

Landscape Statement of Common Ground

Between Exagen Development Ltd and Rushcliffe Borough Council

Date: 28/01/2026 | Pegasus Ref: P25-1631

LPA Ref: 24/00161/FUL

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Date:	Date:



Document Management.

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1. Introduction

- 1.1. This Landscape Statement of Common Ground (LSoCG) is between Exagen Development Ltd (the Appellant) and Rushcliffe Borough Council (RBC) and relates to a Planning Appeal made pursuant to Section 78 of the Town and Country Planning Act 1990, against RBC's decision to refuse planning permissions for the 'Construction, operation and subsequent decommissioning of a renewable energy park comprising ground mounted Solar PV with co-located battery energy storage system (BESS) at the point of connection, together with associated infrastructure, access, landscaping and cabling' (the Proposed Development) on land west of Bradmore Road and north of Wysall Road, land west of Wysall, Nottinghamshire (the Appeal Site).
- 1.2. The purpose of this LSoCG is to identify the areas where the principal parties (the Appellant and RBC) are in agreement and to narrow down the issues that remain in dispute on the matters relating to the effects on landscape and visual receptors as a result of the Proposed Development. This will allow the public hearing to then focus on the most pertinent landscape and visual issues. This LSoCG should be read alongside the overarching SoCG.
- 1.3. This LSoCG has been agreed with RBC.
- 1.4. During the determination stage the Council appointed Wynne-Williams Associates (WWA) to review Pegasus' LVIA with comments provided in June 2024 and subsequently updated in February 2025. The latest round of comments, issued in February 2025, is taken as the Council's position with regards to the LVIA issues explored in this LSoCG.

2. The Appeal Site and Surroundings

- 2.1. The Appellant's Statement of Case, and the LVIA submitted as part of the planning application, contain a full description of the Appeal Site and respective site parcels. A summary of pertinent information is included below.
- 2.2. The surrounding landscape is a working agricultural landscape with villages and dispersed farmsteads connected by minor roads. The villages of Wysall and Costock are the two closest settlements. The landform around the Appeal Site and across the central part of the study area forms a band of higher ground drained by Fairham Brook to the north and Kingston Brook to the south. There are no statutory or non-statutory landscape designations in the local or wider area. Woodlands are a frequent feature in the landscape with hedgerows of variable height.
- 2.3. The Appeal Site comprises two land parcels located to the northwest and west of the village of Wysall, which is the closest settlement. Wysall is separated from the Appeal Site by various pastoral and arable fields. The Local Plan does not identify the settlement boundary for Wysall but its perceived edge (i.e., that which appears to form a residential curtilage within a clearly identifiable cluster of properties in the village) is located some 320 m away at its closest point between Field 15 and southern edge of the village. Field 9 is located some 650 m away from the northern edge of the village (properties near Bradmore Road).
- 2.4. The northern parcel includes 9 no. medium to large scale field enclosures with Bradmore Road forming, in parts, its eastern boundary and would be subdivided into Fields 1 – 10. Access to the northern parcel would be from Bradmore Road into Field 10, just south of Lodge Farm via a new access junction and track avoiding construction traffic using the Public Right of Way and passing through and close to Lodge Farm.
- 2.5. The southern parcel includes 5 no. small to medium field enclosures, and would be subdivided into Fields 11 – 16. Access into the southern parcel would be off Wysall Road through an existing field opening which would be upgraded and across Kingston Brook. The existing culvert / agricultural vehicular crossing would be utilised to cross the Brook though this will need to be upgraded to take construction traffic.
- 2.6. The two parcels would be connected by a buried cable to be laid beneath the bound surface of the public highway which extends through Wysall village.
- 2.7. A linear block of ancient woodland, known as Bunny Old Wood, forms the northern edge of the Appeal Site. The land contours outside the Appeal Site steeply slope down to the north from the undulating Nottinghamshire Wolds landscape to the south to the vale landscape associated with the River Trent, which lies further north.
- 2.8. The landform slopes, broadly speaking, down from an area adjacent to Bunny Old Wood around the northern edge of the Appeal Site towards Kingston Brook which lies in the southern part of the southern parcel, to the north of Wysall Road. Topographically, the northern parcel landform is gently rising to the north, west and east, and falling to the south. The southern parcel is located at a lower elevation in the valley, sloping from north to south. The wider landform then begins to rise again to the south of Kingston Brook and Wysall Road.
- 2.9. A number of woodland blocks are present in the immediate area. Rough Plantation, Wysall Rough Plantation, Long Plantation, and Intake Wood about the Appeal Site generally to the west.

Holy Cross Convent, which is also a Grade II Listed Building is located west of Intake Wood to the west of the northern parcel. The landform in this area is relatively consistent with the Appeal Site.

- 2.10. Immediately to the west of the Appeal Site lies the approved solar farm on Land To North East Of Highfields Farm, Bunny Hill, Costock, Nottinghamshire (application reference no. 22/00303/FUL). The approved solar farm includes a 132kv substation and small scale battery storage infrastructure (BESS). It covers approximately 81.8 ha of the arable fields around Holy Cross Convent, west of the Appeal Site and above mentioned woodlands with its northern edge offset from Bunny Old Wood by approximately 100 m.
- 2.11. There are no areas of Open Access Land arrangement, commons, or similar within the Appeal Site with public access across the northern parcel only, gained along two routes:
- Public Footpath Costock FP7 – it leads from Wysall and enters the northern parcel from the south between Fields 8 and 9, and then continues as Public Footpath Wysall FP3 leading diagonally between Fields 1, 2, and 4 and through Bunny Old Wood, where it joins Bridleway Bunny BW15 on the northern edge of the woodland. This route coincides with the promoted long distance Midshires Way.
 - Public Footpath Wysall FP4 leading between Fields 5, 6, 9, and 10, and connecting Public Footpath Wysall FP3 to Bradmore Road.
- 2.12. The promoted long distance route, the Midshires Way, dissects the study area, leading from the north western quadrants of the study area, across Bunny Hill and the northern parcel of the Appeal Site, and linking with Wysall before continuing further south east. An alternative section of the Midshires Way also follows Bradmore Road to the east of the Appeal Site.
- 2.13. The PRow within the Appeal Site, between Bunny Old Wood and Wysall, is also part of the Notts Wolds Way. This route is described in an online booklet published by Nottinghamshire Footpaths Preservation Society.
- 2.14. There are a number of residential properties located in proximity to the Appeal Site. The closest are:
- Lodge Farm to the east of the northern parcel.
 - The Elms to the east of the northern parcel.
 - Elm Lodge to the east of the northern parcel.
 - Nouvelle Farm to the south west of the southern parcel.
 - Scotland Hill Farm to the south of the southern parcel.
 - Five Oaks Stables to the south of the southern parcel.
- 2.15. Costock is c. 900m away to the southwest of the Appeal Site and on land (50–55m AOD) south of Kingston Brook.

- 2.16. The A60 / Nottingham Road crosses the western study area. A number of residential properties are located along its corridor or just off the A60, such as Grange Farm, Whitegates, and those along Bunny Hill Top road and Ash Lane..

3. Matters Not in Dispute

- 3.1. This section sets out the matters not in dispute between the Appellant and RDC.

Reason for Refusal (RfR)

- 3.2. It is agreed that RFR1 is the only relevant element of the Council's Decision Notice that relates to LVIA issues:

"The proposal would result in a significant adverse visual impact upon the landscape character of the area, particularly when the impacts are considered cumulatively with the consented solar farm to the west of the site. The proposal would result in major adverse effects upon users of the Public Rights of Way which run through and near to the site, impacting on their ability to enjoy the rural landscape character which would be diminished and changed by virtue of the industrialisation of the area and the resultant enclosed industrial corridors. The proposal is therefore contrary to Policy 10 (Design and Enhancing Local Identity) of LPP1 and Policy 1 (Development Requirements), Policy 16 (Renewable Energy), Policy 22 (Development in the Countryside) and Policy 34 (Green Infrastructure and Open Space Assets) of LPP2 as the benefits of the development do not outweigh the adverse effects on the users of the Public Right of Way and the wider landscape character."

NPPF December 2024

- 3.3. The NPPF December 2024 is a relevant document including section 15 which addresses conserving and enhancing the natural environment.

Landscape Elements

- 3.4. None of the trees within the Appeal Site are protected by any Tree Preservation Orders.
- 3.5. Bunny Old Wood is designated as an Ancient and Semi-Natural Woodland, and the solar panels would be located some 40 m away from its edge.
- 3.6. There would be an overall net increase in tree cover as a result of the proposed planting, both that originally submitted with the application and indeed the currently proposed 'Enhanced Landscape Masterplan' (drawing number P25-1631_EN_O2C).
- 3.7. Regarding ground cover there would be an inevitable change to the existing land cover of the Appeal Site. The existing arable land would be converted to pastoral use, with part of the land retained in its agriculture function managed as pasture grazed by sheep, whilst still accommodating solar farm infrastructure.
- 3.8. No land will be permanently lost as a result of the Proposed Development. The installation of the solar arrays would not seal the land. Areas for access tracks, BESS, substation and associated infrastructure would be physically lost from agricultural production, but this land would be restored on decommissioning after the time-limited 40 year operational period. Some localised levelling will be required during the construction stage for example around the substation and BESS, where the ground is largely level. Any surplus soil could be accommodated within the site.

- 3.9. Part of the PRoW leading across the northern parcel would be set within a corridor between the proposed new hedgerows.
- 3.10. The Proposed Development has accommodated the existing watercourses within the layout, with appropriate offsets and would not result in any direct effect with regard to water features within the Appeal Site, except for the installation of new / upgraded tracks and crossing points.

General Visual Amenity

- 3.11. It is agreed that there would be major adverse effects on visual receptors in the immediate vicinity, including users of the PRoW that pass through the Appeal Site and on the Wysall Road by the new site access to the southern parcel.
- 3.12. It is agreed that any views experienced by local road users will be transient.

Residential Visual Amenity

- 3.13. The Committee Report acknowledges the conclusion of Pegasus' LVIA but does not state that residential visual amenity would be affected or would be materially harmed.

Landscape Character

- 3.14. It is agreed that the Appeal Site lies within a working agricultural landscape with blocks and belts of woodland, with isolated properties and settlements connected by a network of highways.
- 3.15. It is agreed that the Appeal Site is not a valued landscape in the context of NPPF (December 2024) paragraph 187 (a). The relevant paragraph is 187 (b).
- 3.16. Pegasus' updated LVIA identified that the Appeal Site and surrounding area are located within the National Character Area (NCA) 74 'Leicestershire and Nottinghamshire Wolds'. Part of the northern parcel (and northern study area beyond) is within NCA 48 'Trent and Belvoir Vales'.
- 3.17. At the county level Pegasus' updated LVIA identified that the Appeal Site and much of the study area fall within the Draft Policy Zone NW01 'Gotham and West Leake Wooded Hills and Scarps', as identified in the *Greater Nottingham Landscape Character Assessment* (June 2009). A relatively small part of the Appeal Site (relating to the areas around each of the new site access points into each parcel and the buried cable connection between the parcels) is located within the adjacent 'Widmerpool Clay Wolds' which is referenced as NW03.
- 3.18. It is agreed that most of the Appeal Site is located 'LAU A Gotham and West Leake Wooded Hills and Scarps', in the Council's Solar Farm Landscape Sensitivity and Capacity Study, dated May 2024 (and published in July 2024). LAU A was identified as having medium sensitivity and a low capacity for large scale solar.

Cumulative Effects

- 3.19. It is agreed that the adjacent approved solar farm known as: Land To North East Of Highfields Farm, Bunny Hill, Costock, Nottinghamshire (application reference number: 22/00303/FUL) is the only relevant cumulative scheme for the purpose of this Appeal.

- 3.20. Cumulative developments at screening and scoping stages had been excluded from the assessment of cumulative effects and this approach is agreed as appropriate.

4. Matters Not Agreed Between the Parties

4.1. Matters that are not agreed between the parties are addressed below.

Amendments to the Design and Landscape Scheme

4.2. A revised landscape scheme was submitted to the Council/ Planning Inspectorate as part of the appeal submission. The changes incorporate adjustments to the layout of the proposed infrastructure in four locations to avoid modelled surface water flood extents based on data published by the Environment Agency in March 2025, the inclusion of two above ground fire water storage tanks in the BESS compound, and further tree planting to reinforce the already proposed hedgerow trees. In addition, the alignment of PRoW Wysall FP4 has been re-drawn to correctly follow the existing farm track on the northern side of the hedgerow. Wysall FP3 has also been redrawn to more accurately reflect the alignment of the definitive map. The Council does not agree to the amendments to the scheme.

4.3. The amendments to the proposed landscape scheme include:

- the addition of further hedgerow trees along the southern boundary of Field 3.
- the addition of a hedgerow and hedgerow trees south of Field 5 and Field 6 and the removal of a very short section of the hedgerow H13 north of Field 9.
- the addition of hedgerow trees and copse along the eastern boundary of Field 15.
- the addition of hedgerow trees along the eastern boundary of Field 9.
- the addition of hedgerow trees withing the internal hedgerows, between Fields 12 and 15, Field 14 and 15, and Field 13 and 14.

4.4. The proposed landscape scheme is shown on Pegasus' 'Enhanced Landscape Masterplan' (drawing number P25-1631_EN_O2C). The 'Enhanced Landscape Masterplan' is based on Pegasus' 'Landscape Strategy' plan (drawing number P22-2533_EN_O6E) submitted as part of the planning application subject to this Appeal. The Council does not agree to the amendments to the scheme.

4.5. The Council and the Appellant disagree on the scale of landscape effects within the Appeal Site itself.

4.6. The Council considers that the proposed planting is incongruent with the existing field pattern and will not have a wholly positive influence on the landscape character. These matters are in disagreement.

4.7. The Council and the Appellant disagree on the scale of effects upon the general visual amenity associated with the PRoWs within and around the Appeal Site, and PRoWs in the southern study area.

4.8. The Council maintains that the mitigation planting would create a loss of longer distance views from the elevated countryside, which would represent a considerable reduction in visual amenity. This matter is in disagreement.

- 4.9. The Council maintains that the mitigation planting would prevent people from appreciating their location within the valley landscape, changing the perceived sense of place and character, as open views would become enclosed and constrained. This matter is in disagreement.
- 4.10. The Council disputes that the inter-visibility between the Development's northern and southern parcels is limited.
- 4.11. The Council disputes that the hedgerows and trees along Bradmore Road to the east screen views out and provide physical and visual enclosure.
- 4.12. The Council disputes the Appellant's statement that no PRoWs would require closure or diversion to accommodate the Proposed Development.
- 4.13. The scale of cumulative effects, in relation to landscape, visual amenity and views as experienced from the southern part of the study area is in disagreement.
- 4.14. Tables 1 – 3 below provides a summary of Pegasus' assessment. and the Council's own assessment.

Local Plan Policies

- 4.15. The Council maintains that the Appeal Scheme would be in conflict with the following planning policies relating to landscape character and visual amenity:
- a) Rushcliffe Local Plan Part 1: Core Strategy (Adopted December 2014):
 - Policy 10 'Design and Enhancing Local Identity'
 - b) Rushcliffe Local Plan Part 2: Land and Planning Policies (Adopted October 2019):
 - Policy 1 'Development Requirements'
 - Policy 16 'Renewable Energy'
 - Policy 22 'Development in the Countryside'
 - Policy 34 'Green Infrastructure and Open Space Assets'

End.

Table 1 Summary Assessment Table – Landscape Elements

Landscape Element	Pegasus' LVIA (V3, October 2024)			LPA		
	Sensitivity of Receptor (Low/Medium/High)	Degree of Change	Effects Year 1	Sensitivity of Receptor (Low/Medium/High)	Degree of Change	Effects Year 1
Land Cover	Medium	Medium Beneficial	Moderate Beneficial	Medium	Medium	Moderate Adverse
Topography	Medium	Negligible	Negligible	Medium	Low	Minor Adverse
Tree and Hedgerow Resource	High to Medium	High	Major Beneficial	High to Medium	Negligible (Tree) and Low (Hedgerows)	Negligible Beneficial (Tree) and Minor Adverse (Hedgerow)
Water Features	High	Nil	Nil	High	Negligible	Negligible and Neutral
PRoW	High	Nil	Nil	High	High	Major and Adverse

Table 2: Summary Assessment Table – landscape character and visual amenity (in isolation)

Receptor	Pegasus' LVIA (V3, October 2024)			LPA		
	Sensitivity of Receptor (Low/Medium/High)	Degree of Change	Effects Year 1	Sensitivity of Receptor (Low/Medium/High)	Degree of Change	Effects Year 1
Host Draft Policy Zone NW01 'Gotham and West Leake Wooded Hills and Scarps',	Medium	Low	Minor Adverse	Medium	Low	Minor Adverse
Viewpoint 1 (road users)	Medium	No change	No effects	Medium	No change	No effects
Viewpoint 2 (road users)	Medium	Negligible	Negligible	Medium	Low	Minor Adverse
Viewpoint 3 (road and PRoW users)	Medium (road users)	Negligible	Negligible	Medium (road users)	Low	Minor Adverse
	High (PRoW users)	Negligible to Low at most	Negligible to Moderate at most	High (PRoW users)	Low	Moderate Adverse
Viewpoint 4 (PRoW users)	High	Negligible	Negligible	High	Negligible to Low	Negligible (to Moderate) Neutral (to Adverse)
Viewpoint 5 (road users)	Medium	High	Major Adverse	Medium	High	Major Adverse
Viewpoint 6	Medium	No change	No effects	Medium	No change	No effects

Table 2: Summary Assessment Table – landscape character and visual amenity (in isolation)						
(road users)						
Viewpoint 7 (PRoW users)	High	Medium	Major Adverse	High	Medium	Major Adverse
Viewpoint 8 (PRoW users)	High	High	Major Adverse	High	High	Major Adverse

Table 3: Summary Assessment Table – landscape character and visual amenity (cumulative)

Receptor	Pegasus' LVIA (V3, October 2024)			LPA		
	Sensitivity of Receptor (Low/Medium/High)	Degree of Change	Effects Year 1	Sensitivity of Receptor (Low/Medium/High)	Degree of Change	Effects Year 1
Host Draft Policy Zone NW01 'Gotham and West Leake Wooded Hills and Scarps',	Medium	Low	Minor Adverse	Medium	Medium	Moderate Adverse
Viewpoint 1 (road users)	Medium	No change	No effects	Medium	N/A	N/A
Viewpoint 2 (road users)	Medium	Negligible	Negligible	Medium	N/A	N/A
Viewpoint 3 (road and PRoW users)	Medium (road users)	Negligible	Negligible	Medium (road users)	Medium	Moderate Adverse
	High (PRoW users)	Low at most	Moderate at most	High (PRoW users)	Medium	Major Adverse
Viewpoint 4 (PRoW users)	High	No change	No effects	High	N/A	N/A
Viewpoint 5 (road users)	Medium	Medium at most	Moderate Adverse at most	Medium	High	Major Adverse
Viewpoint 6 (road users)	Medium	No change	No effects	Medium	N/A	N/A

Table 3: Summary Assessment Table – landscape character and visual amenity (cumulative)						
Viewpoint 7 (PRoW users)	High	Negligible	Negligible	High	Medium	Major Adverse
Viewpoint 8 (PRoW users)	High	Negligible	Negligible	High	N/A	N/A

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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