

Land off Main Street Kelham

Proposed ground mounted photo voltaic solar farm and battery energy storage system (BESS) with associated equipment, infrastructure, grid connection and ancillary work

1.0 Introduction

My name is Dr John Hinchliff and I asked to speak to the Inquiry because I did not feel the views and objections of many residents of Kelham, Averham and Staythorpe had been adequately addressed in the material supplied by the Appellant or the Planning Officers' report to the Newark and Sherwood District Council Planning Committee.

The application was refused unanimously by the Planning Committee which comprised Labour, Conservative, Lib Dem, Green and Independent Councillors. This unity strongly suggests that something is amiss with the planning balance arrived at by Officers' in their report to the Committee recommending permission be granted. The Councillors involved know the area well and their refusal to grant permission should be interpreted as an indication that the proposed development has serious problems.

Assured Asset Solar 2 Ltd is a special purpose vehicle (SPV) managed by Peridot Solar.

2.0 Visual Impact and Proximity to Residential Property

A significant proportion of the proposed site is in a residential area and it is too close to residential property. The relentless use of the term "rural fringe" in the documents cannot disguise this.

Many residential properties in Kelham particularly on Broadgate Lane and those on Main Street backing onto the site will be affected by the development. These properties currently enjoy easy access to open countryside and uninterrupted views over an agricultural landscape which includes stretches of aesthetically pleasing mature woodland.

The landscape currently changes through the seasons and year to year. This continuous renewal will be replaced by static electrical infrastructure for at least 40 years.

The proposed development is an inappropriate, industrial, modern, visually jarring landscape of tilted shiny black panels, engineered bunds, electrical infrastructure, high fences, acoustic barriers, CCTV poles and a BESS buzzing inside a concrete compound.

The Landscape Visual Impact Assessment (LVIA) accompanying the application recognises that the scheme is visually problematic and has attempted mitigation by including 400m of engineered screening bund, adding a further unsightly, intrusive and locally unprecedented element to the development.

The screening bund is a large scale civil engineering feature intended to block out views i.e. to have a visual impact. As such, it and its construction details should have been the subject of a visual impact assessment.

The LVIA notes that the north face of the bund will be planted with trees but fails to specify the types of tree and planting density on either the Landscape Mitigation plan or the Landscape Masterplan. Indeed after the initial mention the trees appear to have disappeared.

Trees are essential if views into the site from the first floor windows of properties on Broadgate Lane and Main Street are to be effectively screened.

I have spoken many residents who see the removal of trees from the plans as a missed opportunity.

“At least we’d know that we wouldn’t be able to see it at all after 5-10 years”

3.0 Overreliance on Factors Outside the Appellant’s Control for Screening

The documents repeatedly state that the Broadgate Lane hedgerow and vegetation in private gardens provide effective screening.

The Broadgate Lane roadside hedgerows and trees are not in the application area they are outside of the red line site boundary and blue line ownership boundary (see Public Access Details). The Appellant cannot rely on them being allowed to grow to 3m+ or indeed to provide any screening at all.

Planning conditions relating to the maintenance of these boundaries would be unenforceable.

The Appellant fails to attach appropriate importance to the significant proportion of deciduous screening being relied upon. This will be largely ineffective as screening during autumn and winter.

The LVIA states states *...there is only one residential receptor (single detached property) which has the potential to be subject to substantial visual effects prior to any mitigation measures being implemented. Most available views from properties will be partial and or glimpsed views from first floor level due to garden and site boundary vegetation effectively screening ground floor views.*

If it the statement above is correct, why has the Appellant formulated mitigation measures for properties on Broadgate Lane (the whole street) and Main Street, Kelham?

In fact the LVIA notes that many properties and residents will be affected yet has failed to include individual Residential Visual Amenity Assessments.

Reliance on screening from vegetation in gardens is inappropriate in this residential context as it is subject to change beyond the control of the Appellant.

All but one of the properties on Broadgate Lane have first floor bedrooms looking out over the application site and if the development goes ahead residents will wake up and open the curtains to an industrialised landscape comprising the rear ends of thousands of solar panels extending up to a kilometre into the distance. I confirmed this by simply asking my neighbours along Broadgate Lane what they could see of the site. All commented that a lot of the site was visible from their properties and that the situation worsened significantly during autumn and winter after leaf fall.

The LVIA report also mentions problematic first floor views but fails to acknowledge that they have high amenity value and that they provide a consistent reminder of living in open countryside.

These are clearly not the partial or glimpsed views that the Appellant claims. The Appellant has not specified how the intrusive and overbearing nature of these views of the solar farm will be mitigated.

The Appellant also states that “...the PV panel deployment area has been moved approximately 75m away from residential property boundaries” (Planning Statement 5.1.8), a reference to properties on Broadgate Lane. The development does not start at the PV deployment area it starts at the site boundary which is only 50m away from the properties. And it starts with an ugly engineered screening bund!

The stand-off referred to lies between the Broadgate Lane drainage ditch and the NE boundary of the proposed development. The land is not available to the Appellant and the panel deployment has been located almost as close to the properties on Broadgate Lane as possible. Again, planning conditions relating to this area will not be enforceable.

4.0 Harm to BMV agricultural land (site selection, BESS issues and technology considerations).

The site comprises 65ha: 55% Grade 2 very good agricultural land and 24.3ha: 37% 3a good agricultural land.

Policy guidance is set out in Powering Up Britain – Energy Security Plan, March 2023 which states: “The Government seeks large scale ground-mount solar deployment across the UK, looking for development mainly on brownfield, industrial and low and medium grade agricultural land”.

The current government has not contradicted this policy guidance.

The Kelham solar farm and BESS application site comprises 92% very good and good quality agricultural land and is not a development that the government is seeking to permit.

Reports produced by the appellant have sought to diminish the agricultural value of the land by asserting that the crops are predominantly for energy production or animal fodder. Having lived in a house overlooking the fields for almost 30 years, I can say that it is very productive land with crops that include barley, wheat, sugar beet, miscellaneous root vegetables, flax and maize (only the latter being a recognised energy crop).

The longest I’ve seen the land out of action was during the periods of the archaeological trenching for this application.

The current crop (May 2025 and since harvested) includes potatoes, not to my knowledge an energy crop and sugar beet destined for the British Sugar plant in Newark. Winter barley has been sown and is currently beginning to grow.

The simple truth is that the land quality is so good that the farmer can choose which crop to grow dependent upon his view of what is likely to be most profitable.

The Appellant’s Justification of Site Location has clearly been difficult to construct and no verifiable details of the processes undertaken to select and secure the site have been presented. The justification is unconvincing and it remains difficult to believe that the Appellant was unable to find a

parcel of predominantly grade 3b land with grid connection capability in an area where so many have done and continue to do so.

The addition of a BESS with its requirement to excavate an A617 crossing and dig up the streets of Averham and Staythorpe to connect at the power station substation appears a cynical move, made in order to make the unfounded claim that the whole development needs to be close to the substation.

The BESS would be surrounded by 3m high concrete firewalls with 4m high acoustic barriers, unprecedented structures in these open fields. Further, the BESS connection to Staythorpe substation would require an excavated crossing of the A617 and 1.4km of highway to be dug up much of it in the centre of Averham. The detachment from reality is apparent when the Appellant's submission concludes: "*... it is considered that the proposal site is the most suitable site that can viably connect into the substation at Staythorpe*" (Planning Statement 5.1.17). The proliferation of BESS/solar farm applications and proposals locally and regionally, demonstrate that alternative more suitable land was and remains available.

Further, the development will only supply 0.045% of the UK electricity demand i.e. it will not be a significant contributor to net zero. (In fact the contribution from the proposal has recently been reduced as the Appellant was obliged to remove an area of panels occupying the A46 flood compensation area adjacent to the A617).

In contrast the Elements Green GNR project is expected to provide electricity for over 400,000 UK homes i.e. 1.5% of the total. The project is over 30 times larger than the Kelham proposal in a single development and is exactly the type of development the government is looking to permit via the more stringently scrutinised National Infrastructure route. GNR commitments to avoid the best agricultural land and to retain substantial stand-offs from residential properties have largely been met.

In comparison, the Appellant has undertaken the minimum of consultation singled out the best agricultural land and sited an industrial development far too close to residential properties.

There is also a failure to recognise the versatility of modern renewables technology. Suppliers of the technology (Wartsila, Sungrow, Mitsubishi, EDF etc.) state that they need only to be near a high voltage overhead transmission line (including the 132kV regional transmission network) to effect a connection.

This delocalised approach which is favoured by the National Energy System Operator (NESO) requires BESS to be located remotely from power station substations and nearer to consumers for increased grid stability, resilience, flexibility and lower transmission losses. It is an approach that disperses capacity and enhances the utilisation of renewables.

A recent (May 2025) pre application to Newark and Sherwood District Council by Starlight Energy Operations for a 192ha solar farm and BESS east of Newark is over 10km from Staythorpe and on lower grade land. This proposal demonstrates that other developers are aware of the capabilities and versatility of renewable technologies and can formulate proposals that do not need to use high quality agricultural land or be close to power station substations.

Two BESS units are currently permitted one in Staythorpe (currently under construction) and another at Averham. A further one is planned as part of the Elements Green GNR project. Together these have a combined energy capacity of 1120 MWh and output capacity of 560MWh rendering the 50MWh Kelham BESS irrelevant.

Battery safety is becoming an issue internationally due to several high profile incidents, the UK House of Lords is currently considering battery safety legislation and California lawmakers find themselves suggesting the use of 1000m exclusion zones for larger battery installations. Clearly, now is not the time to surround Averham and Staythorpe with BESS developments.

5.0 Footpaths and Public Rights of Way

Footpaths cross the site, the main public right of way (PROW) is very popular with locals, especially so since access to Kelham Hall grounds has been limited by the current owner. The PROW was previously a section of the Trent Valley Way (TVW), a nationally recognised leisure trail. The continued presence of TVW waymarkers and infrastructure means it is regularly used by hikers including Duke of Edinburgh award students in preference to the currently mapped route which runs alongside the busy A617.

The Ramblers have objected and they also state that the PROW is part of the TVW.

The proposal would change the PROW from a refreshing rural walk with extensive views in an attractive landscape, to a joyless visually challenging trudge through acres of solar panels, under CCTV surveillance, enclosed by security fences, engineered screening and barriers.

The Appellant's documents dwell on the addition of a permissive bridleway which would clearly suffer the same problems as the existing PROW.

The pleasant walks and easy access to open countryside currently enjoyed by many will be ruined. Who wants to walk or ride round a solar farm?

6.0 Conservation area and Heritage Impact

The proposal abuts or is very close to the Kelham conservation area boundary for a distance of over 1km, passing alongside the oak plantation, the rear of Kelham House Country Manor, the Rutlands, Grey House, Orchard Cottages and then down Broadgate Lane to the Old Bothie. There are many listed dwellings and structures within the conservation area including the Grade 1 listed St Wilfrid's Church and Kelham Hall and grounds. The setting of these cultural and heritage assets within the village and the attractive nature of the village itself will be adversely affected by such close proximity to a large scale modern industrial development.

7.0 Cumulative Impacts

7.1 The cumulative effect of impacts within the development and its immediate environs that lead to an unacceptable overall impact. The impacts are listed below:

1. Too close to residential property
2. Inadequacy of screening provisions
3. Industrial development in a residential area

4. Visual impact (industrialisation, 400m of engineered screening bund, security fences, cctv)
5. Harm to BMV resource and failure to assess alternative lower agricultural grade sites
6. Visual issues with the BESS and highly disruptive construction work needed to connect it
7. Degradation of PROW and loss of access open countryside when using the PROW
8. No accessible green space between Kelham and Averham
9. Not a significant contributor
10. Harm to the setting of cultural and heritage assets
11. Devaluation of property prices
12. 40 years is not temporary
13. Construction phase impacts added those already present and forthcoming
14. Further traffic increases on the A617

HARM - There is now evidence that the application is causing financial harm to house prices on Broadgate Lane. The Old Bothie was originally marketed for sale at £725K and is now on the market for offers above £600k. My immediate neighbours at Rookwood have told me that they've had several buyers pull out because of the solar farm and BESS. The current owners of the two houses on the lane that have sold since the application went in (Peachcroft and The Holt), have both told me that they were not aware of the application until after they moved in and they wouldn't have purchased if they'd been aware

Taken together the above are substantial and indicate that the proposal would have a very significant impact locally.

7.2 Developments and proposed developments that combine to cause a disproportionate effect on the area

I'm aware that I and residents objecting to the proposal may be accused of Nimbyism but when one considers the number and scale of actual and permitted electrical power infrastructure projects in and around our villages, we feel we have made and continue to make a significant contribution.

The situation with the Parish of Averham, Kelham and Staythorpe is that there are already significant past present and future projects that need to be taken into consideration. Within a 5km radius there is a 1.735 GWe power station, a National Grid substation, 400kv, 132kv and 32kv transmission equipment, pylons and overhead cables, a main line railway and Ollerton Road wind turbines. Two BESS units are currently permitted one in Staythorpe (currently under construction) and another at Averham. A further one is planned as part of the Elements Green GNR project.

The recently permitted Knapthorpe Lodge Solar Farm - 22/00975/FULM and Muskham Wood Solar at Cauntun 22/0976/FULM are seeking to connect into the National Grid at Staythorpe. Consequently their cable routes and associated infrastructure will have to pass through and be located in the parish. Foxholes Farm, Bathley - 22/01983/FULM if permitted will likely follow a similar trajectory.

Slightly further afield there are operational sites at Grange Solar Farm and Cotham Lane Solar Farm

The GNR Solar Project is currently going through the consultation phase prior to submission as a Nationally Significant Infrastructure Project. It is exactly the type and scale of project that the government is looking for and as such it is likely that it will be pushed through by the Secretary of

State. The GNR proposals include significant areas of solar arrays, substations and BESS facilities. within the Parishes of Averham, Kelham and Staythorpe.

RWE recently unveiled their proposal for the carbon capture and storage plant at Staythorpe C power station another large scale heavy engineering project in our small community.

8.0 Closing Remarks

There are simply too many renewable energy and energy infrastructure applications in this small area, we are being overwhelmed. This proposal is in a residential area and far too close to housing.

Statements that less than 1% of UK land will be required to meet the government solar target are meaningless here in our small communities when a significant proportion of the accessible green space and open agricultural land around us is being lost.

Residents are constantly wondering and worrying over what the next proposal will entail.

The villages of Averham and Staythorpe could be surrounded by BESS developments at a time when the safety of these industrial facilities is under reviewed.

The visual impact of this proposed development has been underestimated in the Appellant's submissions in particular the screening bund is a large and unsightly addition to the landscape that has not been subject to a visual impact assessment. The tree planting on the northern face of the screening bund isn't specified even though it will be important in mitigating views of the solar arrays and determining the long term visual nature of the development. There is an overreliance for screening of residential properties on local hedgerows and trees over which the Appellant has no control. Reassurances from the Appellant, Appellant's agent and the farmer who farms the land are meaningless. This is a 40 year project and the Appellant must demonstrate that they have the consent of the landowners to access, maintain and manage all commitments outside of the ownership boundary. Further, the reliance on what is essentially ephemeral domestic garden vegetation places the responsibility for screening on the owners of the houses which is inappropriate.

The Grade 2 land is not replaceable, allowing the development would conflict with decades of planning guidance and practice and set an undesirable precedent that any Grade 2 land can covered in solar panels and BESS.

The Government seeks big projects that can deliver its net zero goals not problematic ones like this that make a limited contribution and cause public opinion to move against the technology.

The contribution of the solar farm would be unimportant nationally and easily be replaced by other more appropriate sites currently being constructed and planned. There are certainly no compelling reasons to permit it and in light of the harms and disruption it will cause, coupled to the ready availability of more appropriate, less valuable, less flexible and lower productivity agricultural land the appeal should be dismissed.

