



Appeal Reference - APP/A3010/W/25/3367817

Local Planning Authority Reference - 24/00384/FUL

Appeal against non-determination of Installation and Operation of a Solar Farm and Battery Energy Storage System (Output upto 40 MW), With Associated Works, Equipment, Infrastructure and Landscaping

This Statement provides the Council and Appellant's respective positions on all responses to the amended plans & the comments of the statutory consultees

All consultees were notified of amended plans on 27/11/2025, with a request for comments to be with the Local Planning Authority by 18/12/2025. The table below summarises the responses we received.

The parties views on the suggested procedure for the appeal are also provided.

Consultation response summary

Consultee	Summary of Response	Appellant Response
Lead Ecologist	An updated Statutory Metric will be required prior to the determination of this application.	An updated BNG Metric has been prepared by the Appellant and shared with the Council, confirming a biodiversity net gain of 172.96% (337.95 units) for habitat units and 643.04% (6.78 units) for hedgerow units. A mechanism for the LPA's monitoring of this is in preparation. The updated metric and details of the proposed mechanism will be provided for the appeal in advance of the opening of the inquiry / hearing
Environmental Health	No additional comments to make on the amended plans.	Noted

Fire Protection	Nothing extra to add; previous observations remain.	Noted
Historic England	<p>Historic England's concerns have been largely addressed through amendments to the scheme and it will be for LPA to weigh public benefit of the remaining harm.</p> <p>Historic England has no objection to the application on heritage grounds.</p>	Noted and position reflected in the latest Statements of Common Ground
Tree Officer	No objections - the increase of some hedgerow planting would be seen as a positive.	Noted
Gamston Airport	No objections.	Noted
Local Lead Flood Officer	Nothing to add regarding the amendments.	Noted
Gardens Trust	Upon studying the amended planting plan and note the additional belts of woodland planting proposed along the western boundary of Field 1, and scrub planting along the western boundary of Field 8, and accept that that, with time, this additional planting would strengthen screening.	Noted and position reflected in the latest Statements of Common Ground
Conservation Officer	In light of these amended plans and the subsequent/further mitigation that they offer, and contingent upon the views/assessment of the Councils landscape consultant, Conservation would reassess the level of harm incurred to those aforementioned affected heritage assets as being at the lower end of 'less than substantial' as for the purposes of the NPPF (December 2024). In accordance with paragraph 215 of the NPPF, Conservation would advise that this demonstrable level of 'less than substantial harm' be given appropriate weight when considered against the benefits of the wider proposal.	Noted and position reflected in the latest Statements of Common Ground
Natural England	Further information is requested from the Agricultural Land Classification survey. However, this has been addressed previously and does not relate to the amended plans.	An ALC report dated March 2025 (Core Document CD1.31) was submitted further to Natural England Original comments. That

		report confirmed that the site is Grade 3b land and not BMV. This is reflected in the Statement of Common Ground.
Lincs Archaeology	It is recommended that an archaeological condition is attached to any permission to determine the extant, depth, date and significance of any archaeology present and which may be harmed by construction and operation of the scheme, with contingency provision for further mitigation measures if necessary.	Noted and position reflected in the latest Statements of Common Ground
Elkesley parish Council	Supports any ecological improvements to planning applications.	Noted
WWA Landscape Consultants	The amendments will act to reduce visibility to the solar arrays and associated infrastructure, equating to a reduction in predicated visual effects for people walking along footpath FR6, users of Bridleway BW5 within Clumber Park, and people travelling along the A614.	Noted and position reflected in the latest Statements of Common Ground

The Appellant has submitted amended plans. The Local Authority carried out a consultation exercise of said plans (see table above). The table above summaries that there are no longer any objections from consultees. The consultation materials requested that other public and 3rd party comments to be made directly to PINS. It has been confirmed by the PINS case officer that no comments were received in response to the consultation.

The parties also wish to draw the Inspector's attention to the final Statement of Common Grounds (submitted 14/12/25), which reiterate that the matters that were previously at issue are no longer at issue.

Appeal Procedure

When the Appellant initially submitted the appeal against non-determination, they requested that the written representation procedure be followed for this appeal. Upon receipt of a joint Statement of Common Ground, the Inspector upgraded the appeal to a Public Inquiry as there were two issues at matter (Impact on Heritage Assets and Impact on Landscape). The Inquiry format would have allowed the Inspector to cross examine expert witnesses and their evidence.

The Local Planning Authority are of the opinion that the appeal could and should proceed by way of hearing on Tuesday 20 and Wednesday 21 January.

The Appellant can agree to a hearing format. If a hearing is preferred, the Appellant's position is that it is important, in the interests of fairness, that as the LPA has not submitted any evidence in writing, the LPA should not then raise new points orally at the hearing. In terms of the proposed structure of the event, the Appellant suggests the following structure:

Overall structure

- Allow for 2 days,
- Appellant witnesses to provide a short summary on main issues (c. 30 minutes each), with Inspector's questions thereafter
- LPA has not produced proofs of evidence so no examination of or calling of witnesses by the LPA expected

Day 1: Tuesday 20th January

- Openings
- Third Parties
- Heritage Session- Appellant witness Amy Jones evidence summary & any Inspector questions
- Conditions Roundtable
- PM Site visit

Day 2: Wednesday 21 January

- Landscape Session - Appellant witness Andy Cook evidence summary & any Inspector questions
- Planning Session - Appellant witness Nigel Cussen evidence summary & any Inspector questions
- Short closing statement