propensity of potential customers, to visit affected localities and businesses, and that the day visitor economy is particularly sensitive in this regard.

Therefore, an effective and comprehensive approach to the assessment of these impacts, effective engagement with the relevant businesses, and a comprehensive scheme of mitigation, is essential.

# Labour force management and skills development

Securing and managing the labour force during construction of a large-scale solar project presents significant challenges in Suffolk's rural areas, both for the project alone, and from the combination of energy projects. Effective management of construction workers, and mitigation of the impacts of, their travel to site, their accommodation, and their requirements for healthcare and other local services, will be essential, to minimise or eliminate adverse impacts.

The Council's objective is to create a talent pool, that can take advantage of the opportunities presented by a succession of energy generation projects. Therefore, it is expected that project promoters will contribute to delivery of these goals, going beyond the minimum measures necessary to mitigate the clearly defined impact of their project.

## Agricultural Land Classification

Suffolk and the wider East of England is a very significant contributor to food production in England, relative to other areas, as set out in official statistics<sup>5</sup>.

Consequently, the assessment of agricultural land classification in relation to solar projects can be a highly contentious matter in Suffolk. Therefore, the County Council considers that the assessment of agricultural land classification should be undertaken by an independent third party, commissioned by the County Council, using funding provided under the terms of a Planning Performance Agreement. The findings of this assessment can then be submitted to the examining authority and can inform the decision of the Secretary of State.

## Post consent Discharge of Requirements

Management plans including, but not limited to, the landscape and ecological management plan, should be submitted in outline form with the Development Consent Order, and subsequently agreed through the discharge of relevant requirements under the Development Consent Order.

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<sup>5</sup> <https://www.gov.uk/government/statistics/agricultural-facts-england-regional-profiles/agricultural-facts-east-of-england-region>

# Transition from consenting to construction

The project promoter should work with the County Council and its Local Authority partners, to ensure an effective transition between their consenting and construction teams. The project promoter should ensure that robust measures for engagement with hosting communities and the Local Authorities are in place during the construction period.

## Community benefits

Given the extent, and duration, of the impacts of solar projects of this scale on communities, in addition to the full and effective application of the mitigation hierarchy, the Council considers that robust and effective schemes of community benefit are required for NSIP scale solar projects. The Council would, in addition, also encourage promoters to explore the possibilities for shared ownership of the project with communities. The Council's position on community benefits is set out in more detail in Appendix A.





# Interim design principles for large scale solar projects

## Design approach

The Council considers that very large-scale solar projects consented under the NSIP regime are likely to reshape place, in that, unlike other developments, they have this potential because they are so extensive as to be much more than objects in a landscape.

Therefore, given the transformational nature of these developments, the Council considers it is essential for project promoters to take an exemplary approach to the design and construction and maintenance of these schemes. Projects should not only eliminate or minimise adverse impacts, but also deliver substantive environmental, ecological, access and other benefits.

Promoters should work in close and effective collaboration, in the development of the details of the scheme, with both the relevant statutory consultees and, the local communities, who will host the project.

Therefore, the Council considers that the applicant should engage with the relevant local authorities as early as possible, including during site finding and land assembly, as this will provide an opportunity to understand constraints, such as archaeology or historic landfill sites, which may limit, or curtail, scheme layout.

Likewise, the Council will expect project promoters to design and deliver a genuinely effective and collaborative master planning process, by which host communities can shape the design of the proposals.

The Council expects the developer to apply the mitigation hierarchy in full, as set out in NPS EN-1. This includes, after avoidance, minimisation, and mitigation, compensation of residual adverse effects, which are harmful in their own right, or become significant in accumulation.

## Site layout of solar array parcels, cable corridors, substations, and battery storage, should be:

- Located to minimise or eliminate permanent adverse impacts on the fabric of the landscape, historic features and landscape character, or ecological features such as trees, hedges, woodlands, wetlands etc.
- Set out in such a way, as to reasonably accommodate the future growth of retained trees and allow for the effective management of hedgerows.
- Identify and avoid impacts within Root Protection Areas (BS5837) from both the construction process and operational layout.
- Located to minimise or eliminate permanent adverse impacts on visual amenity and the setting of historic assets. Harm to built heritage assets and their setting should be minimised, substantial harm should be avoided.

- Located to protect residential amenity. It must not have, in line with the Lavender Test, an overbearing or oppressive impact on residential amenity.

## Landscape design should respond effectively to the character and sensitivities of the site and the receiving landscape:

- By effectively incorporating water management, ecological, archaeological, and public access requirements.
- By ensuring that lighting is, wherever possible, eliminated, or minimised. Where lighting is necessary, light spill and sky glow should be effectively controlled.
- By ensuring that ecological impacts that cannot be mitigated within the red line area of the development will require effective mitigation elsewhere, as close as possible to the site.

## Detailed scheme design:

- Should deliver substantive environmental, ecological, access and other benefits.
- Should design the project mitigation and Biodiversity Net Gain measures, to contribute positively to the site following decommissioning.
- Should, during both the construction and operational phase, not add to local surface water or fluvial flood risk; or should provide an opportunity to eliminate such additional risks as may be created.
- Should achieve acceptable operational site access, and where required temporary construction access that can be reasonably remediated following commencement of site operation.
- Should identify any elements that are capable, in principle, of design treatment.
- Should, where possible, be designed to provide additional climate resilience, including but not limited to, management of fluvial and surface water flows during high rainfall events.
- Should facilitate multifunctional land use, including appropriate crop and livestock production.

## Mitigation proposals, and biodiversity and environmental net gain measures:

- Should be climate resilient, and, or, capable of adaptation to current and emerging climate change impacts.
- Should include adaptive aftercare, and long-term management should be outcome-led, rather than focused on time-limited aftercare-periods. This is particularly important, because successful mitigation is the essential basis on which the additionality of Biodiversity Net Gain is achieved.

## Given the temporary nature of haul routes, construction access, and laydown areas:

- Should eliminate permanent or significant adverse effects on, trees, hedgerows, woodland, and other landscape features, historic landscape character and wildlife. Permanent tree loss from these temporary features should be avoided.
- Should be located and designed in such a way that they are capable of effective restoration.
- Should be located to eliminate or minimise temporary adverse impacts on public and private amenity in respect of noise, dust, availability of rights of way, and other disturbance.

## Battery storage risk management

Proposals that include a Battery Energy Storage System, ("BESS") should provide a Battery Fire Safety Management Plan, to which adherence is secured by a requirement of the DCO. Where final details of the BESS system are unknown at the examination stage, an outline management plan should be provided with details to be approved subject to a DCO requirement.

### A Battery Fire Safety Management Plan should include:

- A description of the BESS proposals, including the proposed technology and location.
- A brief overview of applicable safety standards and the non-planning regulation/s that apply.
- A risk assessment of the manufacturing, installation, and operational stages of the BESS.
- The mitigation and control measures which will be applied to maintain an acceptable level of safety.
- Any proposals for, or agreements that have been achieved, for enhanced cooperation with Fire and Rescue Services.

Additionally, as part of the Environmental Statement, applicants should submit an assessment of unplanned atmospheric emissions from BESS<sup>7</sup>, to inform the location of BESS within the project site. The aim of this is to ensure that potentially toxic fumes from a battery fire are a safe distance away from sensitive receptors.

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<sup>6</sup> [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-005560-7.6%20Outline%20Battery%20Fire%20Safety%20Management%20Plan\\_%5bCLEAN%5d.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-005560-7.6%20Outline%20Battery%20Fire%20Safety%20Management%20Plan_%5bCLEAN%5d.pdf)

<sup>7</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-004259-6.2%20Appendix%2016D%20Unplanned%20Atmospheric%20Emissions%20from%20BESS.pdf>



## Appendix 1

# Community Benefits Position Statement

### Scope and purpose of this Appendix

The purpose of this supplementary guidance appendix is to assist with the negotiation of Community Benefit Agreements (CBA), related to large-scale solar schemes. This guidance also encompasses community benefits that should be expected from Battery Energy Storage Systems (BESS).

It will be used to illustrate to local communities hosting large-scale solar schemes, the scale of monetary value that may be secured, and that will be distributed in their locality.

It is expected that project promoters will engage effectively with communities, to ensure that benefits are tailored to the unique qualities of the affected areas, and that the County Council, and District/Borough Councils, play an active role in recognising and maximising the synergies between community benefit schemes, within, and across, their administrative boundaries.

Where community benefits are provided in the form of a Community Benefits Fund (CBF), as these funds will be derived from renewable and low carbon energy, and given the Council's commitment to delivering net zero, the proposal is, that funds; in addition to supporting the local communities' aspirations, will also provide financial support to deliver decarbonisation and fuel poverty reduction initiatives in the eligible communities.

Where community benefits are provided in the form of Community Ownership, in the absence of a current framework in England, the Council proposes that the Welsh Government's approach to "local and shared ownership of energy projects in Wales", as published in June 2022 and the Scottish Government's "good practice principles for shared ownership"<sup>1</sup>, as published in April 2020 are robust models to follow<sup>2</sup>.

For the avoidance of doubt, the negotiations and decision to enter into a CBA is not indicative of any support for a project, rather it is a means by which to secure benefits if the project receives planning consent. A CBA will be supplemental to any section 106 agreement required to mitigate the adverse impacts of a proposed development.

## Policy Context

SCC declared a Climate Emergency on 21 March 2019, committing to delivering the Government's 25 Year Environment Plan, and working with partners across the county and region towards making Suffolk carbon neutral by 2030.

Suffolk's Climate Emergency Plan 2023 and the accompanying technical report outlines the approach, and methodology, to delivering Suffolk's transition to net zero.

The Department for Levelling Up, Housing and Communities (DLUHC), published, in February 2023, the NSIP Action Plan which stated that, "Local Authorities are key to representing community interests and helping negotiate community benefits with infrastructure developers". This was in recognition of community benefits as dependent on strategic negotiation, and whether infrastructure developers are willing to engage at an early stage.

The National Infrastructure Commission's (NIC) April 2023 Report, on the NSIP Action Plan, set out key principles of community benefits and engagement. Most significantly, it suggested that benefits should provide an amount that reflects the national benefits of the scheme being delivered.

The Government's November 2023 response, to the Community Benefits for Electricity Transmission Network Infrastructure consultation, notably, proposed both direct, and wider benefits. Setting out proposed rates of wider benefits for overhead lines, underground cabling systems, and substations. This has established a precedent for a rate of benefit per type of infrastructure, building upon the previous precedents of onshore wind CBAs.

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<sup>1</sup> [Scottish Government Good Practice Principles for Shared Ownership of Onshore Renewable Energy Developments](#)

<sup>2</sup> [Guidance for developers, local communities & decision-makers Local and shared ownership of energy projects in Wales](#)

## Key Operational Principles

Early engagement on a CBA will be expected to take account of the following core requirements, depending on the nature of the proposals, and seek to agree heads of terms and a relevant timescale for the delivery of community benefits.

The Council expects that community benefits should be community-led, and that projects should engage with the eligible communities, to ensure that a range of voices have made contributions to a meaningful suite of benefits, targeted and tailored to their locality.

Resourcing, to facilitate the funds, should be provided outside of the funds, this may require a project officer, working with communities, to ensure effective administration and distribution of benefits.

Considerable and demonstrable efforts must be made to ensure that people are aware of the community benefits that they will be eligible for, and consideration should be given to opportunities, where they exist, for combining or synergising CBAs to maximise benefits for each community.

## Core Requirements

Community Benefits will either be Community Benefit Funds or Community Ownership.

Where community benefits are provided in the form of community ownership, SCC would also welcome local or shared ownership. The definition of community ownership shall be: "a project owned, partially or in whole, by more than one legal entity with at least one of those whose principal headquarters are located in East Anglia; or a project wholly owned by a social enterprise whose assets and profits are committed to the delivery of social and/or environmental objectives."

Where community benefits are provided in the form of a CBF, the rate to be applied for large-scale solar schemes will be £500 per MW per year (index-linked) for the operational lifetime of the scheme.

A rate of additionality should be applied, where a BESS is being constructed as associated development; this rate shall be 50% of the £500 per MW per year (index-linked), for the operational lifetime of the scheme.

The rate will be index-linked to the Consumer Price Index, with a base rate calculated from 1 April 2024.

Project promoters are expected to fund this figure, or a greater figure, unless there are compelling reasons to support an alternative figure, to be agreed on a case-by-case basis.

No provisions will be agreed to repay any unspent funds, rather, such funds will remain available for use in support of the communities' local initiatives, and/or projects, and rolled over into subsequent financial years.

## Distribution of the Funding

The funds from a CBF will be managed in the interest of the local communities. It is anticipated that project promoters contributing funds will wish to remain engaged with the programming and distribution of funds. The projects and initiatives funded will be supported with ongoing engagement by the project promoters, and result in legacy benefits from the delivery of the schemes.

It is anticipated that a Special Purpose Vehicle, or Community Investment Company, or an existing organisation (such as the Suffolk Community Foundation or similar), would be an appropriate means to manage the funds from a CBF.

### **Funds from a CBF should be distributed in the following geographical prioritisation:**

1. Within the boundaries of parish councils which intersect with the scheme's Order Limits; or,
2. Within the boundaries of any other parish councils which are partially or wholly within the 'zone of visual influence' of the scheme, to be defined on a case-by-case basis with a base expectation of a 5km buffer of the scheme's Order Limits; or,
3. Within the administrative boundaries of the District or Borough Councils which are hosting the scheme.

There shall be three strands of opportunities to distribute funds in a CBF: environmental; heritage and access; and social value.

### **The range of local initiatives and/or projects that a CBF could incorporate include:**

#### Environmental

- Support home retrofits that improve climate resilience (alongside other Government retrofit funds);
- Support community renewable energy schemes;
- Provide grant funding to support the transition of households to renewable energy sources (i.e., eliminating reliance on fossil fuels);
- Invest in projects and engagement with schools to embed net zero;
- Invest in decarbonisation initiatives;
- Assist the delivery of the Local Nature Recovery Strategy;
- Assist the delivery of Biodiversity Net Gain;
- Assist other biodiversity initiatives;
- Enable volunteering activities for communities, such as offsite hedgerow and tree planting;
- Improvements to the management of potential flood risk and low air quality;

## Heritage and Access

- Invest in the restoration of community infrastructure and assets with heritage value;
- Support sensitive energy efficiency measures in historic buildings;
- Support community engagement in the archaeological background of their locality;
- Help delivery of rights of way improvements;
- Improve footpath surfaces and waymarking;
- Improve accessibility of green and blue spaces to enable walking, cycling, wheelchair and mobility-scooter access to the environment;
- Assist in delivering active travel schemes, to facilitate recreational activities and sustainable commuting;

## Social Value

- Invest in the improvement of existing community infrastructure;
- Maximise the development of STEM skills, resources, and subjects in local schools via educational grant funding;
- Support the Skills and Employment Strategy; and,
- Support community engagement to promote renewable energy apprenticeships and careers.



