

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/U2235/W/23/3321094

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Mr Gareth Hawkins

Company/Group Name

Statkraft UK Ltd

Address

19th Floor
22 Bishopgate
London
EC2N 4BQ

Preferred contact method

Email



Post



B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes



No



Name

Miss Laura Power

Company/Group Name

Eversheds Sutherland (International) LLP

Address

Eversheds Llp
Bridgewater Place Water Lane
LEEDS
LS11 5DR

Phone number

01132004214

Email

laurapower@eversheds-sutherland.com

Your reference

POWERLA/163931.010070

Preferred contact method

Email



Post



C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

Maidstone Borough Council

LPA reference number

22/501335/FULL

Date of the application

20/05/2022

Did the LPA validate and register your application?

Yes No

Did the LPA issue a decision?

Yes No

Date of LPA's decision

28/10/2022

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes No

Does the appeal relate to an existing property?

Yes No

Address

Land North Of Little Cheveney Farm
Sheephurst Lane
Marden
Kent

Is the appeal site within a Green Belt?

Yes No

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes No

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes No

Please enter details of the proposed development. This should normally be taken from the planning application form.

Installation of a renewable energy led generating station comprising of ground-mounted solar PV arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements.

Area (in hectares) of the whole appeal site [e.g. 1234.56]

74.5 hectare(s)

Area of floor space of proposed development (in square metres)

300 sq metre(s)

Does the proposal include demolition of non-listed buildings within a conservation area?

Yes No

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.
2. Refused permission to vary or remove a condition(s).
3. Refused prior approval of permitted development rights.
4. Granted planning permission for the development subject to conditions to which you object.
5. Refused approval of the matters reserved under an outline planning permission.
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.

7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes No

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes No

2. Hearing

3. Inquiry

H. FULL STATEMENT OF CASE

see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes No

see 'Appeal Documents' section

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes No

(b) Have you made a costs application with this appeal? Yes No

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Owner's Name: Guy and Claire Eckley
Address at which notice was served: Saynden Farm, Oak Lane, Staplehurst, Tonbridge, TN12 0HX
Date the notice was served: 21/04/2023

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

- (a) None of the land to which the appeal relates is, or is part of, an agricultural holding.
- (b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.
- (b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

Tenant's Name: Guy and Claire Eckley
Address at which notice was served: Saynden Farm, Oak Lane, Staplehurst, Tonbridge, TN12 0HX
Date the notice was served: 21/04/2023

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.
02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).
03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
- 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
07. A copy of the design and access statement sent to the LPA (if required).
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application;
- (b) all plans sent at outline application stage;

- (c) the original outline planning permission.
12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes No

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Date

Name

On behalf of

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Statement of Case.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A separate list of appendices to accompany your full statement of case
File name:	List of Supporting Documents.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	01. Application Form Redacted.pdf
File name:	01. Amended Application Form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).
File name:	02. Article 13 Notice.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	03. Decision Notice.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	04. Proposed Solar Farm Site Layout Size A1.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	27899-004 Barn Layout A1 size.pdf
File name:	27899-010 Barn Elevations A1 siz.pdf
File name:	27899-060 Overview 1of5 A1 size.pdf
File name:	27899-062 Overview 3of5 A3 size.pdf
File name:	27899-064 Overview 5of5 A3 size.pdf
File name:	27899-SK01 Rev 0 Layout A1 size.pdf
File name:	27899-050 Rev C Layout A1 size.pdf
File name:	GGO-JBAU-XX-XX-DR-D-0002 Rev PO2 Surface Water Drainage Strategy.pdf
File name:	APP1.3.1 27899-053 Rev A Boundary Layout Plan A1 size.pdf

File name: APP1.3.4 27899-105 Rev A PV Structure Framework A3 size.pdf
File name: APP1.3.7 011 Rev A Timber Fence Elevations A3 size.pdf
File name: APP1.3.10 SK03 Rev A Construction Traffic Routing A3 size.pdf
File name: APP1.3.8 SP02 Rev A Swept Path Analysis A3 size.pdf
File name: APP1.3.2 27899-061 Rev A Overview Plan-2 of 5 A3 size.pdf
File name: APP1.3.11 SK04 Proposed Site Compound A3 size.pdf
File name: APP1.3.13 SKUKX-SHEEP-000-MCS-206 CCTV Elevation A1 size.pdf
File name: APP1.3.16 Monitoring Cabin Plan A1 size.pdf
File name: APP1.3.18 Perimeter Fence Details A1 size.pdf
File name: APP1.3.20 SKUKX-SHEEP-000-MCS-205 Framework Elev A1 size.pdf
File name: APP1.3.9 SP01 Rev B Swept Path Analysis A3 size.pdf
File name: APP1.3.14 Rev A Main Building Plant A1 size.pdf
File name: APP1.3.15 Rev A Main Building Elevation A1 size.pdf
File name: APP1.3.6 051 Rev A - Aerial Site Location Plan A1 Size.pdf
File name: APP1.3.21 Transformation Station A1 size.pdf
File name: APP1.3.5 27899-150 Rev C Site Location A3 size.pdf
File name: APP1.3.12 GGO-JBAU-XX-XX-DR-D-0001 Rev PO2 Surface Water A1.pdf
File name: AW143-PL-002 Mitigation and Enhancements.pdf
File name: APP1.3.17 Internal Tracks Plan A1 size.pdf
File name: APP1.3.19 Access Gate Elevation A1 size.pdf
File name: APP1.3.3 27899-063 Rev B Overview Plan-4 of 5 A3 size.pdf
File name: APP1.3.22 Edge of Park Switch Gear Station A1 size.pdf
File name: APP1.1 Application Form.pdf
File name: APP1.18 LEMP with Biodiversity Net Gain MMP - March 2022.pdf
File name: APP1.2 Amended Application Form.pdf
File name: APP1.17 Noise Impact Assessment - 2 March 2022.pdf
File name: APP1.6 Grid Connection Assessment - February 2022.pdf
File name: APP1.13 Biodiversity Net Gain Report - February 2022.pdf
File name: APP1.16 Flood Risk Assessment - March 2022.pdf
File name: APP1.21 Agricultural Land Classification and Soil Resources Report.pdf
File name: APP1.12 Ecological Impact Assessment - February 2022.pdf
File name: APP1.20 Agricultural Land Use Statement.pdf
File name: APP1.11 Technical Note - PROW Strategy - February 2022.pdf
File name: APP1.7 Construction Method and Decommissioning Statement - March 2022.pdf
File name: APP1.19 Planning Design and Access Statement - March 2022.pdf
File name: APP1.15 Construction Traffic Management Plan - February 2022.pdf
File name: APP1.9 Sequential Analysis Study.pdf
File name: APP1.5 Solar Photovoltaic Glint and Glare Study - January 2022.pdf
File name: APP1.14 Outline Surface Water Drainage Strategy - February 2022.pdf
File name: APP1.4 Heritage Desk Based Assessment - January 2022.pdf
File name: APP1.8 Statement of Community Involvement - March 2022.pdf
File name: APP1.10. LVIA - Viewpoint Location Plan.pdf
File name: APP1.10. Landscape and Visual Impact Assessment.pdf
File name: APP1.10. LVIA - Viewpoint Location Plan 1.pdf
File name: APP1.10. LVIA Appendix - Photography Verified Views and Methodology.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

File name: 05(b) - List of Plans_ Drawings and Documents Submitted with the Application(213359106.1).pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.

File name: 05(c) - A list of all plans_ drawings and documents upon which the LPA made their decision.pdf

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	APP1.25 JBA response to EA Comments - 23 August 2022.pdf
File name:	APP1.25 IRA-JBAU-XX-XX-SK-C-0001 Size A1.pdf
File name:	APP1.26 Letter Amending Application dated 31 August 2021.pdf
File name:	APP1.26.9 Detailed Response on Key Issues.pdf
File name:	APP1.26.7 Response to Comments and Objections.pdf
File name:	APP1.26.8 Utility Scale Solar Background Briefing.pdf
File name:	APP1.26.4 27899_064 Rev C - A3 size.pdf
File name:	APP1.26.5 27899_062 Rev B - A3 size.pdf
File name:	APP1.26.3 27899_060 Rev B - A1 size.pdf
File name:	APP1.26.1 27899_SK01 Rev A - A1 size.pdf
File name:	APP1.26.2 27899-050 Rev E - A1 size.pdf
File name:	APP1.27 Letter Re CTMP - 1 September 2022.pdf
File name:	APP1.27 Construction Traffic Management Plan - August 2022.pdf
File name:	APP1.26.6 AW0143-PL-002 - A1 size.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	06. (b) A list of all plans_ drawings and documents which did not form part of the original application(213362482.1).pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	07. Planning Design and Access Statement.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	09.a. Copies of additional plans, drawings or documents relating to the application not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
File name:	APP1.32.3 Ecological Response.pdf
File name:	APP1.32.1 Grid Report.pdf
File name:	APP1.32.6 Heritage Appeal Statement April 2023.pdf
File name:	APP1.32.5 Landscape Response Scheme.pdf
File name:	APP1.33.5 Carbon Emissions.pdf
File name:	APP1.33.2 Biodiversity Net Gain Report.pdf
File name:	APP1.33.3 Ecological Impact Assessment Update.pdf
File name:	APP1.33.7 Outline Surface Water Drainage Strategy.pdf
File name:	APP1.33.4 AW0143-PL-003.pdf
File name:	APP1.33.4 Contextual Views.pdf
File name:	APP1.32.4 Filler Page.pdf
File name:	APP1.32.2 Filler Page.pdf
File name:	APP1.33.4 Filler Page.pdf
File name:	APP1.33.1 Sheepwash Appeal Amendments Summary.pdf
File name:	APP1.33.1 SCUKX-SHEEP-000-100P - PV Layout Amendments Size A1.pdf
File name:	APP1.34.1 SCUKX-SHEEP-000-100P PV Layout & Overview Plan Size A1.pdf
File name:	APP1.34.2 AW0143-PL-001 Mitigation & Enhancement Appeal Site Size A1 (2).pdf
File name:	APP1.32.7 Noise Impact Assessment.pdf
File name:	APP1.33.6 Noise Impact Assessment.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	09.b. A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
File name:	09(b) A list of all plans and drawings submitted but not previously seen by

the LPA(213365310.1).pdf

Relates to Section:

SUPPORTING DOCUMENTS

Document Description:

10. Any relevant correspondence with the LPA, including any supporting information submitted with your application in accordance with the list of local requirements.

File name:

APP1.25 JBA response to EA Comments - 23 August 2022.pdf

File name:

APP1.26 Letter Amending Application dated 31 August 2021.pdf

File name:

APP1.27 Letter Re CTMP - 1 September 2022.pdf

Completed by

MISS LAURA POWER

Date

26/04/2023 17:07:51