Application Reference: EN0110020 — Whitestone Solar Farm DCO Scheme - Morthen Lane Affected Residents Cluster

[redacted] <[redacted]>

Whitestone Solar

Subject: Deadline A Submission: Hearing Participation, Accompanied Site Inspection (ASI) Request, and Procedural Record Inclusion – Morthen Lane Affected Residents Cluster

Application Reference: EN0110020 — Whitestone Solar Farm DCO Scheme

FAO: The Examining Authority / [redacted] (Case Management Team)

Dear Case Team,

Procedural Deadline: Deadline A (27 October 2026)
Submission Type: Formal Request for Hearing Participation, Accompanied Site Inspection (ASI), and Insertion of Pre-Submission Procedural Record

I am writing as [redacted], the designated Lead Representative for the **Morthen Lane Affected Residents Cluster**. This submission is formally made on behalf of our group collectively—which comprises directly Affected Persons (APs) and local Interested Parties (IPs)—for Procedural Deadline A to request our active participation in the upcoming examination events, in accordance with the timetable set out in the Rule 6 Letter.

As a primary point of order, I confirm that I hold an explicit formal mandate to act on behalf of my spouse, [redacted], who is the registered joint legal freeholder, landowner, and an Affected Person for [redacted].

1. Preliminary Meeting Attendance Intentions

In regards to the upcoming Preliminary Meeting, I confirm that I will be attending the session in person as the Lead Representative for our cluster. Please log my attendance on the seating schedules. I intend to sit strictly as an observer during this administrative session and do not wish to speak or be formally recorded, as I understand is permitted under the Inspectorate's procedural rules.

2. Pre-Submission History and Procedural Audit Trail

The Examining Authority (ExA) is requested to note that there is a substantial, highly critical procedural audit trail regarding Cable Route C/Cable Route 2 (CR2A) and the applicant's conduct. This includes extensive pre-submission correspondence with the Case Team (specifically with [redacted]), my formal Section 51 advice queries published by the Inspectorate on **18 February 2026**, and our subsequent Section 51 request submitted on **10 March 2026**.

Crucially, the host local authority, Rotherham Metropolitan Borough Council (under Strategic Director [redacted] and Case Officer [redacted]), fully backed our position by declaring the applicant's pre-submission engagement "Inadequate" within the formal Adequacy of Consultation (AoC) stage. RMBC took the extraordinary step of appending our unredacted Statement of Truths directly to their official AoC submission to the Planning Inspectorate (PINS).

This statement detailed severe procedural deficiencies and a civil trespass that occurred at [redacted], executed under what we maintain is a legal fiction: a Section 172 notice under the Housing and Planning Act 2016, which deliberately bypassed the statutory Section 53 mechanism intended under the Planning Act 2008. We require these validated matters of record to be fully examined in the upcoming sessions.

3. Challenge to the Applicant's "Land Tracker" Documentation

We draw the ExA's immediate attention to the applicant's "Land Tracker" document submitted into the examination. **We robustly reject this tracker as a corporate fiction.** The applicant has cynically traffic-lighted our land holdings as "Orange" to denote a minor, manageable, or temporary disruption.

This classification is a profound misrepresentation of reality. As demonstrated below, the spatial overlay of their flexible assessment corridor does not create a minor disruption; it inflicts total commercial sterilization upon established, multi-generational diversification businesses within the Green Belt.

4. Incorporated Evidence: Representation by [redacted] ([redacted])

To expose the flaws in the applicant's tracker, we formally incorporate the standing grounds of objection submitted on **17 August 2026** by [redacted] (Joint Legal Freeholder of Land Plan Sheet 8, Plots/Boxes 8-25 and 8-26):

- **Commercial Sterilization of Tourism Assets:** [redacted] operates an active, highly successful, Natural England-exempt Camping and Caravan Club Certificated Site (CS). This boutique business relies entirely on existing tranquility, an exceptionally low-noise baseline, and panoramic views overlooking the Peak District.
- **The Scale of Impact:** The proposed 30-metre industrial "Works Strip" and a potential 24/7 floodlit Temporary Compound located in close proximity to our residential curtilage represents complete commercial destruction of this asset, causing severe land blight.
- **Drainage and Agricultural Ruin:** The open-trench excavations, heavy civil plant tracking, topsoil stripping, and severe soil compaction pose a direct threat to

local land drainage networks. This creates a catastrophic risk of localized flooding along Morthen Lane and threatens to permanently degrade agricultural grazing quality.

- **Tribunal Proceedings:** Consequently, we have provisionally instructed MRICS of Cooper Rural to pursue full, unrestricted statutory claims for Business Disturbance and Injurious Affection under the Compensation Code at the Upper Tribunal (Lands Chamber), explicitly incorporating the loss of "Hope Value" for our proposed shepherd's hut diversification project.
- Other representations by the other group members may be found on the portal via their IP numbers including our Group Number.

5. Explicit Request for a Formal Accompanied Site Inspection (ASI)

In direct accordance with the procedural roadmap provided in the Rule 6 Letter, we request that the Examining Authority conduct a physical, accompanied site visit to our adjacent holdings along the Cable Route corridor, specifically targeting:

- **Sheet 8:** Plots 8-24, 8-25, 8-26, 8-27, 8-28, and 8-29
- **Sheet 11:** Plot 11-1

The ExA is requested to note that an Unaccompanied Site Inspection (USI) or an Access Required Site Inspection (ARSI / ARI) is **logistically impossible** for these parcels. Each affected residential property within our cluster features secure, fortified gates, and the internal agricultural fields can only be physically accessed by passing directly through these individual private residential curtilages.

Furthermore, due to active livestock, equine livery liabilities, and operational campsite hazards, unchaperoned access cannot be granted. A formal **Accompanied Site Inspection (ASI)** is therefore the only viable mechanism for the Inspectors to safely access the land and visually appreciate the severe, immediate proximity of the proposed 30-metre works strip to our live commercial assets.

6. Request for a Dedicated Issue Specific Hearing (ISH) – Cable Route C / Socio-Economic

We request an oral hearing to examine the distinct localized engineering constraints, structural drainage disruptions, traffic logistics (specifically the documented flaws and omissions within the applicant's M18 link road baseline data), and the severe cumulative socio-economic impacts on our cluster's active businesses—specifically highlighting the direct threat to [redacted] certified campsite and the livery operations at [redacted].

7. Early Invocation of Statutory Right to Speak at the Compulsory Acquisition Hearing (CAH)

The registered land interests within our group—including [redacted] ([redacted] [redacted] ([redacted] [redacted] ([redacted] [redacted]), [redacted] [redacted]) and [redacted] [redacted])—robustly contest the requested Compulsory Acquisition powers, the Temporary Possession provisions, and the disproportionate width of the assessment corridor.

We note the Case Team's guidance to [redacted] indicating that the formal timetable schedules requests for a CAH under Deadline 1. However, to assist the ExA with forward programming and to ensure absolute procedural compliance, our cluster members wish to log their position at this earliest opportunity. As registered Affected Persons under the Planning Act 2008, we hereby explicitly invoke our statutory right under **Section 92 of the Act** to attend and give oral evidence at the Compulsory Acquisition Hearing to challenge the proportionality, justification, and compelling case in the public interest of the proposed land take. This request will be formally re-submitted at Deadline 1 as required.

Our case at the CAH will demonstrate that the requested corridor widths are not driven by genuine engineering necessity, but represent a coordinated corporate land-banking exercise undertaken in tandem with a parallel, connected local planning application (**Reference: RB2025/0714**) on the identical spatial footprint.

Please confirm receipt of this comprehensive Deadline A submission and ensure our group, its constituent Affected Persons, and our prior procedural statements of record are formally logged on the official examination participation schedules. Please provide any further guidance and assistance pertaining to the above.

Evidentiary Baseline, Raw Data Availability & AI Transparency Statement
The forensic timeline set out in Appendix 1 is derived entirely from contemporaneous project records, including email threads, statutory notices, and formal correspondence. The majority of these primary source files have already been submitted to, and published within, the permanent PINS cover file and host authority records. [redacted] retains full copies of all underlying raw data files and stands ready to produce any specific source email or timestamped verification should the Examining Authority or the applicant require further inspection.

This submission and its accompanying chronological appendix were compiled, structured, and formatted with the assistance of an Artificial Intelligence (AI) tool. In accordance with transparency guidelines, the Objector confirms that all underlying factual content, dates, specific descriptions, and legal assertions remain entirely driven by primary source documentation and have been strictly verified for accuracy by the author.

Enclosure: Appendix 1 — Procedural Chronology of Dispute (October 2025 – October 2026).

Yours sincerely,

[redacted]
Lead Representative for the Morthen Lane Affected Residents Cluster
[redacted]

Appendix: Represented Group Members & Reference Schedules

- **The Morthen Lane Affected Residents Cluster** – Ref: [redacted] *(Formally Registered Group Entity)*
- [redacted] – Ref: [redacted] *(Resident [redacted]-Group Lead / Interested Party)*
- [redacted] – Ref: [redacted] / WSF-AFP No WSF-AFP260 *(Joint Landowner of [redacted])*
- [redacted] - Ref: [redacted] / AFP *(Joint Landowner of [redacted])*
- [redacted] - Ref: [redacted] *(Joint Owner [redacted], Shared Access Drive [redacted]*
- [redacted] - Ref: [redacted] *(Joint Owner [redacted], Shared Access Drive [redacted])*
- [redacted] – Ref: [redacted] *(Owner of [redacted] / Agricultural Dwelling / Agricultural Tenant)*
- [redacted] - Ref: [redacted] / AFP *(Owner of [redacted])*
- [redacted] – Ref: [redacted] / AFP *(Owner of [redacted])*
- [redacted] - Ref: [redacted] *(Owner of [redacted])*

From West to East on Sheet 8 of 29 and Sheet 11 of 29 Land plans, Box 8-24, 8-25/26, 8-27/28, 8-29, 11-1 Cable route C

Complete Master Chronology: The Morthen Lane Cluster (Ref: [redacted])

Forensic trial chronology mapping pre-notice consultation failures, material breaches, regulatory strikes, and structural interdependency disclosures.

Phase 1: Pre-Notice Deception & The Legal Challenge (Oct 2025 – Jan 2026)

Date	Event Type	Parties Involved	Core Details & Strategic Significance
10 Oct 2025	**Formal Written Notice**	[redacted] → Developer	Campsite & Shared Driveway Notification: Formally notified the developer that targeted fields comprise an active, Certified Camping Site and home, explicitly warning them regarding the shared access driveway at [redacted]. Completely ignored by applicant.
16 Jan 2026	**Predatory Approach**	Developer's Land Agent → [redacted]	Voluntary Access Request: Issued a generic, non-negotiable Licence to Undertake Non-Intrusive Site Investigations document on a take-it-or-leave-it basis.
22 Jan 2026	**Adhesion Contract Rejection**	[redacted] → Land Agent	Sharp Written Rebuttal: Categorically rejected the voluntary license as an unconscionable 'contract of adhesion'. Demanded a formal Professional Fee Undertaking to instruct an agent, and directly challenged their claim to automatic 'Acquiring Authority' status.
29 Jan 2026	**Statutory Leverage Assertion**	Developer's Representative → [redacted]	S172 Leverage: Claimed 'Acquiring Authority' status via an Electricity Generation Licence to justify forced physical entry for surveys, framing it as a cautious 'last resort' while offering a nominal [redacted] fee.
30 Jan 2026	**Statutory Escalation**	Developer → Cluster Neighbours	S172 Execution: Disregarding the 24-hour-old 'last resort' statement, the developer officially executed a forced-entry Section 172 Notice. Served a mapping fiction over a neighbour's private residential garden concrete footbridge.
05 Feb 2026	**Document Issue**	Developer → [redacted]	Forced Statutory Service: Issued a separate Section 172 notice forcing [redacted] to sign for it under threat of statutory escalation.

Phase 2: The Mandatory Protocol & The Driveway Trespass (Feb 2026)

Date	Event Type	Parties Involved	Core Details & Strategic Significance
09 Feb 2026	**Security Protocol**	[redacted] → Land Agent	Safety Code Issued: Established a strict, mandatory 48-hour land access notice protocol to safeguard paying guests, livestock, and property security (warning of a free-roaming guard dog and playing children).
09 Feb 2026	**Statutory Inquiry**	[redacted] → PINS / RMBC	First Section 51 Strike: Formally raised systemic pre-application consultation failures, route fictions, and the Section 172 procedural bypass on the official PINS record, querying data admissibility gathered under flawed notices.
16 Feb 2026	**Written Agreement**	Land Agent → [redacted]	Sensitivities Accepted: Developer explicitly accepted the campsite's operational constraints and promised to coordinate access directly via their Head Surveyor.

Date	Event Type	Parties Involved	Core Details & Strategic Significance
17 Feb 2026	**Safety Warning**	[redacted] → Head Surveyor	Notice of Entry Under Protest: Personally re-issued security guard dog and livestock warnings directly to the designated Head Surveyor. Calls and voicemails went entirely unanswered.
18 Feb 2026	**Regulatory Intervention**	PINS Case Team ↔ [redacted]	Official PINS Admission (10:39 AM): Published formal advice confirming the applicant had requested zero statutory rights of entry under Section 53, opening a clear mechanism for the cluster to provide valid counter-evidence to dispute speculative Environmental Statements.
19 Feb 2026	**Access Failure**	Land Agent → Neighbour	Operational Defect: Surveyors attempted entry at an adjoining property but abandoned the survey due to the physically unviable residential bridge route.
20 Feb 2026	**Incident: Driveway Breach**	Surveyors → [redacted]	The Blunder & Trespass: Surveyors bypassed security gates unannounced, drove onto the private driveway, and physically blocked [redacted] from leaving for work. Intercepted on the drive, stripped of implied access, and barred from the fields. Access route exposed as a mapping fiction using a neighbour's informal farm gate.
20 Feb 2026	**Written Admission**	Land Agent → [redacted]	The Apology (4:27 PM): Panicked by the driveway interception, the Land Agent sent an email explicitly apologizing for the communication breakdown, admitting they turned up without an agreed time, and promising no future visits without pre-agreed dates.
20 Feb 2026	**Incident Counter-Attack**	[redacted] → PINS / MPs	Incident Report (10:33 PM): Formally pinned the developer down on the civil trespass of an unnotified shared access holder ([redacted]) and the physical mapping failures admitted to by their own surveyor on-site.
22 Feb 2026	**Evidence Verification**	Neighbours → [redacted]	Statements of Fact: Adjoining farm owners provide written confirmation that while they hold walkover survey licenses, they have given zero permission for their private farm tracks to be used as a thoroughfare to reach the [redacted] property.

Phase 3: The PINS Intervention & The Municipal Blockade (Feb – May 2026)

Date	Event Type	Parties Involved	Core Details & Strategic Significance
25 Feb 2026	**Formal Complaint**	[redacted] → PINS / Ofgem	The Freeze Order: Submitted a formal Section 51 follow-up and material breach notice, escalating the safety protocol breach and abuse of powers to Ofgem Enforcement. All physical survey attempts immediately halted by the developer.
27 Feb 2026	**Regulatory Action**	Ofgem Enforcement → [redacted]	The Ofgem Log (10:58 AM): Ofgem formally confirmed the complaint was logged under Enforcement Guidelines to determine regulatory action, noting that the onus remains on developers to operate within strict statutory boundaries.
27 Feb 2026	**Host Authority Ruling**	RMBC Planning Officers → Developer's Agents	Non-Compliance Finding (Ref: RB2025/0603): Planning Officers ruled that due to notice omissions and failure to serve a Section 42 notice on the affected shared accessway holder ([redacted]) despite clear notice processed in Oct 2025, statutory consultation requirements were legally unsatisfied. Access strategy ruled unviable.

Date	Event Type	Parties Involved	Core Details & Strategic Significance
03 Mar 2026	**Corporate Admission**	Land Agent → [redacted]	Survey Abandonment: Admitted in writing that their mapped access route was impassable, requesting deeds. The [redacted] family refused to provide deeds to the developer, opting to pass official title deeds directly to the Council. Physical survey attempts completely ceased.
06 Mar 2026	**Document Issue**	Land Agent → Cluster	The Heads of Terms Deception: Private terms exposed a hidden 30-metre-wide industrial works strip and a 24/7 floodlit compound located a mere 50m from residential curtilages.
08 Mar 2026	**Evidence Submission**	Cluster Neighbours → RMBC Planning Officers	Exposing Fictions: Cluster neighbours filed confidential statements with Planning Officers exposing Section 42 omissions, layout fictions, and the deliberate failure of diligent inquiry.
10 Mar 2026	**Legal Challenge**	[redacted] → PINS	Second Section 51 Strike: Formally challenged the selection of Cable Route C over the brownfield M1/M18 Motorway Link Road corridor under the EIA Regulations 2017.
13 Mar 2026	**Council Impersonation**	Developer's Agents → Community	Misconduct Incident: Unidentified scouts on Morthen Road alleged they were Local Authority Officers to harvest survey data. Confirmed as a deception by the Council on 16 March.
13 Mar 2026	**Regulatory Strategy**	PINS Case Team ↔ [redacted]	The 90-Minute Strategy Call: Case Manager conducted an extraordinary briefing call, providing the internal Section 55 Acceptance Checklist blueprint to the cluster.
16 Mar 2026	**Technical Objection**	[redacted] → Developer	Formal Rejection: Categorically rejected the voluntary easement based on EIA masterplan omissions, business destruction, and breach of core design philosophy.
30 Mar 2026	**Statutory Briefing**	Cluster → MPs / PINS	S55 Intervention Request: Joint cluster briefing sent to the Secretary of State for Energy Security and local MPs requesting a formal DCO non-acceptance notice due to consultation inadequacies.
02 Apr 2026	**Escalation Note**	[redacted] → PINS Case Team	Objection Evasion: Alerted the Case Manager that the developer completely refused to acknowledge or address the cluster's technical objections.
13 May 2026	**Term Re-issue**	Land Agent → [redacted]	The Chase: Land Agent frantically emailed to progress the voluntary Heads of Terms ahead of their imminent DCO submission window.
14 May 2026	**Host Authority Offer**	RMBC Planning Officers → Cluster	The Pincer Movement: Planning Officers officially requested permission to append the cluster's private statements directly to the Council's formal PINS objection proforma.
14 May 2026	**Legal Takedown**	[redacted] → Land Agent	The Dead Stop: Sent a blistering response exposing the developer's negative net assets ([redacted]), rejecting the terms, and demanding an unrestricted professional fee undertaking before any further communication.
17 May 2026	**Statutory Consent**	Cluster → RMBC Planning Officers	Municipal Weaponisation: All cluster neighbours submitted final, unconditional authority to lock their un-redacted evidence directly into the Council's official Section 55 Proforma, forcing an 'Inadequate' consultation filing.

Phase 4: The DCO Submission & The Baseline Failure (June – Aug 2026)

Date	Event Type	Parties Involved	Core Details & Strategic Significance
June 2026	**Document Issue**	Developer / Land Agent	The Scheme-Wide Fee Freeze: Across South Yorkshire, the developer enforces an absolute freeze on monetary offers. Rural surveyors flag this scheme-wide rigidity as a total lack of genuine statutory negotiation.
26 June 2026	**Property Action**	The Cluster	The Ownership Multiplication: Freehold title of [redacted] formally transferred to the [redacted] primary residence shifts to [redacted] flat. This instantly inserts a new, independent affected party into the cluster, rendering the developer's land tracking completely obsolete.
03 July 2026	**PINS Case Team**	DCO Submission	Acceptance Test Concession: PINS administratively accepts the DCO for examination, but attaches the Local Authority's official 'Inadequate' consultation veto and the [redacted] driveway trespass data directly to the permanent cover file.
03 July 2026	**Document Issue**	Land Agent → Cluster	The 'Rochdale' Admission: Land Agent explicitly admits in writing that because they are legally barred from the cluster's fields, they possess zero physical baseline data and are using entirely 'desk-based assumptions' for the Environmental Statement.
22 July 2026	**Legal Representation**	Rural Surveyors → Developer	Provisional Protective Shield: Surveyors formally notify the developer that they represent the unified cluster and introduce the alternative M1/M18 Motorway Link Road corridor to their design team.
Early Aug 2026	**Document Issue**	Developer / Land Agent	The 'Sign-Up Day' Blunder: In a desperate attempt to manufacture a compliant paper trail, the developer hands out non-compliant, blank hard-copy forms to residents to bypass standard portal registrations.
19 Aug 2026	**Escalation Note**	Land Agent → Cluster	The PINS Panic Invitation: Land Agent frantically writes to the cluster begging for a face-to-face meeting to 'discuss refinements' to neutralize the Council's official veto before the examination opens.
20 Aug 2026	**Surveyor Directive**	Rural Surveyors ↔ Cluster	Surveyor Veto & Valuation Strategy: Surveyor advises that meeting the land agent is a dead end. The cluster responds, rejecting capped fees and declaring they will bypass voluntary frameworks to seek direct Disturbance losses at the Upper Tribunal.
26 Aug 2026	**Portal Submission**	[redacted] → PINS Portal	The Secure Standing Anchor: [redacted] officially submits the cluster's formal objection to the planning portal under Group Registration Number: [redacted], locking the neighborhood in as an indissoluble, primary Interested Party.
26 Aug 2026	**Regulatory Action**	PINS Case Team → Public	Public PINS Rebuke & Extension: PINS officially intercepts the developer's non-compliant forms, issues a public warning declaring them completely invalid, and overrides the developer's timeline by extending the national deadline to 11 September 2026.
26 Aug 2026	**Valuation Order**	[redacted] → Rural Surveyors	Final Valuation Directive: Notifies surveyors of the portal extension and formally requests their draft Terms of Engagement structured specifically for the statutory track and the Upper Tribunal roadmap.

Phase 5: Forensic Submissions & Corporate Integration (Oct 2026)

Date	Event Type	Parties Involved	Core Details & Strategic Significance
15 Oct 2026	**Professional Advisory**	Rural Surveyors → Cluster	The Fee Strategy Anchor: Surveyor issues draft Terms of Engagement to the cluster. Discloses that the developer's land manager admitted their voluntary [redacted] offer is a lowball floor. Confirms readiness to bypass voluntary frameworks to aggressively pursue full Business Disturbance, Land Blight, and Injurious Affection losses under the Compulsory Purchase Compensation Code.
19 Oct 2026	**Confidential Legal Filing**	[redacted] → Council Leadership	Supplementary Objection (Email 1): Filed structural evidence of cross-project evasion with Planning Officers. Formally exposed 'The Sheet 11 Woodland Handshake' layout mutation. Consented to direct file duplication to the Chief Legal Officer and external landscape consultants to invalidate the adjoining developer's non-EIA screening baseline.
20 Oct 2026	**Confidential Corporate Disclosure**	[redacted] → Local Authority Planning Legals	The Interdependency Matrix (Email 2): Disclosed the structural infrastructure intersection and corporate integration of both adjoining development companies under their parent energy group umbrella. Proved that the first developer deleted its mandatory tree buffers and shifted its battery storage assets (BESS) behind closed doors solely to clear a smooth root-exclusion trench path for the second developer's high-voltage Cable Route C corridor. Placed the Local Authority under formal notice of a High Court Judicial Review under Wednesbury principles if a local Town & Country planning layout is used as a real-estate shield for an un-consented NSIP asset. Principal Planning Officer formally confirmed transmission to the Legal Team.

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