
Appeal Decision

Inquiry held 20 and 21 January 2026

Site visits made 17 and 19 January 2026

by Helen Heward BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2026

Appeal Ref: APP/A3010/W/25/3367817

Land adjacent to the A614, Worksop, S80 3PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by One Planet Developments against Bassetlaw District Council.
 - The application Ref is 24/00384/FUL.
 - The development proposed is construction and operation of a solar farm and battery energy storage system, together with all associated works, equipment, necessary infrastructure and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the construction and operation of a solar farm and battery energy storage system, together with all associated works, equipment, necessary infrastructure and landscaping at Land adjacent to the A614, Worksop, S80 3PA in accordance with the terms of the application, Ref 24/00384/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council did not determine the application within the requisite period, resulting in the Appellant exercising their right to appeal. Had the Council been in a position to determine the application, the Planning Committee resolved that, planning permission would have been refused for three reasons, related to heritage assets, landscape and visual harms, and insufficient information in respect of archaeological interests. The resolution was in accordance with the recommendation in the Officer Report.
3. At a Case Management Conference (CMC) held on 26 November 2026 the Appellant and Council agreed that the Council's putative reason for refusal in respect of archaeology could be overcome by the imposition of suitable planning conditions.
4. At appeal the Appellant submitted revisions to two drawings: Site Layout Plan (OPL011-PL—01_Rev12) and Planting Plan 571_PP_01 rev C. The main changes shown on these drawings are:
 - Removal of a proposed avenue of trees as requested by Historic England,
 - Removal of 2 proposed chestnut trees that would have been underneath overhead lines, and
 - Provision of extra landscape screening to the western boundary.

5. The Council considered the amendments to be minor, sought to address previous concerns, and raised no objection to their submission.
6. The amendments would not result in a substantially different scheme from that which had been submitted to and considered by the Council. There had not been any significant public interest in the application, but a number of consultees had made representations. Having regard to relevant legal judgements¹ I considered that no party would be prejudiced by me accepting the submission of the revised drawings and accepted the drawings subject to the Appellant and Council undertaking a consultation exercise in advance of the inquiry.
7. In a Supplemental Planning Statement of Common Ground (SoCG) the Council and Appellant agreed that with Site Layout Plan (OPL011-PL—01_Rev12) and Planting Plan 571_PP_01 rev C, together with a condition requiring further details of the proposed landscaping, that landscape and heritage matters no longer comprised reasons for refusing the scheme, and that the planning balance then fell in favour of approval. The position was reiterated in topic based SoCGs for landscape, archaeology and heritage.
8. The Council formally withdrew all three putative reasons for refusal, and it was the Council's position that a formal inquiry was no longer necessary. However, having instigated the appeal the determination of the proposal remained with the Secretary of State, through me as the appointed Inspector, and the inquiry was held.
9. In Opening Submissions, the Council's Advocate informed the inquiry that the Council would have granted planning permission for the proposals before the inquiry. During the inquiry I held round table sessions and heard from expert witnesses for the Appellant. The Council did not call witnesses. I carried out unaccompanied site visits on 17 and 19 January during which I followed routes provided by the main parties.
10. The consultation on the revised drawings resulted in 13 written submissions, including comments from Elkesley Parish Council, Lincolnshire County Council archaeology, Natural England, Historic England, The Gardens Trust and The National Trust. No consultees or interested parties attended the inquiry. By the time the inquiry sat it was agreed there were four letters from The Garden's Trust (GT) dated 21 January 2025, 17 March 2025, 30 October 2025 and 21 December 2025. I have taken all submissions into consideration.
11. The proposed development is overlooked by and adjacent to a hotel roughly 50m from the red line boundary. The Appellant was requested to submit information to assess potential for adverse significant effects on the environment by way of impacts to amenity from construction noise and vibration. Following the submission of a Construction Noise Management Plan the Inspectorate determined that the proposed development is not Environmental Impact Assessment development.

Main Issue

12. Subsequent to the submission of the revised drawings and from the evidence I heard at the inquiry, the main issue is the effect of the proposed development upon the special interest of the following designated heritage assets:

¹ Holborn Studios v Hackney LBC and Bernard Wheatcroft v SoS for the Environment

- a. Grade I listed Clumber Park Registered Park and Garden (RPG), National Heritage List Entry (NHLE)1001079,
 - b. Grade II* listed Drayton Gate NHLE 1045058,
 - c. Grade II* listed Gate Piers and Flanking Walls to Normanton Gate NHLE 1156026, and
 - d. West Bridge Grade II LB NHLE 1370411 and Scheduled Monument 1006400.
13. The putative heritage reason for refusal also included that development could have an impact on the heritage significance of the Grade 1 Thoresby Park RPG (NHLE 1000361). With Site Layout Plan (OPL011-PL—01_Rev12) and Planting Plan 571_PP_01 rev C, the Council and Appellant were in agreement that there would be no harm to the setting of the Grade I listed Thoresby Park Registered Park and Garden. From my site visits I found no reason to disagree and have not considered this asset further.

Reasons

14. The appeal site is a large open area made up of a series of agricultural fields bounded on all sides by woodland. It is located in a sensitive location. Clumber Park sits on the opposite side of the road. It is understood to be the most visited National Trust site in the country. Within and adjoining Clumber Park are a number of heritage assets related to the significance of Clumber Park.
15. The extent of the red line is 88.31 hectares. The proposal includes associated works, infrastructure, and landscaping. The solar panels would be attached to steel-mounted frames up to a maximum height of 3m. The scheme also includes 12 x 2.9m high battery energy storage containers and a 25m high lattice tower.
16. As the proposal concerns listed buildings, I have had special regard to my duties under sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
17. National Planning Policy Framework (Framework) paragraph 212 advises 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. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm (LTSH) to its significance.
18. Planning Practice Guidance (PPG) for renewable and low carbon energy includes advice that the deployment of large-scale solar farms can have a negative impact on the rural environment and great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large-scale solar farms on such assets. Depending on their scale, design and prominence, a large-scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.
19. However, the advice also includes that the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively, and the potential to mitigate landscape and visual impacts through, for

example, screening with native hedges, that solar farms are normally temporary structures, planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use.

20. The Glossary to the Framework defines the setting of a heritage asset as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
21. The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) Historic England 2017 (GPA3) provides guidance on understanding setting and how setting may contribute to the significance of heritage asset. Amongst other things it requires assessment of the degree to which the setting makes a contribution to the significance of the asset or allow that significance to be appreciated; the 'what matters and why'.

Clumber Park RPG

22. Clumber Park covers approximately 1,600 ha and dates to the late 18th century. It forms part of the Dukeries estates including Thoresby Park, Welbeck Abbey, and Worksop Manor. These were all owned by Dukes and formed from the former royal forest of Sherwood.
23. Clumber Park was established by John Holles, the first Duke of Newcastle, who petitioned Queen Anne in 1709 for a licence to make a Park in the Forest of Sherwood in the County of Nottingham. Queen Anne's red deer had previously roamed freely within Sherwood Forest but had been hunted and poached. The royal park at Clumber was established to protect the Queen's herd.
24. The Duke of Newcastle was granted a licence to enclose the new park in 1708. A hunting lodge was established, then extended to create Clumber House. Works and improvements to the grounds followed. A central lake had been added by the 1780s, and formal gardens, parterres and terraces were laid out in the 1820s.
25. The original park is thought to be the work of Stephen Wright and the pleasure grounds extending to the east the work of William Andrew Nesfield. There are 18th century and 19th century landscape elements, designed by William Sawrey Gilpin, John Simpson and William Andrew Nesfield.
26. Notwithstanding the demolition of the house in 1938 and the sale of structural elements from the gardens, the formal parterres and gardens associated with the main house, and the walks and drives within the wider landscape all remain. A particular feature of Clumber Park is the number of unifying and architecturally significant ornate gateway features. Normanton Gate and West Drayton Gate are close to the appeal site.
27. Chapmans 1798 Map of Nottinghamshire indicates that by 1798 there were four entrances with two drives crossing the estate. One drive runs from Normanton Gate over the Clumber Bridge towards the house, before exiting to the northwest. The map indicates that the estate was bounded with tree planting. Greenwood's 1826 Map of Nottinghamshire indicates that by 1826 there was another access point in the south east corner of the estate and that the amount of woodland within the park had increased, particularly around the periphery.

28. These maps were commercial maps and cannot be relied upon as accurate historic records of Clumber Park. At the inquiry the Appellant's Heritage Witness advised that there is little archival evidence about Clumber Park. Even so, the history of Clumber Park and the available cartographic evidence create strong evidence of an enclosed planned landscape with gateways to drives, and there is little evidence of the use of views from the wider landscape beyond the boundary to 'borrow landscapes' to create vistas and transcend boundaries.
29. Historically the appeal site was part of the land owned by the Dukes of Newcastle. It continues to form part of the rural hinterland which surrounded Clumber Park. Mapping provided by the Appellant indicates that within the appeal site significant woodland was eroded and fields established during the 19th century. The Appellant's Heritage evidence is that the appeal site was cleared and managed by the Duke to create farmland, which was rented out to tenant farmers, and possible hunting grounds.
30. Drives ran through the rural hinterland east of Clumber Park as parts of routes to connect Clumber park to the Great North Road. The main approach led to Apleyhead Gate further north. Dukes Drive led to Normanton Gate, crossing the southern part of the appeal site. Dukes Drive was eroded over time. At its westerly end the alignment is now obstructed by a hotel and there are few signs of the route running across the appeal site to Normanton Gate.
31. West Drayton Avenue runs adjacent to the southern boundary of the appeal site. This drive, understood to be a later addition, also provided a route from Clumber Park via West Drayton Gate to the Great North Road. It would have provided visitors with views of the rural hinterland seen beyond the avenue trees as they approached, or departed from, Clumber Park via West Drayton Gate. Annotated as a tree lined avenue on historic maps, it would have had a visual association with the more grand tree lined avenues within Clumber Park, and created an impression of the extent of the Duke's rural estate within which Clumber Park was situated.
32. Today West Drayton Avenue remains a discernible feature in the landscape and in places survives in its original tree-lined form. In the vicinity of the appeal site a public right of way along its route leads toward West Drayton Gate.
33. The appeal site therefore has a relationship with Clumber Park, particularly the southern part which provided an access via Dukes Drive and directly adjacent to West Drayton Avenue. The appeal site continues to contribute to the significance of Clumber Park through glimpsed and incidental views as part of the historic rural setting of Clumber Park along the eastern edge and from West Drayton Avenue.

Drayton Gate Grade II*

34. The gateway is a symmetrical arrangement of piers with flanking walls, designed by Stephen Wright and a good example of late 18th century architecture consistent with the architectural style across the park. The Appellant's evidence is that this gateway feature was moved from Normanton Gate when Drayton Gate was created. In so far as the appeal is concerned, Drayton Gate is of high heritage significance due to its architectural, artistic and historic interests and additional group value as part of the estate. It is also of significance as a gateway to Clumber Park from the east along West Drayton Avenue and one of the estate features on the eastern edge of the Park.

35. In so far as the appeal is concerned, the significance of Drayton Gate is as one of the estate gateways and features marking the eastern edge of Clumber Park and as the Gateway associated with West Drayton Avenue. The appeal site continues to contribute to an appreciation of the rural landscape setting beyond Drayton Gate and West Drayton Avenue.

Normanton Gate Grade II*

36. This gateway is formed of a pair of piers and flanking walls which were relocated to the site in the early 20th century. They are of a more simplistic design than seen elsewhere within the Clumber estate. Historically Normanton Gate formed the entrance from Duke's Drive. The Appellant's Heritage Witness posited that Normanton Gate likely became more of a service gateway around the time of the development of Hardwick model farm village. Today the hotel development on the opposite side of the A614 largely prevents all visual and functional relationships between Normanton Gate and the appeal site.
37. In so far as the appeal is concerned, the significance of Normanton Gate is mainly as one of the estate gateways and features marking the eastern edge of Clumber Park and the appeal site makes a limited contribution to setting as part of the wider appreciation of the rural setting.

West Bridge SM, Grade II and II*

38. West Bridge, designed by Stephen Wright, carries the A614. The setting of the bridge is primarily the crossing of the River Poulter and views of the formal parkland to the east. It is of historic interest as one of the estate features on the eastern edge of Clumber Park. The appeal site is not visible from West Bridge and makes a very limited contribution to the wider rural setting to the east.

Effect of the proposed development upon the significance of the heritage assets

39. The solar farm would be located on fields outside of Clumber Park and separated from it by the A614. It is situated on land that was within the same ownership of Clumber Park and was managed by the Duke.
40. From areas within the eastern side of Clumber Park there would be some awareness of a change from farmland to solar farm beyond the boundary of Clumber Park.
41. There is little evidence to say that there are any designed or 'borrowed' views looking out from Clumber Park toward the wider landscape where the solar farm would be located. The National Trust (NT) had raised concerns about winter views including a public right of way running northwest to high ground and a view from Bridleway BW5 through winter vegetation. My site visits were in winter when the trees were largely bare. I observed that any views of the solar farm, including of the 25m high lattice tower, from within Clumber Park would be filtered, glimpsed and at some distance.
42. The solar arrays would be set back and behind substantial planting. There would be no lighting on the appeal site, save for emergency lighting at a small compound within the site. Planting would create a strong, layered screen along the western boundary of the appeal site. In time the solar farm would be barely discernible. Even so, development would reduce the contribution that the appeal site makes to the rural hinterland and an appreciation of the rural setting of Clumber Park.

43. The NT and others had raised concern experiential setting of the assets. From the A614 there is an awareness of travelling alongside Clumber Park, emphasised by passing the various gateways and West Bridge. Clumber Park is behind dense tree planting. The experience is influenced by the road and traffic. The appeal site is on the other side of the road and is part of the rural setting. There is no view of the appeal site from West Bridge or Drayton Gate. From Normanton Gate it may be possible to see the site access, but it would be at some distance and seen in the context of the Hotel and car park. In time, planting along the western boundary would prevent views. The Council's Landscape Consultant considered that the revised proposals would reduce effects for people in vehicles along the A614. Nonetheless, there would be a general awareness of the solar farm when driving along the A614 which would adversely impact an appreciation of the rural setting of these assets and add to the harm to the setting of Clumber Park more widely.
44. The appeal site is seen from West Drayton Avenue. Adjacent to the southern boundary, a triangular area of land would not be developed. Hedgerow planting would demark the historic route of Duke's Drive that ran to Normanton Gate. On the south side of the hedgerow would be an area of scrub. These features would provide distance between the solar arrays and the footpath.
45. The layout also proposes planting a line of horse chestnut trees along the line of West Drayton Avenue, just outside the existing line of avenue trees on the southern edge of the appeal site. The new planting would ensure that the avenue feature continues into the future. These proposals were largely consistent with recommendations from Historic England (HE).
46. With time the layered planting would effectively screen views of solar arrays. But for a number of years, the solar farm would have an adverse impact upon the significance of Drayton Gate through changes to the setting of the West Drayton Avenue approach to Drayton Gate.
47. The Garden's Trust (GT) had stated that they do not object to solar developments in locations where they will not harm the designated heritage of the area but that they had concerns about the introduction of industrial-type development into the currently largely rural setting of Clumber Park. The GT's initial position was that there would be harmful impacts upon the character and significance of the agrarian and designed landscape elements of the setting of heritage assets.
48. Amongst other things the GT considered that effects would be felt quite profoundly by those who regularly use the rights of way network and visit the area to enjoy the countryside. In response to the amended plans, the GT accepted that with time, the additional planting proposed would strengthen screening of the development from the A614 and Clumber Park and may eventually reduce the level of less than substantial harm which would result to the significance of Clumber Park.
49. HE advised that their concerns had been largely addressed through the amendments shown on Site Layout Plan (OPL011-PL—01_Rev12) and Planting Plan 571_PP_01 rev C. By the time the inquiry sat, HE considered that the requirements of the Framework were met and had no objection to the application on heritage grounds. The Council considered that the changes brought about by the drawings had a material impact on the impacts of concern raised by consultees and satisfactorily addressed the Council's concerns in the putative heritage reason for refusal.

50. Following submission of the revised drawings the Council and Appellant agreed that there would be less than substantial harm at the lower level as a result of changes to elements of setting which contribute to the significance of the Grade I listed Clumber Park RPG and the Grade II* listed Drayton Gate. From my findings above, I agree. I further conclude that there would also be a very low level of harm to the significance of West Bridge and Normanton Gate.
51. Having regard to Framework paragraph 212 I attach considerable weight to these harms. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate. I weigh the benefits and harms before reaching a final conclusion.

Other Matters

Character and appearance of the local area.

52. The appeal site is not a “valued” or designated landscape for the purposes of the Framework. It is of medium value, susceptibility and sensitivity. There would be substantial change to the landscape character of the fields within which development is situated. However, the site lies within the Bothamstall Landscape Character Area in the Bassetlaw Landscape Character Assessment (2009) which is described as having an enclosed nature with low visibility and the appeal site is surrounded, and divided internally, by mature belts of conifers which limit visibility.
53. The proposal would result in a substantial change to character within the site but would not result in the loss of any significant landscape elements including woodland, trees and hedges. Some trees would need to be felled to facilitate access, the Council's tree officer raised no objection. Beyond the site there would be no physical change to the landscape elements that define the character of the wider landscape.
54. There would be some filtered views of the proposal in winter, seen through the woodland edge to the south from the footpath along West Drayton Avenue, from the west from the Clumber Park estate and along the A614 where there would be a minor adverse effect on landscape character. All would be localised and the parties agree that development is likely to be perceived through existing and proposed trees.
55. Extensive landscape mitigation and enhancement would reinforce the wooded character of the local landscape and provide further screening in what is already a well enclosed area. With time landscaping would mitigate the available views. New trees and hedgerow planting would have a longer term moderate beneficial effect. Planting would remain post decommissioning leaving a residual benefit for landscape character.
56. Views of solar arrays from West Drayton Avenue would be at an angle to the direction of the path and intermittent. Views from public rights of ways within the eastern side of Clumber Park would be at distance, intermittent, glimpsed and filtered. There could be some perceived moderate adverse effects upon visual amenity, but the effects would be limited and localised and with time the proposed landscaping would provide a screen. The residual effect for visual amenity would be negligible.

57. The proposals include substantial areas of planting to create a robust landscape buffer to the A614 and prevent views from the east. The proposals also include planting a line of horse chestnut trees along the line of West Drayton Avenue, reinstating the line of the avenue that extended to Normanton Gate with new planting. Together with other landscaping the proposals would strengthen, enhance and restore some distinctive landscape elements and aspects of landscape character. Following decommissioning landscape mitigation would remain leaving a beneficial legacy.
58. The Council's Landscape Consultant advised that the revised proposals would reduce effects for rights of way users. By the time the inquiry sat the Council agreed that with the revised plans the effects upon landscape character and visual amenity would be limited and highly localised. The Council considered that the changes brought about by the revised drawings had a material impact on the issues of concern raised by consultees and satisfactorily addressed the Council's concerns in the putative landscape reason for refusal.
59. I conclude that with time, the proposal would not result in material harm to the character and appearance of the local area.

Agricultural land quality

60. Natural England initially lodged an objection in relation to potential impacts for Best and Most Versatile (BMV) Agricultural Land. An updated Agricultural Land Classification (ALC) Report confirmed that the land is Grade 3b and does not contain any BMV land which would be Grade 3a or higher. At the inquiry the Council advised that an email from NE, 17 December 2025 confirmed that having reviewed the updated ALC Report, NE was content that sufficient information had been provided and offered no further objection.
61. There is no other evidence to say the site contains BMV agricultural land and the land could be returned to food production after cessation of the use.

Benefits

62. Paragraph 161 of the Framework states that the planning system should support the transition to net zero by 2050 and, amongst other things, support renewable and low carbon energy and associated infrastructure.
63. The Government has declared a climate emergency. The Clean Power 2030 Action Plan describes the need for a once in a generation shift in approach and in the pace of delivery and unprecedented volumes of clean energy infrastructure projects. The 2022 British Energy Security Strategy and 2023 Energy Security Plan explain that delivering energy security is urgent and of critical importance.
64. In relation to Nationally Significant Infrastructure Projects, National Policy Statements EN-3 (read alongside EN-1) confirms that *"Solar energy is at the heart of our Clean Power 2030 Mission. The government is committed to working with industry to radically increase our existing solar capacity by 2030 to boost growth across the country, create thousands of high skill, future proofed jobs and tackle the climate crisis"*.
65. The proposal would result in a clean energy delivery of 40MW of solar energy, the equivalent annual electrical needs of approximately 15,500 homes in England and

delivering a saving of over 20150 tonnes per annum of carbon dioxide compared to the use of a gas combined cycle.

66. The contribution that the scheme would make to renewable energy generation, reduction in carbon emissions, the climate emergency and national energy security all attract significant positive weight in favour.
67. The proposal includes a battery energy storage system which can store electricity, help balance power in the Grid, provide resilience, and boost the usable energy output of the site. Even though there is no guarantee that the electricity generated would be used to provide electricity in Bassetlaw or improve grid reliability locally, the confirmed grid connection to enable delivery of energy to the National Grid by 2030 attracts additional significant positive weight in favour.
68. The scheme takes into account the Local Nature Reserve Strategy for Nottinghamshire. There would be biodiversity net gains of 213% for habitat units and 751% for hedgerow units. Other environmental benefits include soil regeneration. In addition, there would be benefits for landscape character through the strengthening and enhancement of landscape elements. The definition of the former route of the Duke's Drive and new chestnut tree planting alongside West Drayton Avenue would strengthen the legacy of the Dukeries in the landscape and make a positive contribution to the setting of Clumber Park and West Drayton Gate. These environmental and heritage gains all attract additional moderate weight in favour of the scheme.
69. Creation of employment opportunities during construction and business rates once operational attract only limited weight in favour. Arguments regarding supporting Thoresby park are not sufficiently evidenced and attract no weight.

Conditions and legal agreement

70. Draft planning conditions were the subject of a SoCG, subject to further scrutiny at the inquiry and agreed between the parties.
71. To ensure that the development follows the intended strategy and is in accordance with the details considered a condition identifying the permitted plans is reasonable and necessary. So too are conditions requiring commencement within five years, restricting the permission to a temporary period for 40-years and requiring removal of the development at the end of the period, or use, including a decommissioning plan to secure site restoration and protect wildlife and habitats.
72. Within the appeal site an area of cropmarks interpreted as being associated with Iron Age or Romano-British settlement activity has been identified to the northwest. This area of the north west field has been removed from the Appeal Scheme with the remains subject to preservation in situ.
73. There is the possibility for archaeology to be present within the wider appeal site. These have been interpreted as cropmarks and geophysical anomalies likely to result from agricultural activity during the medieval and post-medieval period. In particular, there is evidence that these may relate to field systems associated with the deserted medieval village of Normanton. A 3% trial trenching of the remainder of the redline site area would be consistent with other trial trenching programmes and would identify the presence of other archaeology.

74. The County Archaeologist considered that planning conditions could secure an archaeological mitigation strategy, requirements of archaeological site work and the reporting of findings. With these the County Archaeologist considered satisfactory arrangements for the investigation, retrieval and recording of archaeological remains could be secured
75. Conditions 5 and 6 would secure the submission, and approval of, a programme for archaeological evaluation prior to the commencement of development and thereafter that development is in accordance with an approved archaeological mitigation strategy. With this archaeological interests in the site would be suitably protected in accordance with requirements of the Framework.
76. The proposed development is close to the Village of Bothamsall that has a narrow and winding Main Street. An interested party sought reassurance that village would not be used as a 'cut through'. The parties confirmed that there was no intention that construction traffic would go through Bothamsall. I have amended condition 10 to require submission of details for the routing of all construction traffic as part of a construction traffic management plan.
77. A Construction Environmental and Traffic Management Plan (CETMP) would be required to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. It would include requiring details about measures to manage and minimise noise emissions in accordance with a Construction Noise Management Plan Information Report 1 December 2025. Amongst other things, this would enable the Council to ensure no adverse effects from noise upon users of the adjacent hotel.
78. Interested parties raised concerns about potential impacts upon wildlife. NE did not raise any objection and in a SoCG the Appellant and Council confirm that the proposal would not result in unacceptable impacts to ecological receptors. Condition 12 would require a Habitat Management Plan and its implementation and condition 13 covers the construction phase. Together these conditions would ensure that ecological considerations are investigated, reported, planned for and suitably protected and mitigated.
79. Conditions are also necessary to ensure that the landscaping is implemented and maintained as proposed, including the provision of the benefits for the historic landscape. It is also necessary that conditions prevent all but emergency lighting within the site to protect the rural setting of Clumber Park.
80. A completed Unilateral Undertaking has been submitted to secure payment of a Habitat Monitoring and Management Fee. The sum of £8,195 would be used for the purpose of monitoring and managing the habitat on the appeal site. The Council evidenced how the sum had been arrived at and submitted a CIL compliance statement. The obligation is compatible with the tests for planning obligations set out at Regulation 122 of the CIL Regulations.
81. A request from the Highways Authority for a contribution towards tree felling in the highway would be a matter for the Highway Authority and developer and is not required by a planning condition or legal agreement as part of the planning appeal.
82. Conditions would require the submission of a decommissioning plan and method statement. Recycling of solar panels and batteries at end of life could be considered at that time in concert with other pollution and waste control regimes.

- 83. Concerns about use of child labour and the sustainability of the mining of lithium and other rare earth metals used in the panels. These are matters for the manufacturers and industry standards and go beyond matters that can be controlled by planning conditions.
- 84. Improvements to local substations and Elkesley Parish grid reliability go beyond the extent and scope of reasonable planning conditions and would be a matter for the National Grid and a number of Government initiatives exist to encourage solar panels on homes and home electrical car charging.

Conclusions and Planning balance

- 85. Having regard to Framework paragraph 215, the Council and Appellant were in agreement that the public benefits of the scheme would outweigh the less than substantial harm that would be caused to the affected heritage assets.
- 86. From my findings, I conclude that the weight to be attached to the public benefits for contributions to renewable energy generation, reduction in carbon emissions, the climate emergency, national energy security, and a confirmed grid connection to enable delivery of energy to the National Grid by 2030 all attract significant positive weight in favour. Added to this are additional environmental benefits for biodiversity, landscape character and the historic landscape.
- 87. I attach considerable importance to harms to the significance of heritage assets. Low levels of less than substantial harm to the setting of Clumber Park Grade I Registered Park and Garden and to the setting of the Grade II* West Drayton Gate, each attract moderate weight against the proposal. Very low levels of harm to the Grade II Normanton Gate and Grade II* West Bridge both attract additional limited weight against the proposal. Initial adverse effects upon landscape character and visual amenity attract moderate weight against the proposal.
- 88. Bassetlaw Local Plan 2020-2038 Policies ST40 and 41 require that proposals make a positive contribution to the character and local distinctiveness of the historic environment, including through the use of innovative design and positively conserve or enhance a historic designed landscape, and that proposals for development that involve the setting of a designated heritage asset will be expected to a) conserve, enhance or better reveal those elements which contribute to the heritage significance and/or its setting; b) respect any features of special architectural or historic interest including its setting. However, part 3 of Policy 41 also states that proposals that would result in less than substantial harm to the significance of a designated heritage asset will only be supported where it can be demonstrated that the public benefits will outweigh any harm identified. This is consistent with advice in the Framework.
- 89. Policy ST35 states that proposals that contribute to the nature and quality of Bassetlaw's landscapes will be supported where it can be demonstrated that it protects and where possible enhances the distinctive qualities of the relevant landscape character policy zone, as identified in the Bassetlaw Landscape Character Assessment 2009 by conserving, restoring, reinforcing or creating relevant landscape forms and features. Policy ST33 is a general design policy, provisions include that landscaping proposals should respect the local context, complement the landform, and landscaping of the surrounding areas, and positively preserve, enhance and integrate development into the landscape and natural and heritage assets. Requirements in Policy ST8 that economic development in a rural

area has no adverse impact on the character of the location, the surrounding landscape or heritage assets are not consistent with the more flexible wording in Policies ST35 and ST35.

90. Bassetlaw Local Plan 2020-2038 Renewable Energy Policy ST49 supports development that generates, shares, transmits and/or stores zero carbon and/or low carbon renewable energy including community energy schemes subject to the satisfactory resolution of all relevant site specific and cumulative impacts. At the inquiry the Council's Planning Officer's opinion was that this Policy was both highly relevant and highly supportive of the appeal proposal. I agree, and find that the limited conflict with Policies ST40, 41 and ST8 attracts only limited weight against the proposal.
91. Overall, the public benefits would clearly and convincingly outweigh the identified harms to the significance of heritage assets that arise by way of changes to their settings. And, taking the scheme as a whole, the considerations in favour of the development clearly outweigh the total harms identified.

Conclusion

92. For the reasons given, and having taken all other matters into consideration, the appeal is allowed.

Helen Heward
INSPECTOR

INQUIRY APPEARANCES

FOR THE APPELLANT:

Odette Chalaby, Barrister, Landmark Chambers called

- Ms Amy Jones, BA (Hons), MA, MCIfA
Technical Director and Head of Heritage, Cura Terrae - Heritage
- Mr Andrew Cook BA (Hons) MLD CMLI MISEP CEnv, Executive
Director and Head of Environment, Pegasus Group - Landscape
- Mr Nigel Cussen, BSC (Hons) DIP TRP MRTPI, Senior Planning
Director, Pegasus Group -Planning

FOR THE LOCAL PLANNING AUTHORITY:

Freddie Humphreys, Barrister, Kings Chambers was assisted by

- Mrs Kirsty Harte Principal Planning Officer for the LPA, and
- Mr Jamie Wignall Conservation Officer for the LPA.

APP/A3010/W/25/3367817 Condition Schedule (18 in total)

1. The development hereby permitted shall be begun no later than five years from the date of this permission.

2. The planning permission hereby granted is for a period of 40 years from the date of first export of electricity to the grid (First Export Date). Written notification of the First Export Date shall be given to the Local Planning Authority within 1 month of its occurrence.

3. At the end of the period of 40 years from the First Export Date, the use hereby approved shall cease and all materials and equipment brought onto the land in connection with the use permitted shall be removed and the land restored to its previous state (greenfield, agricultural land) or as otherwise agreed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority prior to the decommissioning works taking place. Decommissioning and restoration details shall include:

- a) a method statement and timetable for the dismantling and removal of the development including all associated above groundworks, infrastructure, equipment, buildings, and foundations to a depth of at least one (1) metre below ground;
- b) details of a decommissioning and restoration traffic management plan;
- c) a timetable for restoration works following removal of the development, and
- d). an archaeological decommissioning strategy.

4. The development hereby approved shall be carried out in accordance with the approved plans and details unless otherwise agreed in writing by the Local Planning Authority. The approved plans are:

Location plan (OPL011-SP-01_rev07)

Proposed Site Layout Plan (OPL011-PL-01 Rev 12)

Proposed BESS layout plan (OPL011-PL-02_rev05)

Planting plan (571_PP_01 Rev C)

Contextual elevation plan sheet 1 (OPL011-EL-01_rev01)

Contextual elevation plan sheet 2 (OPL011-EL-02_rev01)

Proposed PV detail (OPL011-SD-01-rev02)

Proposed Storage Container (OPL011-SD-02-rev01)

Proposed Welfare Container (OPL011-SD-03-rev01)

Proposed CCTV (OPL011-SD-04-rev01)

Proposed security deer fence (OPL011-SD-05-rev01)

Proposed customer switchgear (OPL011-SD-06-rev01)

Proposed water tank (OPL011-SD-07-rev01)

Proposed battery container (OPL011-SD-08-rev01)

Proposed power control system (OPL011-SD-09-rev01)

Proposed MV transformer (OPL011-SD-10-rev01-MV)

Proposed Access Track (OPL011-SD-11-rev01)

Proposed DNO substation - plan (OPL011-SD-12-rev01)

Proposed DNO substation - section (OPL011-SD-13-rev01)

Proposed palisade fence (OPL011-SD-14-rev01)

Proposed MV Power Station (OPL011-SD-15-rev01)

Access Visibility Review SK, Ref 241210/SK22410/TN01(-00)

5. No development shall take place, including any enabling works such as site clearance works, soil moving, temporary access or compound construction, or any operations involving the use of construction machinery, until a programme for archaeological evaluation has been submitted to and approved in writing by the local planning authority. The programme shall detail the scope of proposed evaluation work, its timings, and objectives and be drawn up by and thereafter undertaken by suitably experienced archaeologists from a professionally accredited archaeological organisation. The programme should make provision for the local planning authority's archaeological advisors to be informed of works and to be allowed access to the site. The findings of the evaluation shall thereafter be published and submitted in writing to the local planning authority.

6. No development shall take place other than in accordance with an Archaeological Mitigation Strategy (AMS) which shall first be submitted to and approved in writing by the local planning authority following the completion of the archaeological evaluation in accordance with Condition 5 above. The AMS shall include provision for any mitigation or monitoring work as informed by the archaeological evaluation to be carried out by a suitably qualified archaeologist or archaeological organisation and shall include provision for the excavation/preservation of archaeological features as appropriate to their level of significance, to be approved in writing by the local planning authority. An archaeological management plan will be required for any archaeological features preserved in-situ. A written report detailing the results and post investigation assessments of any archaeological works shall thereafter be submitted to the local planning authority for local publication within a timeframe to be approved in writing by the local planning authority. No development shall take place other than in accordance with the approved AMS.

7. Prior to the installation of any external lighting within the development site, an external lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The external lighting plan should include details of siting design (luminaire type and profiles, mounting height, aiming angles and energy efficiency measures) and beam orientation, taking into account sensitive receptors and good practice measures to minimise the use of lights light spill, and measures for reviewing any unforeseen impacts. Any lighting shall be restricted to the substation and battery compound only as shown on the proposed BESS layout plan (OPL011-PL-02_rev05) The external lighting shall thereafter be implemented and maintained in accordance with the approved details.

8. If, during construction, contamination not previously identified is found to be present at the site then works shall cease and no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

9. No construction or demolition work, including the use of plant and machinery that is audible from the boundary of the site, shall take place outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. No work shall be carried out at any time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

10. Prior to commencement of development, a Construction Environmental and Traffic Management Plan (CETMP) shall be submitted to and approved in writing by the Local Planning Authority. Within the CTMP the following information shall be provided:

- a) Parking provision for site operatives and visitor vehicles;
- b) The location(s) for the loading and unloading of plant and materials;
- c) The location(s) for the storage of all construction plant, equipment, and materials;
- d) Contractors' compounds and storage arrangements for cranes and plant, equipment, and related temporary infrastructure;
- e) Access/egress by emergency vehicles;
- f) Measures to manage and minimise noise emissions in accordance with Construction Noise Management Plan Information Report, dated 1st December 2025;
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) Construction lighting (type and location).
- i) the routing for all traffic associated with the construction of the development to and from the site.

The development shall thereafter be carried out in accordance with the approved CETMP, unless otherwise approved in writing by the Local Planning Authority.

11. Prior to the commencement of development details about hard and soft landscaping (the Biodiversity Gain Plan) shall be submitted to and approved in writing by the local planning authority. The plan shall be in accordance with the revised Planting Plan ref 571_PP_01_Rev C. and include the planting plans with specific schedules of plant species mix, plant sizes, numbers and densities. The approved Biodiversity Gain Plan shall be implemented in full during the first planting season following First Export Date.

12. Prior to the commencement of any development, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority and shall include:

- a) A non-technical summary;
- b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;

- c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan;
- d) The management measures to maintain habitat during the life of development until decommissioning; and
- e) The monitoring methodology and frequency.

The development shall thereafter be carried out in accordance with the approved HMMP, and all biodiversity features managed and maintained for the duration specified unless otherwise approved in writing by the Local Planning Authority.

13. No development shall take place (including ground works) until a Construction Ecology Management Plan (CEMP) has been submitted and approved in writing by the local planning authority. The CEMP shall include the following:

- a) a summary of potentially damaging activities including those with potential to impact protected sites;
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction including preventing spread of non-native invasive species, disturbance to nesting birds etc.
- d) The location and timing of sensitive works to avoid harm to biodiversity features including protected sites;
- e) The role and responsibilities of on site of an Ecological Clerk of Works and times during construction when they will need to be present on site to oversee works;
- f) Responsible persons and lines of communication or similarly competent person;
- g). Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority.

14. Prior to commencement of development, a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment and Drainage Strategy J-15416, 25/03/2024, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development.

15. Prior to commencement of any other construction works and following the discharge of condition 5 the access arrangements shall be in place as detailed indicatively on plan reference SK22410-101 and SK22410- 102, the internal haul roads shall be surfaced in a bound material (not loose gravel) for a minimum distance of 20.0m from the highway boundary, and shall be drained to prevent the unregulated discharge of surface water onto the public highway.

16. Prior to the site access arrangements being brought into use visibility splays of 2.4m x 215m as detailed within the Access Visibility Review SK, 241210/SK22410/TN01(-00) shall be provided and shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

17. Prior to the commencement of the construction of the battery energy storage equipment on site, a Battery Safety Management Plan covering the construction and operation phases shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved Battery Safety Management Plan. 7

18. If the approved development does not export any electricity to the National Grid for more than 6 months in a continuous period of 12 months, then details of a scheme to repair, re-energize or remove the development including all associated above groundworks, infrastructure, equipment, buildings, and foundations to a depth of at least one (1) metre below ground, and restoration of the site to its previous state (greenfield, agricultural land) shall be submitted to and approved in writing by the Local Planning Authority within 3 months from the end of that 12 month period. The scheme shall be implemented in accordance with the approved details as required by this condition.