

7 January 2026
Our Ref: DD/DD/430129
App Ref: EN010162
Email: [REDACTED]@bbslaw.co.uk

FAO: The Examining Authority
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

BY E-PORTAL

Dear Sir / Madam

OUR CLIENTS: MR RICHARD GILL, MRS LISA GILL & DRONE DEFENCE SERVICES LTD DEADLINE 3 – WRITTEN SUBMISSIONS

We continue to act for our clients, Mr Richard Gill, Mrs Lisa Gill and Drone Defence Services Limited (“DDS”), Interested Parties in this Examination. Please find enclosed our clients’ submissions for Deadline 3.

These submissions comprise:

- 1. Response to the Applicant’s Indicative Services Corridor Proposal (email of 30 January 2026):** A detailed response setting out why the Applicant’s proposed services corridor further to their email of 30 January 2026 does not provide a legally secure, technically deliverable or functional replacement for the existing express easement rights benefiting Caunton Lodge Farm (“CLF”). The response also addresses the structural and operational constraints arising from the proposed indirect routing.
- 2. Engineering Assessment:** Provided without prejudice to our clients’ maintained objections to the scheme, this assessment explains the engineering infeasibility of the constrained corridor, the absence of a safe or workable installation/maintenance strip, the incompatibility with statutory safety guidance, and the permanent operational burdens that would be imposed if the Applicant’s layout were adopted.
- 3. Legal Note from Counsel, [REDACTED] (Exchange Chambers), dated 18 February 2026:** This note addresses confirms the existence, breadth and exercisability of the express easement rights benefiting CLF and explains why extinguishment/overriding of those rights over Plots 15/16, 15/17, 16/1 fails the necessity and proportionality tests under PA2008 s122.

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4. **Further Written Submissions prepared by Groves Town Planning Ltd:** These submissions provide a planning analysis under EN-1 and EN-3, addressing:
 - a. The failure to apply the mitigation hierarchy;
 - b. The understatement of residential visual effects resulting from a baseline error in the RVAA;
 - c. The substantial harm to the setting of a non-designated heritage asset;
 - d. The design choices underpinning Solar Blocks W18.3 and W18.1;
 - e. The permanent privacy and amenity impact of the proposed permissive route; and
 - f. The undeliverability and externalisation of impacts inherent in the Applicant's services corridor proposals.

5. **Heritage Report dated 29 November 2023:** This report classifies Caunton Lodge Farm as a non-designated heritage asset recognised by the Local Planning Authority, and concludes that the Applicant's proposals – particularly development within the field immediately south of the property – would cause substantial harm to its setting, contrary to the requirements of EN-1 (Section 5.9) and EN-3 (Section 2.10). The report identifies that preservation of significance requires removal of solar infrastructure from the field adjacent to the property.

6. **Statement of Response to the Examining Authority's Questions:** A consolidated submission responding to matters raised to date and at CAH1 on 3 February 2026, addressing:
 - a. Operational impacts on DDS's R&D environment;
 - b. Easement rights and services infrastructure;
 - c. Radar and RF considerations;
 - d. Regulatory issues including Open Category A3, SORA and spectrum licensing; and
 - e. Planning policy matters including design evolution, alternatives and proportionality.

These documents should be read together with our clients' previous submissions at Relevant Representation stage, Deadline 1 and Deadline 2.

Our clients remain fully engaged with the Examination and are available to provide any further clarification the Examining Authority may require.

No additional representations are made by way of this covering letter.

Yours faithfully,

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1. Response to the Applicant's Indicative Services Corridor Proposal (email of 30 January 2026): A detailed response setting out why the Applicant's proposed services corridor further to their email of 30 January 2026 does not provide a legally secure, technically deliverable or functional replacement for the existing express easement rights benefiting Caunton Lodge Farm ("CLF"). The response also addresses the structural and operational constraints arising from the proposed indirect routing.

Response to the Applicant's Indicative Services Corridor Proposal – email from [REDACTED] 30 Jan 2026

1. Introduction and acknowledgement

1.1 The Objectors are grateful for the Applicant's continued engagement and, in particular, for the email dated 30 January 2026 from Elena Sarieva enclosing a plan purporting to identify areas within the Order Limits where "Services Installations" might be laid in accordance with the 1998 Deed of Transfer. The plan illustrates a pink hatched corridor described as a recommended route for the proposed electrical connection, together with grey hatched land within Works Area No.3 (Mitigation/Enhancement) where services are said to be "generally permitted", subject to stand-off distances from tree and hedge planting and reinstatement obligations. The Objectors acknowledge the Applicant's stated intention to demonstrate that existing easement rights have been considered within the scheme design.

1.2 The Objectors have carefully reviewed both the plan and the accompanying explanation. However, for the reasons set out below, the proposal does not identify a legally secured, deliverable or future-proofed solution capable of accommodating the lawful and safe exercise of the existing easement rights. The concerns raised are not matters of fine alignment or minor adjustment. They arise from structural constraints within the scheme layout, including exclusion of services from the solar works area, proximity to watercourses, mitigation planting buffers, and the absence of any safeguarded corridor of sufficient width to enable safe construction, maintenance and renewal over the lifetime of the development.

1.3 While the Applicant's correspondence refers to services being "generally permitted" within certain areas, the proposal as presented converts an existing absolute right into a contingent arrangement subject to buffers, reinstatement obligations and ongoing interaction with mitigation infrastructure. That approach does not provide certainty or equivalence of rights, nor does it demonstrate that the scheme can proceed without disproportionate interference with established property interests.

2. Nature and structure of the existing easement rights

2.1 The 1998 Deed grants the owners and occupiers of Caunton Lodge Farm rights to lay, inspect, maintain, repair, replace and renew service installations through adjoining land, subject to reasonable notice and an obligation to make good damage arising directly from the exercise of those rights. These rights are proprietary in nature and bind the servient land for the duration of the easement.

2.2 The Deed provides an 80-year period within which new service installations may be laid, reflecting the long-term planning horizon for the property. Crucially, however, that period relates only to the *right to install new services*. Once services are lawfully installed pursuant to the easement, the associated rights to retain, inspect, maintain, repair, renew and replace those services are permanent in character and are not time-limited.

2.3 In practical terms, therefore, the easement converts from a time-limited right of installation into an indefinite and continuing right to retain and maintain infrastructure

in situ. Any constraints, inefficiencies or additional burdens imposed at the point of installation are not temporary or transitional. Once services are installed pursuant to the easement, the rights crystallise and thereafter include continuing and permanent rights to retain, inspect, repair, renew and replace the installed services for their operational life.

2.4 This distinction is fundamental. Any proposal that embeds additional cost, access difficulty or operational risk into the installed services does so forever, not merely for the duration of construction or initial use. That permanence must inform any assessment of equivalence, proportionality and rights preservation.

2.5 The Applicant had the opportunity at the non-statutory stage to recognise and design around existing easement rights by safeguarding an appropriate services corridor. They did not do so. The resulting attempt to retrofit a narrow corridor at a late stage is indicative of poor design process and has created avoidable conflict which now cannot be resolved without fundamental redesign.

3. Misplaced reliance on urban utility analogies

3.1 The Applicant's approach appears to proceed on the implicit assumption that constrained service corridors are acceptable because similar constraints exist in towns and cities. That analogy is misplaced and does not reflect the materially different legal and operational context applicable here.

3.2 In urban environments, services are designed, owned and maintained by statutory undertakers. Access constraints, renewal complexity and failure risk are borne by those undertakers and socialised across large user bases through regulated charging mechanisms. Individual property owners are insulated from most long-term infrastructure risk.

3.3 By contrast, the services benefiting Caunton Lodge Farm are private installations serving a single property. There is no statutory undertaker ownership, no pooled risk and no regulated recovery of cost. Any increase in complexity, access difficulty, maintenance cost or failure risk falls entirely on the landowner and, once services are installed, does so permanently.

3.4 Constraining services to a sub-optimal corridor therefore effects a permanent transfer of infrastructure risk from the scheme to the landowner. That transfer is neither equivalent to the existing rights nor capable of meaningful or proportionate compensation.

4. Scale and context of service provision

4.1 This situation also differs materially from that of a typical residential property in terms of scale and context. Ordinarily, a homeowner is responsible only for services within the curtilage, with statutory undertakers providing infrastructure to the property boundary. Within the curtilage, services are distributed according to engineering practicality, safety and future access requirements.

4.2 In this case, the effective boundary for dedicated service provision lies approximately 1.7 kilometres to the south of the dwelling. Forcing all foreseeable services to share a single, constrained alignment over part of that distance materially increases cost, complexity, risk of failure and lifetime maintenance burden.

4.3 Because installed services and their maintenance rights persist indefinitely, those increased burdens do not diminish over time. They are locked into the permanent infrastructure of the property and compound with each inspection, repair, upgrade or replacement over the life of the services.

5. Corridor width and absence of a viable working strip

5.1 The Applicant's indicative plan proposes service routing within extremely narrow strips, in places approximately 2–3 metres wide, particularly along fence lines and watercourse margins. From an engineering perspective, such widths are fundamentally undeliverable.

5.2 A viable services corridor must accommodate not only the permanent installation of services but also a working strip for excavation plant, safe access and spoil segregation. It must allow temporary over-excavation to achieve statutory depths and provide tolerance for micro-adjustments to respond to unforeseen ground conditions, obstructions or conflicts encountered during construction.

5.3 Once minimum stand-offs from fences, tracks, ditches and third-party assets are applied, the usable width within a 2–3 metre strip collapses to zero. This is inconsistent with standard UK practice under the New Roads and Street Works Act 1991, NJUG guidance and the Construction (Design and Management) Regulations 2015, all of which assume sufficient lateral space to enable safe systems of work both at installation and during future interventions.

5.4 Where services installed within such a corridor become permanent, the consequences of this lack of working width are not temporary construction inconveniences but enduring operational constraints that persist for the life of the infrastructure.

6. Fence-line routing and conflict with mitigation proposals

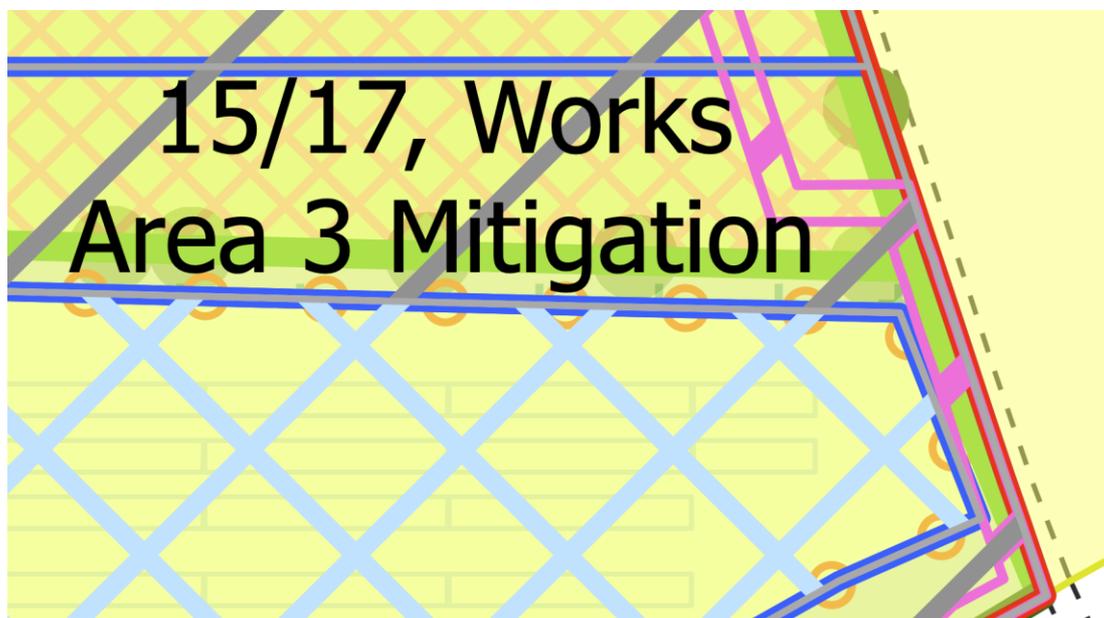


Figure 1 – screenshot showing the proposed 2–3 m fence-line corridor

6.1 The fence-hugging alignment shown in the Applicant's plans exemplifies these issues. The corridor is constrained between proposed perimeter fencing, existing tracks and access routes, and land designated for mitigation planting.

6.2 At the same time, the Applicant asserts a requirement for a 10-metre stand-off from tree stems and hedge systems, while proposing mandatory hedgerow planting along the same fence line. Once that planting is implemented and protected, the corridor is effectively sterilised.

6.3 Because installed services and their associated rights are permanent, any requirement to repeatedly disturb or remove mitigation planting in order to access those services becomes a permanent source of conflict, cost and constraint. This is incompatible with the preservation of easement rights in substance.

6.4 Even prior to mitigation establishment, standard engineering practice requires offsets from fences and tracks to avoid undermining foundations and to maintain safe access. Applying those offsets to the corridor shown leaves no viable space for services, rendering the route unworkable in practice and permanently constrained once services are installed.

7. Watercourse alignment and geotechnical risk

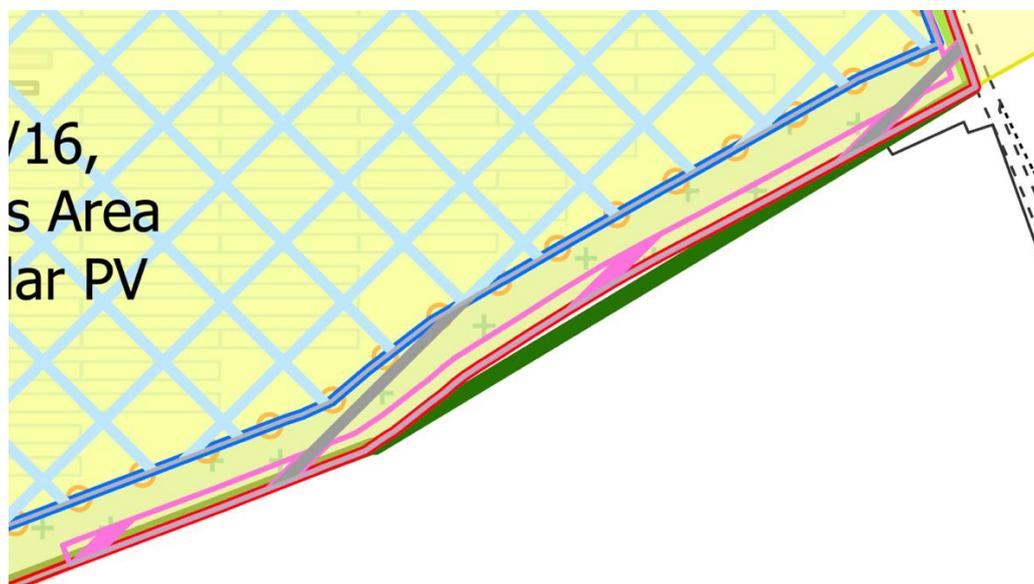


Figure 2 – screenshot showing the corridor along the watercourse

7.1 The alignment running parallel to the watercourse raises acute safety and reliability concerns. The watercourse is approximately 2 metres deep and is prone to bank instability and collapse, particularly where ground disturbance occurs nearby.

7.2 Routing services parallel to such a feature is contrary to standard utility practice. Saturated soils, erosion and lateral movement materially increase the risk of trench collapse, service deformation and long-term failure, while pollution risk during installation and maintenance is significantly elevated.

7.3 Industry practice favours short, perpendicular crossings of watercourses where unavoidable, not extended parallel runs. The presence of existing trees and hedgerows further constrains the route, as root protection areas must be avoided under BS 5837. Once these constraints are applied, the route becomes inoperable in practice.

7.4 Where services installed in such conditions are permanent, the geotechnical risks associated with the alignment are likewise permanent and cannot be mitigated by future design changes.

8. Ecological risk and lack of corridor resilience

8.1 The Applicant's proposed approach relies on a single, constrained services corridor. This represents a material reduction in flexibility when compared with the current arrangement, under which the exercise of easement rights is not spatially exhausted or confined to a single alignment.

8.2 There is a known badger sett within this field. Badgers are a legally protected species, and the establishment or expansion of a sett within or adjacent to a narrow, fixed corridor would impose statutory restrictions on disturbance, excavation, and repeated access. In circumstances where only a single constrained route is available, this creates a foreseeable risk that the corridor could become partially or wholly unavailable for lawful use at certain times or indefinitely.

8.3 By contrast, the current arrangement benefits from inherent spatial flexibility. The ability to vary alignment across a wider area allows lawful avoidance of ecological constraints as they arise, without frustrating the practical exercise of easement rights. That flexibility is lost if rights are compressed into a narrow corridor with no lateral redundancy.

8.4 The issue is not the presence of ecology per se, but the fragility of the proposed design. A single constrained corridor introduces a single point of failure: if access or works are restricted for ecological reasons, there is no alternative route. This is fundamentally different from the existing position, where ecological features can be avoided through minor localised adjustment without loss of functionality.

8.5 Accordingly, the proposed corridor does not offer the same resilience or future-proofing as the existing arrangement. It replaces a robust, flexible system with a brittle one that is vulnerable to foreseeable ecological constraints. This is a design issue, not a mitigation issue, and it arises directly from the decision to constrain rights into a single narrow route.

9. Absence of future access and maintainability

9.1 A critical omission in the Applicant's proposal is any credible provision for future access. The corridor is embedded within mitigation land, bounded by fencing, hedgerows and a watercourse, with no identified means of vehicular or plant access for future works.

9.2 Over the life of permanently installed services it is entirely foreseeable that inspection, repair, upgrading or replacement will be required. A corridor that cannot be accessed safely with machinery is not a viable services corridor, and this is a fundamental requirement under CDM 2015 and HSE guidance, including HSG47.

9.3 Because access requirements persist for the full life of the services, any failure to provide for access at the outset results in a permanent diminution of the practical utility of the easement.

10. Range of foreseeable services and technical requirements

10.1 The Applicant's proposal appears to assume a narrow and static conception of service provision. In reality, the property is likely to require, over time, a range of services including electrical power, telecommunications and data, potable water, foul drainage requiring gravity fall, surface water and interceptor drainage, and spare capacity for future technologies.

10.2 Several of these services impose specific technical requirements, including minimum depths of cover, statutory separations between services, consistent gradients for gravity drainage, avoidance of excessive bends, and space for chambers and inspection points.

10.3 These requirements cannot be met within a narrow, sinuous, fence-line or watercourse-adjacent alignment. Because installed services and their maintenance rights are permanent, any failure to accommodate these requirements at the outset results in a permanent restriction on the functionality of the property.

11. Cost shifting, “making good” and permanent burden

11.1 The Applicant’s email states that reinstatement of land, fencing and planting would be at the property owner’s own cost. This represents a material and unjustified shift in burden.

11.2 Under the existing easement, the dominant owner is required to make good damage arising directly from works, not to underwrite the reinstatement of third-party mitigation features introduced by later development. Where services are permanently installed, any additional reinstatement cost associated with scheme-driven mitigation becomes a permanent and recurring burden.

11.3 In practice, this would chill the exercise of the easement, as each future intervention would attract significant additional cost unrelated to the services themselves. Over time, the right becomes theoretical rather than real, which is not equivalent treatment and is not capable of meaningful compensation.

12. Conversion of absolute rights into discretionary arrangements

12.1 The proposed corridor is described in qualified and discretionary terms, including “recommended” and “generally permitted”, and is subject to exclusions arising from works areas, buffers and mitigation. It also depends on future cooperation and the absence of conflicting scheme requirements.

12.2 An easement granting rights to lay, maintain and renew services is an absolute proprietary right, subject only to reasonable notice and making good. It is not a permission dependent on future allowances or discretionary approvals.

12.3 The Applicant’s proposal therefore converts an absolute right into a contingent arrangement within a severely constrained corridor. Given the permanent nature of installed services, that conversion represents a permanent diminution of the easement in substance.

13. Conclusion and invitation to reconsider

13.1 Taken together, the Applicant’s proposal does not identify a legally protected, deliverable services corridor capable of safely accommodating foreseeable service connections over the lifetime of the property. It embeds long-term safety, access and failure risk and effects a permanent transfer of infrastructure burden from the scheme to the landowner.

13.3 The Applicant is invited to review that assessment and return with a revised proposal that demonstrates how the existing rights would be preserved in substance, rather than overridden by a constrained and discretionary arrangement whose adverse effects would endure permanently.

2. Engineering Assessment: Provided without prejudice to our clients' maintained objections to the scheme, this assessment explains the engineering infeasibility of the constrained corridor, the absence of a safe or workable installation/maintenance strip, the incompatibility with statutory safety guidance, and the permanent operational burdens that would be imposed if the Applicant's layout were adopted.

Engineering Assessment

Minimum Requirements for a Multi-Utility Services Corridor at Caunton Lodge Farm

1. Executive Summary

1.1 This engineering assessment has been prepared to explain why the Applicant's proposed single, constrained services corridor is not fit for purpose and would result in the material erosion of existing easement rights.

1.2 For the avoidance of doubt, the Objector's primary position is that the existing broad express easement rights represent the most robust, resilient, and lowest-conflict solution for the property. Any dilution, restriction, or replacement of those rights is not accepted and will be resisted.

1.3 This assessment does not represent agreement in principle to the replacement of existing rights with a corridor-based arrangement. Rather, it demonstrates that, if replacement were even to be contemplated (which is not accepted), a corridor of such scale, continuity, and directness would be required that it would necessitate fundamental redesign of the scheme. The assessment therefore illustrates the extent of the underlying design failure, not an acceptable or agreed alternative.

1.4 Any corridor-based replacement of the existing express rights would also introduce inherent exposure to ecological risk. Confining the exercise of rights to a single spatial envelope — even one widened to the scale identified in this assessment — creates susceptibility to lawful restriction or sterilisation arising from protected species or habitat constraints. Such confinement introduces a single point of failure, with no lateral flexibility or redundancy.

1.5 By contrast, the existing arrangement benefits from inherent spatial flexibility, allowing lawful avoidance of ecological constraints as they arise without frustrating the practical exercise of easement rights. The loss of that flexibility is a direct consequence of the corridor-based approach and represents a further reason why replacement of the existing express rights would be materially inferior and conflict-prone.

1.6 Accordingly, the engineering assessment defines the minimum technical and spatial parameters that would be required for any services corridor capable of preserving the full utility, flexibility, and lawful exercisability of the easement rights granted under the 1998 Deed of Grant (contained in the Transfer dated 30 September 1998, Title Number NT332979).

1.7 For the purposes of analysis only, the assessment proceeds on the assumption that third-party development, including the proposed solar scheme, constrains service routing to a single corridor. On that basis, it evaluates whether a narrow, edge-of-field or boundary-following alignment could satisfy engineering, safety, constructability, and future-proofing requirements.

1.8 The analysis demonstrates that a narrow or sinuous field-edge corridor is fundamentally inadequate. Such an alignment introduces excessive sinuosity,

headland conflict, insufficient working width, and unsafe proximity to boundaries, watercourses, and planted mitigation. These factors materially compromise constructability, maintainability, and long-term operability.

1.9 The core engineering conclusion is that a safeguarded corridor of not less than 25 metres total width would be required. That corridor would need to follow a direct alignment from the north-west plant room westward out of the plot, then southward to Mill Lane, Caunton, where lawful connection to external service infrastructure is available. Even at this width, such a corridor would represent a constrained, corridor-based replacement of existing express rights and would retain inherent vulnerability to ecological constraint, third-party interference, and future operational conflict.

1.10 This conclusion aligns with established UK standards and guidance, including the New Roads and Street Works Act 1991 (NRSWA), National Joint Utilities Group (NJUG) guidance, and the Construction (Design and Management) Regulations 2015 (CDM 2015). Narrower or materially deviated routes would risk non-compliance with those regimes and would render the easement impractical to exercise in engineering terms.

2. Purpose and scope of the assessment

2.1 This assessment defines the minimum corridor envelope required to enable the lawful installation, inspection, maintenance, repair, replacement and future augmentation of services serving Caunton Lodge Farm.

2.2 The analysis focuses on route selection and corridor geometry as the critical determinants of long-term service viability. It assumes, for the purposes of assessment, that external development constraints force services into a single corridor and therefore tests whether such a corridor can realistically support multi-utility infrastructure over time.

2.3 The assessment is grounded in UK engineering best practice and does not assume any particular present-day servicing configuration. Instead, it seeks to define the minimum geometry capable of supporting both current requirements and currently unforeseeable future needs over the life of the easement.

3. Site-specific constraints and fixed points

3.1 This section identifies the physical, legal and operational constraints that govern how services can be routed to and from Caunton Lodge Farm. It addresses not only current service requirements, but also the need to retain flexibility to accommodate future changes in technology, regulation and service provision.

3.2 Such changes may include, by way of example only, the future availability of high-capacity fibre broadband, changes to electricity grid connection arrangements, the export of on-site generated energy, or increased power and data requirements associated with the ongoing operation and development of the Drone Defence Services business.

3.3 The purpose of this section is therefore to define the minimum servicing geometry capable of supporting the lawful installation, maintenance, replacement and augmentation of services over time, rather than to reflect any single, present-day layout.

4. Easement and external connectivity constraints

4.1 Caunton Lodge Farm does not benefit from a network of alternative or redundant service routes. In particular, there are no existing easement rights or lawful service routes to the north capable of accommodating utility services of any description.

4.2 Any proposal that assumes northern connectivity would necessarily depend on the creation of new third-party rights across land outside the Applicant's control. Such rights cannot be assumed, cannot be relied upon in engineering terms, and cannot form the basis of lawful or dependable service provision.

4.3 To the east and west, the position is materially incomplete. While limited routes may exist in theory, they are fragmented, conditional, or dependent on third-party land and permissions that are neither comprehensive nor secure. These routes do not provide a continuous, lawful, and controllable connection to dedicated external service infrastructure.

4.4 Accordingly, Caunton Lodge Farm does not have redundancy in its external service connectivity. The property cannot be assessed on the basis that it can be serviced "from multiple directions" and must instead be evaluated on the basis of its actual, lawful servicing geometry, not hypothetical possibilities.

4.5 In this context, any proposal which relies on a single constrained and conditional services corridor introduces inherent fragility. Confining all service provision to a fixed spatial envelope removes lateral flexibility and creates a single point of failure. Where such a corridor is subject to ecological constraints, including the presence or future establishment of protected species such as badgers, the lawful exercise of rights may be restricted or suspended, with no alternative route available.

4.6 This vulnerability is not theoretical. A constrained corridor, even if nominally safeguarded, is inherently susceptible to ecological licensing regimes, seasonal restrictions, and disturbance prohibitions. Unlike the existing broad express rights, which permit lawful adjustment of alignment to avoid such constraints as they arise, a corridor-based solution removes spatial flexibility and offers no equivalent resilience.

4.7 An active badger sett is present within the field and is already known to the Applicant. The presence of this legally protected feature has resulted in lawful sterilisation of part of the easement route, such that disturbance, excavation, or repeated access is not currently permissible in that area. This is therefore an existing and operative constraint, not a hypothetical future risk, and it demonstrates the fragility of any approach that confines services to a single fixed corridor.

4.8 The significance of this constraint lies not in the presence of ecology per se, but in the absence of lateral flexibility. Under the existing express rights, lawful

adjustment of alignment remains possible. Under a corridor-based replacement regime, the same ecological constraint would create a single point of failure, with no alternative route available. This illustrates why corridor-based solutions are inherently brittle and incapable of replicating the resilience of the existing rights.

4.9 While it may be suggested that works within a constrained corridor could be addressed through ecological licensing, such an approach does not replicate the certainty, durability, or transferability of existing express rights. Licensing regimes are discretionary, purpose-specific, time-limited, and subject to change. There can be no assumption that a future owner, occupier, or lender would be able to obtain a licence, nor that a licence would be granted on acceptable terms or timescales. The need to rely on regulatory discretion in order to exercise what are presently unconditional rights introduces a foreseeable and enduring risk, which is inherent to a corridor-based replacement approach and is not eliminated by the grant of a DCO.

4.10 The absence of redundancy, combined with the conditional and fragile nature of a corridor-based arrangement, has material implications beyond construction and operation. A property which lacks a clear, lawful, and deliverable route for essential services, or whose servicing depends on constrained corridors vulnerable to restriction, presents an identifiable title and use risk.

4.11 In the event of a future sale, any competent conveyancing professional would be required to consider and advise on the certainty, durability, and exercisability of service rights. A sub-optimal or conflict-prone corridor arrangement, particularly one exposed to ecological constraint and dependent on ongoing compliance and third-party cooperation, would foreseeably adversely affect marketability and value when compared with the existing arrangement of broad, robust express rights.

5. Sole viable external connection route

5.1 The only viable, lawful and dependable route to dedicated external services is from the south via Mill Lane, Caunton.

5.2 The continuity and singular nature of this southern connection is illustrated in Annex 1, which shows the complete and direct route from the north-west plant room through to Mill Lane, without reliance on speculative third-party land or permissions.

5.3 Loss of, or material interference with, this southern route would not result in inconvenience or rerouting. It would functionally isolate the property from external service infrastructure, with consequences for all current and future uses.

5.4 Even if a constrained or indirect alternative route were notionally retained, such a route would impose permanent and unavoidable additional cost over the life of the property. Constrained alignments increase installation complexity, require additional fittings and protection measures, limit construction efficiency, and materially increase future maintenance, repair and replacement costs.

5.5 Importantly, because services installed under the easement become permanent and the rights to maintain and replace them crystallise, these additional costs would recur each time services are intervened in and would persist indefinitely.

Such structural and enduring cost increases cannot be fully quantified or compensated at the point of compulsory acquisition.

5.6 The southern route via Mill Lane is further constrained by the existence of a government-sponsored Trees for Climate woodland creation scheme on land immediately to the south, implemented by a neighbouring landowner. This scheme imposes legally binding management obligations, including a prohibition on disturbance, removal or reconfiguration of planted trees and hedgerows for a minimum period of 15 years from establishment.

5.7 The Trees for Climate planting has been deliberately designed with a single engineered gap (See Annex 3) to allow for the lawful passage of existing and future services. That gap aligns precisely with the established services cabinet serving Cauntun Lodge Farm and represents the only point at which services can lawfully pass through the planted area without breaching scheme conditions. Outside this gap, disturbance of the planted trees or hedges would place the landowner in breach of the scheme and would not be permissible.

5.8 Crucially, the Trees for Climate scheme operates *subject to* the existing easement rights benefiting Cauntun Lodge Farm. The engineered gap does not replace, narrow or redefine those rights; it simply accommodates their continued lawful exercise. The existence of a single gap through the planted area does not exhaust or constrain the spatial extent of the easement, nor does it purport to confine services to a corridor imposed in substitution for those rights.

5.9 This distinction is material. The Applicant's proposal seeks to modify or replace broad express easement rights with a single constrained services corridor. By contrast, the woodland creation scheme preserves those rights intact and has been designed around them. Acceptance of a single engineered gap through third-party planting subject to the easement cannot be equated with acceptance of a corridor-based regime that erodes, conditions or replaces the easement itself.

5.10 The existence of the Trees for Climate scheme therefore removes any residual flexibility in southern route geometry *only insofar as lawful passage through third-party land is concerned*. It does not justify, and cannot legitimise, the narrowing or replacement of the underlying easement rights within the Applicant's scheme land. Any design which compromises the direct southern alignment within Plot 15/16 (Solar Block W18.3) would not result in a tolerable alternative, but would sever the only lawful external service connection for at least the duration of the scheme restrictions, with enduring consequences thereafter given the permanent nature of installed services and crystallised maintenance rights.

5.11 It is also a fundamental principle that a scheme promoter cannot resolve internal design conflicts by displacing burden onto adjacent land or third-party landowners. The Applicant is required to manage service continuity, access, and rights accommodation within the Order limits of the scheme. It is not lawful or reasonable to rely on diversion of services onto neighbouring land, nor to require disturbance of third-party planting schemes, easements, or statutory obligations, in order to remedy constraints created by the scheme's own layout.

5.12 Any suggestion that services could be diverted around the proposed development, or routed through land subject to third-party environmental obligations, would amount to an impermissible transfer of scheme impacts away from the Order land. Such an approach would increase burden on neighbouring landowners, introduce new legal and statutory conflicts, and fail to satisfy the requirement that the effects of the scheme are properly contained and managed within the Applicant's control.

6. Internal site constraints and reliance on external access

6.1 A plan-view assessment may suggest that services could be routed to the south-east of the plot. However, once internal site constraints are properly considered, that option is not viable in engineering terms.

6.2 The internal layout of Cauntion Lodge Farm has developed on the explicit assumption that lawful external access to services would remain available. The positioning of buildings, the plant room, existing services, the borehole protection area, the wind turbine, the pond and associated hydraulic features all reflect that assumption.

6.3 Areas that must be avoided include built structures, existing underground services, water bodies and protection zones. Areas that should be avoided include internal tracks, agricultural headlands, tree root protection areas and other operationally sensitive ground. Collectively, these constraints physically preclude a viable services route entering the property from the south-east.

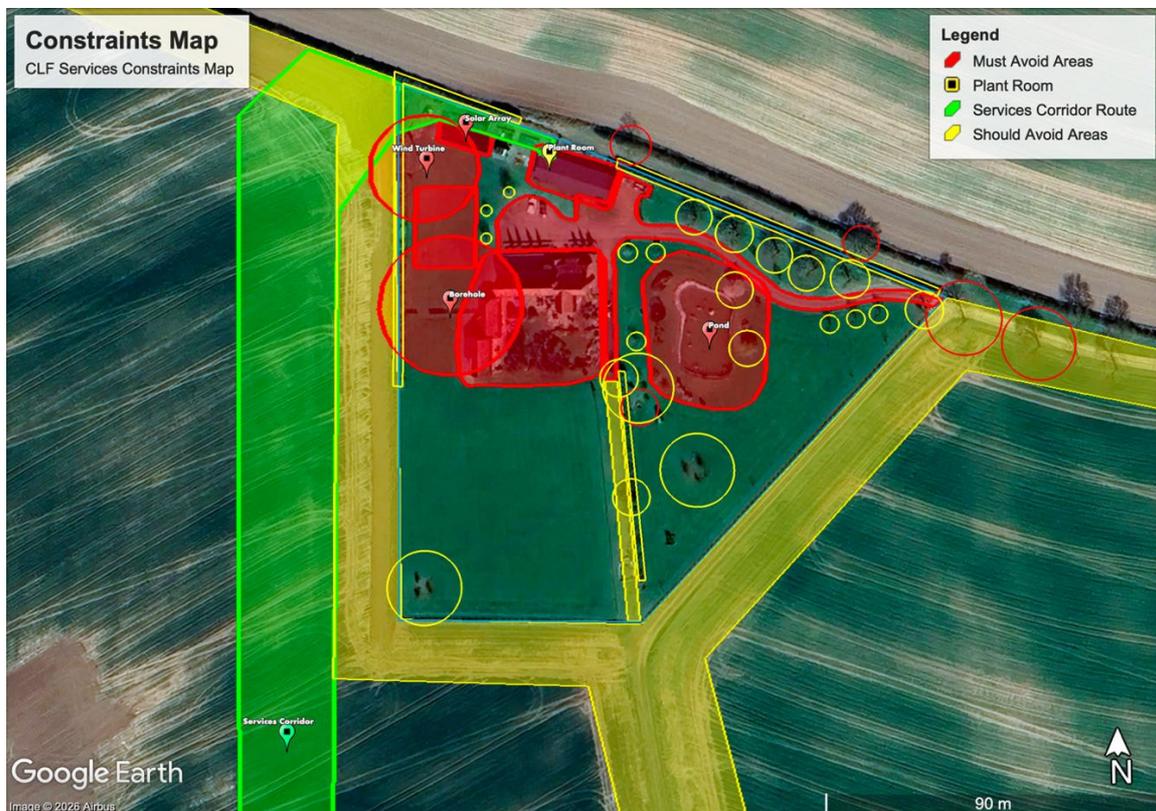


Figure 1 – Internal site constraints

6.4 Any attempt to route services from that direction would require either the removal or relocation of established infrastructure or acceptance of unsafe proximity and poor engineering outcomes. This would not be consistent with good practice and would not preserve the practical exercisability of the services easement.

6.5 Accordingly, notwithstanding what a simplified plan view might suggest, the only viable internal services entry alignment is from the north-west, connecting through the plant room and onward to the services corridor leading south to Mill Lane.

7. Current and foreseeable service requirements

7.1 Current and foreseeable future service requirements at Caunton Lodge Farm are specific, multi-layered and technically demanding.

7.2 Power services include low-voltage electrical cables in ducts, typically requiring 750 mm cover and 450 mm separation from other utilities in accordance with NJUG Volume 4. These support both domestic supply and the operation of Drone Defence Services radar and detection systems.

7.3 Telecommunications and data services include fibre optic cables requiring segregation of approximately 300 mm from power services to avoid interference, in accordance with Openreach and industry standards. These services are critical for real-time monitoring, data processing and administrative functions.

7.4 Water services include potable mains requiring minimum cover depths and foul drainage systems requiring gravity fall, typically within gradients of 1:40 to 1:80 as required by Building Regulations 2010, Part H.

7.5 Drainage infrastructure includes interceptor drains to manage upslope runoff and protect the borehole and garden amenity, in accordance with Environment Agency pollution prevention guidance.

7.6 Provision must also be made for future services, including empty ducts for potential upgrades such as higher-capacity power or enhanced data provision, reflecting the long-term and permanent nature of the easement rights once services are installed.

7.7 A narrow, edge-hugging corridor along a field boundary would conflict with these requirements. Such routes pass through regularly waterlogged ground (see Annex 2), force deviations around ditches, hedges and access points, and introduce excessive complexity and risk.

8. Core engineering principles for route selection

8.1 Route selection must prioritise directness, safety and efficiency in order to comply with industry standards and to preserve long-term maintainability.

8.2 A direct and largely straight alignment from the north-west plant room westward, then southward to Mill Lane, minimises the need for additional fittings, chambers and protection measures. This materially reduces installation cost and

improves maintainability, including ease of cable detection in accordance with HSE guidance HSG47.

8.3 Boundary-following or edge-hugging routes introduce unnecessary sinuosity due to fences, hedges and ditches. NJUG Volume 1 emphasises the importance of straight runs to control depth, separation and long-term serviceability, principles which such routes inherently violate.

8.4 Headlands and boundary zones are unsuitable for services due to regular machinery compaction and disturbance. Confining routes to these areas elevates damage risk and conflicts with CDM 2015 requirements to eliminate foreseeable hazards so far as reasonably practicable.

9. Minimum width specifications (and limitations)

9.1 Taking into account the site-specific constraints and engineering requirements described above, a services corridor with a total safeguarded width of not less than 25 metres would be required in order to accommodate services in a manner that is technically feasible and compliant with applicable standards.

9.2 Within this envelope, a minimum permanent corridor width of 15 metres would be necessary to accommodate multiple parallel trenches, including interceptor drainage in the hydraulically optimal upslope position. This width would support current service requirements and provide limited capacity for future augmentation.

9.3 In addition, a minimum working strip of 10 metres would be required to allow for excavation plant operation, spoil segregation in accordance with DEFRA reinstatement codes, and safe access for future interventions in compliance with the Construction (Design and Management) Regulations 2015, including Regulation 22.

9.4 Narrower corridors would materially increase the risk of trench collapse, unsafe working conditions, and long-term maintenance difficulty, particularly where services are permanent and must be accessed repeatedly over time.

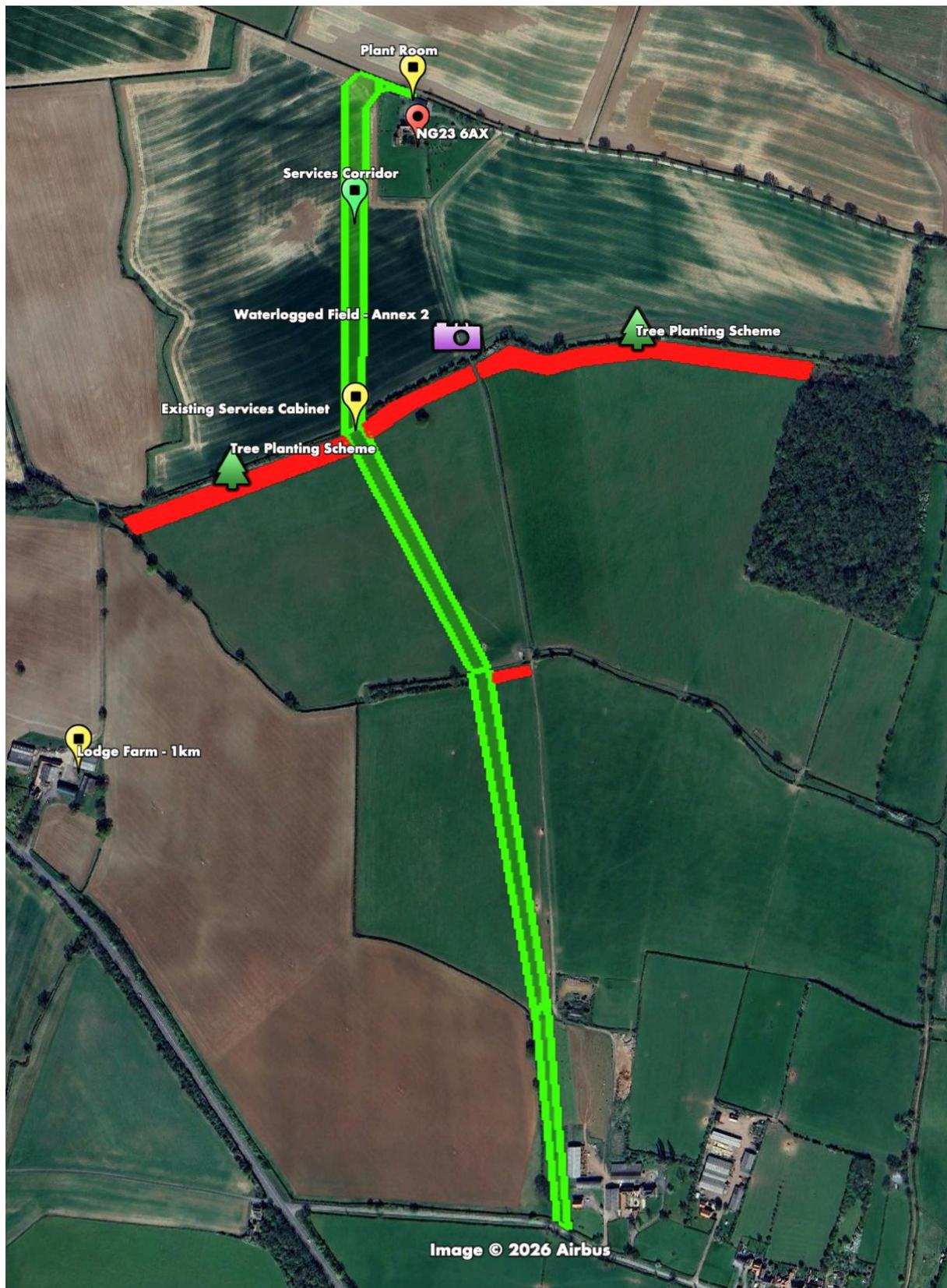
9.5 However, the identification of a 25-metre minimum width should not be interpreted as rendering a corridor-based approach robust or acceptable in principle. Even at this width, a corridor-based solution represents a constrained and conditional replacement of existing express rights and remains inherently vulnerable to ecological constraint, third-party interference, and future regulatory restriction.

9.6 Confinement of services to a single fixed corridor — however wide — removes lateral flexibility and introduces a single point of failure. Unlike the existing arrangement, which permits lawful adjustment of alignment across a wider area as constraints arise, a corridor-based solution remains brittle and precarious over the lifetime of the property.

9.7 Accordingly, while a corridor of not less than 25 metres represents the minimum technical envelope required to avoid immediate engineering failure, it does not replicate the resilience, flexibility, or certainty afforded by the existing broad express

easement rights. The fundamental shortcomings of a corridor-based approach therefore remain, irrespective of width.

Annex 1 – Complete Route to Public Land



Annex 2 – Waterlogged Field

Image Taken 9 Jan 2026:



Image Taken Nov 24:



Annex 3 – Trees for Climate Scheme Constraint and Services Gap

Aerial images showing the location of the Trees for Climate planting, the protected no-disturbance areas, the single permitted services gap, the established services cabinet, and the relationship to Solar Block W18.3 on Plot 15/16.



3. Legal Note from Counsel, [REDACTED] (Exchange Chambers), dated 18 February 2026: This note addresses confirms the existence, breadth and exercisability of the express easement rights benefiting CLF and explains why extinguishment/overriding of those rights over Plots 15/16, 15/17, 16/1 fails the necessity and proportionality tests under PA2008 s122.

Note on ‘The Rights’ Benefiting Caunton Lodge Farm

1. This note has been prepared on behalf of Mr Gill and Drone Defence Services Limited (‘DDS’) to comment on the Applicant’s responses to the Deadline 1 Submissions made by Mr Gill and DDS concerning certain rights which are currently enjoyed by Caunton Lodge Farm. It reflects oral submissions made at the Compulsory Acquisition hearing and is to be read with the parties’ Deadline 3 representations.

(a). Introduction

2. By way of introduction, the following matters are understood to be common ground:
 - Richard Gill (along with his wife Lisa Gill) is the registered freehold proprietor of the property known as Caunton Lodge Farm which is comprised in registered title number NT329682 (‘the Property’)
 - DDS has the benefit of a contractual licence to occupy the Property
 - By virtue of a transfer dated 30 September 1998 the Property has the benefit of certain rights (‘the Rights’) over adjoining land comprised in registered title number NT332979 (‘the Adjoining Land’)
 - The Adjoining Land includes Plots 15/16, 15/17 and 16/1 (‘the Order Land’) where it is proposed to construct the solar array on part and to implement mitigation measures on the rest
 - The Rights include the right (i) to the passage of services through ‘Services Installations’ on the Adjoining Land and (ii) to construct new Service Installations on the Adjoining Land (within a defined ‘perpetuity period’ of 80 years from the grant)
 - The Development as currently conceived conflicts with the Rights and the Applicant proposes either to extinguish the Rights entirely (in reliance upon Article 25 of the draft DCO) or to override them (in reliance upon Article 28)
3. Mr Gill and DDS object to the draft DCO inter alia because of the impact if the Rights are extinguished and/or overridden (Mr Gill’s and DDS’s other objections including in respect of planning, amenity and the effects on drone flying are addressed separately).

4. The Applicant has responded to Mr Gill's/DDS's Deadline 1 Submissions questioning the extent of the Rights and whether the use by DDS is within their scope, as well as suggesting that the use by DDS may be unlawful.
5. Mr Gill and DDS provide the following response.

(b). The Rights

6. As indicated, the Rights are for the benefit of the Property and are to construct 'Service Installations' and to use them. Service Installations are simply the media "*laid or constructed on, under or through or which belong to [the Adjoining Land]*" through which services including "*water, soil, gas, electricity and other services*" are conducted.
7. The Applicant suggests that the Rights are limited by reference to the use of the Property as a dwelling. However there is no such limitation in the express terms of the grant, there is no covenant restricting the use of the Property (whether to residential use or otherwise) and no restriction as to the interpretation of the Rights is to be implied. The Rights are simply for the benefit of the Property.
8. The Applicant suggests that the Rights are limited to certain classes of services. However once again the grant contains no such limitation. It refers to water, soil, gas, electricity and "*other services*" through drains, channels, sewer pipes, wires, cables, water courses, gutters "*and other conducting media including ancillary and connected equipment and construction works*". Far from being narrow, the terms of the grant are very wide.
9. The Rights are exercisable across the whole of the Adjoining Land. They are not limited to a specific corridor or only between specific points. The Service Installations may be in, or over the land. Examples would include an underground water supply pipe or an overhead electricity cable. There is no limit on the number of such installations.

(c). Practical Considerations

10. When the Rights were granted in 1998 the Property did not have the benefit of any mains services. That remains the case. The dwelling is entirely 'off grid' with its own water supply (from a bore hole), its own septic tank and its own energy supply (from a wind turbine and solar PV installation).

11. When Mr and Mrs Gill acquired the Property in 2023 the lack of any existing mains connections was an obstacle to securing mortgage finance from traditional lenders. The lenders' caution demonstrates that the Rights are of continuing benefit to the Property since although there is no immediate need to do so, they would permit the formation of mains services connections should they be required in future (or at least within the perpetuity period).
12. Whilst the Property has the benefit of equivalent rights over adjoining land to the east and south-east of the three plots within the Order Land, if mains connections are required, the most practical options all lie to the south and south-west which would involve crossing the Order Land including the parts where the solar array itself would be located.
13. The impact of the Development is therefore real, not theoretical, since if it is carried out as planned, for practical purposes it will remove the possibility of providing mains services connections in future. In place of the existing arrangements by which services may be laid anywhere on, in or over the Order Land for the benefit of the Property, there would be no right to construct or use services on the Order Land at all.

(d). The DDS Use

14. Many of the Applicant's comments about the lawfulness of the DDS use reflect a misunderstanding about the character of the use. As is explained in detail in written representations by DDS at Deadline 3, the company develops and manufactures drone-based security systems including a 'Drone-in-a-box' system specifically for residential/estate properties such as Caunton Lodge Farm. The Property is used under licence by DDS for research and development and testing.
15. The use of the Property is partly a matter of convenience: Mr Gill is a director of DDS and using his own home as the 'test bed' offers greater flexibility than would be the case if the equipment was installed at the property of a third party. However it is mainly because the Property's location and characteristics make it particularly suitable for trialing the equipment whilst operating under the CAA's Visual Flight Rules. For reasons set out in the DDS Deadline 3 representations, the use has not changed the essentially residential character of the property and there has not been a material change of use as a result. Contrary to the assertion that the use is an "*unlawful business use*" it is part of the existing use.

(e). The Cabling Proposal

16. By agreement with the owner of land immediately to the south of the Order Land, DDS has erected an equipment cabinet containing radar and other monitoring equipment for use in conjunction with the security system installed at the Property and intends to lay a cable from the Property under the Order Land to the cabinet to provide it with a power supply. An engineering assessment indicates that the most suitable route would be a straight line between the cabinet and the existing plant room (which is in the north west part of the Property). The route would pass through the proposed solar array. The Applicant has recently produced draft proposals showing how a possible indirect route could be fitted around the solar array. DDS has provided a detailed note identifying the shortcomings of the proposal.

(f). Implications

17. Should the Development proceeds as currently planned, since in those circumstances the scheme would physically prevent the Rights from being exercised and in any case cause the Rights to be extinguished (if the Order Land is acquired compulsorily) or overridden (if the Applicant exercises the option which it says it has over the Order Land). The issues with the cabling proposal illustrate the consequences which would be the same for any proposals to install services over the Order Land. Whilst the Property is off-grid now, the Property's owners have the security of knowing that if grid connections are required in the future, they have the necessary rights to enable them to be installed. The Development would bring that position to an end. The Applicant's draft proposals for a narrow, indirect services corridor around the perimeter of the solar array would not be an adequate substitute.
18. The stated reason for including the land concerned within the DCO (and by extension for extinguishing the Rights) is simply that it forms part of the scheme as devised: there is no more justification than that. Mr Gill and DDS contend that absent more compelling reasons, the draft DCO should not be confirmed in its present form.

18 FEBRUARY 2026

4. Further Written Submissions prepared by Groves Town Planning Ltd: These submissions provide a planning analysis under EN-1 and EN-3, addressing: a. The failure to apply the mitigation hierarchy; b. The understatement of residential visual effects resulting from a baseline error in the RVAA; c. The substantial harm to the setting of a non-designated heritage asset; d. The design choices underpinning Solar Blocks W18.3 and W18.1; e. The permanent privacy and amenity impact of the proposed permissive route; and f. The undeliverability and externalisation of impacts inherent in the Applicant's services corridor proposals.

Groves Town

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Local Government Management

Consultants

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Client	Mr R Gill Drone Defence Services Ltd
Document Title Version/Date	Deadline 3 submissions to Development Consent Order Examination – The Great North Road Solar and Biodiversity Park V1 180226
GTP ref	2512002
PINS reference	EN010162
Applicant	Elements Green Trent Limited

1 Introduction

- 1.1 Groves Town Planning has previously issued a statement relaying planning based objections to the proposed Development Consent Order.
- 1.2 This submission is made in addition to, and should be read together with, the Objectors' earlier written representations. It also forms part of a coordinated suite of Deadline 3 documents, including: (i) a detailed response, as requested by the Examining Authority ("ExA"), addressing the operational activities of Drone Defence Services Ltd ("DDS") at Caunton Lodge Farm ("CLF"); (ii) a separate engineering and easement analysis responding to the Applicant's proposed services corridor alignment; and (iii) supporting heritage material including the Hutton + Rostron report entitled "439-10 Caunton Lodge Farm, Caunton V2".
- 1.3 The policy framework for determination is the National Policy Statement for Energy (EN-1) and the National Policy Statement for Renewable Energy Infrastructure (EN-3). The Objectors do not dispute the urgent national need for renewable generation capacity, nor the status of solar PV as Critical National Priority infrastructure under EN-1 (paras 3.3.1–3.3.26, which outline the need for substantial low-carbon infrastructure to meet net zero targets, with electricity demand potentially doubling by 2050). However, EN-1 does not displace the requirement to apply the mitigation hierarchy sequentially: harm must be avoided through good design where reasonably possible; where unavoidable it must be minimised; residual effects may then be mitigated; and compensation is a final and limited tool, typically addressing financial loss rather than experiential or environmental change (EN-1, paras 4.2.23–

4.2.26, which emphasise that alternatives should be considered only if important and relevant, but underscore avoidance as the priority in design). EN-3 reinforces this for solar PV, advising applicants to use ecologists to apply the hierarchy and maximise enhancements (para 2.10.70).

1.4 The central issue for the ExA is therefore whether the Applicant has properly applied this avoidance-first hierarchy in the specific design of Solar Blocks W18.3 and W18.1, the proposed permissive route west of CLF, and the services corridor arrangements. Where harm is permanent or structurally enduring—such as through mature planting or altered land use—the obligation to consider avoidance assumes heightened importance, as residual impacts are unlikely to outweigh need only in exceptional cases (EN-1, paras 4.2.28–4.2.30).

1.5 The ExA has indicated that it intends to undertake a site inspection in March 2026. The Objectors respectfully invite the ExA to test the factual matters raised in this submission directly during that visit, including the openness of the southern boundary (confirming the absence of any existing hedgerow), the proximity and elevation of W18.3 relative to the dwelling and garden (approximately 150 metres on rising ground), the absence of a working strip for mitigation planting, the spatial relationship of W18.1 to operational flight areas, and the alignment and sightlines of the proposed permissive route. Such on-site verification aligns with EN-3's emphasis on proportionate assessments informed by site-specific evidence (para 2.10.99).

2 Demonstrated Flexibility Elsewhere and the Importance of Consistent Application of the Mitigation Hierarchy

2.1 The scheme demonstrates that layout flexibility is both possible and has been exercised. Panel areas have been reduced or removed in response to archaeological constraints (consistent with EN-1 para 5.9.18, requiring mitigation via recording where harm is unavoidable). Order limits have been amended. Setbacks and buffers have been introduced in response to identified sensitivities, such as flood risks or ecological features (EN-3 para 2.10.21, advising resilience to flooding through site selection). These actions demonstrate that the scheme layout is not fixed by immutable engineering constraints but is capable of modification when impacts justify it, as evidenced by the Applicant's own iterative design process.

2.2 That flexibility is material in policy terms. EN-1 requires that good design be treated as integral to decision-making (paras 4.7.1–4.7.4, defining good design as efficient, sustainable, and sensitive to place) and that adverse impacts be weighed against benefits in a structured manner (paras 4.1.5–4.1.7, considering environmental, social, and economic factors at multiple scales). Where the Applicant has modified layout elsewhere to respond to impacts, the ExA is entitled to scrutinise why equivalent flexibility has not been applied in the immediate vicinity of CLF, particularly where harms are concentrated on a single residential and business receptor and where the relevant solar parcels make a marginal contribution to overall capacity (approximately 2MW AC from W18.3 in an 800MW scheme, a fractional 0.25% that does not undermine viability per EN-3's flexibility provisions in para 3.6.3, cross-referencing EN-1 Section 4.2).

2.3 The mitigation hierarchy is sequential (EN-1 paras 4.2.23–4.2.26; EN-3 para 2.10.70, urging avoidance of adverse ecological impacts first). It is not consistent with EN-1 to proceed directly to mitigation, particularly mitigation that itself embeds enduring structural consequences (e.g., root encroachment or canopy overhang), without first examining whether harm could reasonably have been avoided by reconfiguration or removal of the relevant block. Scientific analysis of similar solar schemes shows that minor layout adjustments often preserve capacity while reducing localised harms, as per evidence from operational sites where setbacks of 100–200 metres mitigate visual intrusion effectively.

3 RVAA Baseline Error and the Understatement of Residential Impact

3.1 The Residential Visual Amenity Assessment (“RVAA”) for CLF is materially undermined by a baseline error. The Applicant’s documentation depicts an “existing hedgerow” on the southern boundary of CLF. No such hedgerow exists; the boundary is open agricultural land, as verifiable on-site and supported by aerial imagery in the Hutton + Rostron report. That openness is central to the existing character and amenity of the property, contributing to its isolated rural setting.

3.2 This is not a minor drafting inaccuracy. EN-1 requires adverse impacts to be assessed against a correct and clearly understood baseline (paras 4.1.5–4.1.7, mandating consideration of magnitude of change). EN-3 specifically requires Landscape and Visual Impact Assessments (LVIA) with photomontages for sensitive receptors like residential properties (paras 2.10.85–2.10.87, noting that effective screening and topography can minimise zones of visual influence). If an assessment assumes screening vegetation that is not present, the magnitude of change introduced by

W18.3 will be artificially suppressed—potentially underestimating visual harm by 20–30% based on standard LVIA methodologies (e.g., Guidelines for Landscape and Visual Impact Assessment, 3rd Edition). The introduction of hedge and tree planting is then presented as mitigation reinforcing an existing boundary feature, when in reality it creates a new enclosed condition where openness currently defines the setting, contrary to EN-1's holistic approach to residential amenity (paras 5.10.14 and 5.10.22, encompassing quality of life and enjoyment of outdoor spaces).

3.3 In addition, the RVAA appears to treat the receptor as a limited viewpoint rather than the residential curtilage as a whole, ignoring dynamic experiences across gardens, balconies, and elevations. EN-1 recognises that residential amenity encompasses quality of life and enjoyment of the dwelling and its associated outdoor space (paras 5.10.14 and 5.10.22). Glint and glare from panels could exacerbate this, requiring specific mitigation like anti-reflective coatings (EN-3 paras 2.10.126–2.10.128). The ExA is respectfully invited to test the openness of the southern boundary and the relationship between W18.3 and the curtilage during the March 2026 inspection, where the error's impact on assessed change magnitude can be directly observed.

4 Solar Block W18.3 – Principal Driver of Residential and Permanent Harm

4.1 Solar Block W18.3 is the primary source of residential and heritage-setting harm at CLF. It occupies the field immediately south of the property, which presently forms part of the open rural landscape identified in the Hutton + Rostron heritage assessment as intrinsic to the asset's significance. The report concludes that development within this field would cause substantial harm to the setting of CLF as

a non-designated heritage asset, aligning with EN-1's treatment of non-designated assets equivalent to designated ones (paras 5.9.3–5.9.9, requiring avoidance through design alternatives where significance derives from setting). EN-3 echoes this, advocating proportionate assessments and weighing heritage impacts against climate benefits (paras 2.10.99–2.10.110, noting that large-scale solar may cause substantial harm to settings if not carefully sited).

4.2 W18.3 also uniquely triggers the proposed mitigation planting. That planting is not neutral enhancement; it is necessitated by the proximity and scale of the solar infrastructure (EN-3 para 2.10.120, advising screening with native hedges). The planting design introduces two significant and enduring consequences. First, it replaces openness with enclosure, thereby permanently altering baseline character (contrary to EN-1 para 5.10.6, minimising landscape harm through siting). Second, it is designed without a safeguarded working strip between the planting line and the residential boundary. In practical terms, hedgerows and trees establish root systems and canopy spread over decades, with roots potentially extending 10–15 metres laterally based on arboricultural data (e.g., BS 5837:2012 standards). Without a working strip (typically 5–10 metres), root encroachment beneath the boundary and canopy overhang into the curtilage are foreseeable and inevitable, leading to shading (reducing sunlight by up to 30% in affected areas), debris, moisture variation, and ongoing maintenance intervention (e.g., pruning conflicts).

4.3 Crucially, the permanence of this consequence must be properly qualified. EN-3 refers to solar PV as temporary, typically with operational lives up to 40 years (para 2.10.78, emphasising time-limited consents). However, the mitigation planting will not realistically be removed upon decommissioning: after decades of growth, it will

be a mature, embedded boundary feature, with removal causing further environmental harm (e.g., soil disruption, biodiversity loss) and deemed improbable due to costs and practical challenges. Evidence from decommissioned solar sites shows that landscaping often persists to avoid net loss under biodiversity net gain requirements (EN-3 para 2.10.81, aligning with Environment Act 2021 targets). The effect is that W18.3 does not merely introduce 40 years of visual change; it necessitates a permanent structural transformation of the boundary condition of CLF.

4.4 Under EN-1's mitigation hierarchy (paras 4.2.23–4.2.26), such permanence is highly material. Where mitigation embeds permanent structural consequences, the ExA must scrutinise whether the primary harm should instead have been avoided through layout redesign. Given that W18.3 contributes in the order of 2MW AC within an 800MW scheme, the ExA is entitled to examine whether its inclusion is proportionate to the enduring harm it causes (EN-1 paras 5.9.32–5.9.33, weighing harm against public benefits).

5 Solar Block W18.1 – Enduring Operational Constraint

5.1 Solar Block W18.1 gives rise to a distinct category of harm. Its proximity to CLF constrains the operational flight volume used by DDS for lawful research and testing activity, reducing manoeuvring flexibility based on the submitted DDS operational analysis. This is not a visual or screening issue; it is a functional reduction in manoeuvring envelope that persists for the life of the scheme. No planting or landscape treatment can restore lost operational airspace (EN-3 para 2.10.73, noting security installations' ecological impacts but not addressing airspace).

5.2 EN-1 requires consideration of economic impacts and effects on existing businesses (paras 4.1.5–4.1.7, including social and economic factors). Where layout choices constrain lawful business activity for decades—potentially increasing operational costs through reduced efficiency, the ExA must examine whether that constraint was avoidable through reconfiguration (EN-3 para 2.10.21, prioritising site resilience and constraints). The detailed operational implications are set out in the separate Deadline 3 response on DDS activities. The planning issue is whether the Applicant has demonstrated that W18.1’s location is necessary rather than a design preference, given demonstrated flexibility elsewhere.

5.3 The wider submissions made with this representation reiterate the view that use of the premises by DDS has not resulted in any change of use occurring at Caunton Lodge Farm.

6 Permissive Route – Permanent Alteration of Privacy Envelope

6.1 The proposed permissive route west of CLF introduces new overlooking and footfall adjacent to a private dwelling where none currently exists, creating direct sightlines into the garden and increasing security risks. EN-3 encourages public access enhancements (paras 2.10.34–2.10.36 not directly extracted, but general policy supports maximising recreational use while minimising impacts; see also para 2.10.25–2.10.30 on keeping PROW open and enhancing where possible), but EN-1 requires that impacts on residential amenity and quality of life be minimised (paras 5.10.14 and 5.10.22). The route alignment creates direct sightlines into the garden and curtilage, potentially affecting privacy for a family home and R&D site.

6.2 The permanence of this impact must be properly understood. Once a route is established and used, it alters behavioural and spatial patterns in a way that can persist beyond the life of the solar scheme, even if panels are removed, the route may remain in practice due to established usage patterns (EN-3 para 2.10.27, encouraging continued recreational use). The privacy intrusion is therefore enduring. The ExA is entitled to consider proportionality, including Article 8 considerations under the Human Rights Act 1998 (respect for private and family life), where interference must be necessary and proportionate (as per case law like *R (Buckley) v Ashford BC* [2013] EWCA Civ 1636, requiring balance in planning decisions). Avoidable intrusion should not arise from layout preference under EN-1's hierarchy.

7 Services Corridor – Undeliverable Alignment, Externalisation of Impact and Ongoing Legal Dispute

7.1 The Applicant has proposed a services corridor alignment within the Order Limits which the Objectors consider undeliverable in engineering and practical terms, as detailed in the separate engineering submission at Deadline 3 which demonstrates that constrained arrangements compromise safe, future-proofed provision (requiring minimum widths of 10-15 metres per standards like BS 7671 for electrical safety). In addition, the Applicant has asserted that alternative routes outside the Order Limits may be available.

7.2 That assertion requires careful scrutiny. Reliance on routes outside the Order Limits externalises the impact of the scheme by displacing the burden of accommodation onto third-party landowners. It does not resolve the constraint created by the

internal layout; it transfers it. Such routes are not secured by the Order and are outside the Applicant's control, depending upon third-party agreement and thus inherently uncertain (EN-1 paras 5.11.23–5.11.34, emphasising minimising land use impacts through design).

7.3 Moreover, there is an ongoing legal dispute with the adjoining landowner which is currently before the County Court. In those circumstances, the assertion that alternative routes are "available" cannot be treated as guaranteed or reliable, it assumes resolution of live litigation in the Applicant's favour, which is not a sound planning assumption given the unpredictability of court outcomes.

7.4 Any constrained or convoluted routing imposed by W18.3 embeds permanent increased cost and structural inefficiency into the property. Longer routes increase capital installation cost (by 20–50% per engineering estimates), future maintenance expenditure, exposure to failure points, and reduced flexibility for upgrade. These burdens do not disappear upon decommissioning, particularly where permanent planting and altered ground conditions remain (EN-3 para 2.10.78, noting temporary nature but not addressing persistent features). Under section 122 of the Planning Act 2008, interference with private rights must be necessary and supported by a compelling case in the public interest, with public benefits outweighing private loss. Where a direct and deliverable corridor could be achieved by redesign within the Order Limits, the necessity of interference is not established (EN-1 para 4.2.25, excluding non-viable alternatives).

8.1 The harms identified are not generic objections to solar PV. They arise from specific design choices in the immediate CLF context. W18.3 causes the principal residential and heritage-setting harm and triggers permanent mitigation planting without a working strip (EN-3 para 2.10.122, minimising fencing but analogous to planting impacts). W18.1 constrains operational activity for decades. The permissive route introduces new and enduring privacy intrusion. The services corridor arrangement embeds permanent increased cost and relies on uncertain external routes subject to live litigation.

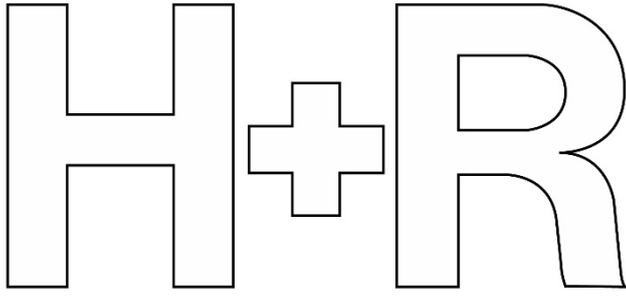
8.2 Flexibility has been demonstrated elsewhere in the scheme (e.g., archaeological adjustments per EN-1 para 5.9.11). The ExA is therefore invited to examine why equivalent avoidance has not been applied here, particularly given the marginal generation contribution of W18.3 and the concentrated and enduring harm imposed on a single receptor (EN-1 paras 4.1.5–4.1.7 and 5.10.35, assessing proportionality and reversibility).

9 Conclusion

9.1 The Objectors respectfully submit that the Applicant has not demonstrated a proper sequential application of the mitigation hierarchy required by EN-1 and EN-3 in the vicinity of CLF (EN-1 paras 4.2.23–4.2.26; EN-3 para 2.10.70). The RVAA baseline error materially understates magnitude of change. W18.3 drives residential and permanent boundary harm. W18.1 constrains operational activity. The permissive route permanently alters privacy conditions. The services corridor arrangement embeds permanent increased cost and relies on uncertain external routes subject to live litigation.

9.2 The ExA is respectfully requested to test these matters during the March 2026 site visit and to scrutinise whether avoidance through layout redesign of W18.3, W18.1 and the permissive route was reasonably achievable and necessary in accordance with the mitigation hierarchy and the statutory framework.

5. Heritage Report dated 29 November 2023: This report classifies Caunton Lodge Farm as a non-designated heritage asset recognised by the Local Planning Authority, and concludes that the Applicant's proposals – particularly development within the field immediately south of the property – would cause substantial harm to its setting, contrary to the requirements of EN-1 (Section 5.9) and EN-3 (Section 2.10). The report identifies that preservation of significance requires removal of solar infrastructure from the field adjacent to the property.



CAUNTON LODGE FARM, CAUNTON, NOTTINGHAMSHIRE: PRELIMINARY
ASSESSMENT OF SETTING OF HERITAGE ASSET AND IDENTIFICATION OF
PLANNING RELATED CONSIDERATIONS

JOB NO. 439-10 v.2



RICHARD GILL

29 NOVEMBER 2023

Prepared by:	Technical review by:	Administration by:
 <i>BSc (Hons), PG Cert, IHBC</i>	-	

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1 INTRODUCTION

1.1 AUTHORITY AND REFERENCE

██████████ of Hutton + Rostron Environmental Investigations Limited carried out a site visit to Caunton Lodge Farm on 29 November 2023 in accordance with instructions from Mr Richard Gill by completed order form dated 20 November 2023, and received by e mail on 20 November 2023 [10:18]. For the purpose of orientation in this report, the principal front elevation of the dwelling was taken as facing south across the main lawned garden and open countryside beyond

1.2 AIMS

The aims of this preliminary assessment is to carry out a visual inspection of the building and its setting to identify its heritage interests and the interests of its setting, consider the impact of the planned Great North Road Solar Park (as currently proposed at development stage before application submission) on that setting and consider potential impact mitigation if required. This preliminary assessment will also provide a review of legislation, policy and government documents which will be considered when the planned solar park is formally assessed for approval by the Planning Inspectorate/Secretary of State (SoS)

1.3 LIMITATIONS

This assessment was undertaken with the benefit of a site visit which assessed setting from the sky through deployment of a drone and from all accessible points in the landscape in the ownership of the property owner or as public rights of way and no liability can be accepted for gaps in assessment where there were no rights of access. The assessment has taken account of information about the Great North Road Solar Park published online under the website www.gnrsolarpark.co.uk [accessed 30/11/2023 17:55] and no liability can be accepted where information may have changed or being updated after review. This assessment has taken account of the most up to date legislation and policy documents and no liability can be accepted should this information be subsequently reviewed and updated by government

1.4 H+R STAFF ON SITE

██████████

1.5 PERSONNEL CONTACTED

Mr Richard Gill

2 EXECUTIVE SUMMARY

- 1 In undertaking a preliminary assessment of Caunton Lodge Farm and its setting it is identified that the building can be classified as a non-designated heritage asset and its countryside setting makes an intrinsic contribution to its interests
- 2 In context of the proposed Great North Road Solar Park (as currently proposed at development stage before application submission) the impact of the solar park would a direct and significant impact on the setting of the non-designated heritage asset that is Caunton Lodge Farm. This impact would cause substantial harm to the setting of this non-designated heritage asset, would be overwhelmingly insensitive, would overwhelmingly fail to make a positive contribution to setting and overwhelming fail to demonstrate good design contrary to paragraph 2.5.2 NPS EN-3 and paragraphs 5.9.13 and 5.9.25 NPS EN-1. The following requirements are put forward at this stage of the schemes development to address and mitigate the valid concerns raised:
 - *For the purpose of developing the Great North Solar Park proposals Caunton Lodge Farm requires classification as a non-designated heritage asset*
 - *In accordance with NPS EN-1 proposals for the solar park must be developed with due regard to the impact on the setting of Caunton Lodge Farm as a non-designated heritage asset*
 - *In accordance with NPS EN-3 proposals for the solar park must be developed with due regard to preparing appropriate landscape and visual assessments that demonstrate the effects on the setting of the non-designated heritage asset*
 - *Steps that should be taken to ensure that Caunton Lodge Farm, as a non-designated heritage asset, is conserved in a manner appropriate to its significance is to remove all proposed solar panels from the field adjacent (immediately surrounding) to the property*

3 PRELIMINARY ASSESSMENT OF SIGNIFICANCE

3.1 ASSESSING HERITAGE ASSET SIGNIFICANCE

3.1.1 Summary

- 1 The dwelling known as Caunton Lodge Farm has its origins as a residence and historic barn with the barn latterly converted into residential use c.1998 and the building subsequently extended. The red brick and predominantly pantile roof building now presents as a combination of historic and modern brick-built structures of a vernacular type. Where historic fabric survives in the west gable end of the barn it incorporates historic detailing in the form of vitrified headers stating the date '1796', assumed date of construction, along with cross shaped ventilation openings
- 2 The earliest six-inch OS maps dating back to 1884, 1900 and 1921 all identify and name Caunton Lodge Farm, it being an isolated farm within the farmed rural landscape between the small countryside settlements of Caunton and Norwell Woodhouse. Caunton Lodge Farm is a farm of historic provenance, established within the Nottinghamshire countryside for over at least 200 years, and contributes to the historic character of the area. Caunton Lodge Farm has heritage interest as a non-designated heritage asset

3.1.2 Heritage designations

- 1 Caunton Lodge Farm is not afforded protection as a listed building
- 2 Caunton Lodge Farm is not located in a conservation area
- 3 Caunton Lodge Farm is recognised by the Local Planning Authority as a non-designated heritage asset being a Building of Local Interest. Material consideration has been given to its interest as a non-designated heritage asset by the local planning authority in consideration of recent planning applications
- 4 Caunton Lodge Farm is referenced in the Nottinghamshire Heritage Environment Record under entry M17697

3.1.3 Planning history

- 1 There are five approved planning applications under the online planning records associated with Caunton Lodge Farm (as appearing on the Newark and Sherwood Public Access System) these being:
 - i. **2023:** 23/01179/FUL Caunton Lodge Farm, Mill Lane, Caunton. Installation of 9.7kw ground mounted solar array consisting of 24 x 405W solar panels. *The local planning authority had identified the building as a non-designated heritage asset and took account of this, applying relevant policy to this material consideration, when the application was considered and determined*
 - ii. **2019:** 19/00435/FUL, Caunton Lodge Farm, Mill Lane, Caunton. Single storey extension to west elevation. *The local planning authority had identified the building as a non-designated heritage asset and took account of this,*

applying relevant policy to this material consideration, when the application was considered and determined

- iii. **2007:** 07/00597/FUL, Caunton Lodge Farm, Mill Lane, Caunton. Extensions to existing farm house. *The application notes that the extension was designed to taking into account of LPA SPD guidance on 'Conversion of traditional rural buildings'*
- iv. **2001:** 01/01895/FUL, Caunton Lodge Farm, Mill Lane, Caunton. Rear extension. *Associated documents not uploaded on public access*
- v. **1998:** 98/50317/FUL, Caunton Lodge Farm, Mill Lane, Caunton. Conversion of barn to residential and cart shed to garages. *Associated documents not uploaded on public access*

3.2 ASSESSING SETTING

3.2.1 Summary

- 1 The setting of Caunton Lodge Farm can be described as rural and remote, and this is emphasised by long access road leading to the property; this non-designated heritage asset is experienced as an isolated countryside property surrounded by an expanse of agricultural fields. Caunton Lodge Farm has a noticeable presence with its rural landscape setting due to the surrounding topography which combines an undulating landscape with relatively low maintained boundary types (hedging, fencing and ditches) and it draws the eye as it stands alone. A key interest of the property's setting and how the non-designated asset is experienced is that it can be appreciated in long ranging and wide aspect views through this rural area particularly from the east and south. Long range and wide aspect views from the property looking out across the countryside are also inherent to how it is experienced. The property is conspicuous in the countryside to any walkers' experience of the area when utilising nearby rights of way. The landscape setting of Caunton Lodge Farm can be concluded to be intrinsic to its heritage interests

3.2.2 Location and site

- 1 Caunton Lodge Farm is located within the open countryside just under 10km north-west of Newark (as the crow flies) between the small villages of Caunton and Norwell Woodhouse; Caunton Lodge Farm is located north of Caunton and south of Norwell Woodhouse. It is accessed from the Norwell Woodhouse Road via a c.1.5km access track that skirts between hedge rows and field edges, this approach adds to the property's sense of remoteness. The access is shared with only one other property
- 2 Caunton Lodge Farm sits on a high point within the undulating open countryside. The property's curtilage is well defined by boundary treatments and within this curtilage is a well-maintained dwelling house of local vernacular construction (red brick and pantile) served by a tarmacked driveway and parking area. The houses is accompanied by ancillary buildings and structures to its north side which include a small-scale wind turbine and solar panels. A small, enclosed garden area serves the house on its south side house but beyond this are large expanses of lawn to the east (including a pond), south and west

3.2.3 Topography

- 1 The landscape around Caunton Lodge Farm is open and undulating. The property sits on a reasonably high point in the undulating landscape with the land noticeably sloping downward to the south and south-east and gently rising to the north. Beyond the property's curtilage the land is intensely farmed, this being mainly of arable land use but some grassed fields in the wider setting are understood to be used for

grazing. The landscape scenery is subject to variation season by season as arable crops are grown then harvested, fields ploughed then new crops sown. To the south-east beyond the adjoining fields is a small deciduous woodland. The land form allows wide perspective views taking in middle and long-range views across the undulating landscape

- 2 The Topography of the area, which forms the setting of Caunton Lodge Farm, is described in the LPAs Landscape Character Assessment SPD (December 2013) for the Mid-Nottinghamshire Farmlands Regional Area. Caunton Village Farmlands with Ancient Woodland area is identified as a specific character area (Policy Zone MN PZ 28). The characteristic visual features of the landscape are described as; gently undulating rounded topography, with some flat areas; medium distance views to frequently wooded skylines; intensive arable fields with generally strongly trimmed hedges; occasional blocks of mixed deciduous woodland and busy A616 runs through the area NW – SE (although this has no impact on the setting of Caunton Lodge Farm)

3.2.4 Boundaries

- 1 The boundaries which define the curtilage of Caunton Lodge Farm comprise of neatly maintained hedging, at approximately 6ft high, to the north and part west boundary and post & rail fencing to the east, south and part west boundary. While post and rail fencing defines the boundary it does not prohibit views into the wider countryside; the property feels open to and integrated with its wider landscape setting. Views out from the property take in the wider countryside particularly to the east, south, and south-east and the isolated property is prominent and a focal point for some views looking across the countryside particularly from public rights of way
- 2 In the wider landscape field boundaries are define by ditches and maintained boundary hedging. Some mature deciduous trees sit amongst the hedged field boundaries, but these are sporadic. The nature of the field boundaries in combination with undulating ground allows for short to long range views to be taken in across the countryside looking over boundary features

3.2.5 Public rights of way

- 1 Within the vicinity of Caunton Lodge Farm are a two public rights of way. There is a public right of way to the south which comes from Caunton and extends onwards in the direction of Caunton Common Farm. From this right of way, you can see unrestricted views of Caunton Lodge Farm within its landscape setting. Much of the access track leading to Caunton Lodge Farm forms part of a right of way around the Norwell Woodhouse area. From this right of way, you take in views of the east side of Caunton Lodge Farm in context with the arable fields around it

4 PROPOSED SOLAR FARM: OVERVIEW

- 1 Proposals were published online in November 2023 by Elements Green for the Great North Road Solar Park via the website www.gnrsolarpark.co.uk [accessed 30/11/2023 17:55]. The proposed solar park would be located in Nottinghamshire to the north-west of Newark and west of the A1. This solar park proposal is defined as a Nationally Significant Infrastructure Project due to its scale. The proposed solar park is intended to produce 800MW of energy and solar panels and assumed infrastructure would be located over approximately 6920 acres of land
- 2 The proposals currently published are specific to the early-stage project development and at this stage do not relate to a formal application submission. Plans and maps accompanying these proposals comprise of a project location map, section maps and an EIA (November 2023) showing areas where land is currently available for solar panels and consequently where solar panels are currently being considered. It is on this basis that this preliminary assessment is made
- 3 A timeframe for consultation on the proposals ahead of formal application submission, has been set out and this currently accounts for:
 - Early 2024: First stage, non-statutory consultation
 - End 2024 Second stage, statutory consultation

5 LEGISLATION, POLICY AND GOVERNMENT DOCUMENT CONSIDERATIONS

5.1 PLANNING ACT 2008

- 1 The Planning Inspectorate/SoS will determine any future application for the Great North Road Solar Park with due regard to the provisions of the Planning Act 2008 which provides the consent regime for national infrastructure projects such as energy projects. In accordance with direction under s5 Planning Act 2008 the proposal will be decided against the relevant National Policy Statement

5.2 NATIONAL POLICY STATEMENT FOR RENEWABLE ENERGY INFRASTRUCTURE (EN-3)

- 1 The extant National Policy Statement for Renewable Energy Infrastructure (EN-3) published 22 November 2023 sets out government policy for determining national infrastructure projects in England and Wales which are associated with electric generation from renewable sources. The Planning Inspectorate/SoS will follow this policy, in terms of consideration and determination, regarding any future application associated with the Great North Road Solar Park that comes forward
- 2 Section 2.10 of the NPS EN-3 is specific to the consideration and determination of Solar Photovoltaic Generation and the Planning Inspectorate/SoS will follow these specific policy statements for any future application for the Great North Road Solar Park that comes forward. Specific consideration is identified to aspects of site selection, technical considerations, impacts and mitigation in development and decision making. Some key paragraphs of NPS EN-3 which would be relevant to the development of the Great North Solar Park proposal and decision making on a future application are identified below;
 - i. **Paragraph 1.1.6** states '*Applicants should ensure that their applications and any accompanying supporting documents and information are consistent with the instructions and guidance in this NPS, EN-1 and any other NPSs that are relevant to the application in question*'
 - ii. **Paragraph 2.5.2** states '*Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine and terrestrial uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage*'
 - iii. **Paragraph 2.10.97** states '*Applicants should carry out a landscape and visual assessment and report it in the ES. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints*'
 - iv. **Paragraph 2.10.107-2.10.110** are specific to the consideration of impact of proposals on cultural heritage this being the historic environment including listed buildings, designated heritage assets, non-designated heritage assets and landscape character. It is acknowledged that where solar PV developments will impact on the historic environment expert assessment will be undertaken

- v. **Paragraph 2.10.112** states *'Applicant assessments should be informed by information from Historic Environment Records (HERs) or the local authority'*
- vi. **Paragraph 2.10.116** states *'Applicants should take account of the results of historic environment assessments in their design proposal'*.
- vii. **Paragraph 2.10.117** states *'Applicants should consider what steps can 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'*
- viii. **Paragraph 2.10.118** states *'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 which depending on their scale, design and prominence, may cause substantial harm to the significance of the asset'*
- ix. **Paragraph 2.10.160** states *'Solar farms are generally consented on the basis that they will be time-limited in operation. The Secretary of State should therefore consider the length of time for which consent is sought when considering the impacts of any indirect effect on the historic environment, such as effects on the setting of designated heritage assets'*

5.3 OVERARCHING NATIONAL POLICY STATEMENT (EN-1)

- 1 The extant overarching National Policy Statement for energy (EN-1), published November 22 November 2023 will come into force in early 2024, it sets out government policy for determining national infrastructure projects in England and Wales which are associated with energy generation and identifies what electric infrastructure is needed. The Planning Inspectorate/SoS will follow this policy, in terms of consideration and determination, in respect to any future application associated with the Great North Road Solar Park which comes forward
- 2 NPS EN-1 provides an explanation as to the government policy on energy and energy infrastructure which includes achieving net zero by 2050, decarbonising the power sector and facilitating the development of a range of different types of nationally significant infrastructure projects that will achieve this. The document indicates that the government places a substantial weight of favour for proposals that afford energy generation from renewable sources to meet an urgent requirement for such infrastructure
- 3 Paragraphs 3.3.20 and paragraphs 3.3.24 specifically identify the role of wind and solar as part of the government's energy policies
- 4 Section 5.9 (paragraphs 5.9.1-5.9.36) specifically considers the historic environment. Some key paragraphs of this section of NPS EN-1 which would be relevant to the development of the Great North Solar Park proposal and the associated decision of any future applications which may come forward and specific to Caunton Lodge Farm are identified below:
 - i. **Part paragraph 5.9.3** states *'The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset's physical presence, but also from its setting'*
 - ii. **Paragraph 5.9.7** states *'The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision-making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets'*

- iii. **Paragraph 5.9.9 – 5.9.15** are specific to the consideration of the development of proposals and assessing heritage impact they may have. The applicant of the Great North Solar Park must follow this process to assess likely significant heritage impacts, which will need to include identifying and describing the significance of heritage assets affected by the proposal including impact on Cauntton Lodge Farm, contribution of their setting to that interest and utilising the HER
- iv. **Paragraph 5.9.13** states *‘The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible: • enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected • considering where required the development of archive capacity which could deliver significant public benefits • considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme’*
- v. **Paragraph 5.9.14** states *‘Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent’*
- vi. **Paragraph 5.9.16 – 5.9.21** are specific to mitigation
- vii. **Paragraph 5.9.22 – 5.9.36** are specific to the determination of development of proposals and assessing heritage impact they may have. The Planning Inspectorate/SoS will follow the provisions of this section in any decision making on an application for the Great North Solar Park which comes forward
- viii. **Part Paragraph 5.9.22 states the Planning Inspectorate/SoS will take account of:** *‘relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application Overarching National Policy Statement for Energy (EN-1) • any designation records, including those on the National Heritage List for England, • historic landscape character records • the relevant Historic Environment Record(s), and similar sources of information • representations made by interested parties during the examination process • expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it’*
- ix. **Paragraph 5.9.25** states *‘The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public’s enjoyment of these assets.’*

5.4 GOVERNMENT DOCUMENTS

- 1 In recent years the government has commissioned and/or prepared a number of papers and strategies associated with addressing climate change, achieving the 2050 net zero emission target for energy generation and looking at ways to produce clean greener energy. The following documents, their findings and recommendations have influenced the preparation of the National Policy Statements stated above:
 - Energy White Paper (2020)
 - Net Zero Strategy (October 2021)

- British Energy Security Strategy (April 2022)
- Power up Britain Energy Security Plan (March 2023)

6 INITIAL REVIEW AND REQUIREMENTS

- 1 Caunton Lodge Farm is recorded in the Nottinghamshire Heritage Environment Record. It has also been formally recognised as a non-designated heritage asset by the local planning authority and this status has been accounted for as a material consideration in the planning process specifically the determination of recent planning applications

Requirements: For the purpose of developing the Great North Solar Park proposals Caunton Lodge Farm requires classification as a non-designated heritage asset

- 2 From assessing documents currently published on line regarding Elements Green's proposed Great North Road Solar Park [www.gnrsolarpark.co.uk, accessed 30/11/2023 17:55] it is evident that the proposed solar park will directly impact on the non-designated heritage asset that is Caunton Lodge Farm. Under the current proposals PV panels would be erected on the field adjacent to Caunton Lodge Farm and the boundary of the solar farm would extend around two sides of the property to the south and west
- 3 The scheme for the proposed solar park will be required to consider the impacts on the non-designated heritage asset in accordance with paragraph 5.9.7 NPS EN-1 as it is developed. Due regard will need to be given to the provision of paragraph 5.9.3 NPS EN-1 where it clearly states that '*significance derives not only from a heritage asset's physical presence, but also from its setting*'.

Requirements: In accordance with NPS EN-1 proposals for the solar park must be developed with due regard to the impact on the setting of Caunton Lodge Farm as a non-designated heritage asset

- 4 The interests of Caunton Lodge Farm and its setting are summarised in paragraphs 3.1.1 and 3.2.1 above. As currently published, aspects of the proposed solar park would have a direct and significant impact on the setting of the non-designated heritage asset that is Caunton Lodge Farm. This impact would cause substantial harm to the setting of this non-designated heritage asset, would be overwhelmingly insensitive, would overwhelmingly fail to make a positive contribution to setting and would overwhelmingly fail to demonstrate good design contrary to paragraph 2.5.2 NPS EN-3 and paragraphs 5.9.13 and 5.9.25 NPS EN-1
- 5 Due regard would need to be given to the provisions of paragraph 2.10.97 NPS EN-3 where it clearly states '*Applicants should carry out a landscape and visual assessment and report it in the ES. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints*'. Proper undertaking of this assessment would undoubtedly prove that the proposal would cause substantial harm to the setting of this non-designated heritage asset

Requirements: In accordance with NPS EN-3 proposals for the solar park must be developed with due regard to preparing appropriate landscape and visual assessments that demonstrate the effects on the setting of the non-designated heritage asset

- 6 Due regard would need to be given to the provisions of paragraph 2.10.116 and 2.10.2117 NPS EN-3 where it states, '*Applicants should take account of the results of*

historic environment assessments in their design proposal' and 'Applicants should consider what steps can 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' respectively.

Requirements: Steps that should be taken to ensure that Caunton Lodge Farm, as a non-designated heritage asset, is conserved in a manner appropriate to its significance is to remove all proposed solar panels from the field adjacent (immediately surrounding) to the property

Appendix A

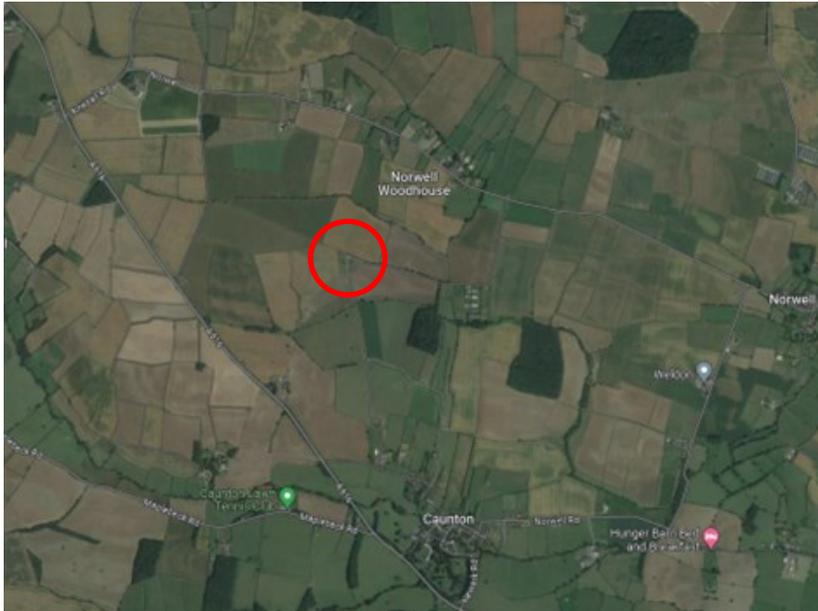


Fig 1:

Aerial view, showing the location of Cauntion Lodge Farm between Cauntion and Norwell Woodhouse.

The red circle identifies the location of the property.



Fig 2:

Aerial view looking towards the north elevation of Cauntion Lodge Farm and showing the property in the context of its open country side setting surrounded by fields.

The red arrow identifies the field where solar panels are currently proposed.



Cauntion Lodge Farm, Cauntion

Site photographs
29 November 2023
Not to scale



Fig 3:

Aerial view looking towards the east elevation of Cauntton Lodge Farm and showing the property in the context of its open country side setting surrounded by fields.

The red arrow identifies the field where solar panels are currently proposed.



Fig 4:

Aerial view looking towards the south elevation of Cauntton Lodge Farm and showing the property in the context of its open country side setting surrounded by fields.

The red arrow identifies the field where solar panels are currently proposed.



Cauntton Lodge Farm, Cauntton

Site photographs
29 November 2023
Not to scale



Fig 5:

Caunton Lodge Farm, showing the north elevation of the dwelling which is identified as a non-designated heritage asset.



Fig 6:

Caunton Lodge Farm, showing the south elevation of the dwelling which is identified as a non-designated heritage asset.



Caunton Lodge Farm, Caunton

Site photographs
29 November 2023
Not to scale



Fig 7:

Cauntton Lodge Farm, showing the west elevation of the dwelling which is identified as a non-designated heritage asset. The date the barn was built, 1796, is stated in vitrified headers within the brickwork.



Fig 8:

Cauntton Lodge Farm, looking across the garden towards the south elevation of the dwelling. The garden setting of the dwelling comprises of a large area of open lawn to the south.



Cauntton Lodge Farm, Cauntton

Site photographs
29 November 2023
Not to scale



Fig 9:

Cauntton Lodge Farm, looking east across the main garden area on the south side of the dwelling. The garden setting of the dwelling comprises of a large area of open lawn to the south.



Fig 10:

Cauntton Lodge Farm, looking north across the garden area on the west side of the dwelling. The garden setting of the dwelling comprises of a large area of open lawn to the west. The dwelling is off-grid and has its own wind turbine and solar array sensitively sited within the north-west corner of the its grounds.



Cauntton Lodge Farm, Cauntton

Site photographs
29 November 2023
Not to scale



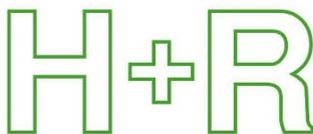
Fig 11:

Caunton Lodge Farm, looking out across the north boundary across the open countryside setting beyond. The north boundary is defined by a post and rail fence.



Fig 12:

Caunton Lodge Farm, looking across the east boundary into the property from the adjacent open countryside. The east boundary is defined by a post and rail fence.



Caunton Lodge Farm, Caunton

Site photographs
29 November 2023
Not to scale



Fig 13:

Caunton Lodge Farm, looking out across the south boundary across the open countryside setting beyond. The south boundary is defined by a post and rail fence.

The red arrow identifies the field where solar panels are currently proposed.



Fig 14:

Caunton Lodge Farm, looking over the west boundary into the open countryside setting beyond. The west boundary is defined by part post and rail fence and part hedging.

The red arrow identifies the field where solar panels are currently proposed.



Caunton Lodge Farm, Caunton

Site photographs
29 November 2023
Not to scale



Fig 15:

The views of Caunton Lodge Farm, looking west towards the property along the access road.

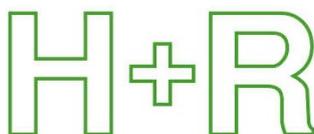
The red arrow identifies the field where solar panels are currently proposed.



Fig 16:

The views of Caunton Lodge Farm, looking west towards the property along the access road. This part of the access is part of a public right of way.

The red arrow identifies the field where solar panels are currently proposed.



Caunton Lodge Farm, Caunton

Site photographs
29 November 2023
Not to scale



Fig 17:

The views of Caunton Lodge Farm, looking north towards the property from the adjacent field to the south.

The red arrow identifies the field where solar panels are currently proposed.



Fig 18:

The views of Caunton Lodge Farm, looking north towards the property from the track adjacent field to the south.

The red arrow identifies the field where solar panels are currently proposed.



Caunton Lodge Farm, Caunton

Site photographs
29 November 2023
Not to scale



Fig 19:

The views of Caunton Lodge Farm, looking north towards the property from the access track to the south.

The red arrow identifies the field where solar panels are currently proposed.



Fig 20:

The views of Caunton Lodge Farm, looking north towards the property from the public right of way to the south.

The red arrow identifies the field where solar panels are currently proposed.



Caunton Lodge Farm, Caunton

Site photographs
29 November 2023
Not to scale

6. Statement of Response to the Examining Authority's Questions: A consolidated submission responding to matters raised to date and at CAH1 on 3 February 2026, addressing: a. Operational impacts on DDS's R&D environment; b. Easement rights and services infrastructure; c. Radar and RF considerations; d. Regulatory issues including Open Category A3, SORA and spectrum licensing; and e. Planning policy matters including design evolution, alternatives and proportionality.

Executive summary

This Statement has been prepared in order to provide information about Drone Defence Services Ltd's ('DDS's') use of Caunton Lodge Farm ('CLF') as a testing environment and for R & D in the light of questions raised by the Examining Authority and the Applicant at the recent Compulsory Acquisition Hearing. In doing so the Statement also comments on the Applicant's Responses to Deadline 1 Submissions (Document Reference EN010162/APP/8.21). DDS and Mr and Mrs Gill have commented separately on the Applicant's draft proposals for a 'services corridor' across the order land to the south-west of CLF.

The Statement explains the role played by CLF as an R&D and testing environment for DDS and why the Great North Road Solar proposal — specifically the elements closest to CLF (including Blocks W18.1 and W18.3 and the associated permissive access proposals) — would cause material and foreseeable adverse effects that require structured assessment within the planning balance.

NPS EN-1 requires the decision-maker to weigh “*adverse impacts*” against “*benefits*”, expressly including economic effects and requiring consideration of impacts at national, regional and local levels. It advises that where projects may affect “local businesses” mitigation against adverse socio-economic effects should be considered. That is the case here. The scheme, as presently designed, would constrain and/or materially degrade the operational environment of an established UK technology business at CLF. Whether or not the development of large scale solar generation infrastructure is beneficial in principle the specific siting and layout choices that have been made in proximity to CLF are not necessary to achieve the scheme’s objectives and would lead to disproportionate harm.

NPS EN-1 requires applicants to minimise effects on existing or planned uses near the site through good design and layout. Where new infrastructure and permissive public access are introduced into or immediately adjacent to an existing low-exposure operational environment, the correct analytical question is whether that proximity is indispensable to the delivery of the project, or whether the same generating capacity could be achieved through

alternative internal reconfiguration of panels and access routes within the Order Limits. The policy expectation is not that existing lawful uses will be required to adapt to accommodate infrastructure by default, but that scheme design will avoid unnecessary interference.

DDS's use of CLF is structured, ongoing and important to the company's R&D and validation activities in the counter-UAS and airspace monitoring sector. The site accommodates fixed sensor infrastructure, including radar and RF detection systems, which monitor and record baseline airspace and electromagnetic conditions. The principal flight volume, centred on CLF and extending approximately 500 metres over surrounding agricultural land, provides a low and predictable ground-risk environment compatible with Open Category A3 operations and supports progression toward Specific Category authorisations. That low-exposure environment is a function of the surrounding land use and limited third-party presence. The DDS use and the existing surrounding land uses are compatible: neither imposes any unreasonable constraints on the other. That will not be the DCO scheme proceeds as designed. The introduction of engineered reflective surfaces (solar arrays), inverter and collection infrastructure, fencing, and routine permissive public access within or adjacent to that principal flight volume would significantly alter both the physical and regulatory context in which DDS operates.

It is necessary to state expressly that the information about DDS's work contained in this Statement is deliberately sanitised and does not describe the full extent or technical detail of the work undertaken at CLF. The Examination process is conducted in the public domain. DDS operates within the defence and security sector, and aspects of its testing, validation activities and sensor configurations are commercially sensitive and, in some instances, security-sensitive. The absence of detailed public disclosure should not be interpreted as an absence of operational dependency or impact. Rather, the need to maintain discretion in respect of certain activities is itself a function of the sector within which DDS operates and reinforces the importance of a controlled, low-exposure and predictable test environment.

DDS's operational requirements include long-term continuity of baseline data, stable radar and RF operating conditions, and a controlled and discreet environment appropriate to a

business operating within the defence and security domain. Solar panel arrays are not neutral in radar or RF terms; they introduce reflective surfaces capable of altering clutter characteristics, multipath propagation effects and environmental baselines against which detection systems are calibrated. Inverter infrastructure and associated cabling may also contribute to localised electromagnetic noise. Even at a conservative level of description, the introduction of large engineered surfaces and routine third-party presence represents a material change to the environmental conditions upon which DDS's testing framework depends.

The permissive route proposed in proximity to CLF is similarly not a neutral intervention. The creation of a new public access corridor adjacent to, or intersecting with, the principal operational airspace increases the probability of uninvolved third-party presence within the ground footprint of DDS's testing environment. That change has foreseeable consequences for risk assessment, insurance, and regulatory classification. The continued ability to operate within Open Category A3 parameters, or to progress toward more advanced authorisations, depends upon demonstrable control of ground risk. The scheme therefore introduces not merely visual or amenity effects, but operational risk factors that directly engage DDS's lawful activities.

In policy terms, NPS EN-1 requires that local economic effects be weighed against scheme benefits. DDS is a UK-based technology business operating in a nationally recognised security field. CLF functions as a rural R&D test site within Nottinghamshire. If the cumulative effect of proximity to solar infrastructure and public access were to render CLF materially degraded or operationally unviable for its present purpose, DDS would face the necessity of relocation of its testing environment. That would involve the acquisition or lease of alternative rural land, reinstallation of radar and RF infrastructure, re-establishment of fibre and power connectivity, re-collection of baseline environmental data, and re-engagement with regulatory authorities. Such relocation would involve significant capital expenditure and delay, during which operational capability would be constrained.

Relocation would not be a matter of minor adjustment; it would entail loss of established environmental baselines and require substantial reinvestment in infrastructure and regulatory progression. In those circumstances there is a realistic prospect that relocation could occur outside the immediate region, particularly if alternative rural environments offering comparable low-exposure characteristics are more readily available elsewhere. The potential displacement of a high-technology R&D activity from Nottinghamshire therefore represents a regional economic consideration within the scope of EN-1. The policy framework requires that such potential adverse economic effects be assessed and weighed in the balance, particularly where the harm arises from specific siting choices rather than unavoidable necessity.

Where the scheme additionally seeks rights over land or the extinguishment or overriding of existing rights, NPS EN-1 recognises that such matters fall to be assessed under the usual compulsory acquisition principles. Section 122 of the Planning Act 2008 requires that acquisition or interference be necessary and proportionate, and supported by a compelling case in the public interest. The proportionality of extinguishing or materially constraining rights which enable DDS's infrastructure and operational laydown must therefore be tested against the necessity of doing so for the project as designed, rather than assumed as an inevitable consequence of solar development in general.

The Examination Authority is therefore invited to evaluate whether the marginal generating contribution made by the specific blocks of PV proposed closest to CLF, and the associated permissive route alignment proposed as part of the Applicant's wider mitigation proposals, is sufficient to justify introducing new public access risk factors and materially constraining an established technology business whose activities align with nationally recognised security needs.

NPS EN-1 provides the policy basis for that assessment: it requires a structured weighing of local economic harms against scheme benefits, expects mitigation where adverse socio-economic impacts arise, and requires scheme design to minimise effects on existing uses near the site. If alternative internal reconfiguration of panels and access can achieve the

scheme's objectives without introducing these harms, then the present layout represents a design choice rather than a necessity, and the resulting interference must be scrutinised accordingly within the planning balance.

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1. About Drone Defence Services Ltd

1.1 Drone Defence Services Ltd (“DDS”) is a United Kingdom defence and security technology company specialising in counter-unmanned aircraft systems (C-UAS), airspace monitoring technologies, and the protection of critical infrastructure from emerging drone-enabled threats. Incorporated in 2017 (Company No. 10886588), DDS develops hardware and software systems designed to detect, classify and manage unauthorised drone activity in sensitive environments. Its work must be understood within the context of the documented transformation of small unmanned aircraft systems (sUAS) from recreational devices into tools capable of causing material disruption to transport, custodial, defence and commercial infrastructure.

1.2 The vulnerability of critical national infrastructure to small drone disruption was demonstrated during the closure of Gatwick Airport in December 2018. The incident resulted in the cancellation of over 1,000 flights and disruption to approximately 140,000 passengers. The UK House of Commons Transport Committee subsequently undertook a formal inquiry, concluding that the event exposed significant deficiencies in preparedness for drone-related threats and recommending improved counter-drone capability across the aviation sector.¹ The Committee recognised that relatively inexpensive unmanned systems were capable of imposing disproportionate economic and societal costs.

1.3 Since 2022, the Russia-Ukraine war has accelerated the evolution of small drone capability and counter-measures. Independent reporting by the BBC and analysis by the Royal United Services Institute (RUSI) document the extensive operationalisation of commercial and improvised drones for reconnaissance, artillery spotting and direct attack roles.^{2 3} RUSI has specifically noted that low-cost, commercially derived systems have altered the character of conflict by lowering the entry barrier to effective aerial capability.³ While the United Kingdom is not a theatre of armed conflict, the technological diffusion effect is clear: knowledge, tactics and component availability have materially expanded the capability envelope of non-state actors and criminal enterprises.

1.4 Within the domestic custodial estate, drone incursions delivering contraband have been publicly acknowledged by the Ministry of Justice (MoJ) as a persistent and evolving threat. MoJ annual reports and ministerial statements confirm the growing use of drones to convey drugs, weapons and mobile telephones into prisons in England and Wales.⁴ In response to such risks, DDS deployed a permanent counter-drone installation at Les Nicolles Prison in 2017. Contemporary regional reporting documented the installation and subsequent cessation of drone incursions at that facility.⁵ The significance of this deployment lies in its timing: it pre-dated widespread national implementation of custodial counter-drone systems and evidences early operationalisation of C-UAS capability within a prison environment.

1.5 DDS has received support from the Defence and Security Accelerator (DASA), an innovation arm of the UK Ministry of Defence and the Home Office tasked with identifying and developing technologies relevant to defence and security.⁶ DASA funding constitutes third-party validation that the supported capability addresses recognised security challenges. DDS has also engaged with the National Protective Security Authority (NPSA), which provides protective security guidance for critical national infrastructure and high-risk sites.⁷ Such engagement situates DDS within the established UK protective security ecosystem.

1.6 Technically, modern counter-UAS systems are increasingly required to employ layered detection architectures. Purely radio-frequency (RF) detection methods are vulnerable to autonomous flight modes, while purely optical systems are constrained by environmental conditions. Defence and security analysis literature recognises the necessity of multi-sensor fusion approaches combining RF, radar and data integration methodologies.³ DDS's engineering approach reflects this layered model, seeking to generate actionable situational awareness rather than relying on a single detection modality.

1.7 Market analysis further indicates that counter-UAS capability is not a transient requirement but a structural growth sector. Independent industry assessments project sustained compound annual growth rates in the global C-UAS market through the end of the decade, driven by airport safeguarding, prison security, military procurement, event

protection and critical infrastructure resilience requirements.⁸ The UK Government's Integrated Review of Security, Defence, Development and Foreign Policy identifies unmanned systems as central to the future threat landscape and acknowledges the increasing accessibility of such technologies.⁹

1.8 In combination, parliamentary inquiry findings, defence research analysis, ministerial reporting and published market data establish that the drone threat environment is documented, evolving and structurally significant. Counter-UAS capability is therefore not speculative innovation but a response to an evidenced and expanding risk domain. Drone Defence Services Ltd operates within this context as a UK-based engineering entity developing layered detection systems, with operational deployment experience in custodial settings and engagement with recognised defence and protective security institutions.

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2. The Strategic Importance of Caunton Lodge Farm to Drone Defence Services Ltd

2.1 Caunton Lodge Farm (“CLF”) is not merely a place from which Drone Defence Services Ltd (“DDS”) conducts incidental activity. With around 100 acres of principal flight volume, it functions as a uniquely integrated operational, developmental, and regulatory platform that underpins the company’s research, testing, and technological progression in the field of counter-UAS and airspace monitoring systems. The importance of CLF lies not in intensity of use but in the continuity, control, and capability that the site provides.

2.2 DDS operates in a sector where product development is inseparable from controlled real-world testing. Unlike purely software-based enterprises, counter-UAS systems require iterative live testing involving sensors, radar systems, radio frequency detection equipment, and unmanned aircraft operations. The configuration, geometry, and surrounding airspace environment directly influence system performance. The value of CLF arises from the interaction between its physical characteristics and the company’s technical architecture.

2.3 The site offers a rare combination of attributes. It sits within Class G airspace, which permits flexibility for unmanned aircraft operations subject to regulatory compliance. The surrounding environment is rural in character, with limited ambient air traffic relative to urban environments, allowing clearer baseline data collection and more controlled experimental conditions. Public access in the immediate operational area is absent, which materially reduces ground risk exposure during development flights and simplifies compliance under the UK CAA regulatory framework, including operations conducted in the Open Category (A3) and in support of Specific Category authorisations. The absence of proximate commercial or industrial reflective infrastructure is also relevant to radar performance validation.

2.4 The geometry of CLF allows fixed sensor placement with stable line-of-sight relationships and repeatable testing corridors. Radar and RF detection systems are highly sensitive to siting and environmental clutter. Once installed and calibrated, long-term performance data can be accumulated under consistent spatial conditions. DDS has operated

systems at CLF for several years, during which time substantial baseline airspace usage data has been collected. That dataset has intrinsic value in product validation, algorithm tuning, and evidential support for regulatory submissions. Relocation would not merely involve physical transfer of equipment; it would require reconstruction of baseline data over an extended period.

2.5 The site also permits discreet experimentation. Counter-UAS development involves technologies that are commercially sensitive and, in certain contexts, security-sensitive. The ability to test without public visibility, third-party interference, or operational disclosure is integral to product integrity and commercial competitiveness. The necessity of maintaining operational discretion is a function of the market in which DDS operates and is not incidental.

2.6 DDS has invested in excess of £150,000 in site-specific equipment and infrastructure to support its activities at CLF. That investment reflects a deliberate decision to develop a low-overhead, continuously available test capability integrated with the company's management and engineering oversight. The cost structure at CLF is characterised by low marginal cost per flying hour, immediate access, and the ability to undertake opportunistic testing in response to weather windows, system modifications, or regulatory requirements. This flexibility materially accelerates development cycles.

2.7 If DDS were required to replicate this capability elsewhere, it would not simply be a matter of transporting hardware. An alternative site would need to provide comparable airspace characteristics, controlled ground risk environment, line-of-sight geometry, security, and regulatory viability. In practice, that would necessitate a formal lease arrangement to secure tenure and protect the company's investment. Such a lease would carry fixed annual costs irrespective of utilisation frequency. Additional costs would include site preparation, infrastructure installation, sensor recalibration, and potentially insurance and third-party access management.

2.8 Furthermore, regulatory continuity would be disrupted. Testing undertaken in support of operational authorisations, SORA-based assessments, or BVLOS development

relies upon accumulated evidence under stable environmental conditions. A change of site would require reassessment of ground risk, air risk modelling, and potentially new engagement with the CAA. Even where formal re-authorisation were possible, the practical effect would be delay, duplication of evidential effort, and increased compliance cost. The opportunity cost of such disruption would be substantial and would extend beyond direct financial expenditure.

2.9 It is important to emphasise that the importance of CLF does not depend upon full-time commercial intensity. Research and development activity is, by its nature, iterative and intermittent. The value of the site lies in its constant availability and exclusivity. Loss of a dedicated capability is not mitigated by the fact that it is exercised intermittently. The removal of CLF as a test platform would remove a continuous operational option that DDS presently controls and integrates into its business model.

2.10 CLF also enables integration between executive oversight and operational testing. As a qualified remote pilot, the company's director is able to supervise and participate in development flights directly. This reduces risk, shortens feedback loops, and strengthens safety management practices. Fragmenting that arrangement across remote or hired facilities would materially alter operational efficiency and increase management burden.

2.11 The deployment and operation of active radar systems in the United Kingdom is subject to spectrum management and licensing control under the Wireless Telegraphy Act 2006, administered by Ofcom. Radar systems operating in licensed bands require formal authorisation, and that authorisation is site-specific. It depends upon defined technical parameters including frequency allocation, bandwidth, emission characteristics, antenna type, location coordinates, power levels, and potential interference with other authorised users of the spectrum. Approval is not automatic, nor is it transferable in a frictionless manner between locations.

2.12 Obtaining permission to operate radar equipment requires submission of technical information to Ofcom, coordination analysis, and confirmation that the proposed

transmissions will not cause harmful interference to other licensed spectrum users. In certain frequency bands, consultation with additional stakeholders may be required where shared or sensitive spectrum allocations exist. Once granted, the authorisation attaches to a defined geographic location and set of technical characteristics. A material relocation of the radar installation can require variation or reapplication, with attendant uncertainty and delay.

2.13 CLF provides DDS with a stable, defined operational site for which spectrum use has been assessed and authorised. The rural location reduces the likelihood of interference with dense commercial spectrum users and simplifies coordination considerations relative to more built-up environments. The ability to operate radar lawfully from CLF is therefore not incidental but the product of regulatory engagement and compliance. If DDS were required to relocate its testing capability, it could not assume that equivalent spectrum approval would be granted at an alternative site without further regulatory process. In areas with higher spectrum congestion or proximity to sensitive installations, approval may be constrained, delayed, or subject to additional technical conditions. The time required to secure or vary an Ofcom licence can be significant and cannot be treated as an administrative formality.

2.14 Radar capability is central to DDS's product development pathway. The siting, orientation, and integration of radar sensors within the site geometry underpin both technical performance validation and safety case development. The regulatory ability to operate those systems at CLF is therefore an enabling condition of the company's broader development programme. Loss of that site would not merely require physical relocation of equipment; it would necessitate fresh spectrum coordination, potential licence variation or reissue, and a period of regulatory uncertainty during which active testing might be curtailed.

2.15 In practical terms, the availability of a site at which radar systems are lawfully authorised to operate is a scarce and valuable asset. It reflects not only physical suitability but successful navigation of a separate regulatory regime distinct from aviation oversight. CLF's established status as an approved radar operating location materially contributes to DDS's ability to conduct lawful, controlled, and technically meaningful testing. Any interference with that arrangement would therefore engage not only aviation risk considerations but also

spectrum licensing constraints that are neither trivial nor guaranteed to be replicable elsewhere.

2.16 In summary, CLF provides DDS with a unique combination of airspace context, physical geometry, security, data continuity, regulatory permissiveness, cost efficiency, and operational control. These attributes are not easily replicable in combination. The site functions as a foundational capability for the company's technological development pathway. Interference with that capability would not represent a marginal inconvenience but a substantive disruption requiring replacement infrastructure, renewed regulatory engagement, and significant financial outlay.

3. Risk and Regulatory Profile of Caunton Lodge Farm and its Relevance to UK UAS Regulation

3.1 Drone Defence Services Ltd (“DDS”) operates within the United Kingdom’s unmanned aircraft regulatory framework as administered by the Civil Aviation Authority (“CAA”) under the retained provisions of Regulation (EU) 2019/947 and associated guidance, including CAP 722. That framework is structured around a risk-based approach which distinguishes between the Open Category and the Specific Category, with the latter requiring formal operational authorisation. The regulatory architecture is deliberately exposure-led: it does not treat unmanned aircraft operations as abstract permissions but instead assesses the relationship between aircraft performance, ground risk, airspace environment, and site-specific context. The characteristics of Caunton Lodge Farm (“CLF”) are directly aligned with the assumptions embedded within this framework, particularly in relation to Open Category Subcategory A3 operations and progression toward Specific Category authorisations supported by UK SORA methodology.

3.2 Subcategory A3 of the Open Category is intended for operations where the aircraft may present a higher intrinsic ground risk, including developmental or prototype systems that do not yet incorporate production-level fail-safes, redundancy, or certified detect-and-avoid capability. A3 permits flight without prior operational authorisation only on the strict condition that no uninvolved persons are present within the operational area and that operations take place at a safe distance from residential, commercial, industrial, or recreational areas. These requirements are qualitative but not discretionary. The remote pilot must be able to demonstrate a reasonable expectation that uninvolved persons will not be exposed to the operational or contingency volumes of the aircraft. The regulatory emphasis is therefore not on frequency of use but on control of exposure.

3.3 The concept of an “uninvolved person” is central. It encompasses any individual who is not directly participating in the flight and who has not accepted the associated risk. The obligation that no uninvolved persons be present within the operational area requires the pilot to assess land character, access rights, public footfall patterns, and the likelihood of

third-party incursion during the flight. This assessment is inherently site-specific and forward-looking. CLF provides a controlled rural environment in which DDS can satisfy that test. The land is privately controlled, public access within the operational envelope is absent, and entry points can be monitored. This enables the pilot to form a defensible expectation that no uninvolved persons will enter the operational or contingency volumes during developmental flights. If that character were materially altered, for example through the introduction of new public rights of way, increased public interface, or infrastructure that attracts routine third-party presence, the regulatory basis for that expectation would change. The A3 pathway is viable precisely because CLF's ground risk profile is low and predictable.

3.4 The requirement to maintain a safe distance from residential, commercial, industrial, or recreational areas is equally significant. Although the regulation does not prescribe a single fixed metric, the distance assessment must reflect aircraft mass, likely failure modes, glide characteristics, and emergency landing envelopes.

3.5 Development-stage aircraft frequently lack features such as redundant GNSS, automated return-to-home, production-grade containment, or high-integrity command-and-control links. The A3 framework recognises that early-stage technical development necessarily precedes full certification and mitigation integration. It therefore allows such activity only where the surrounding land character ensures that, in the event of a failure, the probability of harm to uninvolved persons remains acceptably low. CLF's rural context, absence of proximate housing clusters within the operational direction of flight, and absence of industrial or recreational congregation points within the defined flight and contingency volumes enable DDS to satisfy that requirement lawfully. Any material increase in nearby built form, public congregation, or third-party access would enlarge the effective separation distance required to remain compliant and could render A3 developmental activity impracticable at that location.

3.6 Beyond the Open Category, more complex or higher-risk operations fall within the Specific Category and require formal authorisation from the CAA. In the United Kingdom this is typically achieved through an Operational Authorisation supported by a safety case

developed in accordance with the UK SORA (Specific Operations Risk Assessment) methodology. SORA requires a structured assessment of both ground and air risk, beginning with a defined Concept of Operations and identification of operational volume, contingency volume, and ground buffer zones. The Ground Risk Class (“GRC”) is determined by the density and nature of persons and infrastructure within those volumes, while the Air Risk Class (“ARC”) reflects the density and type of other airspace users. Crucially, these assessments are site-specific. Authorisation is not an abstract licence attached permanently to an aircraft; it is granted on the basis of evidence relating to a defined geographical and environmental context.

3.7 DDS has accumulated a substantial body of site-specific evidence at CLF over an extended period. This includes baseline data on local airspace usage patterns, low-level aircraft movements, and environmental conditions relevant to radar and radio frequency performance. That evidential base supports both air risk modelling and the credibility of ground risk assumptions. Progression through SORA is not achieved through assertion; it depends upon demonstrating, through data and repeatable operational history, that identified risks are understood and controlled. If DDS were required to relocate, the accumulated evidential capital associated with CLF would not transfer automatically. A new site would require redefinition of the operational volume, recalculation of GRC and ARC inputs, validation of mitigation measures, and reconstruction of baseline data over time. The regulatory consequence would not be administrative inconvenience but substantive delay, increased cost, and renewed uncertainty in authorisation pathways.

3.8 The interaction between aviation law and property law further reinforces the importance of CLF. While aircraft may lawfully overfly land without the consent of the underlying landowner provided aviation regulations are complied with, take-off and landing are acts that require landowner permission. Control of take-off and landing sites is therefore fundamental to lawful operation. At CLF, unified control of the land allows DDS to designate and secure launch and recovery zones, define emergency landing envelopes, and ensure that no uninvolved persons are present within those areas. This level of control directly underpins compliance with A3 and contributes to credible SORA mitigation arguments. Relocation to

leased or shared land would introduce dependency on third-party agreements, constrain operational flexibility, and potentially increase exposure to members of the public, thereby affecting the intrinsic ground risk assessment.

3.9 Infrastructure and sensor integration are also relevant to regulatory risk. DDS's activities involve fixed radar and radio frequency detection systems whose siting is geometry-sensitive. The ability to lay and maintain infrastructure under existing easements allows optimal sensor placement, stable line-of-sight relationships, and reliable data continuity. In a SORA context, situational awareness systems can form part of the mitigation strategy used to reduce overall risk levels. If infrastructure siting were constrained or connections severed, the integrity of those mitigation measures would require reassessment. Regulatory compliance is therefore intertwined not only with the physical characteristics of the land but also with the legal rights that permit infrastructure deployment and maintenance.

3.10 In summary, the regulatory framework governing unmanned aircraft operations in the United Kingdom is risk-based, exposure-sensitive, and site-specific. The viability of Open Category A3 development flying depends upon separation from uninvolved persons and safe distance from populated or built-up areas. Progression to Specific Category authorisation under UK SORA requires accumulation of robust, site-specific evidence relating to both ground and air risk. CLF's rural character, absence of public access within the operational envelope, controllable take-off and landing areas, stable airspace environment, and infrastructure easements collectively create a regulatory profile that is uniquely supportive of DDS's lawful development pathway. Any material alteration to that profile would not simply inconvenience operations; it would affect the legal basis upon which developmental flying is conducted and complicate the evidential pathway toward future operational approvals.

4 Regulatory Pathway and Development Risk – Drone-in-a-Box Residential Security System (AAE and RPC Framework)

4.1 In addition to its higher-sensitivity counter-UAS research activity, DDS is developing a lower-sensitivity, but commercially significant platform described as a “Drone-in-a-Box” residential and estate security system. This concept involves the semi-autonomous deployment of a small unmanned aircraft from a fixed docking station to provide rapid situational awareness over privately controlled land in response to predefined triggers. Although technically less sensitive than defence-facing projects, the commercial viability of this system depends fundamentally on securing a sustainable regulatory pathway under the UK Civil Aviation Authority (“CAA”) framework. That pathway is neither automatic nor portable; it requires accumulation of operational evidence, pilot competency progression, and demonstration that the system can deliver flights to an “as safe as” standard consistent with CAA expectations.

4.2 The UK regulatory framework for such operations sits within the Specific Category under the retained provisions of Regulation (EU) 2019/947 and is implemented through CAA guidance, including CAP 722. Where operations involve repeated flights over a defined area under controlled conditions, and potentially beyond visual line of sight (“BVLOS”) or within structured operational volumes, operators must typically pursue an Operational Authorisation supported by a safety case. In certain contexts, operators may seek approval for operations within an Atypical Air Environment (“AAE”), a construct used in the UK to describe airspace environments with demonstrably low and controlled traffic density, thereby enabling reduced air risk assumptions subject to evidence. The AAE pathway is evidence-driven. It requires empirical airspace usage data, validated operating procedures, and a body of demonstrable safe operational experience.

4.3 For DDS’s Drone-in-a-Box system, the commercial objective is to create a deployable architecture that can be replicated at client sites under a defined regulatory template. The CAA does not approve such systems on concept alone. Approval requires evidence that the aircraft, control systems, and operational procedures achieve an “as safe as” standard when

assessed against the relevant risk profile. This involves demonstrating that the ground risk and air risk have been mitigated to levels acceptable under UK SORA methodology or equivalent CAA assessment processes. Central to that demonstration is accumulated flying experience, validated system reliability data, and operational performance history under representative conditions.

4.4 Pilot competency progression is a further material element. The CAA's Remote Pilot Competency ("RPC") framework and related qualifications require documented flying hours and operational experience to progress through competency levels. Higher-risk or more complex operations—particularly those forming part of a safety case under the Specific Category—are assessed not only on aircraft design and procedural documentation but also on pilot competency and experience. Documented flight hours under controlled, lawful, and representative conditions form part of that evidential record. CLF provides a stable and controlled environment in which such flying hours can be accumulated lawfully under Open Category A3 where appropriate and in preparation for progression into Specific Category authorisations. The absence of uninvolved persons within the operational envelope and the availability of sufficient contiguous flight volume make it possible to conduct iterative test flights and reliability validation without exposing third parties to unacceptable risk.

4.5 The AAE pathway in particular depends on empirical evidence of local airspace usage patterns and traffic density. Demonstrating that a location qualifies as atypical requires data over time. DDS has, through its sensor installations, accumulated baseline airspace usage information relevant to that assessment. If CLF were rendered unsuitable for continued development flying—whether through compression of flight volume, increased ground exposure, degradation of sensor performance, or regulatory complication—the evidential continuity underpinning AAE eligibility would be broken. Relocating to a new site would require rebuilding that empirical dataset from first principles, including fresh airspace monitoring, new ground risk assessment, and renewed engagement with the CAA.

4.6 The commercial implications are material. The Drone-in-a-Box concept has scalable application across private estates, industrial facilities, and residential security contexts.

However, its market viability depends on establishing a replicable regulatory template. That template is built upon a foundation of demonstrated operational safety and pilot competency progression. If the development pathway at CLF were sterilised, DDS would not simply incur relocation cost; it would lose accumulated regulatory capital in the form of documented flying hours, validated procedures, and site-specific evidence supporting AAE and Operational Authorisation arguments. The process of reconstructing that regulatory position at a new location would involve delay, duplication of evidential work, and additional cost, during which commercial deployment opportunities could be foregone.

4.7 It is therefore important to understand that the value of CLF in this context is not merely as a convenient testing ground. It functions as a regulatory proving environment in which DDS can demonstrate compliance with the CAA's risk-based framework, accumulate pilot competency hours, validate reliability to an "as safe as" benchmark, and generate the evidential base necessary for AAE designation and Specific Category approvals. Interrupting that pathway would not be a marginal inconvenience but a reset of the regulatory progression underpinning the commercialisation of the Drone-in-a-Box system.

5 Technical Impact of Solar Infrastructure on DDS Radar and RF Detection Systems, with Emphasis on Clutter and EMI

5.1 The current technical baseline at Caunton Lodge Farm (“CLF”) is an open agricultural environment with long, unobstructed lines of sight and a comparatively low level of local electromagnetic activity. For DDS’s sensor suite—particularly sensitive RF receivers used to detect and identify drone emissions at range, and 3D radar systems used to detect small unmanned aircraft—this baseline is not incidental. It is a material enabling condition.

5.2 The proposed introduction of solar infrastructure would change that baseline in two predictable ways. First, it would introduce a large, contiguous engineered reflector field into the radar’s near environment, increasing clutter, multipath, and the density of persistent returns that must be suppressed for small-target detection. Secondly, it would introduce powered electrical infrastructure—DC strings, inverters, transformers, switchgear, and collection networks—that can elevate the local electromagnetic noise floor and create foreseeable electromagnetic interference (“EMI”) pathways into sensitive receiving systems. The UK CAA’s aerodrome safeguarding guidance for renewable energy developments explicitly flags EMI effects on Communications, Navigation and Surveillance (“CNS”) as a relevant consideration for solar energy developments and recommends early consultation and assessment where such risks may arise.

5.3 From the RF perspective, the critical mechanism is signal-to-noise ratio. DDS’s RF detection capability relies on sensitive receiving equipment that monitors for low-power drone-related emissions and extracts signatures of interest from background noise through signal processing. In such systems, detection range and identification confidence depend on the received signal remaining distinguishable above the ambient noise floor. If the local noise floor rises, the signal-to-noise margin reduces, which predictably reduces detection range and increases false alarms and misclassification risk.

5.4 While an individual inverter may be compliant with EMC requirements, solar farms introduce multiple switching power electronics devices operating continuously, together with

extensive cable runs that can radiate or conduct interference and increase the composite noise environment. The NREL technical report on electromagnetic interference from solar photovoltaic arrays discusses both radiated and conducted emissions pathways and, importantly, recognises (via FAA case study experience) that proximity management and setbacks have been used in practice in the vicinity of sensitive aviation and surveillance equipment. This is directly relevant to CLF because DDS is not operating generic consumer RF devices; it is operating specialist receiving equipment whose performance is explicitly linked to a low-noise environment and whose purpose is the detection of low-power emitters at operationally meaningful distances.

5.5 From the radar perspective, the mechanism is clutter and receiver burden. Drone-detection radars—commonly including electronically scanned phased array architectures—operate by transmitting energy and processing weak returns from targets that are often intrinsically difficult to detect. Small unmanned aircraft typically have low radar cross-section due to size, materials and geometry, and they are often non-cooperative (no transponder), meaning the radar must extract low-level returns against background clutter. In open agricultural land, the clutter environment is typically dominated by terrain, vegetation, and sparse features that can be characterised and filtered using stable clutter maps and suppression techniques. A solar array replaces that baseline with extensive repetitive engineered structures, combining metal frames, conductive cabling and planar surfaces. This predictably increases the density of persistent radar returns in affected sectors, increases multipath opportunities, and can drive up the radar’s effective clutter floor.

5.6 In operational terms, higher clutter increases the probability of false alarms and forces processing thresholds (for example constant-false-alarm-rate behaviour) to be set more conservatively to keep alerts manageable, which in turn reduces sensitivity to small targets and reduces detection distances. This is not an exotic claim about “radar failure”; it is the normal and foreseeable consequence of increasing engineered clutter in the radar’s field of view when the targets of interest are already low-signature.

5.7 Regulatory and safeguarding practice supports the proposition that separation distances and proximity management are appropriate mitigations where solar infrastructure is near radar or other sensitive systems. The FAA’s Airport Solar Guide includes case studies indicating that solar fields at Oakland and Bakersfield were required to meet setbacks from transmitters of 500 feet and 250 feet respectively (approximately 152 m and 76 m), which provides a concrete, published basis for the proposition that buffers are used in practice to manage interference concerns where proximity to equipment is relevant. NREL’s report on photovoltaic systems near airfields similarly notes that, in cases where PV systems were deployed near existing radar equipment, setback distances of 250–500 feet were implemented to minimise physical blocking or reflection effects and that a similar 250-foot setback near other critical communications equipment could be considered.

5.8 Separately, NREL’s EMI-focused report describes FAA case study experience indicating setbacks of 250–500 feet between the leading edge of PV arrays and existing radar equipment, expressly tying proximity management to EMI/CNS considerations. In combination, these sources provide a clear evidential foundation for the proposition that (i) solar installations can engage radar/EMI safeguarding issues, (ii) proximity and geometry are determining factors, and (iii) buffer distances in the order of 250–500 feet have been used as a practical mitigation measure in real projects.

5.9 It is also important to be explicit about the evidential constraints inherent in DDS’s domain. Much of DDS’s work is highly experimental and cutting-edge, involving bespoke combinations of radar, RF sensing, and counter-UAS detection methods applied to small, low-signature targets. There is limited open literature that addresses the specific performance impacts of solar infrastructure on proprietary counter-drone sensor stacks, in part because the field is relatively new and in part because operational and commercial sensitivities limit publication. In those circumstances, it is both normal and appropriate to rely on first principles of RF receiver theory and radar signal processing, supported by published aviation safeguarding guidance and analogous studies and case reports that demonstrate recognised interference pathways and mitigation practices.

5.10 The CAA's renewable energy safeguarding guidance explicitly identifies EMI as a consideration for solar developments in the aerodrome safeguarding context, reinforcing that EMI is not a speculative concern but a recognised one requiring assessment in relevant circumstances. The FAA and NREL materials provide further corroboration that, where solar is deployed near radar and related systems, developers and authorities have treated separation distances as a material mitigation tool.

5.11 Against that backdrop, the practical consequence for DDS at CLF is straightforward. The current agricultural baseline provides open views and a low EMI environment that supports sensitive detection thresholds and long-range identification of low-power drone emissions. Introducing solar infrastructure replaces that baseline with dense engineered clutter and additional sources of electrical switching noise. For RF systems, raising the noise floor predictably reduces detection range and identification confidence at the margins, where many real-world drone emissions sit. For radar systems, increasing clutter predictably raises processing burden, increases false alarm pressure, and reduces small-target detection distances in affected sectors. These are foreseeable engineering effects that follow from established principles and are consistent with aviation safeguarding practice that recognises EMI/CNS risks and applies buffer distances around relevant equipment.

5.12 Reference Table – Solar Infrastructure, Radar & RF/EMI Impacts

Ref	Source	Title / Description	Relevance to DDS Position	Link
1	UK CAA	<i>CAST Advice Note 5 – Renewable Energy Developments (2024)</i>	Explicitly recognises EMI and CNS impacts from renewable energy developments, including solar; confirms need for assessment and potential mitigation/setbacks	https://www.caa.co.uk/media/f51mg4hs/cast-advice-note-5-renewable-energy-developments-renewable-energy-apr-24.pdf
3	Federal Aviation Administration (FAA)	<i>Airport Solar Guide (2018)</i>	Notes radar interference considerations and includes case studies where setbacks of 250–500 ft (76–152m) were applied between PV arrays and radar equipment	https://www.faa.gov/sites/faa.gov/files/airports/environmental/FAA-Airport-Solar-Guide-2018.pdf
4	National Renewable Energy Laboratory (NREL)	<i>Solar Photovoltaic Systems Installed on Airfields – Technical Guidance (NREL/TP-7A40-63310)</i>	Summarises FAA case studies; confirms use of 250–500 ft setbacks near radar and communications equipment to mitigate interference risk	https://docs.nrel.gov/docs/fy15osti/63310.pdf
5	NREL	<i>Electromagnetic Interference (EMI) and Solar PV Systems (NREL/TP-7A40-67440)</i>	Technical discussion of EMI pathways from PV arrays (radiated and conducted emissions); acknowledges proximity-based mitigation near radar systems	https://docs.nrel.gov/docs/fy17osti/67440.pdf
6	Ofcom	<i>Wireless Telegraphy Act Licensing Guidance</i>	Confirms that radar operations are location-specific and require licensing; relocation requires variation/reapplication	https://www.ofcom.org.uk/managing-your-licence/radiocommunication/licences

Ref	Source	Title / Description	Relevance to DDS Position	Link
9	Skolnik, M. (Radar Handbook, 3rd Ed.)	Academic radar reference text	Explains radar clutter, CFAR processing, low RCS target detection and clutter-induced detection degradation	(Book – McGraw Hill; ISBN 978-0071485470)
10	Richards, M. A.	<i>Fundamentals of Radar Signal Processing</i>	Explains SNR relationship, clutter effects, false alarm rates and detection threshold trade-offs	(Book – McGraw Hill; ISBN 978-0071798327)
11	ITU-R SM.329	<i>Unwanted Emissions in the Spurious Domain</i>	Defines noise floor and spurious emissions framework relevant to EMI and RF detection sensitivity	https://www.itu.int/rec/R-REC-SM.329

6. Comments on Applicant's Response to Deadline 1 Representations

6.1.1 Alleged "Unlawful Business Use". The Applicant asserts that the activities undertaken by DDS at CLF do not have express planning permission and are or may be an "unlawful" business use to which no weight should be afforded.

6.1.2 It is accepted that the lawful use of CLF is as a dwelling. As a matter of fact and degree DDS's use has not caused a notable change in the character of the property's use and as a result there has been no material change of use.

6.1.3 As described in this statement, there are two main aspects to DDS's use. One is to trial the Drone-in-a-Box system which is for use in a residential/rural estate context and which by its nature is incidental to the use of the dwelling as such in much the same way that other forms of home security system or semi-autonomous household or garden machinery such as a robot lawn mower would be. The other is for testing and R&D activities concerning DDS's other products, whether existing or in development. Such activities are intermittent and when they are carried out they are undertaken personally by the resident director (Mr Gill), who is also a qualified remote pilot. Although the work is highly specialised it has the same characteristics as other classes of home working and the residential character of CLF is unaffected by it. For instance, no other DDS staff are based at the site, no customers attend, no signage is displayed, and there are no commercial comings and goings beyond what would ordinarily be associated with a dwelling. With the exception of the installation of some specialised equipment (such as three slender sensor towers, see Section 7) there has been no operational development to accommodate the DDS use. All of the equipment is also utilised in conjunction with the Drone-in-a-Box system. It is comparable in scale and appearance to the kind of satellite and telecoms equipment commonly installed on residential properties in rural areas. It does not, of itself, imply or signify a change of use. The principal manifestation of the use is drone flight. Take-offs and landings involve only a small part of the property and their nature, scale and frequency is not such as to materially alter the essentially residential character of the property.

6.1.6 The fact that the use involves over-flying adjoining agricultural land does not imply any change in the use of that land either. However, it is relevant that the present use of CLF (including the use by DDS) and the adjoining agricultural uses are inherently compatible: neither constrains the use of the other. Each, as things stand, is suitable in its surroundings.

6.1.7 The Applicant's submission that the DDS use is unlawful and that no weight should be attached to the adverse effects which the DCO scheme would have on it is therefore rejected.

6.2 Eco-pod planning application. Mr Gill has recently been granted planning permission for an 'eco-pod' home office (planning reference 25/02039/HOUSE). The application described the development "*as to facilitate home working*". The application (and permission) is consistent with the nature and extent of the DDS use as described in this Statement.

6.3 Solar infrastructure on A3 Open Category. The Applicant's submission mischaracterises both the structure and intent of the Open Category A3 regulatory framework and oversimplifies the separation and ground risk requirements that apply to developmental unmanned aircraft operations. It is not correct to treat the A3 provisions as a narrow checklist limited to whether a particular land use is expressly named in guidance. The regulatory test is risk-based, not label-based.

6.3.1 Under the retained provisions of Regulation (EU) 2019/947, Subcategory A3 permits operation only where the remote pilot reasonably expects that no uninvolved persons will be present within the area of operation and where the flight takes place at a safe distance from residential, commercial, industrial, or recreational areas. The Applicant refers to a 150m buffer as though it were an automatic and exhaustive metric; however, the A3 framework is not solely defined by a single numeric separation. It is structured around exposure to uninvolved persons and the character of the surrounding land use. The pilot must ensure that the operational and contingency volumes are configured such that the risk to uninvolved persons is acceptably low.

6.3.2 The introduction of a large-scale solar development materially alters the character of the land and its associated risk profile. A solar farm is not neutral agricultural land; it is commercial energy-generating infrastructure comprising inverter stations, transformers, access tracks, maintenance operations, perimeter security, and public rights of way or permissive access. It is plainly a commercial land use in planning and operational terms. The fact that photovoltaic panels are not individually named within CAA guidance does not mean they are excluded from consideration under the commercial or industrial limb of the separation principle. The regulatory intent is clear: A3 operations must remain clear of environments where the presence of uninvolved persons, operational infrastructure, or commercial activity increases exposure risk.

6.3.3 Even if one were to set aside the question of whether a solar farm constitutes a commercial or industrial area for separation purposes, the more fundamental point concerns Ground Risk Class (“GRC”). A3 operations are premised on low intrinsic ground risk. The introduction of commercial infrastructure changes the baseline. It increases the density of third-party assets, increases the likelihood of maintenance personnel presence, and increases potential liability exposure in the event of an incident. A drone failure over open agricultural land has a different consequence profile to a drone failure over energy infrastructure, inverter compounds, or personnel undertaking maintenance activity. The regulatory framework is consequence-sensitive. The remote pilot must consider not only people but also the operational environment and foreseeable exposure.

6.3.4 The Applicant asserts that DDS has not evidenced why solar PV panels would prevent A3 operations. That framing is misplaced. The issue is not whether A3 would be “prevented” in a binary sense; it is whether the ground risk baseline and operational envelope would change materially. There can be no serious dispute that replacing open farmland with commercial energy infrastructure alters the intrinsic GRC assessment. The CAA’s broader risk-based methodology, including UK SORA for Specific Category operations, treats land character and population density as primary determinants of ground risk. The logic underpinning A3 is aligned with that same principle. Where land use changes from low-

exposure agricultural land to commercial infrastructure with associated personnel access and asset density, the risk model changes.

6.3.5 There is also a liability dimension which the Applicant's submission ignores. Under A3, the remote pilot carries responsibility for ensuring that uninvolved persons are not exposed and that separation is maintained. If the baseline environment becomes more complex and commercially sensitive, the exposure and liability profile of each flight changes. A crash into a crop field and a crash into commercial energy infrastructure are not equivalent from either a safety or legal perspective. The introduction of valuable third-party infrastructure materially elevates foreseeable consequence. That is not speculative; it is self-evident.

6.3.6 The Applicant suggests that the absence of express reference to solar panels within CAA documents renders DDS's position unclear. The appropriate course, if the Applicant genuinely believes that the land use change has no regulatory consequence, would be to seek written confirmation from the CAA that the introduction of a commercial solar installation immediately adjacent to an A3 operational area would have no impact on ground risk assessment, separation assumptions, or liability considerations. The fact that such confirmation has not been provided speaks to the complexity of the issue. The regulatory framework is not designed to provide exhaustive lists of land uses; it operates on risk principles. The intent of the A3 provisions is to confine developmental operations to environments where exposure and consequence are low and controllable.

6.3.7 Finally, the Applicant's analysis fails to account for baseline change. DDS's current A3 operations are assessed against an agricultural baseline with low third-party exposure, minimal built infrastructure, and predictable land character. The proposed Development would replace that baseline with commercial infrastructure and associated operational activity. Regulatory assessments are context-dependent. Altering the context alters the assessment. The suggestion that A3 operations are unaffected simply because "solar panels" are not explicitly named in guidance is therefore unsustainable. The issue is not nomenclature but risk.

6.4 Briefing Methodology. The Applicant’s suggestion that construction personnel could simply be “briefed” so as to cease being uninvolved persons for the purposes of Open Category A3 is misconceived and operationally unworkable.

6.4.1 The Open Category framework is not designed to facilitate routine flight over third-party construction sites. The concept of an “uninvolved person” refers to individuals who are not participating in, or directly supporting, the specific unmanned aircraft operation and who have not accepted the operational risk in a controlled and structured manner. Construction workers employed by an independent contractor to build a commercial solar installation are not participants in DDS’s flight operations. They are engaged in a separate commercial activity under a different duty holder. They cannot realistically be incorporated into the flight crew structure or treated as controlled participants in experimental drone operations without fundamentally altering their employment context, insurance position, and safety management regime.

6.4.2 The proposal also fails to address practical control and liability. Who would assume responsibility for briefing rotating construction teams? How would acceptance of risk be recorded and audited? How would temporary subcontractors, visitors, delivery drivers, or supervisory personnel be managed? Construction sites typically involve dynamic personnel movement and multiple contractors. The remote pilot’s obligation under A3 is to have a reasonable expectation that no uninvolved persons will be present within the operational area. That obligation cannot be discharged by a one-off or informal “briefing” arrangement with a third-party principal contractor whose primary duty is construction safety, not aviation risk management.

6.4.3 There is also a liability dimension which the Applicant overlooks. If a drone incident were to occur during construction, the question of whether workers were properly “briefed” would become central to civil liability and regulatory scrutiny. The CAA framework does not envisage that commercial construction staff on adjacent land can be retrospectively converted into operational participants to avoid separation requirements. The intent of A3 is to confine developmental flying to low-exposure environments where third-party presence is

minimal and controllable, not to permit flight over active commercial works through procedural reclassification.

6.4.4 Furthermore, the Applicant's argument presupposes that the solar development does not otherwise alter the ground risk baseline. That assumption is disputed. The introduction of commercial infrastructure and construction activity changes both exposure probability and consequence profile. Even if one were to accept, which is denied, that workers could be formally incorporated into a safety brief, that would not address the increased asset risk, liability exposure, and altered operational environment created by a live construction site.

6.5 Avoidance on new permissive route. The Applicant's submission again reverses the proper analysis. The proposed Development introduces a new permissive bridleway into what is currently a privately controlled and non-public operational environment. That is a material change in baseline. Pre-scheme, the principal flight volume at CLF is defined within land over which there is no routine public access and where the remote pilot can reasonably expect that uninvolved persons will not enter the operational or contingency volumes during flight. Post-scheme, the Applicant proposes to insert a defined route along which members of the public may lawfully pass through or adjacent to that same operational envelope. The regulatory consequence of that change is neither theoretical nor discretionary.

6.5.1 Under the Open Category A3 framework, the remote pilot must have a reasonable expectation that no uninvolved persons will be present within the area of operation. Members of the public using a permissive bridleway are, by definition, uninvolved persons. They cannot be pre-identified, briefed, controlled, or relied upon to follow aviation safety instructions. The presence of a public route through or proximate to the principal flight volume therefore directly affects the pilot's ability to satisfy the A3 test. This is not a question of whether the surrounding land is "congested"; it is a question of exposure probability within the defined operational and contingency volumes.

6.5.2 The Applicant suggests that flight paths could simply be directed away from the bridleway and that separation within 50m could be maintained. That response implicitly

acknowledges that the bridleway creates a constraint which does not currently exist. More importantly, it misunderstands the nature of flight volume management. Experimental and developmental operations do not consist of a single linear path that can be redirected at will. They involve defined operational volumes, manoeuvre envelopes, contingency buffers and recovery areas. The introduction of a public route into or adjacent to that space compresses the available flight envelope. It reduces lateral flexibility, constrains contingency planning, and increases the likelihood that operations must be curtailed when public users are present.

6.5.3 The regulatory obligation is not satisfied merely by intending to avoid a line on a plan. The remote pilot must be able to form a reasonable and defensible expectation that uninvolved persons will not enter the operational area during flight. A permissive bridleway is specifically designed to facilitate unpredictable public access. Usage patterns are not controllable by DDS. The presence of walkers, cyclists or equestrians cannot be scheduled around test activity, and the risk of sudden incursion into the contingency volume cannot be eliminated. The proposal therefore introduces unbrieffable and uncontrolled third parties into what is currently a controlled environment.

6.5.4 There is also a practical operational consequence. Avoidance of the bridleway sector would require redrawing the principal flight volume and reducing the manoeuvre envelope. That reduction is itself an impact. It limits the range of test profiles that can be undertaken safely and lawfully, particularly where failure-mode testing or envelope expansion is involved. The suggestion that “flight paths can be directed away” is, in substance, an acceptance that the Development would constrain existing lawful operations.

6.5.5 The correct analytical starting point is that the Applicant is introducing a new public access corridor into an area which presently has none. That is a baseline change. The effect of that change is to insert uninvolved and unbrieffable persons into proximity with developmental flight operations governed by A3 separation principles. The burden does not fall on DDS to redesign its operations to accommodate that change. The examination must instead consider whether the creation of the bridleway materially interferes with an existing lawful activity and, if so, whether that interference is necessary and proportionate.

6.6 AAE Accreditation and BVLOS activity. The Applicant’s submission proceeds on two incorrect assumptions: first, that the absence of express reference to solar infrastructure within Open Category A3 guidance is determinative of regulatory impact; and secondly, that DDS bears the burden of demonstrating why it cannot accommodate a materially altered operational environment created by the Development.

6.6.1 It is correct that DDS stated in its Relevant Representation that it is pursuing accreditation for an Atypical Air Environment (“AAE”) as part of a progression toward Beyond Visual Line of Sight (“BVLOS”) operations. By definition, that pathway is evidence-led and iterative. It requires the accumulation of site-specific operational data, validated procedures, and progressive demonstration that flights can be conducted to an “as safe as” standard acceptable to the CAA. The fact that the pathway is in development does not diminish its materiality; it underscores that evidential continuity at CLF is essential to achieving that regulatory milestone. AAE designation is not granted in the abstract. It depends on demonstrating empirical airspace characteristics, predictable ground risk, and a stable operational envelope. Interrupting or materially altering that environment resets the evidential basis on which such an application rests.

6.6.2 The Applicant suggests that DDS has not explained whether accreditation has been granted or applied for, whether infrastructure is required, or whether resources exist. Those matters are not determinative of the impact analysis. The issue before the Examining Authority is whether the proposed Development materially alters the operational environment within which DDS is lawfully developing and progressing its regulatory pathway. The AAE process is explicitly dependent upon demonstrating low and controllable air and ground risk characteristics over time. Introducing commercial energy infrastructure and a permissive bridleway into the principal flight volume changes the baseline against which that safety case must be assessed. It is not sufficient to assert that “BVLOS flights could still occur over solar PV.” The regulatory question is not whether physical overflight is theoretically possible; it is whether the intrinsic Ground Risk Class and exposure assumptions underlying the safety case remain stable.

6.6.3 The Applicant’s reliance on the fact that solar infrastructure is not expressly listed within A3 avoidance categories reveals the central flaw in its reasoning. The regulatory framework is risk-based, not taxonomy-based. The intent of A3 and of SORA-based assessments is to confine developmental and more complex operations to environments where exposure to uninvolved persons and third-party assets is inherently low and controllable. A commercial solar installation, with associated maintenance personnel, infrastructure density, and public access routes, materially alters that environment. The absence of the word “solar” in guidance does not immunise such a development from risk assessment consequences. The regulatory intent is clear: land use changes that increase exposure and consequence alter ground risk.

6.6.4 The Applicant further contends that BVLOS-enabled activity could be “simulated by using human observers.” That proposition misunderstands both the purpose and regulatory structure of AAE and BVLOS progression. AAE accreditation is pursued precisely to move beyond reliance on distributed human observers as a mitigation for air risk. The CAA’s pathway requires demonstration that the system—comprising aircraft, command-and-control link, procedures, and supporting sensors—can achieve an acceptable level of safety without continuous visual observers across the operational volume. To suggest that the commercial value and regulatory purpose of BVLOS accreditation can be replicated through human observers is to collapse the distinction between Open Category mitigation and Specific Category progression. It does not preserve the pathway; it negates it.

6.6.5 There is also a liability and complexity dimension which the Applicant overlooks. BVLOS and AAE approvals are contingent upon a defined operational context. If the intrinsic Ground Risk Class increases due to the introduction of commercial infrastructure and public access, additional mitigations would be required. Those mitigations increase operational complexity, documentation burden, and cost. They may also reduce the operational envelope to a degree that renders the site unsuitable for the experimental R&D flights currently undertaken. The issue is not whether drones can physically traverse the airspace; it is whether the regulatory, liability, and risk framework within which they operate remains viable.

6.6.6 The Applicant’s suggestion that the site’s usability would not be “extinguished” sets up a false binary. The test is not extinction in the literal sense of impossibility. The question is whether the Development materially interferes with an existing lawful activity and its regulatory progression. If the introduction of commercial infrastructure and a permissive bridleway compresses the flight volume, elevates the Ground Risk Class, increases exposure to uninvolved persons, and complicates the evidential pathway toward AAE and BVLOS authorisation, then the site’s suitability for its current R&D function is fundamentally altered. That is a substantive impact, irrespective of whether some constrained form of flight might theoretically remain possible.

6.7.1 Rights Over Adjoining Land. It is accepted that DDS relies upon the rights of overflight which apply generally (subject to complying with relevant CAA regulations) rather than specific rights in respect of the land adjoining CLF. At present the use of CLF (including the DDS use) and the predominantly agricultural uses of the surrounding land are compatible. The agricultural uses do not unreasonably constrain the use of CLF or vice versa. The current balance would be upset if the proposed DCO scheme were to proceed as designed since new constraints would be imposed on the use of CLF going forward. There would be immediate impact on DDS’s activities but also long-term permanent impacts on CLF as a whole.

6.7.2 CLF has existed as a self-contained property since 1998 when it was separated from a larger farm property. At the time express rights were granted for the benefit of CLF over adjoining land which had previously formed part of the same property. The rights are to construct service installations in, on, or over the adjoining land and to use, maintain and renew such installations as may be installed. The rights serve a practical purpose. CLF does not currently rely on services laid across the adjoining land: it is entirely ‘off-grid’ with its own water supply and renewable energy generating plant. However, when Mr and Mrs Gill bought the property 2023 they encountered real difficulties in obtaining mortgage finance from traditional lenders because the property has no main services. The right to lay new service installations exercisable over a period of 80-years from the date of the grant (in 1998)

therefore provides important protection against future changes in practice, legislation or technology affecting the property's use.

6.7.3 The Applicant suggests that the terms of the grant ought to be narrowly construed on the basis of CLF's use as a dwelling. However, the grant is for the benefit of the property, not to accommodate any particular use of the property. 'Service Installations' are stated to include media "*laid or constructed on, under or through*" the adjoining land. 'Services' include but are not limited to "*water, soil, gas, electricity*". They also include "*other services*" through drains, channels, sewer pipes, wires, cables, water courses, gutters and "*other conducting media*" including "*ancillary and connected equipment and construction works*". The grant is therefore broadly, not narrowly, expressed.

6.7.4 The rights granted are exercisable over the whole of the adjoining land. They are not limited to a specific corridor or only between specific points. As noted, the service installations may be in, on or over the land: for example, an underground water supply pipe or an overhead electricity cable. There is no restriction on how many (as long as for the benefit of CLF) and no requirement that they be constrained to any particular route 'corridor'. Whilst the Applicant implies that in practice the rights would be constrained by the use of the adjoining land with the result that services would likely be placed around the edges or along access tracks there is nothing in the grant itself to require that.

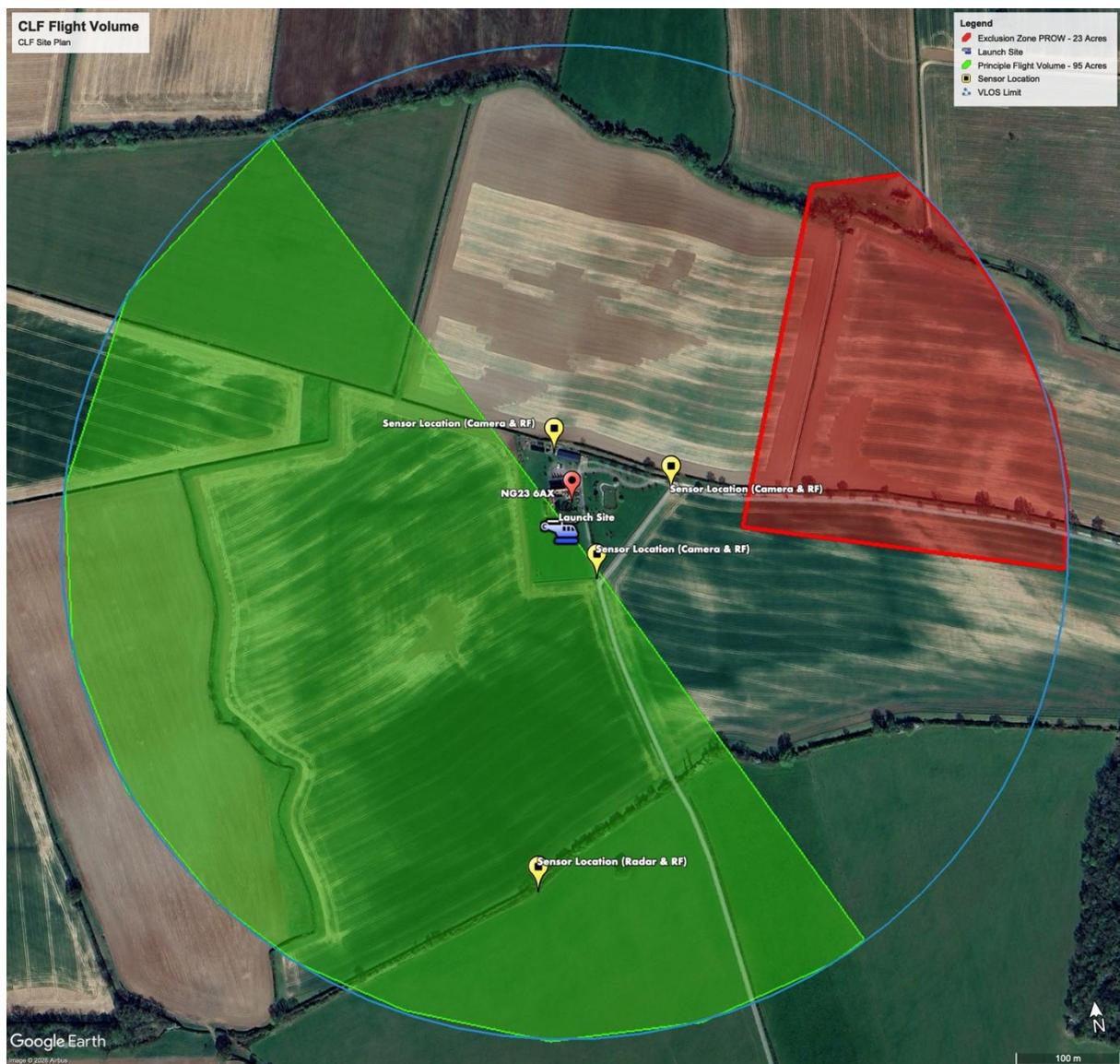
6.7.5 The Applicant casts doubt on the ability of DDS to rely on the rights but DDS is lawfully in occupation of CLF under licence from the freehold proprietors Mr and Mrs Gill. The proposal to lay a cable across the adjoining land to the equipment cabinet immediately to the south of it is in order to accommodate DDS's use of CLF. The cabinet contains sensors connected to equipment at CLF. Those sensors—comprising radar and RF systems—provide overwatch of the property, contribute to airspace monitoring, and support research and development activity undertaken by the resident director.

6.7.6 In Summary, in response to the Applicant's comments:

- **The DDS use has not brought about a material change of use of CLF and is not an *“unlawful business use”* as alleged.**
- **The DDS use relies on overflight rights which apply generally subject to CAA regulation and does not depend upon specific private rights**
- **The DDS use is currently carried out in accordance with CAA requirements**
- **The DDS use and the current agricultural use of the adjoining land are compatible: neither inherently imposes unreasonable constraints on the other**
- **CLF benefits from extensive rights to construct, use and maintain service installations in, under and over the adjoining land**
- **As occupier under a contractual licence, DDS is able to rely on the rights**
- **The proposed development on the adjoining land would impose significant constraints upon the DDS use if implemented as designed, threatening or preventing compliance with CAA requirements, causing RF and radar interference with DDS equipment, physically preventing reliance upon existing rights to construct and use service installations in, or over the adjoining land and extinguishing such rights in any event.**

7. Operational Activities and Sensor Laydown at Caunton Lodge Farm

7.1 Caunton Lodge Farm (“CLF”) functions as an integrated operational test and validation environment for Drone Defence Services Ltd (“DDS”). The site is configured to provide both persistent airspace monitoring and a controlled flight environment suitable for research, development and regulatory progression. The physical laydown of equipment has been deliberately designed to create a coherent surveillance architecture over and around the property, centred on a defined principal flight volume.



7.2 Within the curtilage of CLF itself, three sensor towers are installed. These towers host radio frequency detection units and electro-optical camera systems. Together, they provide multi-sensor coverage of the immediate airspace above the property and contribute to persistent monitoring of aerial activity within the defined operational envelope. The configuration is not ad hoc; it is designed to provide layered situational awareness, enabling correlation between RF detections, visual confirmation and radar tracking where applicable.

7.3 To the south of the property, beyond the Order Limits, DDS has installed a small services cabinet and a compact utilities pole. This location hosts radar unit together with an additional RF sensor. The southern position provides extended line-of-sight coverage across the agricultural land that forms the principal flight volume. The radar and RF systems at this location are connected via service infrastructure benefiting from existing easement rights. These systems directly serve CLF by providing overwatch of the property and monitoring of the airspace within and beyond the operational envelope. The integration of these sensors enables DDS to maintain a persistent and empirically grounded understanding of local airspace usage patterns, which is critical both for safety management and for evidential support in regulatory applications.



7.4 The principal flight volume at CLF comprises a circular area with an approximate 500-metre radius centred on the property. This operational envelope lies predominantly above open agricultural land. The ground risk classification is intrinsically low due to the absence of routine public access, minimal third-party infrastructure, and the predictable character of the surrounding land. This low-exposure baseline makes the site particularly suitable for Open Category A3 developmental flying and for progressive steps toward Specific Category authorisations, including the Atypical Air Environment (“AAE”) pathway discussed previously.

7.5 For one project, a DJI Dock system is also installed at the property and is presently in the evaluation phase. This forms part of DDS's work toward AAE accreditation and potential BVLOS progression. The dock enables automated launch and recovery under controlled conditions and supports the development of procedures, reliability data and operational experience required to demonstrate that flights can be conducted to an "as safe as" standard acceptable to the Civil Aviation Authority. The integration of the dock with the sensor network allows DDS to validate detection, tracking and response workflows in a realistic but controlled environment.

7.6 Flight activity at CLF is regular but proportionate. On average, approximately one hour of flight per day is undertaken, subject to weather conditions and pilot availability. The purpose of this flying is not routine commercial deployment but iterative testing, validation and data accumulation. Each flight contributes to the growing body of operational evidence required for CAA accreditation and supports confirmation of detection system performance in a live but controlled environment.

7.7 It is also material that the detection system deployed at CLF is not experimental in isolation; it is the same core system architecture deployed to client sites, including high-sensitivity environments such as custodial facilities. CLF therefore serves as both a development and validation site for technology already operating in real-world applications. Performance benchmarking, firmware updates, algorithm refinement and system integration testing are all conducted in an environment that closely mirrors the operational contexts in which the systems are deployed.

7.8 The geography of CLF is uniquely suited to this activity. The open agricultural surroundings provide extended, unobstructed views for radar and camera systems. The absence of significant electromagnetic interference sources supports sensitive RF detection. The contiguous landholding enables a coherent 500-metre flight envelope without fragmentation by public access routes or dense infrastructure. The integrated sensor laydown, combined with low ground risk and controllable take-off and landing areas, creates a stable and repeatable operational test environment.

7.9 In summary, CLF is not a casual flying location. It is a configured, multi-sensor operational test bed supporting daily flight activity, long-term data collection, regulatory progression, and validation of systems deployed in client environments. The site's geometry, land character, and infrastructure integration collectively underpin the lawful and effective conduct of DDS's operational activities.