

23 April 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
SUBMISSIONS FOR DEADLINE 6**

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 see enclosed herewith the statement submitted for Deadline 6.

This submission is provided in accordance with the Examining Authority's direction for Deadline 6 and comprises a summary statement of matters previously raised during the Examination that remain unresolved to the Interested Parties' satisfaction.

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

Yours faithfully,

BBS LAW

BBS LAW

London Office: 80 Coleman Street, London EC2R 5BJ T: 0204 505 8080
Manchester Office: First Floor, The Edge, Clowes Street, Manchester M3 5NA T: 0161 832 2500
Finchley Office: 2nd Floor, Winston House, 2 Dollis Park, London, N3 1HR T: 0208 349 0321
mail@bbslaw.co.uk | www.bbslaw.co.uk | Fax: 0161 834 4826

BBS Law Ltd is a limited company registered in England registered number 07202211. The term Partner is used to refer to a Director of BBS Law Ltd. A list of Directors of BBS Law Ltd is open to inspection at its registered office, First Floor, The Edge, Clowes Street, Manchester M3 5NA. Authorised and regulated by the Solicitors Regulation Authority Practice ID No.556112 V.A.T. 497 4406 51

Deadline 6

Statement on Behalf of Richard and Lisa Gill and Drone Defence Services Ltd

Introduction

1. The Interested Parties ('IPs') have previously made detailed representations, most recently at Deadline 5. This short statement provides a summary of the matters which they consider outstanding at the conclusion of the examination.

Overview

2. IPs accept that there is a pressing national need for renewable energy infrastructure as set out in the National Policy Statements and therefore do not object to the development in principle. However, they do object to certain specific elements of the development in the vicinity of Caunton Lodge Farm, as follows:
 - Solar Block W18.3 within Plot 15/16;
 - Solar Block W18.1 in the adjacent field;
 - The associated proposed permissive route; and
 - The proposed acquisition of land and removal of rights in land across Plots 15/17 and 16/1
3. The objections may be considered under the following headings:
 - Effects on the Amenity of Caunton Lodge Farm
 - Effect on Setting of a Non-Designated Heritage Asset
 - Effects on DDS Use, CNS/Operational Impacts
 - Environmental Baseline and RVAA
 - Mitigation Hierarchy
 - Compulsory Acquisition -Land and Rights
 - Planning Balance

Effects on Amenity of Caunton Lodge Farm

4. IPs maintain that certain elements of the scheme would have unacceptable effects upon the amenity of Caunton Lodge Farm.
5. Solar Block W18.3 is the principal source of residential amenity and heritage-setting impacts. It also contributes to wider operational constraints.
6. The proposed permissive route intended as mitigation introduces adverse effects on amenity and privacy where none presently exist.
7. Plots 15/17 and 16/1 are mitigation land only and do not host generating infrastructure.
8. IPs consider that the cumulative effect of these elements have not been adequately resolved through the Applicant's design response.

Effect on the Setting of a Non-Designated Heritage Asset

9. Caunton Lodge Farm is a Non-Designated Heritage Asset, with significance deriving from its rural setting and open southern aspect.
10. IPs maintain that the effects on the asset were only identified late in the assessment process rather than being considered from the outset in the Environmental Statement.
11. Solar Block W18.3, occupying the field immediately south of the property, materially alters the spatial relationship between the dwelling and its surroundings and affects the contribution of setting to the asset's significance.
12. IPs maintain that the contribution of the southern field to significance and the impact of the development on the significance of the asset have not adequately characterised and assessed.

Effects on DDS Use, CNS/Operational Impacts

13. Caunton Lodge Farm is used as a development and testing environment for an established UK technology business. The development would introduce elements – including large-scale solar infrastructure, electrical equipment and permissive access – within or adjacent to the operational environment. No structured assessment of CNS, RF or operational airspace impacts has been undertaken within the Environmental Statement; and the implications have therefore not been fully assessed as part of the planning balance.

Environmental Baseline and RVAA

14. IPs maintain that the baseline applied to Caunton Lodge Farm within the Environmental Statement, particularly the Residential Visual Amenity Assessment, does not accurately reflect existing conditions.
15. In particular, IPs maintain that the southern aspect of the property is characterised by open agricultural land, which forms the principal outlook from the dwelling and a defining component of residential amenity which has not been correctly or consistently reflected in the Applicant's baseline assumptions.
16. Further, IPs maintain that successive iterations of the Applicant's landscape material have relied on inconsistent assumptions as to screening and boundary treatment, resulting in uncertainty as to the baseline against which impacts have been assessed. Notwithstanding the above, the Applicant's assessments have identified major adverse effects on Caunton Lodge Farm associated with Solar Block W18.3.

Mitigation Hierarchy

17. In contrast with the approach adopted in the vicinity of Caunton Lodge Farm, the Applicant has demonstrated design flexibility in respect of other parts of the Development, including the removal or reconfiguration of land in response to environmental and technical constraints. In the vicinity of Caunton Lodge Farm, the Applicant has proceeded to mitigation without adequately demonstrating whether the

identified harm could reasonably have been avoided through design changes, including omission or reconfiguration of Solar Block W18.3.

Compulsory Acquisition of Land/Extinguishment of Rights in Land/Compelling Case in the Public Interest

18. It is proposed to acquire land adjoining the IPs' property and to extinguish rights which the IPs enjoy over the land concerned by express grant (Plots 15/16, 15/17 and 16/1) and which the Applicant accepts are exercisable by the owners and occupiers of IP's property.
19. The rights are for the construction of Service Installations on the land and for the passage of services through Service Installations on the land ('the Rights').
20. Service Installations are simply the media laid or constructed "*on, under or through*" the land through which services are conducted, such as (but not limited to) drains, channels, sewer pipes, wires, cables, water courses, gutters "*and other conducting media*" including "*ancillary and connected equipment and construction works*". Services include "*water, soil, gas, electricity*" but also "*other services*".
21. Neither the categories of services, nor the classes of media for use in conducting them are circumscribed and the Applicant accepts that the Rights are not limited to being only exercisable in a particular location or confined to a particular corridor within the servient land. As the Applicant points out, the Rights extend across a wide area (their choice of word is "*vast*").
22. The Rights to construct Service Installations must be exercised "*causing as little damage as possible and making good...any damage caused.*" The Applicant suggests that the Rights are thereby not unfettered. However, the requirement to cause as little damage as possible is a constraint upon how construction is carried out, not where or for what purpose. Those are things defined by the terms of the grant which the Applicant appears to accept are (very) broadly expressed.

23. The Rights are a constraint upon the use of the servient land, and the servient owner may not substantially interfere with the Rights so as to prevent them from being exercised conveniently. The Applicant's suggestions as to the availability of alternatives perform very poorly if assessed on that basis. The interference with the Rights which the Applicant envisages could not be more substantial: it is proposed to prevent the Rights from being exercised over the servient land altogether. Alternative options avoiding the servient land are considerably more inconvenient (if practical at all).
24. Against that background, the IPs welcome the Applicant's willingness to consider the provision of a 'corridor' through the proposed development but regrettably their proposal to allow a narrow, sinuous reservation around the perimeter of the servient land is insufficient to overcome the IPs' concerns.
25. The Applicant has misunderstood the purpose of the information provided by the IPs in response to the Applicant's 'corridor' proposals. The IPs do not intend "*to deliver*" a 25m wide services corridor. It is an illustration of what would be required in substitution for the Rights which the IPs currently enjoy over the servient land and thereby a demonstration of the inadequacy of the Applicant's own tentative corridor suggestions.
26. The Applicant's objections to the reservation of a corridor 25m wide are that a width of 5m "*would be more than sufficient for services that may typically be required to serve a domestic property*" and that insofar as the IPs objections are motivated by the IPs' interest in the existing service cabinet to the south of the order land, they are illegitimate because of doubts about the lawfulness of the DDA use and any connected development.
27. DDS's use is part of the use of the IP's property and there are immediate issues connected with that use which concern the IPs and which have been explained in the IPs' earlier representations. However, the Rights are not personal to the IPs, they attach to the IPs' property. Their breadth and the flexibility inherent to them reflect that when granted they were intended to endure and to support the use of the IPs' property over the long term. When the Rights were granted services (and media) which now regarded as normal were either unknown or uncommon. For instance, few if any properties were at that time served by high speed fibre optic data cables or exported electricity generated

from wind or solar installations back to the grid. The Rights as granted are robust to accommodate such developments in technology and the use of land. They are important to the current and future use and enjoyment of the property for that reason quite apart from any issues arising from the current use by the current occupiers.

28. The IPs' serious concerns about the loss of the Rights and the need, if they are lost, for suitably robust provision in substitution for them, are to be viewed against that background. The IPs property is currently not served by any services delivered externally. The Rights provide for the construction and use of service media of all kinds for services of all kinds without restriction on the services by reference to the existing or any other use of the property (as the Applicant acknowledges). It cannot be said that a winding 5m wide corridor would be sufficient by comparison and certainly not in substitution.
29. Plainly to provide a suitable reservation would require changes to the development as currently conceived but they would affect only a small part of the scheme and to make such changes need not prevent the scheme as a whole from being delivered.
30. IPs submit that in the circumstances the Applicant has failed to demonstrate a compelling case in the public interest to acquire the affected land and to extinguish their rights.

Planning Balance

31. IPs acknowledge the significant benefits of the Development in contributing towards national needs for renewable energy. However, elements of the scheme which contribute only marginally to the generating capacity of the Development involve disproportionate avoidable adverse impacts concentrated on a single receptor and which therefore weigh heavily against the grant of development consent for scheme in its present form.

23 APRIL 2026