



Appeal Decision

Site visit made on 25 November 2024

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2025

Appeal Ref: APP/E2530/W/24/3350191

Land West of Church Lane, Welby, Lincolnshire NG32 3LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Padero Solaer (PS Renewables) against the decision of South Kesteven District Council.
 - The application Ref is S24/0360.
 - The development proposed is the Installation of a solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years.
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Decision

1. The appeal is allowed and planning permission is granted for the Installation of a solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years at Land West of Church Lane, Welby, NG32 3LS in accordance with the terms of the application, Ref S24/0360, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. A screening opinion, undertaken by the Council in accordance with the Town and Country Planning (Environmental Impact Assessment (EIA)) Regulations 2017, concluded that the proposal was not deemed to be EIA development. I see no reason, within the evidence, to disagree with this view.
3. Two planning applications, for nearby solar farms, are referenced in evidence. These are for sites at Pastures Farm, High Dyke and Ash Tree Farm, Land at High Dyke Road, Londonthorpe. I understand that the scheme for Ash Tree Farm was recently refused by the Council. I shall pay regard to these where relevant in my decision.
4. The proposed operational life of the solar photovoltaic farm is 40 years.
5. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.

Main Issue

6. The main issue is the effect of the proposed solar farm on, and the potential loss of, agricultural land.

Reasons

Effect on agricultural land

7. Policy SP1, of the South Kesteven Local Plan (LP), establishes the Council's spatial strategy. This relates to the distribution of housing and seeks the delivery of sustainable growth for all types of development. The policy also identifies that proposal should protect Best and Most Versatile (BMV) agricultural land to protect opportunities for food production and the continuance of the agricultural economy. It states that development will only be permitted if there is insufficient lower grade land around settlements for development and, where feasible, development that ceases to be used for such purposes be removed and the land restored to its former use.
8. LP Policy RE1 states that proposals for renewable energy generation will be supported where it would meet listed criteria a-e and the requirements of appendix 3. Criterion b) to e) relate to; the scheme must demonstrate support from the local community, include details of power transmission, assurance that all equipment would be removed when power production ceases and that the proposal would comply with any other relevant local and national policies. It is uncontested between main parties that the proposal would meet these requirements.
9. Criterion a), of LP policy RE1, seeks to ensure that the proposal would not negatively impact on the district's agricultural asset. Criterion 9, of Appendix 3, relates to solar farm proposals on agricultural land. This states that any proposal must demonstrate that an extensive search for derelict and brownfield sites has been undertaken, that poorer agricultural land should be first considered as determined under the Ministry of Agriculture, Fisheries and Food classification system and the proposal should demonstrate available capacity on the associated power line. This also states that where BMV agricultural land is proposed for development, solar development should be sited so as to minimise the impact on agricultural operations during its use.
10. Paragraph 187(b), of the National Planning Policy Framework (the Framework), places value on recognising the intrinsic character and beauty of the countryside including the best and most versatile agricultural land. The Framework's Glossary defines BMV land as being land of Grades 1, 2 and 3a. In terms of conserving the natural environment, footnote 65 of the Framework states that where agricultural land is deemed necessary for development, areas of poorer quality should preferred to those of higher quality. It also notes that the availability of agricultural land used for food production should be considered, alongside other policies in the Framework, when deciding what sites are most appropriate for development.
11. The appellant's Agricultural Land Classification and Soil Resources Report¹ identifies that the appeal site consists of 19% Grade 2 (very good quality), 49% Grade 3a (good quality) and 32% Grade 3b (moderate quality) agricultural land. As a result, 68% of the site is deemed to be either Grade 2

¹ Agricultural Land Classification and Soil Resources, Reading Agricultural Consultants, January 2024

or 3a land, being BMV land. Accordingly, the site has significant arable value and would no longer be capable of providing such a function. Consequently, most of the site would be precluded from arable farming for the duration of the proposed use and would be restricted to grazing.

12. Written Ministerial Statement (WMS) 2024 states that where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land to avoid using BMV land where possible. It also states that the starting position for solar developers, in taking forward Nationally Significant Infrastructure Projects (NSIP), is that applicants should seek to minimise impacts on BMV land and preferably use areas of poorer quality. However, this is a material consideration of limited weight given that the scheme before is not a NISIP.
13. The Council asserts that LP Appendix 3 criterion 9, establishes a sequential approach to the siting of a solar energy development. It is an important consideration that a solar farm requires access to a viable connection to the electricity network to function. The appellant has demonstrated that the site is well located to access the nearby Londonthorpe substation to the west of the site. Access to the substation would be achieved via an underground cable. It has also been shown that capacity exists on this line for a new connection with a Grid Connection Offer in place.
14. The appellant's Alternative Site Assessment² identifies that for a scheme that connects to a 33kv substation, to be viable, it must be within 2.5km of a connection point and produce over 5 megawatt (MW) of power. The Assessment found that the suitable alternative sites considered were also largely Grade 3 agricultural land and these were also less suitable due to planning, environmental and other technical reasons.
15. However, the Assessment does not distinguish between Grade 3a and 3b. Without soil assessment of the alternative sites, as sought by Criterion 9, it cannot be concluded that these would result in a greater loss of BMV. Although such analysis may be difficult as it would require access onto private land, none of the alternative sites appear to include Grade 2 land. As such, without further assessment of the alternative sites, inadequate justification for the use of Grade 2 agricultural land has been provided.
16. Nonetheless, while the use of higher quality agricultural land is discouraged by the Framework, the proposal is for a temporary period of forty years which could be secured by a condition attached to any grant of planning permission. In such circumstances, the agricultural land would not be permanently or irreversibly lost, particularly as pasture grazing would occur between the solar panels. This would allow the land to recover from intensive use, and the soil condition and structure to improve.
17. Furthermore, given the height and angle of the proposed panels I consider grass will be able to grow under the panels to a sufficient extent to allow grazing to take place. As a result, most of the land will be able to be used for some agricultural purposes and it could be returned to arable farming at the expiry of the temporary period. Also, the specific way agricultural land is used is not a matter that is subject to planning controls. As such, there would be nothing in planning terms to prevent the farmer using the fields that form the

² Consideration of Alternative Sites, PS Renewals, February 2024

appeal site for the grazing of sheep at present or even leaving them fallow. Given this, the fact that the proposal would limit the ability to carry out any arable farming does not, in my opinion, mean that it results in the total loss of agricultural land when it can still be used for other agricultural uses.

18. Also, the appellant has demonstrated that the agricultural land affected represents only 0.0034% of the agricultural land in the East Midlands Region and 0.052% of such land within the district. Furthermore, the appellant's Alternative land Assessment demonstrates an abundance of BMV land within the local area. This suggests to me that BMV land is not scarce within the area, and the proportion of BMV land on site is not exceptional.
19. As a result, the loss of arable land, for the temporary duration of the use, would be limited and the impact of the proposal on food production would be minimal. The affected land would not be lost but instead used for both the purpose of pastoral and solar farming for the duration of the life of the proposal.
20. Accordingly, the proposal would not result in the permanent loss of BMV agricultural land. However, it would result in the temporary loss of Grade 2 and 3a land which is discouraged by LP policy. In the absence of a full assessment of alternative sites, inadequate justification for the use of Grade 2 and 3a agricultural land has been provided, resulting in conflict with LP Policy SP1, albeit moderate. Accordingly, the proposal would also conflict with LP Policy RE1 and Appendix 3 Criterion 9, which seek to ensure that renewable energy projects would not negatively impact in the district's agricultural land asset.

Benefits arising from the provision of renewable energy

21. This application is not an energy development which is an NSIP under the Planning Act 2008. Nonetheless, the Overarching National Policy Statement for energy (EN-1) may be a material consideration for applications under the Town and Country Planning Act 1990 (as amended). This sets out the national policy for energy infrastructure and establishes the Government's approach to meeting its net zero objectives. It recognises that to meet the Government's objectives and targets for net zero by 2050, significant large and small-scale energy infrastructure will be required. Furthermore, the National Policy Statement for Renewable Energy Infrastructure (EN-3) sets out national policy in respect of renewable energy and identifies 'an urgent need for new electricity generating capacity to meet our energy objectives.'
22. Whether policies in EN-1 and EN-3 are material, and to what extent, should be judged on a case-by-case basis. In this case the proposal is for a solar farm creating up to 24MW of energy. The site benefits from a connection to the grid by way of a proposed substation and short underground connection to an existing substation to the west of the site. It therefore falls below the threshold for NSIP but due to its scale, EN-1 and EN-3 are deemed to be policy documents of substantial weight.
23. Also, LP policy RE1 with respect to renewable energy, supports the provision of solar farms subject to set criteria. Furthermore, LP Appendix 3 explains that solar farms contribute substantially to the total solar power generation nationally and recognises that large scale ground mounted proposals may be acceptable subject to testing against criteria. South Kesteven District Council

have declared a climate emergency, with a Climate Action Strategy that seeks to increase the provision of sustainable forms of energy generation as a key objective to achieve net zero in accordance with the Government's target of net zero carbon emissions by 2050.

24. To achieve the Government's ambitious targets, it is clear that considerable growth in large scale solar farms will be necessary and this cannot be achieved solely by the use of brownfield land or roof top installations. The proposed development would make a valuable contribution to achieving these local and national goals. The policy context, in supporting the delivery of a substantial level of renewable energy projects, conveys significant weight in favour of the proposal.

Other benefits

25. The proposed development would result in a 58.94% increase in habitat biodiversity and a 21.66% increase in linear hedgerow units. This meets the requirements of the Framework which seeks, at paragraph 192b, for development to secure measurable net gains in biodiversity. This would represent a substantial uplift in biodiversity, exceeding the statutory requirements, that is of significant weight in favour of the proposal.
26. The proposal would make a positive contribution to the local economy in connection with the construction and maintenance of the proposed solar development. However, construction and decommissioning would be short term activities and maintenance would require only infrequent visits, attributing positive, albeit limited, weight in favour of the proposal.

Other Matters

27. Interested parties have suggested that the application fails to adequately detail the capacity and layout of the proposal. However, the scheme with a maximum yield of 24MW is supported by a detailed layout plan that shows the location of the solar panels and all associated equipment. This capacity is significantly below that required to consider the scheme as a NSIP project and, as such, I am content that it is correct to deal with the application under the provisions of the 1990 Town and Country Planning Act.

Heritage assets

28. There are a number of designated heritage assets located within the surrounding area. These include the Grade I Listed Church of St. Bartholomew and the Grade I Listed Belton House and its associated Registered Park and Garden.
29. The Church of St Bartholomew, within Welby, is around 1 km from the site and has C13 origins. Its significance derives from its age and architectural interest. It is set within the village, and largely enclosed in an intimate setting. Its tower is partially visible from parts of the site which forms a small part of the wider setting of the church. Accordingly, the setting and significance of the Church would be unaffected by the proposal.
30. Belton House Park and Gardens are around 2.5km from the site. The house originates from the early C18 and its gardens originate from the late C17. The park and gardens are significant due to their interest, variety of gardens and scale. The significance of Belton House derives from its architectural detailing,

its age and historical interest. Moreover, the appeal site does not, itself, contribute directly to the significance of these heritage assets nor how they are understood or experienced.

31. The remaining heritage assets identified in the appellant's heritage assessment³ are considered to be of sufficient distance and screened by topography and landscaping to prevent any harmful effects being found. As a result, the proposal would preserve the settings of the identified listed buildings and the registered park and garden.

Character and appearance

32. The appeal site consists of six fields, separated by hedge boundaries. The site is set away from the nearest highway, Church Lane, and is to the east of High Dike (B5403) and is accordingly surrounded by fields. The site and surrounding land is within the Southern Lincolnshire Edge Landscape Character Area (South Kesteven Landscape Character Assessment, 2007). This is defined by open rectilinear fields under arable cultivation with some fragmented hedgerows and trees groups, allowing for extensive views. The site generally accords with the local character type. Nonetheless, the electricity pylons that cross the site and the relatively busy B6403 contribute human-made interventions into the site's countryside setting.
33. The proposed development would retain the existing field boundaries. Accordingly, although the proposal would result in large scale change during the construction phase of the development, the effect on the area's character in its operational phase would be a moderate magnitude of change causing a minor adverse effect to the area's character. Furthermore, the proposed landscape enhancement along the northern boundary would further soften the appearance of the proposal and aid its integration into the character of the area.
34. In terms of visual effects, the appellant's Landscape and Visual Impact Appraisal⁴ (LVIA) identifies that the visual change to key viewpoints would largely range from small to medium by year 10. The proposed landscape planting, on the northern boundary of the site, would reduce the initial moderate adverse effect to a minor visual effect only by year ten.
35. The proposed scheme in addition to two solar scheme subject to recent planning consideration have been assessed in the LVIA in terms of cumulative impact. Ash Tree Farm and Pastures Farm are located 0.6km and 2.1km respectively to the north of the site. On the assumption that all three schemes are constructed the overall cumulative effect, on the area's character and overall visual impact, would be greater. Nonetheless, mitigation measures of all three solar farms would reduce these cumulative effects to minor.
36. Overall, the proposal would result in only negligible harm to the character and appearance of the area. The proposal would therefore comply with LP policy EN1 which seeks development to be appropriate to an area's landscape character.

³ Settings Impact Assessment, landage Heritage, 9 February 2024

⁴ Landscape and Visual Appraisal, PS Renewals (UK) Limited, February 2024

Wildlife

37. The appeal site includes a range of hedgerows and pockets of tree groups. The proposal has been accompanied with an Ecological Impact Assessment⁵. This notes that the majority of the site comprises arable land of highly managed and disturbed habitat with little ecological value. It found that despite the proximity of the Local Wildlife Site, adjacent to Church Lane, the scheme would not affect protected species. The scheme includes the provision of significant levels of new planting, both as tree and hedgerow planting and through the addition of grassland under and amongst the panels. These measures would substantially improve the availability of habitat throughout the site in support of wildlife in the area.

Glint and Glare

38. The submitted Glint and Glare Assessment⁶ considers the effect of the proposed panels on local road users and aircraft. This has found that existing screening by a combination of vegetation, buildings and topography would prevent glint effects at the majority of receptor points. The limited glint effects considered to be evident have been found to be insignificant. The Assessment also found that the proposal would not cause a glint hazard to the safety of aircraft using RAF Barkston Heath Airfield. I see no reason to question the findings of this assessment, a conclusion shared by the Ministry of Defence⁷.

Effect on local residential occupiers.

39. Health concerns have been raised by interested parties with respect to the effect of electromagnetic fields and waves being emitted from the proposed equipment. However, the evidence submitted on this matter is limited and I note that the proposal received no objection from the Council's Environmental Protection Officer, as such I ascribe limited weight to the concerns raised.
40. The proposed inverters and transformers would generate a low level of noise. However, the closest dwelling seems to be an isolated property on Church Lane, close to the access into the site. Properties within Welby are also some distance from the boundary of the site. Therefore, residential properties are some distance from the nearest noise emitting equipment and would be screened by several pockets of vegetation. Consequently, residential occupiers would be unlikely to experience a significant adverse noise effect, a view shared by the Council's Environmental Protection Officer. Consequently, noise would not cause material disturbance to adjacent residential occupiers.

Appeal decision – Lullington

41. A dismissed appeal⁸ decision for a solar farm, North of Lullington, Swadlincote, has been submitted in evidence. This included 15% Grade 2, 34% Grade 3a and 48% Grade 3b agricultural land and is therefore comparable to the appeal scheme with respect to BMV land. That scheme was reported to provide electricity for around 17,300 homes and included a 270% gain in habitat units and 46% gain in hedgerow units, which would deliver a greater Biodiversity Net Gain (BNG) than the proposal. The Inspector attributed significant weight

⁵ Ecological Impact Assessment, environmental solutions limited, February 2024

⁶ Glint and Glare Assessment, CPA, February 2024

⁷ Defence Infrastructure Organisation, Teena Oulaghan, 14 November 2024

⁸ Planning Appeal Decision: APP/F1040/W/22/3313316

to the benefits of renewable energy generation and moderate weight to the benefits of BNG and job creation. However, the Inspector found that the impact on BMV land was of greater significance and, as such, the appeal was dismissed.

42. Although, this decision shares many similarities with the proposed scheme, other appeal decisions have taken a contrary view to the effect of solar farms on BMV land. This demonstrates that each case should be considered on its own merits and the planning balance is exactly that; a balance of all matters of relevance to the specific case submitted, an exercise I have undertaken in this case. In exercising my planning judgement, for the reasons stated within this decision I find that the proposal in this case would be acceptable in planning terms.

Conditions

43. The Council has provided a list of suggested conditions should I be minded to allow the appeal. I have considered the use of conditions in line with the guidance set out in Planning Policy Guidance (PPG) and the Framework.
44. A number of conditions are necessary that relate to the submission of details prior to the commencement of development. These seek details relating to archaeological recording, details of the materials/colours used for equipment, a landscape and ecological management plan and highway improvements. I consider these pre-commencement conditions to be so fundamental to the development that it would have been otherwise necessary to refuse permission. These details are required at a pre-commencement stage as they relate to matters that may influence the configuration of equipment on site and relate to its initial setting out.
45. I have imposed the standard conditions with respect to timeframe and approved plans as advised by the PPG for clarity and certainty [conditions 1 and 3]. A condition is also necessary to ensure that the proposal gains a temporary consent only, and has a decommissioning specification, to manage the overall landscape impact of the development in compliance with LP policy RE1 [2].
46. Conditions are necessary with respect to the implementation of a tree protection plan, the provision of a landscape scheme, the submission of a Landscape and Ecological Management Plan, its implementation as part of the approved scheme, the implementation of the recommendations of the Ecological Impact Assessment and to protect installed landscaping, in the interests of the rural character of the area and to ensure the delivery of a net gain to Biodiversity [6, 7, 9, 11, 15 and 16]. Also, conditions are necessary to ensure that the materials used for all plant are suitable for its rural location and to prevent glint and glare [5 and 12].
47. It is necessary for Church Lane to be improved through the addition of passing points to ensure the free-flow of the highway during construction and to implement the environmental management plan in the interests of highway safety and to ensure the proposal functions well [8 and 10]. A condition for the submission of an Archaeological Mitigation Strategy and its implementation is required to protect the identified archaeological interests on the site, including remains with Roman and Iron Age origins, in accordance with LP policy EN6 [4]. Also, a condition is necessary to require the submission of a soil

management plan to ensure the soil is appropriately managed through the duration of the use to maintain its quality for arable use [13]. Details of any lighting are required to be submitted and agreed by the Council in advance of any installation in the interests of the rural character of the area [14].

48. The Council has suggested a condition that relates to the submission of an Operational Management Plan relating to repair or maintenance works. This is deemed required by the Council to satisfy LP policy RE1 and to mitigate the impacts of any further construction works required for the repair or replacement of solar arrays. However, the requirement for an operational management plan is not identified in the stated policy or by a solar energy criterion of annex 3. As a result, this condition is not deemed to be necessary.
49. Another condition has been suggested that seeks details for the removal of all site equipment in the event of early cessation of the use. This is stated as being required by LP policies RE1 and EN1. However, policy EN1 seeks to protect landscape character and is not specific to operational matters for solar farms and is not therefore relevant to this proposal where no harm has been identified to the character and appearance of the area. LP policy RE1, with respect to renewable energy generation, states at part (d) that all apparatus related to the use will be removed from the site when power production ceases. This objective would be achieved by condition 2 and therefore this further condition is deemed to be excessive and unnecessary.

Planning balance and Conclusion

50. I have concluded that the proposal would result in moderate harm to agricultural land and its food production capability through the temporary development of Grade 2 and 3a BMV agricultural land, resulting in conflict with the development plan to which I afford modest weight. Furthermore, the other matters identified in opposition to the proposal raise issues that either result in no harm or raise technical matters that could be adequately addressed through the imposition of appropriate conditions to negate the harm.
51. The proposal would deliver a renewable energy facility that would create up to 24WM of power. This would result in a substantial carbon dioxide displacement, provide power for around 9,000 homes and would therefore help to combat climate change. The appeal site, whilst large is relatively unobtrusive, within a largely flat area of land that prevents most wider views of the site to be experienced. The surrounding landscape also includes a range of man-made interventions. These features enable the area to accommodate a degree of change.
52. Both national and development plan policies recognise the importance of the provision of renewable energy projects. In minimising environmental effects, the proposal would largely comply with the Council's policies with respect to renewable energy and protection of the character of the countryside. Whilst this lends support for renewable projects in the countryside it does not confer an automatic approval of such schemes, where the effects of such development must take into account a broad range of issues in mind of the general presumption to respect the intrinsic character and beauty of the countryside as sought by the Framework.
53. The benefits of renewable energy engender substantial support for the proposal. These benefits are recognised in the Council's local policies and

national policy in accordance with the Climate Change Act of 2008. It is also clearly identified, in Section 14 of the Framework, where it seeks to increase the use and supply of renewable and low-cost energy and to maximise the potential for suitable such development. The delivery of suitable renewable energy projects is fundamental to facilitate the country's transition to a low carbon future in a changing climate.

54. Also, a solar farm requires grid capacity and a viable connection to operate. As such, this requirement places a locational restriction on site selection that limits the number of appropriate sites for such a facility. The Appellant proposes to connect to the nearby Londonthorpe substation placing the site in an advantageous location satisfying the connection constraints that exist. The Appellant has therefore demonstrated that a rational approach was taken to site selection lending support for the selected site. Further benefits of the proposal relate to the provision of significant biodiversity net gain and support for the local economy, to which I apply substantial and limited weight to respectively.
55. Accordingly, the benefits of the proposal are of sufficient magnitude, as material considerations, to outweigh the moderate conflict found with the development plan with respect to the temporary loss of Grade 2 and 3a BMV agricultural land in this case. Accordingly, the proposal would accord with the development plan when taken as a whole.
56. For the above reasons, the appeal is allowed, and planning permission is granted subject to conditions.

Ben Plenty

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- 2) Written confirmation of the first export date shall be provided to the Local Planning Authority no later than 20 days following the event. The development hereby permitted shall cease on or before the expiry of a 40 year period from the date of the first export of electricity from the solar farm to the electricity grid network; excluding electricity exported during initial testing and commissioning. The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work ("Decommissioning Scheme") which shall make provision for the removal of the solar panels and all other associated equipment, and the subsequent restoration of the site. The scheme shall include details of:
(a) The extent of equipment and foundation removal, and the site restoration to be carried out; (b) The management and timing of any works; (c) A Traffic Management Plan to address the likely traffic impacts arising during the decommissioning period.
(d) An Environmental Management Plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitat features and trees on the site. (e) The location of any temporary compound and parking areas. (f) Full details of the removal of the solar arrays, associated buildings and plant, any access tracks and sub-surface cabling and all associated ground restoration, including trench backfilling. (g) Full details of all other works to the land to all for renewed agricultural production following the removal of structures from the site. (h) A programme of implementation. The Decommissioning Scheme shall be submitted to and approved in writing by the Local Planning Authority, no later than 39 years from the date of the first export of electricity and shall be subsequently implemented as approved.
- 3) The development hereby permitted shall be carried out in accordance with drawing nos Location Plan (Ref:PLA02), General Layout Plan (Ref: 2.1/PLA02), Customer Substation Plan (Ref: 2.10/PLA01), Indicative Mounted Panel Dimensions (Ref: 2.2/PLA01), Inverter Station Details (Ref: 2.4/PLA01), Control Room Details (Ref: 2.5/PLA01), CCTV Camera Details (Ref: 2.6/PLA01), Security Fence and Gates (Ref: 2.7/PLA01), Permanent Gravel Road Details (Ref: 2.8/PLA01), DNO Substation Details (Ref: 2.9/PLA01), Delivery Route Plan (Ref: 3.1/PLA02), Site Entrance Visibility Splays (Ref: 3.3/PLA02), Access Improvements (Ref: 3.4/PLA02), Temporary Compound Area (Ref: 4.3/PLA02), Landscape Mitigation Plan (Received 4 March 2024) and Proposed Elevations / Site Sections (Ref: 1.6/PLA02).
- 4) Before the development hereby permitted is commenced, an Archaeological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include: a. A plan illustrating the location of archaeological remains on the site; b. Areas which are designated for archaeological monitoring and recording; c. Proposals to ensure that significant archaeological remains are protected or, if appropriate, set out a programme of further archaeological works to ensure that they are recorded in advance of works on site; and d. A programme for the implementation of the

archaeological mitigation strategy. Thereafter, all works on site shall be carried out in accordance with the approved Archaeological Mitigation Strategy.

- 5) Before any part of the development hereby permitted is commenced, a specification of the materials to be used (including the nature and type of solar PV panels to be used) in the construction of external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority.
- 6) Before the development hereby permitted is commenced, works to improve the public highway by means of the installation of five passing places on Church Lane shall have been certified complete by the Local Planning Authority.
- 7) Before the development hereby permitted is commenced, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The submitted LEMP shall be in broad accordance with the submitted Draft Landscape and Ecological Management Plan (PS Renewables) (February 2024) and shall include details of the management and monitoring of the site during the operational period.
- 8) No works pursuant to this permission shall commence until the Tree Protection Measures indicated on the Tree Protection Plan enclosed at Appendix 5 of the Arboricultural Impact Assessment and Method Statement (St Aubyn Tree Consultancy) (February 2024) have been implemented in full. Thereafter, the development must be carried out in accordance with the approved details and the approved measures shall be retained until all construction activities have been completed.
- 9) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Section 1.12 of the Ecological Impact Assessment (SK Environment Solutions LTD) (February 2024), including reasonable avoidance measures for protected species.
- 10) All works on site shall be carried out in accordance with the General Environmental Management Plan, the Construction Environmental Management Plan (PS Renewables - received 4 March 2024) and the Construction Traffic Management Plan (PS Renewables - Dated February 2024) throughout the construction period.
- 11) Before the end of the first planting / seeding season following the date when electrical power is first exported ("first export date"), all landscaping works shown on the approved Landscape Mitigation Plan (Received 4 March 2024) shall have been carried out in full.
- 12) Before the development is operational, the external appearance of all built form on the site shall have been completed in accordance with the details approved by Condition 5 above.
- 13) Before the date of the first export of electricity from the development hereby permitted, a Soil Management Plan relating to the management of soils within the development site shall be submitted to and approved in writing by the Local Planning Authority. The approved soil management plan shall then be adhered to unless otherwise agreed in writing with the Local Planning Authority.

- 14) No permanent illumination of the site shall be permitted unless otherwise agreed in writing by the Local Planning Authority. In such circumstances, prior to the erection of any external lighting on site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development.
- 15) The approved development must be carried out in accordance with the approved Landscape and Ecological Management Plan (LEMP), in accordance with the LEMP approved by condition 7.
- 16) Within a period of five years from the first export date, any trees or plants provided as part of the approved Landscaping Plan that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species, unless otherwise agreed by the Local Planning Authority.

End of conditions