proposed draft planning conditions

1. 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 following approved drawings :

Site Location Plan - Plan Ref: 04533-RES-LAY-DR-PT-001 (Rev 2)

Site Location Map- Plan Ref: 04533-RES-LAY-DR-PT-002 (Rev 2)
Field Numbers - Plan Ref NEO00763/002I/A
Site Layout Plan- Plan Ref: 04533-RES-LAY-DR-XX-001 Rev 7

Infrastructure Layout - Plan Ref: 04533-RES-LAY-DR-XX-002 Rev 4 Sheets 1-9
Access Track Detail - Plan Ref: 04533-RES-ACC-DR-PT-001 ( Rev 1

Typical Temporary Construction Compound Layout & Elevations - Plan Ref: 04533-RES-CTN-DR-CO-001 Rev 2 Sheet 1 and 2
Typical PV Module and Rack Detail Ref: 04533-RES-SOL-DR-PT-001 Rev1

Typical Security Fence Detail - Plan Ref: 04533-RES-SEC-DR-PT-001 ( Rev 3
Typical Security CCTV detail - Plan Ref: 04533-RES-SEC-DR-PT-002 Rev 4

Typical Solar Farm Substation Detail (Inverter n) - Plan Ref: 04533-RES-SUB-DR-PT- 001 Rev 2
Client/DNO Substation Plan & Elevation - Plan Ref: 04533-RES-SUB-DR-PT-002 Rev 2 Sheet 1 and 2
Typical Deer Fence - Plan Ref: 04533-RES-SEC-DR-PT-003 Rev 2
Public Rights of Way Section Plans - Plan Ref: NEO00763\_041I\_C Figure 14 Rev D
Cumulative Map - Plan Ref: NEO00763/050I/A
Public Rights of Way Plan - Plan Ref: NEO00763/011I/A
Indicative Access Track Detail with Bridleway Crossing - Plan Ref: NEO00763\_051I\_B (Figure 17 Rev B)

[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. :

Prior to the commencement of the development a flood risk and drainage scheme shall be submitted and approved in writing by the Borough Council. The scheme shall broadly accord with the principles as set out in the Flood Risk and Drainage Impact Assessment prepared by Neo Environmental, dated January 2022 and shall include the following:

i) a Sustainable Drainage Strategy (SDS).

 The SDS must incorporate the principles of Sustainable Drainage Systems (SDS) 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 SDS must include the following:

* Evidence to demonstration that the development will use SDS 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.

• details 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 arrangements 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,

• .

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.

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 year period from the date of first export.. 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

[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 the Local Planning Authority for its written approval. The DMS shall include the following:
2. timing and programme for decommissioning 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,
3. restoration works to return the land to its former condition, save for that mentioned at point c of this condition,
4. an ecological assessment and habitat report detailing the proposed extent and methods for retaining landscape and ecological features and habitats.
5. 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 DMS and timescales. .

[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, measures shall be taken to deter species of birds that are hazardous to aircraft being attracted to the site in accordance with the Bird Hazard Management Plan.

[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].

1. Prior to the commencement a detailed Landscaping Scheme, shall be submitted to, and approved in writing by the local planning authority. The detailed Landscaping Scheme must be in accordance with Landscape Strategy and Landscape Ecological Management Plan Drawing No NEO00763\_047l\_E Rev E by Neo Environmental Version Revision E 8th February 2023. The detailed Landscaping Scheme must provide full details of all hard and soft landscaping features to be used and include:
	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 Landscaping Scheme must be carried out and completed in accordance with the approved details and timetable for implementation. If, during the first five years of the operation of scheme, any tree or shrub planted as part of the approved Landscaping 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.]

9. 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 dated 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 tree protection plan 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].

10. 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 in writing 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. Any external lighting so installed shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

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

11 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, Appeal Landscape Masterplanand 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 export date. 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.

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 export date 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)].

12. 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.

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[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)].

13. 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 3, Landscaping Scheme required by condition 8 and LEMP required by condition 11 and PRoW management Plan Version 2 by Neo Environmental dated 18th August 2022 and Indicative Access Track Detail with Bridleway Crossing Figure 17 Drawing Number 04533-RES-ACC-DR-PT-001 Rev 1’ drawing & ‘Public Rights of Way Section Plans Drawing Number NEO00763\_041l\_C Figure 14’ Revision D and shall provide for:

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

14. No development shall take place on site until a written scheme of investigation (WSI) has been submitted to and approved in writing by, the Local Planning Authority. The WSI will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice. No development shall take place until the site investigations and post investigation assessment has been undertaken in accordance with the agreed programme and details.

[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].

15 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.].

16. 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, and Figure 5.3: Visibility Splay of the Construction Traffic Management Plan dated 18.08.2022 have been provided. The areas within the visibility 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)].

17.No development, other than works to implement the access, shall commence until the site access junction Visibility Splay Drawing Number NEO00763\_001I\_A Rev A) 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. The access shall be retained as such for the lifetime of the development hereby permitted.

[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)].

18 No development, other than works to implement this condition, 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 the first export date, 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 measures, if necessary shall remain in place for the lifetime of the development,.

[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)].

20 Prior to the first export date, all permissive paths as detailed on LEMP plan Drawing No NEO00763 0471 shall be provided and appropriately surfaced and managed thereafter in accordance with a scheme that has first been 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 and maintenance during the life of the development.

The rights of way / bridleways shall be implemented and made available for public use in accordance with the approved scheme and timetable and 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 and Typical Security Fence Detail Drawing Number 04533-RES-SEC-DR-PT-001 Rev 03 around the substation only as per drawing number 04533-RES-SUB-DR-PT-002 rev 2), Revision 2).

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 local planning authority and approved in writing. 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 approved surveys..

[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, prior to their erection of site details (including layout, materials, colour and finish) of the following shall be 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 as such for the lifetime of the development hereby permitted.

26. 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.