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| **DRAFT STATEMENT OF COMMON GROUND – Planning Conditions** |
| **Section 78 of the Town and Country Planning Act 1990, Article 37 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Rule 17 of the Town and Country Planning (Inquiries Procedure) (England) Rule 2002****Appeal by Renewable Energy Systems Ltd** **at** **Land to the West of Wood Lane and Stocking Lane, Kingston Estate, Gotham****APP/P3040/W/23/3329235** |
|  |
| Renewable Energy Systems Ltd (1)and |
| Rushcliffe Borough Council (2) |
|  |
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1. proposed draft planning conditions
2. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

1. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:

Site Location Plan - Plan Ref: 04533-RES-LAY-DR-PT-001 (Figure 1 Version 2)

Site Location Map- Plan Ref: 04533-RES-LAY-DR-PT-002 (Figure 2 Version 2)
Field Numbers - Plan Ref NEO00763/002I/A (Figure 3)
Infrastructure Layout A3- Plan Ref: 04533-RES-LAY-DR-XX-001 (Figure 4 Version 7)

Infrastructure Layout A1- Plan Ref: 04533-RES-LAY-DR-XX-002 (Figure 5 Version 4)
Access Track Detail - Plan Ref: 04533-RES-ACC-DR-PT-001 (Figure 6
Version 1)

Temporary Construction Compound - Plan Ref: 04533-RES-CTN-DR-CO-001 ( Figure 7 Version 2)
Typical PV Module Plan Ref: 04533-RES-SOL-DR-PT-001 (Figure 8
Version 1)

Typical Security Fence Detail - Plan Ref: 04533-RES-SEC-DR-PT-001 (Figure 9 Version 4)
Typical Security CCTV detail - Plan Ref: 04533-RES-SEC-DR-PT-002 (Figure 10 Version 4)

Typical Solar Farm (Inverter Substation) - Plan Ref: 04533-RES-SUB-DR-PT- 001 (Figure 11 page 52 Version 2)
Client/DNO Substation - Plan Ref: 04533-RES-SUB-DR-PT-002 (Figure 12 Version 2)
Typical Deer Fence - Plan Ref: 04533-RES-SEC-DR-PT-003 (Figure 13 Version 2)
Public Rights of Way Section Plan - Plan Ref: NEO00763\_041I\_C (Figure 14 Version D)
Cumulative Map - Plan Ref: NEO00763/050I/A (Figure 15)
Public Rights of Way Plan - Plan Ref: NEO00763/011I/A (Figure 16)
Indicative Track with Bridleway Crossing - Plan Ref: NEO00763\_051I\_B (Figure 17 Version B)
Design and Access Statement Version 1 dated 16th February 2022
Landscape and Visual Assessment by Neo Environmental Version 1 dated 16th February 2022 (inc 2x addendums dated 7th January 2023 Figure 1.13b revision D, Figure 1.9 Viewpoint 7, Figure 1.4 ZTV & 14th February 2023: Figure 1.14a revision E, Figure 1.13c revision E, Figure 1.12 Viewpoint 6 yr 1 & yr 10, Figure 1.8 Viewpoint 5&6)
Landscape & Ecological Management Plan by Neo Environmental Version 3 dated 7th January 2023
Ecological Assessment Version 1, by Neo Environmental 16th February 2022 (including addendum dated 5th September 2023)
Biodiversity net gain assessment by Neo Environmental addendum 14th February 2023
Cultural Heritage Assessment Version 1, by Neo Environmental 16th February 2022
Noise Assessment by RES, Version 1 dated 16th February 2022
Glint and Glare Assessment, Version 1, by Neo Environmental 16th February 2022
Agricultural Land Classification Report Version 1 by Neo Environmental dated 16th February 2022
Arboricultural Impact Assessment Version 1 by Neo Environmental dated 16th February 2022
Flood Risk Assessment and Drainage Impact Assessment Version 1 16th February 2022
Construction Traffic Management Plan Version 2 by Neo Environmental dated 19th August 2022
Outline Construction Environmental Management Plan Version 2 by Neo Environmental dated 16th February 2022
PRoW management Plan Version 2 by Neo Environmental dated 19th August 2022

‘ Track & Bridleway Crossing Figure 17’ drawing & ‘Section Drawing of Bridleway Figure 14’ Version 2 by Neo Environmental dated 19th August 2022
Greenbelt Assessment by Version 1 by Neo Environmental Version 1 dated 7th January 2023

[To ensure the development is carried out in accordance with the details hereby approved and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies and Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1:Core Strategy].

3. Notwithstanding the submission of the Flood Risk and Drainage Impact Assessment prepared by Neo Environmental, dated January 2022 no electricity shall be exported to the National Grid, until, upon completion of the surface water drainage/flood management works for the development hereby permitted, the following documents have been submitted to and approved in writing by the Local Planning Authority:

i) a Sustainable Drainage Strategy (SuDS).

 The SuDS must incorporate the principles of Sustainable Drainage Systems (SuDS) and conform to DEFRA’s “Non-statutory Technical Standards for sustainable drainage systems (March 2015)” and have regard to any relevant Surface Water Management Plans within Nottinghamshire County Council’s “Flood Risk Management Strategy (June 2016)”. As a minimum, the SuDS must include the following:

* Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169.

• Information about the design storm period and intensity;

• Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year and should limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.

o No surcharge shown in a 1 in 1 year.

o No flooding shown in a 1 in 30 year.

o For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm. in a 100 year plus 40% storm.

• Provide detailed and location (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any proposed new culverts, swales attenuation system, the outfall arangements and any private drainage assets.

• Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.

* Evidence of approval for drainage infrastructure crossing third party land where applicable.

• Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.

* The method to be employed to delay and control the surface water discharged from the site;

• Measures taken to prevent pollution of the receiving groundwater and/or surface waters (during and after construction); and,

• Provide a surface water management and maintenance plan for the lifetime of the development which must include arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

ii) A surface water management and maintenance plan for the sustainable drainage features and drainage network. This shall evidence of how

* the on-site surface water drainage systems shall be maintained and managed during construction and
* how surface water flows will be managed during construction to ensure no increase in flood risk off site and
* evidence of how existing drainage features will be managed and ensured that no additional silt will enter these during the course of development and lifetime of development also after completion and for the lifetime of the development to ensure long term effectiveness.

iii) The management and maintenance plan for the sustainable drainage features and drainage network shall be implemented as approved.

The development hereby permitted must not be first brought into use until the surface water drainage system has been carried out and completed on the site in accordance with the approved SDS. Thereafter surface water drainage system must be maintained in accordance with the approved SDS throughout the lifetime of the development.

[To reduce the risk of flooding to the proposed development having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

4. Within 1 month of the date of first export of electricity to the National Grid (the date of first export) confirmation shall be given in writing to the Local Planning Authority of the same. The development hereby permitted shall cease on or before the expiry of a 40 years period from the date of first export. The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work and an ecological assessment report detailing site requirements in respect of retaining ecological features. The scheme of decommissioning work and the ecological assessment report shall be submitted to and approved in writing by the Local Planning Authority no later than 39 years from the date of first export and subsequently implemented as approved.

[To ensure that the local planning authority can retain control over use of the land in the long term and to ensure the removal of the equipment when electricity is no longer being generated on the site in the interests of the visual amenities of the area and to ensure safe and free flow of traffic and the protection of the amenities of surrounding properties during decommissioning having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policies and Policy 1 (Development Requirements), 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework. This is a pre commencement condition required to ensure that the nature of the site of temporary solar farm is ensured to be restored and all equipment removed].

1. Within 6 months of the cessation of the export of electrical power from the site, or within a period of 39 years and 6 months following the First Export Date, a Decommissioning Method Statement (DMS) shall be submitted to and approved in writing by the Local Planning Authority. The DMS shall include the timing for decommissioning and restoration works, of all, or part of the solar farm if it ceases to be operational, along with the measures, and a timetable for their completion, to secure the removal of panels and any foundations or anchor systems, plant, fencing, equipment. It shall also include a decommissioning traffic management plan and access route plan including provision for addressing any abnormal wear and tear to the highway and address noise dust and vibration. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved scheme and timescales.. The applicant should provide the Local Planning Authority with not less than one week's notice in writing of the cessation of the production of electricity and the intended date for commencement of decommissioning works under the terms of this permission.

[To ensure that the local planning authority can retain control over use of the land in the long term and to ensure the removal of the equipment when electricity is no longer being generated on the site in the interests of the visual amenities of the area and to ensure safe and free flow of traffic and the protection of the amenities of surrounding properties during decommissioning having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policies and Policy 1 (Development Requirements), 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework. This is a pre commencement condition required to ensure that the nature of the site of temporary solar farm is ensured to be restored and all equipment removed].

1. The installed electrical generating capacity of the development hereby approved shall be restricted to a maximum of 49.9 megawatts (MW) measured as the AC installed export capacity.

[To limit the generating capacity of the site based on the submitted information and to accord with the National Policy Statement for Renewable Energy Infrastructure (EN-3), and for the avoidance of doubt having regard to Rushcliffe Local Plan Part 1: Core Strategy (2014) and Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

1. During construction and until the solar panels have been removed, reasonable measures to be taken to deter species of birds that are hazardous to aircraft being attracted to the site. Other than the water bodies shown on the Site Layout Plan/ Drainage Strategy/ BNG report no permanent pools or rutting of the ground shall be formed that will create puddling.

[In the interests of flight safety - Birdstrike risk avoidance; to reduce the risk of any increase in the number of hazardous birds in the vicinity of East Midlands Airport (EMA) that would increase the risk of a Birdstrike to aircraft using EMA].

9. ,Prior to the operation being brought into use a detailed Landscaping Scheme, shall be submitted to the Borough Council for approval The detailed Landscape Scheme must be in accordance with Landscape Strategy and Landscape Ecological Management Plan by Neo Environmental Version Revision E dated 8th February 2023. The detailed Landscaping Scheme must provide full details of all hard and soft landscaping features to be used and include the:

* 1. Plans showing the proposed finished land levels/contours of landscaped areas;
	2. Details of the protection measures to be used of any existing landscape features to be retained.
	3. Soft landscape works including planting plans with specification schedules of plant species, mix, planting sizes, numbers and densities
	4. A timetable for implementation.
	5. On-going management plan to ensure maintenance of any approved landscaping (including who will be responsible for the continuing implementation, phasing arrangements).
	6. Means of enclosure

The approved Landscape Scheme must be carried out and completed in accordance with the approved details and timetable for implementation as submitted with the landscape scheme. If, during the operational lifetime of the scheme , any tree or shrub planted as part of the approved Landscape Scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal.

[To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework.]

10. No development shall take place until an arboricultural method statement and tree protection plan in accordance with the recommendations set within Technical Appendix 10:Arboricultural Impact Assessment 21/12/2021 identifying measures to protect trees and hedgerows to be retained, has been submitted to, and approved in writing by, the local planning authority. The statement shall include a tree and hedgerow protection plan and measures to protect trees and hedgerows during site preparation, construction, and landscaping operations. The approved protection shall be implemented prior to development commencing and shall thereafter be retained as approved throughout the period of construction

[To protect trees and hedgerows, and to safeguard the character and appearance of the area].

11. Prior to any external flood/security lighting being brought into first use, a lighting assessment (together with a lux plot of the estimated illuminance) shall be submitted to and approved by the Local Planning Authority. Any such assessment should consider the potential for light spill and/or glare, in accordance with the Institute of Lighting Professionals (ILP) Guidance Note for the Reduction of Obtrusive Light 01/21) and for ecological sensitivity. The development shall be undertaken in accordance with the approved scheme.

[To ensure there is no adverse impact on nearby properties should there be a requirement to install lighting at any time in the future].

12 Notwithstanding the details submitted, a Landscape and Ecological Management Plan (LEMP), including biodiversity improvements in accordance with the applicants Biodiversity Net Gain calculations submitted with this application, and the recommendations within the Biodiversity Management Plan Appendix 2.1: BMP and any updated calculations and pre commencement ecological surveys if necessary, shall be submitted to and approved in writing by the Local Planning Authority prior to first use The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.
i) Details of how the land shall be used for agricultural purposes through the life of the development,
j) Details of what provisions will be made within any fencing enclosing the site for mammals to cross the site,
k) Details of how the site shall be managed without the use of pesticides or herbicides;
l) Details of means of cleaning the panels (which should exclude the use of chemical cleaners). m) the biodiversity gain demonstrated in the biodiversity net gain assessment, with the means to implement in the long term. This should include any recommendations of the consultant ecologist (See Appendix 2.2: Biodiversity Management Plan and Figure 1.14 of Volume 3, Technical Appendix 1: Landscape and Visual Impact Appraisal)..

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The Landscape and Ecology Management Plan shall be implemented prior to the first use of the hereby approved development and thereafter maintained for the lifetime of the development.

[To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (February 2019). To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)].

13. Construction times (including deliveries) shall be limited to the following hours:

*   07:00 - 19:00 Monday to Friday; and
*   08:00 - 17:00 Saturday.
*   None on Sundays or Bank Holidays.

There shall be no works nor deliveries shall take place outside of these time without the prior written agreement of the Local Planning Authority.

[To protect the amenities for the duration of the construction of the development hereby permitted, having regard to having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

14. The development hereby permitted must not commence, including any enabling works, until a Construction Environmental Management Plan (CEMP) has first been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall have regard to the approved Flood Risk Assessment required by condition 4, Landscape Scheme required by condition 9 and LEMP required by condition 13 and PRoW management Plan Version 2 by Neo Environmental dated 19th August 2022 and Track & Bridleway Crossing Figure 17’ drawing & ‘Section Drawing of Bridleway Figure 14’ Revision D by Neo Environmental and shall provide for:

1. A timetable for the construction works.
2. areas for loading and unloading of plant and materials.
3. storage of plant and materials used in constructing the development.
4. the location and appearance of any site compound/material storage areas, including heights of any cabins to be sited and details of any external lighting;
5. measures to control the emission of dust, dirt, noise and vibration dirt during construction;
6. On-site waste management - measures for the storage/recycling/disposal of waste resulting from the construction works
7. A risk assessment of potentially damaging construction activities
8. Physical measures and sensitive working practices to avoid or reduce impacts during construction (which may be provided as a set of method statements).
9. The location and identification of biodiversity protection zones and the timing of sensitive works to avoid harm to biodiversity features.
10. The times during the construction period when specialist ecologists need to be present on site to oversee works.
11. The role and responsibilities on site, including an ecological clerk of works or similar competent person, and lines of communication.
12. The use of protective fences, exclusion barriers and warning signs.
13. Soil management across the site during construction.
14. The routing of deliveries and construction vehicles to site.
15. Details of arrangements for co-ordinating and controlling delivery vehicles
16. Compliance with PRoW management Plan Version 2 by Neo Environmental dated 19th August 2022
17. Parking arrangements for site operatives and visitors.
18. On-site turning facilities for all vehicles.
19. Wheel washing facilities.

The approved CEMP must be adhered at all times throughout the construction period for the development.

[In the interests of highway safety and to protect the amenities of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019). This is a pre commencement condition required to ensure that the construction works fully compliment and ensures that the ecological and environmental requirements are achieved from the outset of the development].

15. No development shall take place on site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted by the applicant and approved by the Local Planning Authority..

[To ensure that any archaeological items and/or features are recorded in a manner proportionate to their significance and to make the recorded evidence (and any archive generated) publicly accessible, having regard to Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); and Policies 28 (Historic Environment: Conserving and Enhancing Heritage Assets) and 29 (Development Affecting Archaeological Sites) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework. This is a pre commencement condition required to ensure that historic assets are protected and or recorded prior to loss or damage once the development is undertaken].

16 Following the evaluation undertaken under condition 15 above, and prior to the commencement of the development hereby approved, a mitigation strategy detailing the excavation/ preservation shall be submitted to and approved in writing by the Local Planning Authority following the completion of the archaeological evaluation. The development shall be carried out in accordance with this strategy.

...

[To ensure that any archaeological items and/or features are recorded in a manner proportionate to their significance and to make the recorded evidence (and any archive generated) publicly accessible, having regard to Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); and Policies 28 (Historic Environment: Conserving and Enhancing Heritage Assets) and 29 (Development Affecting Archaeological Sites) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.].

17. The development hereby permitted must not commence until the visibility splays as shown on Figure 5.1: Proposed Haul Route Figure 5.2: Swept Path Analysis o Figure 5.3: Visibility Splay of the Construction Traffic Management Plan dated 18.08.2022 have been provided. The areas within the splays shall thereafter be kept free of all obstructions, structures, or erections exceeding 0.26m in height.

[In the interest of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

18.No construction works shall commence on site until the site access junction as shown on Access Track Detail - Plan Ref: 04533-RES-ACC-DR-PT-001 (Figure 6 Version 1) has been provided, surfaced in a hard-bound material for a minimum distance of 15m to the rear of the highway boundary and has been suitably drained to prevent the discharge of surface water to the public highway.

[In the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

1. No works shall commence on site until the proposed temporary improvements along Wood Lane to include widening and extended passing bays have been provided in accordance with details first submitted to and approved in writing by the Local Planning Authority.

[In the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)]. 19. Prior to any use of the site being used for electricity generation, the noise levels for any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, that is to be installed, along with details of the intended positioning of such in relation to the development, shall be submitted to and approved by the Local Planning Authority. If this information is inconclusive or not complete, then a full noise assessment in accordance with BS 4142: 2014+A1: 2019 Methods for rating and assessing industrial and commercial sound will be required. This report will need to make it clear that the plant/equipment is capable of operating without causing a noise impact on neighbouring properties. All mitigation measure, if necessary shall remain in place for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

[To protect the amenities of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

20Prior to any use of the site being used for electricity generation, all permissive paths as detailed on Public Rights of Way, existing public rights of way and proposed and existing bridleways Plan - Plan Ref: NEO00763/011I/A (Figure 16) shall be provided and appropriately surfaced and the materials used for surfacing shall be first submitted to and approved by the Local Planning Authority. The scheme shall include details of surfacing, a timetable for implementation, signage, gates at access points, waymarks and interpretive panels relating to the proposal. The rights of way / bridleways shall be implemented and made available for public use in accordance with the approved scheme and timetable.They shall remain open for the lifetime of the development and shall be maintained by the applicant, or their agents or successors in title to a standard so that they remain open, and persons can pass freely.

[To enhance pedestrian movement within and around the site and to ensure permissive paths remain open having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

21. Notwithstanding provisions of the Town and Country Planning (General permitted Development) (England) Order 2015 under schedule 2 Part 2 Class A no fencing shall be erected on site other than that specified on the submitted plans (deer fencing – plan number 04533-RES-SEC-DR-PT-003 (Figure 13 Version 2)) and the fencing shall not be altered without prior written approval of the Borough Council.

To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (February 2019). And to conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

22. Prior to the commencement of development an updated Ecological Survey shall be undertaken and submitted to the Borough Council. Such a survey shall include a commitment to undertake a pre commencement survey detailing the presence / absence of Badgers and a survey to establish the possible presence/absence of bat roosts on all trees with potential to support bats. Any mitigation measures required as a result of the above surveys shall be implemented in accordance with the details previously submitted to and approved by the Borough Council.

[To ensure the survey reflects the situation pertaining at the time and to comply with policies17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework]23 Notwithstanding condition No 2, no development (excluding demolition, tree protection works, groundworks/investigations) shall take place until details (including layout, materials, colour and finish) of the following have been submitted to and approved in writing by the Local Planning Authority:

 i) solar panels and frames.

ii) CCTV columns

iii) Location of ancillary buildings, and details of equipment and enclosures

The development shall be carried out in accordance with the approved details and maintained thereafter for the lifetime of the development hereby permitted

24. Prior to the First Export Date, an appropriately qualified and experienced ecologist shall provide a report to the local planning authority demonstrating implementation of the recommendations made in Section 4 of the Biodiversity Net Gain Assessment.

25. The development hereby permitted shall be undertaken in accordance with the details within the revised Construction Traffic Management Plan (CTMP)Appendix 5 dated 18/08/23.

The development shall be implemented in accordance with the approved CEMP throughout the construction period.

27. No electricity shall be exported to the National Grid until a grazing management plan (GMP) has been submitted to and approved in writing by the Local Planning Authority. The GMP shall detail which parts of the site shall be used for the grazing of livestock, during which months of the year, and how the grazing is to be managed. Within three years of the date of first export, the grazing of livestock shall commence on the site in accordance with the GMP. The approved GMP shall be implemented thereafter. Any changes to the GMP during the lifetime of the permission shall be submitted to the Local Planning Authority for approval in writing and shall not be carried out except in accordance with the approved revised GMP.

28.

Notes to applicant

A large part of this site area is underlain by the active 'Marblaegis Underground Gypsum Mine' and whilst development of this nature would not appear to be precluded by the existence of this gypsum mine, the County Council would emphasise the importance of consulting 'British Gypsum Ltd' on any surface development. This mine at its deepest point is approximately only 30 metres beneath the surface. Surface development in this area is limited due to a 'Subsidence Protection Area'. British Gypsum can be contacted at: British Gypsum Head Office Gotham Road East Leake Loughborough Leicestershire LE12 6HX Email: Reception.HeadOffice@saint-gobain.com

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact the County Highway Authority for details.

 The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.

 It is noted that there are trees located in close proximity to the application site access. If the trees are to be retained, the applicant must ensure appropriate protection measures are put in place during construction to protect the rooting area of the trees, to prevent any issues with the highway in the future.

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: https://www.caa.co.uk/Commercial-industry/Airspace/Eventand-obstacle notification/Cranenotification/ Any installation equipment above 10m in height will need a permit from EMA Safeguarding.

 Should any permanent lighting be installed, a lighting test needs to be arranged with EMA Safeguarding prior to project completion.

  Please advise EMA safeguarding prior to work commencing: ops.safety@eastmidlandsairport.com.

The Glint & Glare study shows that there will be no glare to approaches on runway 27 and only green glare impacts on runway 09 and the Air Traffic Control Tower. This is acceptable to the Airport with the proviso that should yellow glare become evident once the array is constructed, mitigation measures will need to be taken by the developer to reduce this to green glare only. Reason: Flight safety. Given the location of this property the applicant should be aware that the airport will take action against anyone found in contravention of the Air Navigation Order (“Order”). In particular in contravention of the following provisions under that Order:- Part 10: 240: A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft. Part 10: 241: A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property. • The applicant’s attention is drawn to the new procedures for crane and tall equipment notifications, please see: https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstaclenotification/Crane-notification/ • Measures should be taken during construction to prevent any significant dust or smoke clouds. Reason: Flight safety – dust and smoke are hazardous to aircraft engines and can create a visual hazard to pilots and air traffic controllers.

It is recommended that consideration should be given to climate change impacts, management of waste during and post construction and the use of recycled materials and sustainable building methods.

 The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and lighting for advice and a wildlife sensitive lighting scheme should be developed and implemented.

 Permanent bat boxes and bird boxes (including swifts) should be incorporated into buildings and where appropriate on retained trees, consideration should be given to the provision of raptor / barn owl boxes. Hedgehog corridors, access and enhancements should be provided within and through site boundaries. Invertebrate enhancements (e.g. bee bricks and Insect hotels) should be provided as appropriate. Reptile and amphibian enhancements e.g. hibernacula or other enhancements should be provided.

 New wildlife habitats should be created where appropriate, including wildflower rich neutral grassland, hedgerows, trees and woodland, wetlands and ponds. For amenity grassland, flowering lawn seed mixes are recommended.

 Any existing hedgerow / trees should be retained and enhanced, any hedge / trees removed should be replaced. Any boundary habitats should be retained and enhanced.

 Where possible new trees / hedges should be planted with native species (preferably of local provenance and including fruiting species). See https://www.rushcliffe.gov.uk/conservation/treeshedgesandlandscaping/landscaping andtreeplanting/plantin gonnewdevelopments/ for advice including the planting guides (but exclude Ash (Fraxinus excelsior)).

  Sustainable Urban Drainage schemes (SUDs) where required should be designed to provide ecological benefit.

 Good practice construction methods should be adopted including:

 - Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted. - Measures to ensure that the roof liners of any building do not pose a risk to roosting bats in the future should be taken.

 - No works, fires or storage of materials or vehicle movements should be carried out in or immediately adjacent to ecological mitigation areas or sensitive areas (including ditches).

 - All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.

- Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation, soil or rubble should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.

- Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.

- Pollution prevention measures should be adopted

 It is recommended that consideration should be given to climate change impacts (including increased temperatures and rainfall events), management of waste during and post construction and the use of recycled materials and sustainable building methods