

23 July 2026



Arun District Council
Planning – Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Alison Murrell

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Queens Avenue
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Dear Sir/Madam,

**Section 73 Application for Variation of Condition 4 of Planning Permission ref. BE/68/21/PL
Manor Farm, Shripney Lane, Bersted, PO22 9UR**

On behalf of BL Solar 9 (Manor Farm) Limited (the 'Applicant'), please find enclosed an application seeking the Variation of condition 4 (operational time limit) pursuant to Planning Permission BE/68/21/PL for Manor Farm, Shripney Lane, Bersted, under Section 73 of the Town and Country Planning Act 1990.

Planning permission was previously granted under planning application BE/68/21/PL for the following Description of Development:

"Variation of condition 4 imposed under BE/63/14/PL (as varied by BE/163/15/PL) relating to the lifespan of the development (change from 30 to 50 years)."

This application now seeks to extend the temporary duration of the development from the previously approved 50 years to 53 years. The proposed description of development is as follows:

"Variation of condition 4 attached to planning permission BE/68/21/PL to amend the lifespan of the development from 50 to 53 years."

Background

Full planning permission (LPA ref. BE/63/14/PL) was originally granted for the installation of Solar Farm comprising erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks & ancillary equipment by Arun District Council on 12th August 2014.

Following the approval of this consent there have been subsequent consents through non-material amendment applications and Section 73 applications to vary the consent. These are summarised in the table below including the original permission.

Application Reference	Description	Decision
BE/63/14/PL	Installation of Solar Farm comprising erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks & ancillary equipment.	Approved (12.08.2014)

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Registered office: 33 Margaret Street, London, W1G 0JD

BE/162/15/NMA	Application for a non- material amendment following the grant of BE/63/14/PL to rotate the orientation of the solar panels.	Approved (17.11.2015)
BE/163/15/PL	Variation of condition 2 imposed under planning reference BE/63/14/PL relating to approved plans.	Approved (22.01.2016)
BE/181/16/NMA	Application for a non- material amendment following the grant of BE/163/15/PL for revision of the alignment of internal access road & security fence line to eastern & southern boundaries & amendment to location of southern most solar array.	Approved (05.01.2017)
BE/30/17/NMA	Application for a non- material amendment following the grant of BE/163/15/PL for installation of solar arrays to be phased with the southern area of site to be completed in advance of northern area & phasing of landscape plan.	Approved (05.04.2017)
BE/68/21/PL	Variation of condition 4 imposed under BE/63/14/PL (as varied by BE/163/15/PL) relating to the lifespan of the development (change from 30 to 50 years).	Approved (28.07.2021)

As such, this Section 73 application now seeks to amend planning permission BE/68/21/PL, which is considered the most pertinent to this application, as it sought to extend the lifespan of the development from 30 to 50 years. The proposed changes to Condition 4 are set out below.

Proposed Amendment

This Section 73 application seeks to further extend the operational time period of the development by 3 years.

Condition 4 of planning permission BE/68/21/PL reads as follows:

The planning permission hereby granted is for a period from the date of this decision until the date occurring 50 years after the date of commencement of the development hereby permitted (15th December 2015).

This application proposes to amend the condition wording to the following, with text added shown in red and that shown in strikethrough text to be deleted:

*The planning permission hereby granted is for a period from the date of this decision until the date occurring ~~50~~ **53** years after the date of commencement of the development hereby permitted (15th December 2015).*

Whilst the planning permission was formally implemented on the 15th December 2015, and Phase 1 subsequently completed, works for Phase 2 are yet to commence.

As such, this application seeks to extend the temporary duration of this planning permission to ensure that Phase 2 has a suitable operational lifespan.

Subject to the approval of this Section 73 application, the temporary lifespan of the solar farm would be extended to 15th December 2068.

Planning Policy Overview

Section 38(6) of the Planning and Compulsory Purchase Act 2004 directs Local Planning Authorities to determine planning applications in accordance with the policies of the Development Plan unless material

considerations indicate otherwise. Section 38(3) of the Act provides that the Development Plan includes the “*development plan documents (taken as a whole) which have been adopted or approved in relation to that area*”.

The adopted statutory Development Plan comprises the following documents:

- Arun Local Plan 2011 – 2031 (adopted July 2018).
- Bersted Neighbourhood Plan 2014.

Both Policies ECC DM1 of the Arun Local Plan and Policy ES8 of the Bersted Neighbourhood Plan support renewable energy development, subject to compliance with the various policy criteria. In this case, the principle of development of a solar farm has been previously agreed and Phase 1 has since been built out.

Material Considerations

The National Planning Policy Framework (NPPF) was most recently updated in December 2024 and is a significant material consideration in the determination of planning applications. The overriding principle of the revised NPPF is to achieve sustainable development, which has three key dimensions: economic, social and environmental.

Section 14 of the NPPF relates to meeting the challenge of climate change. Paragraph 168 of the NPPF is clear that when determining planning applications for all forms of renewable energy and local carbon development, Local Planning Authorities should:

“a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future;

...

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.”

Justification

It is considered that the greater operational period of 53 years for the solar farm is marginal in the context of the existing approved temporary time limit of 50 years. The proposed extension will not result in any additional impacts and will provide a greater contribution to the UKs low carbon energy needs for a longer period. Landscaping is already well established and the site will continue to provide ecological benefits for the duration of the operational life of the solar farm.

Renewable development is supported in principle by Policies ECC DM1 and ES8 of the adopted Development Plan.

Paragraph 168(a) of the NPPF is clear that significant weight should be afforded to the benefits associated with renewable energy generation and the proposal’s contribution to a net zero future, and Paragraph 168(c) is clear that significant weight should be given to the benefit of utilising this established solar farm site.

As such, these material considerations should be afforded significant positive weight in decision making, justifying the grant of planning permission for the extension to the temporary duration of the permission.

Summary



This Section 73 application seeks the variation of Condition 4 (operational time limit) of planning permission BE/68/21/PL, in order to extend the operational life of the development by 3 years to 53 years.

I trust the submission provides sufficient information for the Section 73 application to be validated and determined in line with statutory timescales. If you have any queries please do not hesitate to contact me.

The planning application fee of [REDACTED] plus the Planning Portal Service Charge [REDACTED] has been paid directly to the portal.

Yours sincerely,

[REDACTED]

Alison Murrell
Senior Planner
Planning