



Appeal Decision

Inquiry held on 17 and 18 June 2025

Site visit made on 17 June 2025

by J Woolcock BNatRes (Hons) MURP DipLaw MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2025

Appeal Ref: APP/G2245/W/25/3359260

Chimmens Solar Farm, Land at Mussenden Lane, Horton Kirby, Kent DA3 8NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by RES Ltd against the decision of Sevenoaks District Council (SDC).
 - The application Ref is 23/03181/FUL.
 - The development proposed is “Construction and operation of a solar farm with all associated works, equipment, necessary infrastructure and biodiversity net gains. New access track.”
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Decision

1. The appeal is allowed and planning permission is granted for: Construction and operation of a solar farm with all associated works, equipment, necessary infrastructure and biodiversity net gains. New access track. At Chimmens Solar Farm, Land at Mussenden Lane, Horton Kirby, DA3 8NX in accordance with the terms of the application, Ref 23/03181/FUL, and the plans submitted with it, as amended, subject to the conditions in the attached schedule.

Preliminary matters

Battery storage

2. After the planning application was validated, batteries were added to the proposed development. These are referred to in this decision as a Battery Energy Storage System (BESS). No details were submitted about the BESS other than a drawing showing a Typical Battery Storage Enclosure.¹ However, areas were shown on the Infrastructure Layout for ‘Inverter & Battery Storage Area’.² The scheme proposes direct current (dc) connected batteries sited adjacent to inverters, so the BESS would be dispersed across the site. SDC’s Application Report referred to the batteries, but the description of the development was not amended to include the BESS. I queried at the Inquiry whether it would be necessary to include the BESS in the description of the proposed development, but the parties were content to rely on the submitted plans and the reference in the description to “all associated works”.

¹ CD1.30.

² CD1.20.

Reasons for refusal

3. SDC refused the application in July 2024 for four reasons, which are in summary, inappropriate development in the Green Belt, adverse effect on the setting of heritage assets, negative effect on landscape character and visual amenity, and because the loss of Best and Most Versatile (BMV) agricultural land had not been adequately justified.
4. SDC Members resolved at an extraordinary meeting on 8 April 2025 not to contest two of the Reasons for Refusal. Its Statement of Case provides that the Council exercised its duty to reconsider the case in light of recent policy changes and planning appeal decisions. SDC determined that although harm would be caused by the proposed development, the Green Belt and loss of agricultural land reasons could not be sustained and were withdrawn. The Council added that the remaining reasons were insufficient to outweigh the benefits of the proposed development.³
5. In its opening statement to the Inquiry SDC cited new policy and guidance about grey belt land, and how other appeals had dealt with agricultural land, as reasons for not defending these grounds. Regarding the remaining reasons for refusal, SDC accepted that landscape harm was limited and that the effects of the proposed development on landscape accords with national and local policy and so is acceptable. SDC noted that some less than substantial harm to heritage remained in respect of harm to the setting of listed and non-designated Mussenden buildings. However, given the planning benefits of the proposal, particularly the need for renewable energy generation, SDC concluded that the benefits of the appeal scheme significantly and demonstrably outweigh the harm to landscape and heritage, and so did not defend the appeal.⁴

Amended appeal scheme

6. Proposed amendments to the scheme were submitted with the appeal in January 2025. The design changes comprised:
 - Removal of panel arrays and infrastructure from Field 9.
 - Addition of a low-level timber post and rail fence either side of the Public Right of Way (PRoW) Route SD333 in Field 9.
 - Provision of one additional skylark plot within Field 9 and associated planting to increase biodiversity net gains.
7. I concur with the parties that these are minor changes that would not significantly alter the proposal from that considered by SDC in refusing the application.⁵ The proposed amendments were included on the appellant's and SDC's websites. A newspaper advertisement was published on 16 January 2025. Site notices were placed at the main access to the site and on Footpath SD333. Letters of notification were sent to Ward Members and Parish Councillors, as well as Parish Councils and 202 local residents and businesses. The consultation period ran to 25 March 2025.⁶ Local residents referred to the amended scheme in written representations and at the Inquiry. I am satisfied that no one would be prejudiced

³ CD10.7 paragraph 1.3.

⁴ ID1.

⁵ SoCG1 CD10.8 paragraph 4.12.

⁶ SoCG2 CD10.9 section 2.

by considering the amended scheme and I have dealt with the appeal on this basis.

Proposed development

8. It was clarified at the Inquiry what details were to be determined as part of the appeal and what other details would be subject to further approval were the appeal to succeed.⁷ The Infrastructure Layout Plan would secure the siting of the following;
 - access tracks,
 - inverter and battery storage areas and associated hardstanding,
 - temporary construction compounds,
 - substation compound,
 - fence lines, gates and CCTV,
 - drainage infiltration trench,
 - site entrance visibility splays,
 - two connection cable route options into the substation,
 - indicative solar PV array.
9. The fence line around the indicative solar PV array would define the extent of the panels within the site, with a solar PV buildable area of 65.96 ha. The scheme proposes that the substation, occupying 0.37 ha, would be permanent, and that the grid connection would be provided separately by the District Network Operator. The scheme proposes a maximum export capacity of 49.9 MW. The landscape assessment was based on the top of all PV modules and racks not exceeding 3.6m above the existing ground level, security fencing limited to 2.4m high, deer fencing 2m and security CCTV 3.5m.
10. SDC issued a screening opinion that the proposed development was not Environmental Impact Assessment development for the purposes of the EIA Regulations.⁸ Having considered all the evidence and seen the site and surrounds, I concur that the proposal is not EIA development.

Statements of Common Ground

11. The appellant and SDC submitted a Statement of Common Ground (SoCG) dated 14 April 2025, which was amended on 28 April to include reference to non-designated heritage assets (SoCG1).⁹ At the Case Management Conference held on 12 May 2025 I requested an addendum to this statement to provide more details about consultation for the proposed amendments to the scheme, the appropriate planning balance in this case, and how National Planning Policy Framework (NPPF) paragraphs 160 and 155 should apply (SoCG2).¹⁰

Local and national policy

12. The development plan for the locality comprises the Sevenoaks Core Strategy Development Plan 2011 (CS), and the Sevenoaks Allocation and Development Management Plan 2015 (ADMP). The site lies in the Green Belt as defined in the development plan.

⁷ ID3.

⁸ The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations).

⁹ CD10.8.

¹⁰ CD10.9.

13. I have had regard to the NPPF and the Planning Practice Guidance (PPG). The NPPF states that the planning system should support the transition to net zero by 2050 and help to support renewable and low carbon energy and associated infrastructure. It also provides that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, recognising the intrinsic character and beauty of the countryside. The PPG includes guidance about renewable and low carbon energy.¹¹
14. Given that the capacity of the proposed solar farm in this appeal would be so close to the 50 MW threshold for a Nationally Significant Infrastructure Project (NSIP), I consider that Overarching National Policy Statement for Energy (EN-1) and National Policy Statement for Renewable Energy Infrastructure (EN-3) are material considerations in determining this appeal.¹²

The site and surrounds

15. The 99 ha appeal site lies to the south of Horton Kirby, which is designated as a service village in the CS. Field 3A separates the proposed solar arrays from residential development at Saxon Place, which comprises 74 dwellings. This field is outside the red line boundary for the appeal site but within the control of the appellant.¹³ The site is bounded to the north-east by Mussenden Lane and the M20 motorway lies to its south-west. Ancient Woodland is located to the south of the site on three sides of Field 5B. Footpath SD333 traverses Field 9 and joins Footpath SD169, which crosses over the M20 via a footbridge. SD333 also connects with Footpath SD156, which passes close to the western boundary of the appeal site and extends to Saxon Place.

Listed buildings

16. Mussenden Farm Complex adjoins part of Field F3A. This comprises four grade II listed buildings; Mussenden Farmhouse, two barns and a granary. I am required by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of a listed building. There is also a non-designated Oast House to the south-east of the farm complex. All these historic buildings have been converted to residential dwellings.

Inquiry proceedings

17. I decided at the Inquiry that cross-examination would not be necessary for me to obtain all the information necessary to determine the appeal and so the event proceeded as focussed round table discussions. These dealt with the following matters that were identified in my Post-Case Management Conference Note:
- Further information submitted by the appellant at the appeal stage
 - Green Belt
 - Character and appearance including cumulative effects
 - Agricultural land
 - Biodiversity
 - Renewable energy

¹¹ The PPG includes reference to a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013 and written ministerial statement (WMS) on Solar energy: protecting the local and global environment made on 25 March 2015. The latter notes that the use of BMV land would need to be justified by the most compelling evidence, but adds that proposals would need to be considered in the light of relevant material considerations.

¹² EN-1 paragraphs 1.2.1 and 1.2.2.

¹³ CD2.1.15 and CD3.3.

- Planning balance and planning policy
- Suggested planning conditions

The parties were given time to comment on suggested planning conditions. The Inquiry was closed in writing on 27 June 2025.

18. The Department for Energy Security and Net Zero subsequently published the Solar Roadmap United Kingdom Powered by Solar, June 2025 (the Roadmap). The Ministerial Forward states that the Roadmap presents the final conclusions of the Solar Taskforce, setting out the steps Government and industry will take. It adds that “Publishing this Roadmap is just the beginning of our journey – and we will establish a joint Government and industry Solar Council to drive progress towards our ambitions”. The parties were given time to comment on the relevance of the Roadmap to this appeal.¹⁴

Main issues

19. The main issues in this appeal are:

- (a) The application of Green Belt policy.
- (b) The effect of the proposed development on the character and appearance of the area, including cumulative impact.
- (c) The effect on heritage assets.
- (d) The effect on agricultural land and food production.
- (e) The effect on biodiversity.
- (f) Renewable energy considerations.
- (g) Local and national planning policy and whether the benefits of the proposal would outweigh any harm.

Reasons

Green Belt

20. The appeal site is not near to a large built-up area. It does not contribute strongly to Green Belt purpose a), which is to check the unrestricted sprawl of large built-up areas. Green Belt purpose b) to prevent neighbouring towns merging into one another, and purpose d) concerning the preservation of the setting and special character of historic towns, are not relevant in the circumstances that apply in this case. The appeal site does not strongly contribute to any of Green Belt purposes a), b) or d). For the reasons set out later in this decision none of the policies relating to the areas or assets in NPPF footnote 7 provide a strong reason for refusing or restricting development.¹⁵ I find that the appeal site is grey belt land for the purposes of applying NPPF paragraph 155.
21. The proposed development would have a moderate adverse impact on Green Belt purpose c) regarding assisting in safeguarding the countryside from encroachment. However, no harm would arise to purpose e) regarding regeneration. Some 93% of the district is Green Belt. The development of the part of the Green Belt land that comprises the appeal site would not affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way. I find that the proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

¹⁴ ID13, ID14 and ID15.

¹⁵ Paragraph 4.3 SoCG2 at CD10.9.

22. As set out in paragraph 56 of this decision the proposed development would assist in meeting the need for renewable energy. There is a demonstrable unmet need for the type of development proposed.
23. The specific locational requirement for the proposed solar farm, in terms of an available grid connection, has implications for the accessibility of the site in this rural area. Access would be via rural lanes. But with the exception of construction and decommissioning periods the facility would not generate much traffic. Safe and suitable access could be secured by the imposition of appropriate planning conditions. Overall, I consider that the proposed solar farm would be in a sustainable location having regard to paragraphs 110 and 115 of the NPPF.
24. The Golden Rules as set out in NPPF paragraphs 156 - 157 do not apply in this case. I concur with the appellant and SDC that the appeal site is grey belt land. The proposal is not, therefore, inappropriate development in the Green Belt. The appeal scheme would result in no harm to the Green Belt.¹⁶ There is no conflict with CS Policy LO8 because the policy refers to development compatible with policies for protecting the Green Belt. NPPF paragraph 160 states that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. However, I agree with the appellant and SDC that paragraph 160 is not triggered in this case. The development is not regarded as inappropriate because parts a. b. and c. of NPPF paragraph 155 apply.¹⁷

Character and appearance

25. At the national level the site lies within National Character Area 119:North Downs, and at the County level in the North West Kent Landscape Character Area (LCA). The northern part of the appeal site lies within the Darenth Downs Landscape Character Type (LCT), which is characterised as a smooth, open arable landscape on chalk that is crossed by major transport routes. Its condition is assessed as poor, with moderate sensitivity and guidelines to restore ecological interest in arable areas and create new ecologically rich vegetative cover/woodland adjacent to the motorway corridor. The southern part of the site is within the Ash Downs LCT, a mix of grassland with extensive arable farmland, in good condition, with high sensitivity and guidelines to conserve the LCT. In the more recent Sevenoaks Landscape Character Assessment (2017) the site is identified within LCT 2:Downs and at a finer level within LCA 2b Eynsford and Horton Kirby Downs. Key characteristics of the latter include a gently undulating chalk landscape with a medium-large scale field pattern, and narrow winding lanes juxtaposed with the busy A20/M20. Guidelines include restoring the integrity of field boundaries and enhancing hedgerows.
26. The proposed solar panels, substation, inverters, batteries and access tracks would occupy 65.96 ha of land, rendering the appeal scheme a large-scale development that would, in terms of overall scale, be reasonably commensurate with the medium to large-scale arable landscape within which it would be sited. The field pattern would be maintained. However, the metal and glass panels of the solar arrays, along with their regular arrangement in long rows, together with inverters/batteries, would be out of keeping with the character of the area. The colour and texture of the solar arrays would not be typical of its agricultural and

¹⁶ ID8.

¹⁷ Section 3 SoCG2 at CD10.9.

rural settlement context, and so the proposed development would introduce a discordant element into the local landscape. Mitigation planting would accord with ADMP Policy G1 concerning green infrastructure but would not ameliorate this harm to landscape receptors.

27. Turning to the visual effects of the proposal, the appellant acknowledges that the appeal scheme would have a major adverse effect for users of the PRoW at Viewpoint 5, and a moderate adverse effect at Viewpoint 4.¹⁸ The appeal scheme would have a negligible visual effect from other public vantage points. Some of the proposed hedgerow planting would obscure existing attractive views across the open countryside, such as along part of Footpath SD156 adjacent to the motorway. Planting here would also screen distant views towards the Mussenden Farm Complex.¹⁹
28. The appellant's assessment does not consider the view from residential properties in Saxon Place. Some 22 of the dwellings in Saxon Place directly face the appeal site, at a distance that varies between 220m and 380m to the closest proposed PV arrays. The Landscape Institute's Guidelines for Landscape and Visual Impact Assessment notes that visual receptors include people living in the area, and that residents at home are particularly susceptible to changes in visual amenity.²⁰ I saw the view from the rear of some Saxon Place dwellings at my accompanied site visit. At the Inquiry I requested cross-sections through Field F3A to the proposed arrays/batteries so as to better appreciate the effect of the local topography on views and the likely effectiveness of screening.²¹
29. Views from these properties are private, not public views, but if included as a Viewpoint in a visual assessment, I consider that with high sensitivity and medium magnitude of effect the appeal scheme would have a major adverse effect for the following reasons. The cross-sections indicate the likelihood that solar panels would be visible in Fields F3C and F5A. Mitigation planting would help to soften this impact in time, as is evident from the year 15 predictions in the cross-sections, but would not eliminate the harm to the visual amenity of the area. It was also evident at my site visit that solar panels would be apparent on the upper slopes of Fields F5A and F5B in views towards the woodland on the horizon. I consider that the effect on the visual amenity of the area from properties in Saxon Place would be comparable to that which the appellant assessed for Viewpoint 5.
30. Local residents consider that the appellant should have undertaken a residential visual amenity assessment.²² The outlook from Saxon Place properties would be across a shallow valley that contains Field 3A, which is proposed Skylark Area 2. I was able to assess the relationship between residential properties in Saxon Place and the proposed development at my site visit. Some dwellings in Saxon Place would have a view of the proposed development from rear gardens and windows. It was also evident from visiting the lane outside the Mussenden Farm Complex that private views of some solar panels would also be likely from these dwellings.
31. However, given the separation distance, undulating topography and proposed landscaping, I consider that the solar farm would not have an overbearing or dominating effect on the outlook from nearby residential dwellings. The outlook

¹⁸ CD10.13C Appendix 14. Viewpoints are included in CD10.13C Appendix 12.

¹⁹ Plate 9 CD10.12.

²⁰ CD5.28 GLVIA3.

²¹ ID9.

²² ID4.2.

would not be so affected by the proposed solar farm as to give rise to an unacceptable adverse impact on the residential amenity of occupiers that would need to be avoided in the public interest. Noise is a matter that could be reasonably controlled by a planning condition to ensure that the scheme did not have an unacceptable impact. The proposal would comply with ADMP Policy EN7 concerning noise pollution. I am satisfied that the development would reasonably safeguard the amenities of the occupants of nearby properties and so would accord with ADMP Policy EN2.

32. Local residents are concerned about the cumulative impact of several solar farms in the locality.²³ Gabrielspring Wood Solar Park, Horton Wood Solar Farm and the appeal site lie within LCA 2b. However, taken together these schemes would result in a low magnitude of change for the character of LCA 2b, which covers an extensive area of the North Downs. I concur with the appellant's assessment that adverse cumulative effects on the landscape character of the area would be minor.
33. Gabrielspring Wood Solar Park, which is located on the opposite side of the M20 to the appeal site, was granted planning permission in April 2025. At its closest this solar park would be about 49m from the appeal site, but there is no intervisibility because of dense vegetation along both sides of the motorway. Some sequential views of the appeal scheme with Gabrielspring Wood Solar Park might be possible for those entering or leaving the appeal site via Footpath SD169 and the motorway footbridge, especially when trees were not in leaf. But these would be occasional given the distances between vantage points, as Viewpoint 9 indicates.
34. There is no network of PRow between the appeal site and Horton Wood Solar Farm (476m from the appeal site and as yet unbuilt) and the lack of connectivity would limit any opportunities for sequential views for those travelling in the locality. Potential exists for some in combination views, for example from Viewpoint 10, but any views that took in parts of Horton Wood Solar Farm and parts of the appeal scheme would be at considerable distance and unlikely to be intrusive in the wide view of the rural landscape. I concur with the appellant's assessment that adverse cumulative visual effects would be minor. A larger scheme is proposed some 1,154m from the appeal site (New Ash Green Solar). At the time of the Inquiry permission had not been granted for this scheme and so not much weight can be given to it.
35. I understand local anxiety about the likelihood of cumulative impacts from several solar farms in the wider locality. However, it was apparent at my site visits that the combination of separation distance, local topography and intervening vegetation are such that any adverse cumulative landscape or visual effects attributable to the appeal scheme would only have a minor effect.
36. The permanent substation and its access would, with appropriate landscaping, have a negligible effect on the character and appearance of the area. The level of landscape and visual harm from the remainder of the proposed development would not be permanent but would persist for 40 years and exceed what is regarded as long term.²⁴

²³ ID5.

²⁴ GLVIA3 paragraph 5.51 refers to long term as ten to twenty-five years.

37. The proposal would have an adverse effect on the landscape resource of moderate significance, and an initial adverse visual impact of major significance that would reduce with maturing landscaping to an adverse effect of moderate significance for the remainder of the duration of the solar farm. SDC's opening statement to the Inquiry recorded that the landscape harm would be limited and that the effects of the proposed development on landscape accords with national and local policy and so is acceptable. Nevertheless, the harm to the character and appearance of the area that I have identified weighs against the proposal and should be given moderate weight in the planning balance.

Heritage assets

38. Mussenden Farmhouse is listed as a 17th / 18th Century two-storey painted brick building. However, there is evidence that some parts of the building are older.²⁵ The 18th Century barn to the north of the farmhouse, which is now known as The Stables, is adjacent to the lane. The 18th Century barn to south-east of the farmhouse is wrongly labelled as it lies to the west of the farmhouse and is now known as The Barn. The listed description for the 18th Century Granary is also misleading as it is located to the south-west of the farmhouse. The non-listed Oast House, with two roundels, lies to the south-east of the farmhouse.
39. As residential buildings these heritage assets now appear within individual residential plots. However, the grouping of the buildings provides for some understanding of the hierarchy of the buildings within the layout of the farm complex in views from the lane. The significance of these assets derives primarily from their physical fabric and grouping. The functional association between the buildings and the adjoining agricultural land has been severed. Nevertheless, the agricultural surrounds, of which the appeal site forms part, provide local context and an historical association that aids appreciation and understanding of the former functions of the buildings. In this respect the setting of the heritage assets contributes to their significance.
40. The nearest proposed solar panel arrays in Fields F3C and F3B would be about 180m from the Oast House, with the listed buildings further from the proposed development. The intervening Field F3A would remain in agricultural use with plots for skylarks. Solar panels in the wider context would cause a slight reduction in the ability to appreciate the role these historic buildings played in the agricultural history of the locality. This change in the local character, and the resultant harm, would be temporary and reversible. I find that the appeal scheme would result in a low level of less than substantial harm to the significance of the four listed buildings through a temporary change in the wider agricultural surroundings.
41. The unlisted Oast House is thought to date from the early 19th Century. There is evidence that it was owned and tenanted by the same people as the Mussenden Farm Complex. It now sits within a garden plot, but the roundels with cowls are a distinctive feature. The physical fabric of the building best demonstrates its architectural and historic interest. The agricultural surrounds hold some historic association, with the Oast House providing tangible evidence of hop-farming's importance in the past to the local economy. Some of the fields within the appeal site may have contributed hops for the Oast House. However, the appeal site makes a minor contribution to the significance of the asset. I consider that the

²⁵ ID4.1.

proposed solar farm would result in a low level of harm to the significance of the Oast House by reason of a temporary change to the character of the wider agricultural surroundings.

42. The housing estate at Saxon Place covers the site of an Anglo-Saxon burial ground that was excavated in the 1930s. An archaeological evaluation has determined that the burial ground does not extend into the appeal site. Kent County Council Archaeology reviewed this evaluation and considers that the impact of the development on the archaeological potential of the site could be adequately mitigated in accordance with ADMP Policy EN4.²⁶
43. I have taken into account the group value of the heritage assets at the Mussenden Farm Complex and find that the overall less than substantial harm I have identified to the significance of each of the designated heritage assets should be weighed against the public benefits of the proposal in accordance with NPPF paragraph 215, and a balanced judgement made for the Oast House having regard to the scale of harm and the significance of the non-designated asset (NPPF paragraph 216).

Agricultural land

44. The appeal site comprises 76 ha of grade 2 agricultural land, 17 ha is classified as grade 3a, with 3 ha of grade 3b land. Therefore, 96.9% of the site is classified as BMV agricultural land. NPPF paragraph 187 b) provides that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, recognising the economic and other benefits of BMV agricultural land. Footnote 65, albeit in a reference to plans, states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. EN-3 has similar provisions.²⁷ The Written Ministerial Statement *Solar and protecting our Food Security and Best and Most Versatile (BMV) Land*, which was made on 15 May 2024, reflects current policy and guidance and does not introduce any new policy tests.²⁸
45. Policy and guidance for BMV agricultural land do not mandate the consideration of alternatives or require a sequential test. The appellant submitted evidence about land quality in the locality.²⁹ I am satisfied that reasonable consideration has been given to using poorer quality land having regard to other constraints, such as fragmented landholdings, small fields and small woods in the locality. Given the requirements for a solar farm of this scale, including an available grid connection, I consider that it would be necessary to use agricultural land, and that land of poorer quality is not available.
46. The appellant's intention is to graze sheep within the solar farm.³⁰ There is local concern about the practicalities of grazing. However, the Roadmap provides that solar and farming in combination can provide further financial opportunities, food

²⁶ CD8.16.

²⁷ EN-3 paragraph 2.10.29 states that while land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise suitable previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land avoiding the use of Best and Most Versatile agricultural land where possible.

²⁸ More recent Government targets for renewable energy generation and policy for climate change are material considerations that limit the weight that can now be given to the WMS *Solar energy: protecting the local and global environment* dated 25 March 2015.

²⁹ CD10.11C Appendix 2 Section 7.

³⁰ A suggested planning condition would require compliance with an approved grazing management plan for livestock.

production and environmental benefits through shared use of land. It adds that many solar projects are designed to enable continued livestock grazing. Notwithstanding the intention to graze livestock the proposal would result in a reduction in agricultural productivity from the appeal site for a period of 40 years. However, there is no convincing evidence that this loss of productivity, either solely or cumulatively with other solar farms, would have significant implications for food security.³¹

47. Subject to the imposition of appropriate planning conditions the solar farm could be decommissioned and restored with no permanent loss of agricultural land quality within the appeal site, except for the land required for the substation. Again, depending upon appropriate management, which could be the subject of a condition, soil quality and biodiversity could be enhanced by less intensive agricultural use over a 40-year period.
48. Taking all these matters into account, I consider that using 93 ha of BMV agricultural land for renewable energy generation would be justified in the circumstances that apply here. Nevertheless, taking the appeal site out of arable production for 40 years and replacing agricultural land with a substation would have some effect on agricultural productivity in the locality, albeit with negligible impact on food resilience and security considerations. Overall, I consider that the appeal scheme would result in an adverse effect of minor significance insofar as it would impact on agriculture but find no policy conflict in this regard.

Biodiversity

49. The statutory 10% biodiversity net gain (BNG) requirement does not apply in this case. However, the appellant submits that the biodiversity net gain of 50.22% for habitat units and 39.93% for hedgerow units should be accorded substantial beneficial weight in the planning balance.³² Given that the benefits of the appeal scheme claimed by the appellant include this level of BNG, I consider that it would be necessary to impose a condition setting these levels of gain rather than the 10% proposed in the agreed suggested conditions. Biodiversity enhancements would include wildflower meadows and species rich grassland planting, along with bird and bat boxes. The imposition of conditions could also safeguard woodland, trees and hedgerows during construction and decommissioning. No works would be undertaken within 20m of the edge of woodland. Access for construction vehicles and any horizontal directional drilling could be strictly controlled to protect the Ancient Woodland.
50. SDC takes no issue with the appellant's evidence about biodiversity, but local residents challenged some of these findings, particularly with respect to the effects on skylark territories. Kent County Council Ecological Advice Service does not dispute that the proposed enhancements of the solar farm would be likely to benefit nesting skylarks in the wider area. The Service also stressed the importance of monitoring the use of the solar farm by skylarks. However, it does not consider that the proposal would fully mitigate the loss of breeding skylark territories.³³ The appeal scheme would result in an overall loss of between 6-8 skylark territories, which would be an adverse impact at the local level. However, Field 9 would be positively managed for conservation, with enhanced grassland,

³¹ CD10.11C Appendix 2 section 8.

³² CD3.5 and CD10.11B paragraphs 11.36 and 11.37.

³³ Email dated 9 April 2025 CD10.7.

and Footpath SD333 could be fenced to prevent dogs disturbing ground nesting birds. The Roadmap cites a study by the Royal Society for the Protection of Birds and the University of Cambridge, which found that hectare for hectare solar farms in East Anglia contained nearly three times as many birds compared to surrounding arable land.

51. Notwithstanding the biodiversity benefits of the scheme, the net loss of skylark territories would be an adverse impact that weighs against the proposal. However, I concur with the appellant and SDC that the proposal would accord with national and local policy in respect of biodiversity.³⁴ Overall, I consider that the biodiversity benefits of the scheme warrant moderate weight in favour of the proposal in the planning balance.

Renewable energy

52. Appendix A to Mr Urbani's Installed Capacity Note sets out indicative parameters for 117,442 solar panels for the buildable area of 65.96 ha (163 acres), with a density of 2.29 acres/MWdc. This scale of development would be consistent with the guidance in EN-3.³⁵ However, it would result in some overplanting.³⁶ The ratio for the indicative scheme is 1.52 MWdc/MEC (maximum export capacity). I have taken into account the justification for this degree of overplanting set out in section 6 of CD10.11C Appendix 3A. This provides that the 52% increase above the 49.9 MW MEC would comprise 13% for the difference between the output power defined under the Standard Test Conditions and actual meteorological conditions at the site, 27% for module degradation, and 12% for maximisation of the time the solar farm would export at the MEC.
53. A condition could ensure that the scheme did not breach the NSIP threshold of 50 MW. The overplanting would enable additional MW hours of renewable energy to be produced. The full extent of the development, including the likely degree of overplanting, has been assessed on a worst-case basis in determining this appeal. I am satisfied that the likely level of overplanting would be reasonable in the circumstances that apply to this site, having taken into account the Ross judgment about interpreting and applying EN-3.³⁷ On the basis of the indicative scheme the proposed development would power 22,945 homes.³⁸ The appellant has a grid connection offer with a date of 31 October 2030 and so the scheme could form part of the Clean Power 2030 Action Plan for solar capacity.³⁹
54. There is local concern about the absence of any provision for community benefits. The Government published a working paper on 21 May 2025 seeking views on introducing a mandatory community benefit fund scheme for low carbon energy infrastructure including solar. A voluntary community benefits protocol and guidance for solar is to be published later this year.⁴⁰ In the absence at this stage of a specific policy requirement for the provision of community benefits, the fact that the appeal scheme makes no such provision does not weigh against the proposal. The appellant is negotiating a voluntary scheme with the local

³⁴ CD4.1 paragraph 99.

³⁵ Paragraph 2.10.17 of EN-3 provides that for a 50 MW scheme the site would range from 125 to 200 acres, contain 100,000 to 150,000 solar panels, and have a density of 2 to 4 acre/MWdc.

³⁶ Where the ratio of MWdc from the panels to the MWac of inverters is greater than 1.

³⁷ *Ross v SSHCLG* [2025] EWHC 1183 (Admin) at CD7.45.

³⁸ CD10.11C Appendix 3A page 10.

³⁹ CD5.25 and CD10.11C Appendix 3B. ID15 refers to the prospect of an earlier energisation date.

⁴⁰ UK Solar Roadmap.

community, but this is not finalised, and I have not taken it into account in determining this appeal.⁴¹

55. NPPF paragraph 168 does not require the overall need for renewable energy to be demonstrated and requires that significant weight is given to the benefits associated with renewable energy generation and the proposal's contribution to a net zero future. EN-3 provides that the Government is committed to sustained growth in solar capacity as a key part of its strategy for low-cost decarbonisation of the energy sector. It adds that solar also has an important role in delivering the Government's goals for greater energy independence and refers to *Powering Up Britain: Energy Security Plan*.⁴² The proposal would make a cumulative contribution to meeting the target set out in the Climate Change Act 2008.⁴³ It also gains support from the UK Government *Solar Strategy* 2014⁴⁴, the *Net Zero Strategy*⁴⁵ and the *British Energy Security Strategy*⁴⁶. The Solar Roadmap refers to the Clean Power Action Plan call for the rapid acceleration of solar deployment, from over 18 GW at present to 45-47 GW by 2030.
56. Given the benefits of the appeal scheme to the reduction of carbon emissions and towards energy security considerations, along with national support for the generation of renewable energy, as outlined in the preceding paragraph, I consider that these benefits of the proposed solar farm attract substantial weight in the planning balance. The scheme would also have economic benefits in providing employment and contributing to the local and wider economy, which should attract some slight weight.

Other issues raised by third parties

57. Access to the site would use some narrow rural lanes. However, the highways evidence indicates that the imposition of conditions could mitigate adverse travel impacts, and I find no conflict with ADMP Policy T1. The appeal scheme includes siting for a drainage infiltration trench and a detailed sustainable surface water drainage scheme could be required by a planning condition.
58. I am satisfied that the technical evidence submitted is sufficient to assess the likely effects of glint and glare from solar panels. With the proposed landscaping the solar farm would have a low impact on drivers using the local road network and those living in the area. The likelihood of unacceptable glint and glare does not weigh against the proposal.
59. The proposal would reasonably accord with the design principles set out in ADMP Policy EN1. It would not establish a precedent for further speculative solar farm development as each case must be determined on its merits in accordance with relevant policy.

Planning balance and policy

60. NPPF paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the

⁴¹ ID15.

⁴² CD5.20.

⁴³ CD5.8 and CD5.9.

⁴⁴ CD5.5.

⁴⁵ CD5.17.

⁴⁶ CD5.18.

greater the weight should be). I have taken this into account in awarding weight to the harm I have identified to the designated assets. This harm must be given considerable importance and weight in the balancing exercise required by NPPF paragraph 215. Taking all the above into account, I consider that the overall less than substantial harm to the significance of designated heritage assets is outweighed by the public benefits of the proposed development that are attributable to the generation of renewable energy, biodiversity net gain and economic benefits. In the balanced judgement required by NPPF paragraph 216 for the non-designated Oast House, I consider that the low level of harm to this heritage asset would not weigh much against the proposal.

61. Turning to the overall balancing exercise, I consider that the harm to the character and appearance of the area, harm to heritage assets, along with minor harm to agriculture, would be outweighed by the benefits of renewable energy generation, biodiversity net gain and the economic benefits that would result from the appeal scheme.
62. CS Policy SP1 requires that heritage assets and their settings will be protected and enhanced. The appeal scheme would be at odds with this policy because the less than substantial harm I have identified would not protect the assets. However, this policy does not fully accord with the provisions for balancing harm and benefits in the NPPF. The proposal would also conflict with ADMP Policy EN5 because it would not conserve the character of the landscape, but it would secure some landscape enhancements in accordance with the policy. The weight given to this policy conflict should also reflect the fact that EN-3 states that development of this scale will inevitably have impacts, particularly if sited in rural areas, and that potential solar farm sites are largely in rural areas.⁴⁷ I find no conflict with provisions in Policy LO8 that seek to ensure that all development conserves and enhances local landscape character because the policy adds provision for appropriate mitigation where damage to local character cannot be avoided.
63. Other development plan policies pull strongly in favour of the proposal. The scheme accords with the underlying aims of CS Policy SP2 because it would contribute to the goal of achieving zero carbon development as soon as possible. It also benefits from CS Policy SP11 because of the BNG gain and because it takes advantage of opportunities for the enhancement of biodiversity. I consider that the appeal scheme complies with the development plan taken as a whole.
64. SDC considers that NPPF paragraph 11.d)ii is in play here. The basis for this view appears to be an alleged inconsistency of ADMP heritage Policy EN4 with the NPPF.⁴⁸ However, I read Policy EN4 as a positive policy. It states that proposals that affect a heritage asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset. The policy does not rule out proposals that would result in some harm to heritage assets, but where that harm would be outweighed by other benefits. On this reading there would be no conflict with the provisions of the NPPF.
65. I find that the proposal is in accordance with an up-to-date development plan, that paragraph 11(c) of the NPPF applies, and that the proposal should be approved without delay.

⁴⁷ EN-3 paragraphs 2.10.17 and 2.10.36.

⁴⁸ Paragraph 4.2 SoCG2 at CD10.9 and paragraphs 7.32-7.34 CD10.7.

66. However, if I am wrong about the consistency of ADMP Policy EN4 with the NPPF, and if this is sufficient to render the policies that are most important for determining the appeal out-of-date, then NPPF paragraph 11.d) would apply. In those circumstances, I find that the application of NPPF policies do not provide a strong reason for refusal, and that the adverse impacts of the appeal scheme would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, and so planning permission should be granted.

Other matters

67. I have taken into account all other matters raised in evidence, but have found nothing to outweigh the main considerations that lead to my conclusion.

Conditions

68. I have given careful consideration to the thoughtful representations about suggested planning conditions.⁴⁹ The wording of some of the suggested conditions would need to be amended to ensure that they are necessary, relevant to planning and to the proposed development, enforceable, precise and reasonable in all other respects. The following condition numbers refer to the numbering in the attached Schedule of Conditions.
69. The standard commencement condition would apply (Condition 1). Conditions would need to specify the duration for the Development and require restoration on decommissioning, for the Site and for any parts of the Site where export of electricity ceased before the end of the 40-year period (Conditions 2, 3, 4 and 5). Approval of a decommissioning statement before development commenced would not be necessary because decommissioning plans should have regard to relevant policy and practice at that time. Site restoration could then take advantage of up-to-date evidence about the decommissioning of other solar farms.
70. A Construction Management Plan would be required to safeguard the amenity of the area, but this should include provision for liaison with the local community, provision of contact details for the construction site manager, and a scheme to control traffic routing to and from the Site (Condition 6). A highway condition survey and provision for any remediation works would be necessary (Condition 7). However, this would not need to include Scratchers Lane, which is about 6.5m wide, whereas Three Gates Road and Gabriel Spring Road East are much narrower. Access details would need to be approved for highway safety reasons (Conditions 31 and 32).
71. A landscape scheme, provision for planting and controls for lighting would be necessary in the interests of the appearance of the area (Conditions 8, 15 and 19). There is a discrepancy in the suggested conditions for replacement planting with references to both a 5 year and 10 year period.⁵⁰ I am satisfied that 5 years would be appropriate here to secure the establishment of planting. Provisions for archaeological interest in the Site and interpretation of heritage assets would provide historical context for the Development (Conditions 9, 10 and 11). For safety reasons pipelines in the locality would need to be protected (Condition 12), and any land contamination resolved (Condition 13). Drainage would be required

⁴⁹ ID7, ID10 and ID12.

⁵⁰ Suggested conditions 7 and 14.

in the interests of the amenity of the area (Condition 14). Management of PRoW for the duration of the Development would provide for safe public access (Condition 16).

72. A landscape and ecological management plan (Condition 17), biodiversity net gain plan (Condition 23), biodiversity enhancement plan (Condition 27) and ecological decommissioning plan (Condition 26), would all be necessary in the interests of nature conservation and wildlife management. In accordance with ADMP Policy EN1 a strategy would assist in designing out crime (Condition 18). There is no evidence to indicate that more restrictive hours for construction and deliveries than the normal hours agreed by SDC and the appellant should apply in this case (Condition 20).
73. It would be necessary to define the permission and ensure that the development was carried out in accordance with the approved plans (Condition 21). Given that much of the detail about the scheme is illustrative, a Condition would be required to enable approval to be granted for relevant details of the Development (Condition 22). The installed export capacity for the Development would need to be specified to ensure that the Development did not exceed the threshold for a NSIP (Condition 24). The scheme proposes grazing and doing so would require a management plan (Condition 25).
74. NPPF paragraph 198 provides that potential adverse impacts resulting from noise from new development should be mitigated and reduced to a minimum. This accords with a policy aim of the Noise Policy Statement for England, which is to mitigate and minimise adverse impacts on health and the quality of life. I queried at the Inquiry how imposing a noise limit of background plus 5dB would square with this policy given the relatively high background levels that were attributed at the Inquiry to the proximity of the M20 motorway. Alternative versions for the suggested noise condition were subsequently included in ID7. I consider that it would be reasonable in the circumstances that apply here to set a noise limit for the solar farm that did not significantly add to the already high background levels. The predicted levels in Table 8 of CD1.15 show that the predicted rating level of noise from the development would not exceed the background sound levels at any of the residential properties, at any time.⁵¹ It would not be unduly onerous for the scheme to mitigate noise levels so as not to exceed background levels, rather than the background plus 5 dB advocated by the appellant (Condition 28).
75. Given the risk of fire, a management plan would be necessary for the BESS. This would need to include details of battery units design and testing, a fire water management plan and vegetation control (Condition 29). A soil management plan would assist in the effective restoration for agricultural use on decommissioning (Condition 30).
76. There is clear justification for the imposition of the conditions that are required to be discharged before commencement of development. The appellant has agreed to these in the suggested conditions submitted to the Inquiry.
77. I have considered the other conditions suggested by local residents, but I am satisfied that the issues they raise are either adequately addressed by the

⁵¹ The difference between predicted noise from the solar farm and background levels at the identified receptors ranges from -19 dB to -2 dB during the day, and from -15 dB to 0 dB during the night.

evidence before the Inquiry, or concern matters that fall outside the ambit of the planning system.

Conclusion

78. For the reasons given above the appeal should be allowed.

J Woolcock

INSPECTOR

APPEARANCES

FOR SEVENOAKS DISTRICT COUNCIL (SDC):

Michael Fry
Counsel

Instructed by Sevenoaks District Council – Vikki
Thompson Principal Solicitor (Litigation)

He called

Ashley Bidwell MSc

Principal Planning Officer

FOR THE APPELLANT:

Isabella Tafur
Counsel

Instructed by Patrick Robinson of Burges Salmon
LLP

She called

Laura Garcia BA (Hons) MCIfA
Andrew Cook BA (Hons) MLD CMLI
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Senior Director Pegasus Group
Executive Director Pegasus Group

Jean-Christophe Urbani

Global Solar Lead RES

Tony Kernon

Director Kernon Countryside Consultants Ltd

Nigel Cussen BSc (Hons) DipTRP
MRTPI

Senior Planning Director Pegasus Group

INTERESTED PERSONS:

Clare Wadey
David Hollands

Local resident
Local resident

SCHEDULE OF CONDITIONS (1-32)

For the purposes of the following Conditions reference to:

- 'The Development' is to the development hereby permitted by this permission, namely: "Construction and operation of a solar farm with all associated works, equipment, necessary infrastructure and biodiversity net gains. New access track."
 - 'development' has the meaning given in section 55 of the Town and Country Planning Act 1990.
 - The 'Site' is to the area outlined in red on the Site Location Plan (Sheets 1-8) 05009-RES-LAY-DR-PT-001 Rev 3.
 - The 'First Export Date' is to the date that electricity from the Development is first exported to the grid for commercial operation.
 - The 'Substation' is to the electrical infrastructure and works contained within the Substation Compound shown on the Infrastructure Layout 05009-RES-LAY-DR-PT-003 Rev 7.
1. The Development hereby permitted shall commence no later than the expiration of three years from the date of this permission.
 2. The local planning authority shall be notified in writing of the First Export Date within 21 days of that event occurring. The use of the Site authorised by this permission shall be discontinued and all buildings and infrastructure, except for the Substation, shall be permanently removed from the Site at the end of a 40-year period that shall commence on the First Export Date.
 3. The local planning authority shall be notified in writing of the permanent cessation of export of the electricity to the grid from all or part of the Site within 21 days of that event occurring.
 4. Within three months of the date of cessation of the export of electricity from a part of the Site, a Partial Decommissioning Method Statement (PDMS) shall be submitted to the local planning authority for approval in writing. The PDMS shall include the following;
 - a) programme and timetable for decommissioning works for that part of the Site, including measures to secure the removal of all PV modules and racks, any foundations or anchor systems, plant, equipment, fencing and ancillary equipment.
 - b) restoration works to return the land within that part of the Site to agricultural use, save for retained landscape and ecological features and habitats.The decommissioning of the Development and restoration of that part of the Site shall be implemented in strict accordance with the approved PDMS and timescales.
 5. Within three months of the date of cessation of the export of electricity from all of the Site, or within a period of 39 years and 9 months following the First Export Date, whichever occurs first, a Decommissioning Method Statement (DMS) shall be submitted to the local planning authority for approval in writing. The DMS for the Site shall include the following;
 - a) programme and timetable for decommissioning works for the Development, including measures to secure the removal of all PV modules and racks, any foundations or anchor systems, plant, equipment, fencing and ancillary equipment, but excluding the Substation.

- b) restoration works to return the land to agricultural use, save for the Substation, retained landscape and ecological features and habitats. The decommissioning of the Development and restoration of the Site shall be implemented in strict accordance with the approved DMS and timescales.
6. No development including any works of demolition or preparation works shall take place on Site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The approved CMP shall be adhered to throughout the construction and decommissioning period and shall include;
- a) parking for vehicles of site personnel, operatives and visitors,
 - b) loading and unloading of plant and materials,
 - c) storage of plant and materials used in constructing the Development,
 - d) programme of works (including measures for traffic management),
 - e) provision of boundary security hoarding behind any visibility splays,
 - f) wheel washing facilities,
 - g) measures to control the emissions of dust and dirt during construction,
 - h) a scheme for the recycling/disposing of waste resulting from demolition and construction works,
 - i) measures to mitigate harm to Ancient Woodland, including traffic management measures to ensure no two-way passing of vehicles on the track within/adjacent to the woodland,
 - j) hours of operation,
 - k) details of any horizontal directional drilling,
 - l) a Community Liaison Plan to include details of how consultation and dialogue with local residents will be maintained during the construction and decommissioning phases,
 - m) details of the Construction Site Manager shall be provided to the local planning authority and provided on a board at the Site access,
 - n) a scheme to ensure that the traffic route to and from the Site indicated in the Construction Traffic Management Plan Ref P22-1221-TR-R001 rev C dated October 2023 shall be taken by all construction and decommissioning vehicles.
7. No development shall commence until a full condition survey of the existing roads and verges along Gabriel Spring Road East from the junction with Sun Hill to the Site entrance/exit to be used by construction vehicles and along Three Gates Road between Sun Hill and the M20 overbridge, has been submitted to the local planning authority for approval in writing. Within three months of construction finishing, a post construction condition survey across the same extent of adopted highway shall be submitted to and approved in writing by the local planning authority. Any highways defects identified in the survey resulting from construction activities of the Development, shall then be corrected in accordance with a schedule of works and timetable that has been submitted to and approved in writing by the local planning authority.
8. Prior to commencement of development a detailed soft landscape scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include the details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, density, size, species and positions of all new trees, hedgerows and other planting; a maintenance plan for the lifetime of the development; and a programme of implementation. All soft landscape works shall thereafter be carried out in accordance with the approved

details and programme of implementation. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size that have been approved in writing by the local planning authority.

9. Prior to commencement of development measures shall secure the implementation of;
 - a) archaeological field evaluation works in accordance with a specification and written timetable that has been submitted to and approved in writing by the local planning authority, and
 - b) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable that has been submitted to and approved in writing by the local planning authority.
10. Prior to installation of the first solar panel, a programme of archaeological post excavation and publication work (including a written specification and timetable) shall be submitted to and approved in writing by the local planning authority and thereafter implemented in accordance with the approved programme.
11. Prior to the First Export Date a programme of heritage interpretation shall be submitted to and approved in writing by the local planning authority and thereafter implemented in accordance with the approved programme.
12. Prior to the First Export Date details shall be submitted for the prior written approval of the local planning authority, in consultation with National Gas and Scotia Gas Network, about the following;
 - a) any mitigation works required to ensure that the interference levels from construction works for the Development on the National Gas (pipeline FM5) and Scotia Gas Network from steady state and fault conditions of the electrical infrastructure associated with the Development, taking into consideration the National Gas and Scotia Gas Network pipelines and associated equipment, are within appropriate limits for any induced voltages (in accordance with BS EN 50122-1), and
 - b) the steps that will be taken to ensure that construction works for the Development shall be executed in accordance with SGN document SGN/WI/SW/2 and to demonstrate the prior consent of National Gas and Scotia Gas Network for any installation of permanent apparatus within the pipeline easement.

The Development shall be carried out in accordance with the approved details.
13. If during development contamination not previously identified is found to be present at the Site then no further development shall be carried out until a remediation strategy detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved, and a written verification report submitted thereafter to the local planning authority for approval in writing.
14. No development shall begin in any phase until a detailed sustainable surface water drainage scheme for the Site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment and Surface Water Drainage Strategy

dated October 2023, with additional swales to receive overland flows as indicated in drawings P22-1221 PEG XX XX DR C 0200 to 0205 P2 inclusive. The scheme shall demonstrate, with reference to on-site infiltration rate testing to BRE 365, that the surface water generated by the Development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm) can be accommodated and disposed of within the curtilage of the Site without increase to flood risk on or off the Site. The drainage scheme shall also demonstrate (with reference to published guidance) that appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately secured. The drainage scheme shall be implemented in accordance with the approved details and thereafter retained.

15. The areas of Meadow Mixture / species rich grassland (as indicated on the Landscape Masterplan Ref:P22-1221_EN-0020 Rev B) shall be planted prior to the First Export Date and retained for the duration of the Development.
16. Prior to commencement of development a Public Rights of Way (PRoW) Management Plan shall be submitted to and approved in writing by the local planning authority. The PRoW Management Plan shall include details for the management of PRoW within each stage/phase of the Development, along with the further details regarding the proposed improvements as described in paragraph 2.9 of the Planning Addendum, including a timetable for implementation. The Development shall be carried out in accordance with the approved details.
17. Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The LEMP shall include;
 - a) description and evaluation of features to be established and managed,
 - b) ecological trends and constraints on site that could influence management,
 - c) aims and objectives of management,
 - d) appropriate management prescriptions for achieving aims and objectives,
 - e) preparation of a work schedule (including an annual work plan),
 - f) details of the body or organisation responsible for implementation of the plan, and,
 - g) ongoing monitoring and remedial measures.
 The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the LEMP shall be secured with the management body(ies) responsible for its delivery. The LEMP shall be implemented in accordance with the approved details for the duration of the Development.
18. Prior to the installation of any solar panels, details of a crime prevention strategy shall be submitted to and approved in writing by the local planning authority. The Development shall be implemented in accordance with the approved strategy prior to the First Export Date and shall thereafter be retained for the duration of the Development.
19. No external lighting shall be installed on the Site or affixed to any buildings on the Site unless the local planning authority has first approved in writing details of the position, height, design, beam orientation, measures to control light spillage and intensity of illumination. Only the approved details shall be installed. Any lighting, which is so installed, shall thereafter be maintained and operated in

accordance with the approved details and shall not be altered other than for routine maintenance for the duration of the Development.

20. Construction on Site shall only take place from 07:00 to 19:00 hours Monday to Friday and 08:00 to 17:00 hours on Saturdays. Construction deliveries shall only occur between the hours of 09:00 to 16:00 Monday to Friday and 09:00 to 12:00 on Saturdays. No deliveries or construction works shall be programmed to take place outside of these hours, except in emergency or exceptional cases following which a written report shall be submitted to the local planning authority for approval justifying the exception.
21. The Development shall be carried out in accordance with the following drawings and such other drawings/documents as may be approved in writing by the local planning authority pursuant to other Conditions of this permission:
 - a) Site Location Plan (Sheets 1-8) 05009-RES-LAY-DR-PT-001 Rev 3.
 - b) Site Location Map 05009-RES-LAY-DR-PT-002 Rev 6.
 - c) Field Numbers 05009-RES-MAP-DR-PT-003 Rev 2.
 - d) Infrastructure Layout 05009-RES-LAY-DR-PT-003 Rev 7.
 - e) Amended Scheme Landscape Masterplan P22-1221_EN_0020 Rev B.
22. Notwithstanding Condition 21, prior to their erection on Site, details of the Development indicated on the following plans, including siting, dimensions, materials, colour and finish, subject to the following limits for (c), (d), (e) and (f), shall be submitted to and approved in writing by the local planning authority:
 - a) 05009-RES-ERW-DR-PT-001 Rev 2 – Typical Access Track Details.
 - b) 05009-RES-CTN-DR-PT-001 Rev 1 – Typical Temporary Construction Compound Layout.
 - c) 05009-RES-SOL-DR-PT-001 Rev 4 – Typical PV Module and Rack Detail.
The top of all PV Modules and Racks shall not exceed 3.6m above the existing ground level.
 - d) 05009-RES-SEC-DR-PT-001 Rev 2 – Typical Security Fence Detail.
Security Fencing shall not exceed 2.4m above the existing ground level.
 - e) 05009-RES-SEC-DR-PT-002 Rev 1 – Typical Deer Fence. Deer Fencing shall not exceed 2m above the existing ground level.
 - f) 05009-RES-SEC-DR-PT-003 Rev 1 – Typical Security CCTV Detail.
Security CCTV shall not exceed 3.5m above the existing ground level,
 - g) 05009-RES-SOL-DR-PT-003 Rev 1 – Typical Inverter Substation.
 - h) 05009-RES-SOL-DR-PT-002 Rev 1 - Typical Inverter and Storage Layout.
 - i) 05009-RES-BAT-DR-PT-001 Rev 2 -Typical Battery Storage Enclosure.
 - j) 05009-RES-SUB-DR-PT-001 Rev 2 -Typical DC-DC Converter.
 - k) 05009-RES-SUB-DR-PT-002 Rev 5 -Substation Compound.
 - l) 05009-RES-UTI-DR-PT-001 Rev 4 - Gas Pipe Protection Slab.
 - m) The connection cable route option into the substation 05009-RES-CBL-DR-PT-001 Rev 3 - Indicative Grid Connection Route.

The Development shall be carried out in accordance with the approved details.

23. No development shall commence until a Biodiversity Gain Plan (BGP) and Biodiversity Management and Monitoring Plan (BMMP) have been submitted to and approved in writing by the local planning authority. The BGP and BMMP shall demonstrate that a 50.22% gain for habitat units and 39.93% gain for hedgerow units shall occur, within a 30-year period commencing at the First

Export Date, as a result of the Development. The BGP and BMMP shall include details for delivering skylark mitigation by providing 2 skylark plots per hectare in the fields identified as Skylark Area 1A, Skylark Area 1B and Skylark Area 2 in the Landscape Masterplan Ref:O22-1221_EN_0020 Rev B. The approved skylark plots shall be retained for the duration of the Development and how skylarks use the mitigation areas shall be monitored. The BMMP shall include appropriate fencing of Footpath SD333 to prevent dogs disturbing ground nesting birds in Field 9. The BGP and BMMP shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. Monitoring reports shall be submitted to the local planning authority during years 2, 5, 10, 20 and 30 from the First Export Date, demonstrating how the BGP is progressing towards achieving its objectives, along with evidence of any necessary specific arrangements and rectifying measures. The BGP and BMMP shall also include details of the legal and funding mechanism(s) by which their implementation shall be secured for the duration of the Development with the management body(ies) responsible for their delivery.

24. The installed export capacity for the Development shall not exceed 49.9 MWac. No works shall take place until there has been submitted to and approved in writing by the local planning authority details of the inverters for the Development. Inverters shall be installed in accordance with the approved details and shall thereafter be retained for the duration of the Development.
25. Prior to the First Export Date a Grazing Management Plan (GMP) shall be submitted to and approved in writing by the local planning authority. The GMP shall include (but not be limited to) which parts of the Site shall be used for the grazing of livestock, during which months of the year, and how the grazing is to be managed. Within three years of the First Export Date, the grazing of livestock shall be implemented on the Site in accordance with the GMP and thereafter retained for the duration of the Development.
26. Prior to the commencement of any decommissioning works an Ecological Decommissioning Plan (EDP) shall be submitted to and approved in writing by the local planning authority. The EDP shall include (but not be limited to);
 - a) an Ecological Impact Assessment and the results of protected species surveys,
 - b) mitigation strategies for protected species where required,
 - c) plans showing the retained habitats and areas where mitigation are required,
 - d) timings of the works,
 - e) details of who shall implement the works,
 - f) management plan for the retained habitats.The decommissioning shall be carried out in strict accordance with the approved details of the EDP.
27. Prior to the First Export Date a Biodiversity Enhancement Plan (BEP), including a timetable for implementation, shall be submitted to and approved in writing by the local planning authority. The BEP shall include the locations and specifications of durable and suitably placed bat and bird boxes within retained vegetation, and the locations of log piles/hibernaculum. The BEP should additionally show the locations and specifications of mammal gates in fencing to retain connectivity

across the Site for mammals. The BEP shall be implemented in accordance with the approved details for the duration of the Development.

28. The Development shall be designed and operated to ensure that the rating sound level shall be less than the background sound level during the daytime and at night-time, outside the nearest residential properties existing, or having planning permission, at the date of this decision, when determined in accordance with BS 4142:2014+A1:2019.
29. Prior to the delivery of any batteries to the Site, a detailed Fire Safety Management Plan (FSMP) shall be submitted to and approved in writing by the local planning authority. The FSMP shall incorporate the following details;
- a) detailed risk reduction strategy covering the construction and decommissioning,
 - b) details of battery units design and testing to inform provisions for containment, detection and monitoring, and any deflagration prevention and venting, and suppression systems.
 - c) a Fire Emergency Response Strategy,
 - d) design measures to mitigate fire spread,
 - e) access arrangements including for emergency services,
 - f) water supply,
 - g) a fire water management plan to include provision for fire water run-off to be contained within the Site, tested before release and removed from the Site to be treated,
 - h) a vegetation control management plan,
 - i) an assessment of hazards and risks not only at the Site, but also to the wider area and to the local community.

The FSMP shall be implemented in strict accordance with the approved details for the duration of the Development.

30. No works shall commence until a Soil Management Plan (SMP) has been submitted to and approved in writing by the local planning authority. The SMP shall include the quantities of topsoil to be stripped from the Site, a plan to show the location of topsoil to be stripped, the method and location of topsoil storage on Site, and the management and protection of the topsoil storage areas for the duration of the Development. The Development shall be implemented and carried out in accordance with the approved SMP.
31. The only means of vehicular access to and from the Site shall be from Gabriel Spring Road East and Mussenden Lane at the locations specified on Infrastructure Layout 05009-RES-LAY-DR-PT-003 Rev 7. All construction and decommissioning vehicles for the Development shall only use the access off Gabriel Spring Road East. The operational access off Mussenden Lane shall only be used after the First Export Date and then solely by operational and emergency vehicles. The emergency access off Mussenden Lane shall only be used by emergency vehicles. Access to the Substation shall be from Gabriel Spring Road East.
32. No works on Site shall commence until the accesses referred to in Condition 31 have been constructed in accordance with detailed designs, including visibility splays and gates, that have been submitted to and approved in writing by the

local planning authority. The detailed designs shall be in general accordance with Drawings P22-1221-TR-SK02/03/07 of the Construction Traffic Management Plan Ref P22-1221-TR-R001 rev C dated October 2023. The approved accesses, visibility splays and gates shall be retained for the duration of the Development.

End of Conditions

DOCUMENTS SUBMITTED AT THE INQUIRY (ID)

- ID 1 Opening Statement on behalf of the Local Planning Authority
- ID 2 Opening Statement on behalf of the Appellant
- ID 3 Note on the details of the development to be approved
- ID 4.1 Opening Statement by Clare Wadey
- ID 4.2 Written Statement by David Holland with photographs (read by Clare Wadey)
- ID 5 Cumulative Sites Plan with agreed distances from the appeal site
- ID 6 Traffic accident data submitted by Clare Wadey
- ID 7 Draft conditions list V5 Amended Wording 19.06.2025
- ID 8 Note on relationship between *Lee Valley* judgment and National Policy in respect of Green Belt matters (requested by Inspector)
- ID 9 Cross-sections from rear of dwellings in Saxon Place (requested by Inspector)
- ID 10 Without-prejudice comments on ID7 conditions by Clare Wadey and David Hollands
- ID 11 Comments on ID9 by David Hollands
- ID 12 Appellant's response by email dated 26 June 2025 to ID11 and comments on ID10

Documents submitted after the close of the Inquiry

- ID 13 Comments on the UK Solar Roadmap (June) 2025 by Clare Wadey
- ID 14 LPA comments and notes on UK Solar Roadmap email dated 9 July 2025
- ID 15 Response to Solar Roadmap by appellant dated 16 July 2025

CORE DOCUMENTS (CD)

CD1 - Application Documents and Plans	
CD1.1	Application Form, dated 31 October 2023
CD1.2	Planning Statement dated October 2023, Pegasus Group
CD1.3	Design and Access Statement, October 2023, Pegasus Group
CD1.4	Statement of Community Involvement, prepared by RES
CD1.5	Landscape and Visual Impact Assessment, dated October 2023, prepared by Pegasus Group
CD1.5.1	Appendix 1 – LVIA Methodology (Non-EIA)
CD1.5.2	Appendix 2 – Site Location Plan
CD1.5.3	Appendix 3 – Local Topography
CD1.5.4a	Appendix 4a – Landscape Character Plan – Kent
CD1.5.4b	Appendix 4b – Landscape Character Plan – Sevenoaks
CD1.5.5	Appendix 5 – Landscape Designations Plan
CD1.5.6	Appendix 6 – Screened Zone of Theoretical Visibility (SZTV)
CD1.5.7	Appendix 7 – Landscape Masterplan
CD1.5.8	Appendix 8 – Photographic Record
CD1.5.9	Appendix 9 – Photomontages
CD1.6	Heritage Statement including Geo-Physical Survey, dated October 2023, prepared by Pegasus Group
CD1.7	Agricultural Land Classification, dated November 2023, prepared by Soil Environment Services
CD1.8	Agricultural Land Impact Assessment, dated November 2023, prepared by Strutt Parker
CD1.9	Arboricultural Impact Assessment, dated October 2023, prepared by Barton Hyett Associates
CD1.10	Arboricultural Method Statement, dated October 2023, prepared by Barton Hyett Associates
CD1.11	Ecological Appraisal, dated October 2023, prepared by BSG Ecology
CD1.11.1	Appendix 3 – Confidential Badger Surveys, prepared by BSG Ecology
CD1.12	Construction Traffic Management Plan (CTMP), dated October 2023, prepared by Pegasus Group
CD1.13	Flood Risk and Surface Water Drainage Strategy, dated October 2023, prepared by Pegasus Group
CD1.14	Glint and Glare Assessment, October 2023, prepared by Mabbett
CD1.15	Acoustic Impact Assessment, dated October 2023, by RES
CD1.16	Site Alternatives Study, dated November 2023, prepared by Pegasus Group

CD1.17	Figure 1 – Site Location Plan (Sheets 1-8) – Drawing Reference 05009-RES-LAY-DR-PT-001 Rev 3
CD1.18	Figure 2 – Site Location Map – Drawing Reference 05009-RES-LAY-DR-PT-002 Rev 6
CD1.19	Figure 3 – Field Numbers – Drawing Reference 05009-RES-MAP-DR-PT-003 Rev 2
CD1.20	Figure 4 – Infrastructure Layout – Drawing Reference 05009-RES-LAY-DR-PT-003 Rev 3
CD1.21	Figure 5 – Infrastructure Layout – Enlargements (Sheet 1-9) – Drawing Reference 05009-RES-LAY-DR-PT-004 Rev 3
CD1.22	Figure 6 – Typical Access Track Detail – Drawing Reference 05009-RES-ERW-DR-PT-001 Rev 2
CD1.23	Figure 7 – Typical Temporary Construction Compound Layout (Sheet 1-2) – Drawing Ref 05009-RES-CTN-DR-PT-001 Rev 1
CD1.24	Figure 8 – Typical PV Module and Rack Details (Sheet 1-2) – Drawing Reference 05009-RES-SOL-DR-PT-001 Rev 4
CD1.25	Figure 9 – Typical Security Fence Details – Drawing Reference 05009-RES-SEC-DR-PT-001 Rev 2
CD1.26	Figure 10 – Typical Perimeter Deer Fence – Drawing Reference 05009-RES-SEC-DR-PT-002 Rev 1
CD1.27	Figure 11 – Typical Security Lighting CCTV – Drawing Reference 05009-RES-SEC-DR-PT-003 Rev 1
CD1.28	Figure 12 – Typical Inverter and Storage Layout (Sheet 1-2) – Drawing Reference 05009-RES-SOL-DR-PT-002 Rev1
CD1.29	Figure 13 – Typical Inverter Substation – Drawing Reference 05009-RES-SOL-DR-PT-003 Rev 1
CD1.30	Figure 14 – Battery Storage Enclosure – Drawing Reference 05009-RES-BAT-DR-PT-001 Rev 2
CD1.31	Figure 15 – DC-DC Converter – Drawing Reference 05009-RES-SUB-DR-PT-001 Rev 2
CD1.32	Figure 16 – Substation Compound (Sheet 1-2) – Drawing Reference 05009-RES-SUB-DR-PT-002 Rev 5
CD1.33	Figure 17 – Gas Pipe Protection Slab (Sheet 1-2) – Drawing Reference 05009-RES-UTI-DR-PT-001 Rev 4
CD1.34	Figure 18 – Indicative Grid Connection Route – Drawing Reference 05009-RES-CBL-DR-PT-001 Rev 3
CD2 – Addendum Works	
CD2.1	Planning Addendum Note, dated May 2024, Pegasus Group
CD2.1.1	Appendix 1 – Archaeology Officer Correspondence
CD2.1.2	Appendix 2 – Evaluation Report, dated February 2024, by PCA
CD2.1.3	Appendix 3 – LVA Oast House Viewpoint Mark Up
CD2.1.4	Appendix 4 – Ecology Note, dated March 2024, by BSG Ecology
CD2.1.5a	Appendix 5 – Update Ecological Appraisal and Net Gains dated May 2024
CD2.1.5b	Appendix 5 – Appendix 3 Badger Surveys

CD2.1.6	Appendix 6 – Traffic Note, dated March 2024, prepared by Pegasus Group
CD2.1.7	Appendix 7 – Glint and Glare Technical Addendum Note, dated April 2024, prepared by Mabbett
CD2.1.8	Appendix 8 – LLFA Response, dated May 2024, prepared Pegasus Group
CD2.1.9	Appendix 9 – Fire Risk Statement, dated April 2024
CD2.1.10	Appendix 10 – Response to Public Comments
CD2.1.11	Figure 4 – Infrastructure Layout – Drawing Reference 05009-RES-LAY-DR-PT-003 Rev 6
CD2.1.12	Figure 5 – Infrastructure Layout – Enlargements (Sheet 1-9) – Drawing Reference 05009-RES-LAY-DR-PT-004 Rev 6
CD2.1.13	Figure 19 – Indicative Horizontal Directional Drill Design – Drawing Reference 05009-RES-CBL-DR-PT-002 Rev 1
CD2.1.14	Figure 20 – Horse Riding Track – Drawing Reference 05009-RES-PRO-DR-PT-001 Rev 1
CD2.1.15	Landscape Masterplan (superseding Appendix 7 of the LVIA) – Drawing Reference P22-1221_EN_0012 Rev D
CD2.1.16	Proposed Swale Drawings (Sheets 1-6) – Drawing Reference P22-1221-PEG-XX-XX-DR-C-0200 – P2
CD3 – Appeal Works	
CD3.1	Figure 4 – Infrastructure Layout – Drawing Reference 05009-RES-LAY-DR-PT-003 Rev 7
CD3.2	Figure 5 – Infrastructure Layout – Enlargements (Sheet 1-9) – Drawing Reference 05009-RES-LAY-DR-PT-004 Rev 7
CD3.3	Amended Scheme Landscape Masterplan (superseding Appendix 7 of the LVIA) – Drawing Reference P22-1221_EN_0020 Rev B
CD3.4	Chimmens Appeal Support – Additional Ecological Information, prepared by BSG, dated 17 December 2024
CD3.5	Biodiversity Metric 4.0, dated December 2024
CD4 - Committee Report and Decision Notice	
CD4.1	Officers Delegated Report
CD4.2	Decision Notice
CD5 - National Planning Policy, Guidance and Legislation	
CD5.1	National Planning Policy Framework (December 2024)
CD5.2	National Planning Practice Guide (<i>Electronic Version only</i>)
CD5.3	National Policy Statement for Renewable Energy Infrastructure (EN-1) (Designated 2024)
CD5.4	National Policy Statement for Renewable Energy Infrastructure (EN-3) (Designated 2024)
CD5.5	UK Government Solar Strategy 2014 Parts 1 and 2
CD5.6	Written Ministerial Statement on Solar Energy: protecting the local and global environment (25 March 2015)

CD5.7	Commercial Renewable Energy Development and the Historic Environment Historic England Advice Note 15 (February 2021)
CD5.8	Climate Change Act 2008
CD5.9	Climate Change Act (2050 target amendment) Order 2019
CD5.10	Clean Growth Strategy published by the Department for Business, Energy and Industrial Strategy (BEIS) (October 2017)
CD5.11	UK Parliament declaration of an Environmental and Climate Change Emergency (May 2019)
CD5.12	Energy White Paper: Powering our Net Zero Future (December 2020)
CD5.13	UK Government press release of acceleration of carbon reduction to 2035, (April 2021)
CD5.14	A Digest of United Kingdom Energy Statistics (2022)
	B Digest of United Kingdom Energy Statistics (2023)
	C Digest of United Kingdom Energy Statistics (2024)
CD5.15	UK Energy Statistics Press Release published by the Department for Business, Energy & Industrial Strategy (June 2020)
CD5.16	Achieving Net Zero published by the National Audit Office (December 2020)
CD5.17	Net Zero Strategy: Build Back Greener (October 2021)
CD5.18	British Energy Security Strategy (April 2022)
CD5.19	The Government Food Strategy (June 2022)
CD5.20	Powering Up Britain Energy Security Strategy (March 2023)
CD5.21	Written Ministerial Statement by the Secretary of State for Energy Security and Net Zero on Solar and Protecting our food Security and Best and Most Versatile (BMV) Land (15 May 2024)
CD5.22	National Grid ESO Future Energy Scenarios (July 2024)
CD5.23	Achieving Net Zero – Farming’s 2040 goal, published by the NFU, dated September 2019
CD5.24	Natural Capital Best Practice Guidance – Increasing biodiversity at all stages of a solar farm’s lifecycle (2022)
CD5.25	Clean Power 2030 Action Plan (2024) - Connections reform annex update, Action Plan Main Report and Technical Annex
CD5.26	National Planning Policy Framework (2023)
CD5.27	Natural England – Guide to Assessing Development Proposals on Agricultural Land (2021)
CD5.28	Guidelines for Landscape and Visual Impact Assessment Third Edition (2013)
CD5.29	Landscape Institute Technical Guidance Note 06/19 Visual Representation of Development Proposals
CD5.30	Landscape Institute Technical Guidance Note 02/21 Assessing landscape value outside national designations

CD5.31	Landscape Institute Technical Guidance Note 02/19 Residential Visual Amenity Assessment
CD5.32	Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3) Aug 2024
CD5.33	An Approach to Landscape Character Assessment Oct 2014
CD5.34	Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment (Historic England)
CD5.35	Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Second Edition) (Historic England)
CD5.36	Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment_ (Historic England)
CD5.37	Statements of Heritage Significance, Analysing Significance in Heritage Assets, Historic England Advice Note 12
CD5.38	Natural England National Character Area Profile 119. North Downs
CD5.39	Department for Business, Energy and Industrial Strategy (BEIS) Outcome Delivery Plan (2021)
CD5.40	The UK's Sixth Carbon Budget: The UK's Path to Net Zero (December 2020)
CD5.41	The Ten Point Plan for a Green Industrial Revolution (2020)
CD5.42	Industrialisation Decarbonisation Strategy (2021)
CD5.43	NFU Achieving Net Zero Farming 2040 Goal
CD5.44	Clean Energy Superpower Mission (2024)
CD5.45	Department for Energy Security and Net Zero Ofgem, Connections Action Plan (2023)
CD6 - The Development Plan, Local Policy and Guidance	
CD6.1	Sevenoaks District Council Core Strategy (February 2011)
CD6.2	Sevenoaks District Council Allocations and Development Management Plan (February 2015)
Supplementary Planning Guidance	
CD6.3	Sevenoaks District Council Green Belt Assessment. Report: Methodology and Assessment, prepared by Arup, Jan 2017
CD6.3.1	Sevenoaks District Council Green Belt Assessment. Annex Report 1 – NPPF Assessment Pro-Formas, prepared by Arup, dated January 2017
CD6.4	Sevenoaks Landscape Character Assessment (2017)
CD6.5	Sevenoaks Countryside Assessment SPD (2011)
CD6.6	Sevenoaks Climate Change Strategy (2024)
CD6.7	Sevenoaks District Council Development in the Green Belt SPD (2015)
CD6.8	Kent Landscape Character Assessment (2004)
CD6.9	Sevenoaks Stage 2 Green Belt Assessment (2023)

CD7 - Relevant Appeal Decisions and Case Law	
CD7.1	Halloughton, Nottinghamshire APP/B3030/W/21/3279533 (<i>Halloughton</i>), solar farm and battery storage allowed 18 February 2022
CD7.2	Langford, Devon APP/Y/1138/W/22/3293104 (<i>Langford</i>), solar farm and battery storage allowed by Secretary of State 5 December 2022
CD7.3	Chelmsford, Essex APP/W1525/W/22/3300222 (<i>Chelmsford</i>), solar farm and battery storage, allowed on 6 February 2023
CD7.4	New Works Lane, Telford APP/C3240/W/22/3293667 (<i>Telford</i>), solar farm, allowed by Secretary of State on 27 March 2023
CD7.5	Land south of Leeming Substation, west of the village of Scruton, bordering Fence Dike Lane, part of Low Street and Feltham Lane, DL7 0RG APP/G2713/W/23/3315877 (<i>Scruton</i>), allowed 27 June 2023
CD7.6	Land near to Bishops Itchington, Stratford on Avon, Warwickshire APP/J3720/W/22/3292579 (Bishops Itchington), allowed 1 Dec 2022
CD7.7	<i>Galloway v Durham County Council</i> - [2024] EWHC 367 (Admin)
CD7.8	Land at Crays Hall Farm, Church Lane, Crays Hill APP/V1505/W/23/3318171 (<i>Crays Hill</i>), allowed 30 August 2023
CD7.9	Land to the west of the A46, Sherbourne, Warwick APP/T3725/W/23/3317247 (<i>Sherbourne</i>), allowed 25 Sept 2023
CD7.10	Land at Cannon Barns Road, East Hanningfield, Chelmsford, Essex APP/W1525/W/22/3300222 (<i>Chelmsford</i>), allowed 6 February 2023
CD7.11	Land at Park Farm, Dunton Road, Herongate APP/V1505/W/22/3301454 (<i>Dunton Road</i>), allowed 5 April 2023
CD7.12	<i>Bramley Solar Farm Residents Group v DLUHC and Basingstoke and Deane Borough Council</i> [2023] EWHC 2842 (Admin)
CD7.13	Steeraway Farm, Wellington, Telford APP/C3240/W/3308481 (<i>Wellington</i>), solar farm, allowed 9 May 2023
CD7.14	Land at Halse Road, south of Greatworth, Northamptonshire APP/W2845/W/23/3315771 (Copse Lodge), solar farm, allowed on 14 November 2023
CD7.15	Land at Graveley Lane, Hertfordshire APP/X1925/V/23/3323321 (<i>Graveley Lane</i>), allowed 11 March 2024
CD7.16	Land West of Great Wheatley Farm, Great Wheatley Road, Rayleigh APP/B1550/W/23/3329891 (<i>Rayleigh</i>), allowed 11 March 2024
CD7.17	Land off Chapel Lane, Great Barr, Walsall APP/V4630/W/24/3347424 (<i>Walsall</i>), allowed 13 January 2025
CD7.18	Land South of Runwell Road, Runwell, Wickford, Essex (APP/B1550/W/24/3344509), allowed 26 November 2024
CD7.19	Land to the South of Hall Lane, Kemberton, Telford APP/L3245/W/23/3329815 allowed 22 February 2024
CD7.20	Land to South of Marsh Farm, Fobbing APP/M1595/W/23/3328712 allowed 22 March 2024

CD7.21	Land to the West of Honiley Road (A4177), Honiley, Kenilworth APP/T3725/V/23/3332671, allowed 23 July 2024
CD7.22	Burcot Farm, Burcot, Abingdon, Oxfordshire APP/Q3115/W/24/3350890, allowed 4 March 2025
CD7.23	<i>Catesby Estates Ltd v Steer</i> [2018] EWCA Civ 1697
CD7.24	<i>Bedford Council v Secretary of State and Nuon Ltd</i> [2013] EWHC 2847 (Admin)
CD7.25	<i>Palmer v Herefordshire Council Anr</i> , EWCA Civ 1061 [2016]
CD7.26	<i>Jones v Mordue and Secretary of State and South Northamptonshire Council</i> , EWCA Civ 1243 (2015)
CD7.27	<i>Barnwell v East Northamptonshire DC</i> , English Heritage, National Trust and Secretary of State, EWCA Civ 137 (2014)
CD7.28	<i>The Queen (on the application of The Forge Field Society, Martin Barraud, and Robert Rees v Sevenoaks DC</i> , EWHC 1895 (Admin) (2014)
CD7.29	Land west of Thaxted, Cutlers Green Lane, Thaxted Appeal allowed 18 December 2023 APP/C1570/W/23/3319421
CD7.30	<i>Pugh v SoSSCLG</i> [2015] EWHC3 (Admin)
CD7.31	<i>Durham & Hartlepool v SoS Levelling Up Housing and Communities</i> [2023] EWHC 1394 (Sheraton)
CD7.32	Land at Wild Fowl Farm, Carrington Lane, Carrington, Greater Manchester APP/Q4245/W/24/3354822 (<i>Carrington</i>), allowed 17 February 2025
CD7.33	Land to the south of Suggenhall Farm, Church Lane, Rickingham, APP/W3520/W/23/3314063 (<i>Rickingham</i>), allowed 17 April 2024
CD7.34	Land south of Hall Lane, Kemberton APP/L3245/W/23/3329815 (<i>Kemberton</i>), allowed 22 February 2024
CD7.35	Land south of Gunthorpe Road, Walpol Marsh, Wisbech APP/A2525/W/22/3295140 (<i>Gunthorpe Road</i>), allowed 29 Sept 2023
CD7.36	Land adjacent to Harlow Road, Near Roydon (<i>Harlow Road</i>) APP/J1535/W/23/3334690, allowed 3 May 2024
CD7.37	Poplar Farm, Harps Hall Road, Wisbech (<i>Poplar Farm</i>) APP/V2635/W/23/3323065, allowed 5 March 2024
CD7.38	Little Cheveney Farm, Sheephurst Lane, Marden, Kent (<i>Marden</i>) APP/U2235/W/23/3321094, allowed 5 February 2024
CD7.39	Washford, Watchet Williton, West Somerset (<i>Washford</i>) APP/E3335/W/24/3337226, allowed 28 May 2024
CD7.40	Land south of Runwell Road, Wickford Essex APP/W1525/W/24/3344509 & APP/B1550/W/24/3344510 (<i>Southlands</i>), allowed 26 November 2024
CD7.41	Church Farm, Somersham, Suffolk (<i>Church Farm</i>) APP/W3520/W/23/3319970, allowed 29 August 2023
CD7.42	Land associated with Washdyke Farm to the North of Billingborough Road, Folkingham, Lincolnshire APP/E2530/W/24/3337544 (<i>Washdyke</i>), allowed 23 April 2024
CD7.43	Land to the East of Squirrel Lane Ludlow APP/L3245/W/23/3314982 (<i>Squirrel Lane</i>), allowed 7 July 2023

CD7.44	Land East of Hawksworth and Northwest of Thoroton, Thoroton, Nottinghamshire Appeal Ref: APP/P3040/W/23/3330045 (<i>Hawksworth</i>), allowed 23 October 2024
CD7.45	<i>Ross v SSHCLG</i> [2025] EWHC 1183 (Admin)
CD8 - Planning Application Consultation Responses	
CD8.1	A Environmental Health, dated 4 January 2024
	B Environmental Health, dated 5 June 2024
CD8.2	Historic England, dated 1 July 2024
CD8.3	A Kent County Council Flood and Water Management, dated 16 January 2024
	B Kent County Council Flood and Water Management, dated 19 March 2024
	C Kent County Council Flood and Water Management, dated 19 June 2024
CD8.4	A Kent County Council Highways and Transport, dated 10 January 2024
	B Kent County Council Highways and Transport, dated 26 June 2024
CD8.5	A Active Travel England, dated 20 December 2023
	B Active Travel England, dated 11 June 2024
CD8.6	Cadent Gas, dated 20 December 2023
CD8.7	Housing Policy, dated 20 December 2023
CD8.8	Scotia Gas Networks, dated 21 December 2023
CD8.9	Kent Police, dated 20 December 2023
CD8.10	National Gas Asset Protection, dated 20 December 2023
CD8.10.1	Search Before U Dig, dated 19 December 2023
CD8.10A	National Gas Asset Protection, dated 13 March 2024
CD8.11	A Environment Agency, dated 10 January 2024
	B Environment Agency, dated 20 June 2024
CD8.12	A Natural England, dated 17 January 2024
	B Natural England, dated 12 June 2024
CD8.13	A Tree Officer, dated 25 January 2024
	B Tree Officer, dated 13 June 2024
CD8.14	Kent County Council Ecological Advisory Service, dated 29 January 2024
CD8.15	A Kent Wildlife Trust, dated 31 January 2024
	B Kent Wildlife Trust, dated 19 June 2024
CD8.16	A Kent County Council Heritage ECE (Archaeology), dated 2 February 2024
	B Kent County Council Archaeology, 4 March 2025 (conditions)
CD8.17	A Conservation Officer, dated 8 February 2024
	B Conservation Officer, dated 20 February 2024
	C Conservation Officer, dated 19 June 2024
CD8.18	Urban Design Officer, dated 8 February 2024

CD8.19	A Kent Fire and Rescue, dated 22 February 2024
	B Kent Fire and Rescue, dated 14 June 2024
CD8.20	A National Highways, dated 5 January 2024
	B National Highways, dated 23 February 2024
	C National Highways, dated 22 May 2024
	D National Highways, dated 19 June 2024
CD8.21	Horton Kirby & South Darenth Parish Council, 10 January 2024
CD8.22	Farningham Parish Council, dated 14 February 2024
CD8.23	A Fawkham Parish Council, dated 8 January 2024
	B Fawkham Parish Council, dated 21 June 2024
CD8.24	Forestry Commission, dated 11 June 2024
CD8.25	A Kent County Council Public Rights of Way Officer, dated 8 January 2024
	B Kent County Council Public Rights of Way Officer, dated 20 June 2024
CD8.26	Urban Design Officer, dated 21 June 2024
CD9 – Heritage Documents	
CD9.1	Email Correspondence with KCC Archaeology Officer 7 May 2024.
CD9.2	Archaeological Evaluation Report, March 2024, prepared by PCA
CD10 - Planning Appeal Documents	
CD10.1	Planning Appeal Form
CD10.2	List of Application Documents – Original
CD10.3	List of Application Documents – Post Submission
CD10.4	List of Application Documents Upon Which the LPA Made their Decision
CD10.5	List of Additional Plan, Drawings or Documents Relating to the Application not Previously Seen by the LPA
CD10.6	Appellant Statement of Case
CD10.7	Sevenoaks Council Statement of Case
CD10.8	Statement of Common Ground with LPA (SoCG)
CD10.9	Statement of Common Ground Addendum
CD10.10	Conditions
CD10.11	A Planning Summary Proof of Evidence
	B Planning Proof of Evidence
	C Planning Appendices
CD10.12	Heritage Summary, Proof of Evidence and Appendices
CD10.13	A Landscape Summary Proof of Evidence
	B Landscape Proof of Evidence
	C Landscape Appendices