



Appeal Decision

Site visit made on 30 January 2025

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10th February 2025

Appeal Ref: APP/P3040/W/24/3352048

Land off West Leake Lane, Ratcliffe, Nottingham NG11 0DP

- 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 Sandbrook Capital Bes Ltd against the decision of Rushcliffe Borough Council.
 - The application Ref is 23/01285/FUL.
 - The development proposed is a Battery Energy Storage Facility.
-

Decision

1. The appeal is allowed, and planning permission is granted for a Battery Energy Storage Facility at Land off West Leake Lane, Ratcliffe, Nottingham NG11 0DP in accordance with the terms of the application, Ref 23/01285/FUL, subject to the conditions in the attached schedule.

Application for costs

2. An application for costs was made by Sandbrook Capital Bes Ltd against Rushcliffe Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. The appeal was started with the procedure for determination set as a hearing. However, following the publication of the revised and updated National Planning Policy Framework (the Framework) on 12 December 2024, the Council advised it had reconsidered its case and has subsequently dropped the reason for refusal relating to the inappropriateness of the proposal in the Green Belt. Both main parties were afforded the opportunity to provide additional comments on the change of procedure, with no objections raised. Interested parties were also informed and invited to provide comments. I have determined the appeal on this basis.
4. As referenced above, the revisions to the Framework necessitated that the main parties and interested parties be given an opportunity to comment on any implications for the proposal. Any comments received have been considered in the determination of this appeal.

Background and Main Issue

5. As the Council agreed that the proposal would not constitute inappropriate development in the Green Belt, the only subsequent matter for discussion was the impact of the proposal on the character and appearance of the area. Based on the changes to the Framework and the circumstances of the case, I see no reason to disagree.

6. However, when the Council was contacted to clarify whether it maintained its stance relating to character and appearance, it stated that this was never given as a reason for refusal. From my reading of the reason for refusal on the decision notice, while only one reason is listed, the wording clearly states that '*The proposals would result in substantial harm to the Green Belt by reason of adverse impact upon the openness of the area and on the landscape character*' (my emphasis).
7. The appellant had commissioned a Landscape and Visual Impact Assessment (LVIA) to support their planning application. I consider that given the characteristics of the proposal and its location, there is a clear need to assess this matter as a main issue and I note that the appellant had covered this in their appeal statement regardless. As such, no prejudice would occur in my assessment of this matter.
8. The main issue is therefore the effect of the proposal on the character and appearance of the area.

Reasons

9. The appeal site comprises a roughly triangular parcel of land located adjacent the A453 road which was evidently previously used as a compound for the construction of that road. There is vehicular access from West Leake Lane although at the time of my site visit, there was little remaining of the hardstanding or any other built remnants from the compound. Much of the site is now formed of a rough covering of soil and grass which has largely retaken the site, save for a few remnants of debris. The boundaries of the field include earth bunds of a significant height while generally speaking the land sits in a natural dip.
10. I have had due regard to the appellant's LVIA¹, which advises that the appeal site is located within the Gotham and West Leake Wooded Hills and Scarps character area as identified in the Greater Nottingham Landscape Character Assessment (LCA). This is described as being of predominantly rural character with some strong urban elements, while land use is a mix of woodland, arable and pasture. It goes on to identify areas of open land which are interspersed between plantation woodland, while the landscape condition is good, and the strength of character is strong.
11. I observed many of these features on the site visit. The surrounding area of the appeal site is largely formed of a stark mix of rural and urban characteristics in an undulating landscape. This includes irregular field patterns bound by a mix of fencing and hedgerows that are in a range of agricultural uses with isolated farmsteads and woodland strips as well as the rivers Trent and Soar which intersect the area. This is contrasted by large adjacent infrastructure, such as the disused Ratcliffe-on-Soar power station, electrical pylons and the aforementioned A453 road which links Nottingham and the M1 motorway. While the area remains predominantly rural, its landscape has seen significant built form punctuate the tranquillity one would normally associate with such a locality.
12. Despite its previous use as a compound, the appeal site remains open and devoid of built form above ground level. This helps to maintain openness in the immediate area, particularly between the settlements of Gotham and Ratcliffe-on-Soar and its

¹ Urban Green – December 2023

location bordering the A543. Its irregular field pattern is telling of an older system, although its arable or pastoral use is no longer evident. I agree that the general condition of the site is poor and would not be practical for most agricultural uses. Its boundaries are now marked by metal fencing and man-made bunds. Taken together, the appeal site makes a limited but positive contribution to the landscape character of the area via helping to maintain openness but is generally in poor condition given its detracting elements.

13. The proposal seeks planning permission for a period of 40 years to erect a battery energy storage facility. This would include 168 battery containers, 84 transformers and other components such as substations and welfare stations. This would be installed on hardstanding with aggregate laid in remaining areas while the perimeter of the development would include a 2.4m high fence. Landscaping would also be included in order to soften the appearance of the proposal and integrate it into its surroundings as well as provide a boost to biodiversity.
14. The proposal would introduce a substantial swathe of industrial equipment across the appeal site. The metal containers would be of some 3m height and arranged with a regular repeating gap between one another of around 2.5m. The transformers would be of a similar height while the substations would be the largest structures of some 6m height and 38m in length. The proposal would also require much of the site to be covered in hardstanding. This would all be contained within the existing field pattern, although clearly the proposal would completely change the character of the site to be heavily industrialised. This would reduce the open nature of the appeal site and the contribution, albeit limited, it makes to the landscape character of the local area.
15. In this context, this existing character could be tempered to a degree by the possible future redevelopment of the power station site by the approved Local Development Order². This would create a large mixed use development comprising elements such as energy generation, which would be similar to the appeal proposal. The site would also include data storage and logistics operations, making up what would be a large industrial and commercial development including some buildings which are evidently up to 40m in height. This would cause a considerable change in character to the area, albeit it is unclear as to the current situation of that development.
16. The proposal would also include a significant scheme of landscaping which would over time soften the stark character of the components of the development. This would aid in the integration of the proposal in the local area via planting of boundary treatments, although in the short term in particular the proposal would be very apparent.
17. I have also had regard to the assessment of visual impacts in the LVIA. This indicates that the proposal would be seen in vantage points including the A453, West Leake Lane, nearby footpaths and bridleways. These views would be experienced by receptors including road users, local residents are users of the footpaths and bridleways.
18. I was able to experience some of these on my site visit and observed that the site is well screened in views from the A453 and West Leake Lane due to the natural topography of the site and existing earth bunds. Views from these roads were

² 22/01339/LDO

largely transitional and glimpsed in gaps between screening features. Moreover, the sensitivity of road users as receptors is considered low. Residents and users of rights of way are considered of high sensitivity, although due to intervening screening, topography and distance from the appeal site, views would be fleeting causing a minor adverse impact. This is demonstrated in the included visualisations of the LVIA. The visual impact of the proposal would lessen over time as landscaping matures, although in the short term the development would nonetheless appear stark and imposing in some views, albeit for fleeting moments.

19. Taken together, I find that despite mitigation and surrounding landscape features which would be more conducive to an industrial type of development, there would be harm to the character and appearance of the area. This would be contrary to policies 1, 2 and 10 of the Rushcliffe Local Plan Part 1: Core Strategy and policies 1 and 16 of the Rushcliffe Local Plan Part 2: Land and Planning Policies. These seek, among other things, to ensure that all new development should be designed to make a positive contribution to the public realm and sense of place.

Other Matters

20. Concerns were raised by a local resident regarding the impact of landscaping features which could negatively affect mobile phone and internet connections to that property from which the resident works. However, it is unclear as to what the supporting information is demonstrating, with what seems to be the location of a mast and the resident's property. Therefore, there is very little substantive evidence before me to indicate that the phone or internet signal would be negatively impacted by the proposal and as such this has not been determinative.
21. I have also had regards to the concerns of another interested party with regards to whether the proposal has an offer to connect to the National Grid. The appellant confirms as much in their submissions and given the viability of the scheme would be dependent on securing this, I see no reason to conclude otherwise.
22. A representation was also submitted on behalf of the Kingston Estate advising that the land proposed to be developed is subject to a covenant restricting land use to purposes defined by Section 94 of the Agricultura Holdings Act 1948. I am informed that the conveyance from 1951 is evidently still in force, which could prohibit the current landowner from developing the land in the manner proposed in this appeal. I understand that this matter has since been the subject of engagement between the main parties and this objection has been withdrawn. I have not considered this further as a result.

Planning Balance

23. Although the Council made clear it did not consider impacts upon character and appearance of the area to constitute a reason for refusal, I have found material harm in this regard resulting from the proposed development. Although this would likely be mitigated over the years as the landscaping matures, this harm is limited to the local area and attributed moderate weight against the proposal.
24. Conversely, the battery storage facility would provide substantial benefits in terms of its ability to store energy from renewable sources and from the grid, as well as meeting an identified need. Evidently, the Government has set a target of 40 gigawatts of battery energy storage capacity to be achieved by 2035 to assist in

the aim of meeting net zero³ targets by 2050. I am informed that this figure was just over 2GW in 2022, although as the appellant points out other similar developments have been granted permission since this study was published. The need to install more storage of this type remains of utmost importance, however. The proposal would make a meaningful contribution towards the required capacity of battery storage of energy in the UK and therefore towards Net Zero. This is worthy of substantial weight in favour of the proposal.

25. Moreover, the ability to store energy from renewable sources is especially beneficial given the intermittent nature of wind and solar power for example. Rather than energy being lost when it cannot be used by the grid, or power generators being turned off when the grid cannot handle the load, the power will be stored and sent back to the grid for distribution when and where it is required. In relation to this, the appellant advises that a connection to the grid is available and secured, which can often be of significant difficulty in projects of this type. Although I gather that the batteries will not store only energy from renewable sources, given the adjacent location of the future solar farm at the LDO, it is reasonable to assume the majority of energy stored would be from that source. This is also worthy of substantial positive weight.
26. The proposal would therefore support the transition to a low carbon future in a changing climate through supporting renewable and low carbon energy and associated infrastructure in accordance with paragraph 161 of the Framework. There would be further benefits from the oversupply of biodiversity net gain, which evidently far exceeds the required 10% through landscaping. Economic benefits would also accrue through the construction and ongoing maintenance of the development. These are worthy of further moderate weight in favour of the proposal.
27. There is much discussion regarding the availability of other sites and whether these were considered by the appellant in an alternative site assessment. There is nothing before me to indicate that a sequential type test is required for the proposal and from my understanding, they are inherently 'grid-led'. Regardless of whether other sites may have been available, I have had regard to the proposal as presented and found harm. This has been subject to a balancing exercise and whether other sites were available is not a matter to which I attach weight.
28. Taken together, the proposal would deliver considerable benefits, contributing to Net Zero targets and facilitating the role out of increasing use of renewable energy resources in the ongoing fight against climate change. While I have identified harm to the character and appearance of the area and therefore conflict with the development plan, this harm would be outweighed by the benefits of the proposal.

Conditions

29. The main parties agreed the conditions to be included in any subsequent grant of permission in the Statement of Common Ground prior to the procedure being changed. I have had regard to the agreed list and considered them against the tests in the Framework and the advice in the Planning Practise Guidance (PPG), making such amendments as necessary to comply with those documents.

³ Net Zero Strategy: Build Back Greener HM Government 2021

30. The standard conditions relating to timescale for commencement and accordance with plans are imposed for certainty. A condition is imposed to ensure that the site is restored to its current state once the 40-year life of the development is over, or after the cessation of the use, in the interests of the character and appearance of the area.
31. Conditions to agree details of the management of construction traffic, the required access track and visibility splays at the junction of said track are necessary to ensure highway safety is maintained. A bird hazard management plan and details of reflective surfaces of equipment are necessary to ensure air travel safety relating to East Midlands Airport. Conditions to ensure the management of surface water drainage and potential land contamination if discovered are necessary to ensure the safety of people involved in construction, maintenance or operation of the site, while a further condition to ensure hedgerows that will be retained are adequately protected is also necessary to ensure on site ecology is not harmed and the required net gains of biodiversity are achievable. All of the foregoing conditions in this paragraph are required to be agreed prior to commencement of works, which is agreed by the appellant.
32. There are also several conditions which are required to be agreed prior to the first use of the site in the manner proposed. This includes the required visibility splays at the junction of the access track and West Leake Lane are implemented to ensure highway safety is maintained. Further conditions relating to the ecological enhancements proposed, boundary treatments, the agreed soft landscaping scheme and a Biodiversity Habitat Management and monitoring Plan are necessary to ensure character and appearance of the area; that onsite ecology is not harmed, and biodiversity net gains are achievable.
33. Fire safety and emergency response plans are necessary to ensure potential fire risks are adequately addressed given the nature of the use on site and equipment required. Details of colours of equipment and CCTV structures are required to be agreed prior to operation to ensure the character and appearance of the area is not harmed further.
34. Furthermore, conditions to monitor and manage potential issues relating to dust and light are required to ensure the safety of aircraft operating to and from East Midlands airport. A condition was agreed between the parties to ensure the proposal abides by the measures set out in the submitted noise impact assessment. However, this is already given as an approved document in condition 3. To avoid repetition, I have removed this condition.
35. A further condition which was suggested by the Council but disputed by the appellant required details of the grid connection element of the scheme to be agreed prior to the commencement of work. However, I do not consider this necessary. The grid connection is evidently already agreed between the operators of the scheme and the District Network Operator. Any elements of the connection which would require planning permission, if any, would be subject to assessment by the Council regardless in that scenario. The retention of the connection would also not be necessary to specify by planning condition given it is required for the site to operate. As such I have not included this in the attached schedule.

Conclusion

36. For the reasons given above, I conclude that the appeal should be allowed subject to the attached conditions.

C McDonagh

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin not later than 3 years from the date of this permission.
2. The development hereby permitted shall operate for a period of no more than 40 years from the date of first operation, after which the electrical storage development use shall cease. The site operator shall provide a minimum 4 weeks' notice in writing to the Local Planning Authority, of the date of commissioning of the facility.

Within 6 months following the operational use of the site hereby approved commencing, a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include the timing for decommissioning of all the electrical storage containers if they cease to be operational, along with the measures, and a timetable for their completion, to secure the removal of battery storage and all associated equipment.

The subsequent decommissioning of the site shall be carried out in accordance with the agreed details within 6 months of the expiry of this permission or within 6 months of the cessation of the storage of electricity use at the site (whichever is sooner). The applicant should provide the Local Planning Authority with not less than 1 weeks' notice in writing of the cessation of the storage of electricity and the intended date for commencement of decommissioning works under the terms of this permission.

3. The development hereby permitted shall be carried out in accordance with the plans/drawings listed below:

Plan Ref. UG_1933_LAN_SL_DRW_04 P06 General Arrangement received 5th December 2023

Plan Ref. JS - PL - NG110LG – 201 ELEVATIONS_AA REV D received 28th November 2023

Plan Ref. JS - PL - NG110LG - 201ELEVATIONS_BB REV D received 28th November 2023

Plan Ref JS - PL - NG110LG – 201 ELEVATIONS_CC REV D received 28th November 2023

Plan Ref. S - PL - NG110LG – 201 ELEVATIONS_DD REV D received 28th November 2023

Plan Ref. JS - PL - NG110LG - 201PROPOSED PLAN REV D 1-500 received 28th November 2023

Plan Ref. JS - PL - NG110LG - 201 PROPOSED PLAN_DIMS_REV D received 28th November 2023

Plan Ref. JS - PL - NG110LG - 201 SECTIONS_EE REV D received 28th November 2023

Plan Ref. JS - PL - NG110LG – 201 SECTIONS_FF REV D received 28th November 2023

Plan Ref. UG_1933_LAN_SL_DRW_02 P06 soft landscaping 1/3 received 5th December 2023

Plan Ref. UG_1933_LAN_SL_DRW_03 P06 soft landscaping 2/3 received 5th December 2023

Plan Ref. UG_1933_LAN_SL_DRW_04 P06 soft landscaping 3/3 received 5th December 2023
Plan Ref. REV B - AILV EXITING SITE SPA received 24th November 2023
Plan Ref. REV C - FIRE TENDER SPA SHEET 1 OF 2 received 24th November 2023
Plan Ref. REV C - FIRE TENDER SPA SHEET 2 OF 2. received 24th November 2023
Ecology report by Urban Green Ref. G_1933_ECO_BNG_05_COMPRESSED received 5th December 2023
LTP 5371 T1 02 01 REV A 16.5M ARTIC ENTERING SITE SPA received 17th November 2023
LTP 5371 T1 02 02 REV A 16.5M ARTIC EXITING SITE SPA received 17th November 2023
LTP 5371 V1 01 01 REV B EXISTING ACCESS VISIBILITY SPLAYS received 17th November 2023
Construction Traffic Management Plan by Local Transport Projects Ref. LTP/23/5371 dated September 2023
Transport Assessment by Local Transport Projects Ref. LTP/23/5371 dated September 2023.
Noise Impact Assessment report (Ref: 50-923-R1-2; dated 19th September 2023

Pre-commencement Conditions

4. The development hereby approved shall not commence until a Construction Traffic Management Plan, having regard to the revised Transport Statement and Construction Traffic Management Plan (both dated September 2023), has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Traffic Management Plan shall be adhered to throughout the construction period. The Transport Statement shall address the following:
 - the routing of deliveries and construction vehicles to site.
 - details of arrangements for coordinating and controlling delivery vehicles.
 - parking arrangements for site operatives and visitors.
 - loading and unloading of plant and materials.
 - storage of plant and materials used in constructing the development.
 - on-site turning facilities for all vehicles.
 - wheel washing facilities.
 - manoeuvring provision.
 - promoting car sharing amongst staff;
 - signing strategy.
5. The development hereby approved shall not commence until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with the aerodrome safeguarding authority for East Midlands Airport. The submitted plan shall include details of:
 - how the pond will be designed to prevent species of birds that are hazardous to aircraft.
 - monitoring of the whole site which may be attractive to nesting, roosting and “loafing” birds.

- monitoring of, and disturbance of, any roof loafing/nesting activity during construction and in perpetuity, robust measures to be taken to prevent species of birds that are hazardous to aircraft being attracted to the site.
6. The development hereby approved shall not commence until full details of the materials and their reflective properties are submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and in consultation with the aerodrome safeguarding authority for East Midlands Airport.
7. The development hereby approved shall not commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
 - Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.
 - Set out how the storage and release of water will be managed in the event of a fire.
8. Notwithstanding the Phase I Geo-environmental Site Assessment report prepared by E3P (Ref: 16-113-R1-2; dated June 2023) received 4th July 2023, the development hereby permitted must not commence until a written report of the findings of an exploratory Site Investigation (SI) with either a generic and/or detailed quantitative risk assessment of those findings has been submitted to and approved in writing by the Local Planning Authority. The SI must be prepared by a suitably qualified 'competent person' (as defined in paragraph 196(c) and glossary of the National Planning Policy Framework December 2025) and must be in accordance with the Environment Agency's 'Land Contamination Risk Management' (LCRM).

Where the findings of the submitted SI identifies unacceptable risks to human health and/or the environment, the development (excluding any demolition) hereby permitted must not commence until a detailed Remediation Scheme (RS) has been submitted to and approved in writing by the Local Planning Authority. The submitted RS must include:

- full details of how the contamination on the site is to be remediated and include (where appropriate) details of any options appraisal undertaken.
- the proposed remediation objectives and criteria; and
- a verification plan. The RS must demonstrate that as a minimum the site after remediation will not be capable of being classified as contaminated land under Part 2A of the Environmental Protection Act 1990.

The development hereby permitted must not be occupied or first brought into use until the site has been remediated in accordance with the approved RS and a written Verification Report (VR) confirming that all measures outlined in the approved RS have been successfully carried out and completed has been submitted to and agreed in writing by the Local Planning Authority. The VR must include, where appropriate the results of any validation testing and copies of any necessary waste management documentation

9. The development hereby approved shall not commence until all existing hedgerows on the site identified as being retained shall be protected by fencing that accords with BS5837:2012, and the protection shall remain throughout the duration of the development.
10. No construction works, other than works to the access track, shall commence on site until the access track is constructed in a hard bound material for a minimum distance of 15 metres to the rear of the highway boundary. The hard bound surfacing shall thereafter be retained for the life of the development.
11. No construction works, other than works to the access track, shall commence on site until the access track is constructed with provision to prevent the unregulated discharge of surface water from the access track to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Prior to First Use Conditions

12. The development hereby approved shall not be brought into use until the visibility splays as detailed on the Access Visibility Splays plan (drawing. No. LTP/5371/V1/01.01 Rev B) have been completed. The visibility splays shall thereafter be maintained for the duration of the construction period.
13. Prior to the development hereby approved being first brought into use, the ecological enhancements shall be carried out in accordance with the recommendations within Ecology report by Urban Green Ref. G_1933_ECO_BNG_05_COMPRESSED received 5th December 2023.
14. Prior to the use of the development hereby approved commencing a Biodiversity Habitat Management and monitoring Plan, to cover the net gains along with any ecological mitigation and compensation approved by condition 13, over a 30-year period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall then be reviewed every 5 years, with the review being submitted in writing to the Local Planning Authority, and any required improvements undertaken.
15. Prior to the development hereby approved being first brought into use, a Risk Management Plan and Emergency Response Plan shall be submitted to and approved in writing by the Local Planning Authority. These plans shall be developed in conjunction with Nottinghamshire Rescue Service using the best practice guidance as detailed and required in the published Grid Scale Battery Energy Storage System planning - Guidance for FRS published by NFCC National Fire Chiefs Council. Once approved, these plans shall be implemented thereafter and for the duration of the lifetime of the development.

16. The soft landscaping shown on the submitted drawing Plan Ref. UG_1933_LAN_SL_DRW_02 P06 soft landscaping 1/3 received 5th December 2023, Plan Ref. UG_1933_LAN_SL_DRW_03 P06 soft landscaping 2/3 received 5th December 2023 and Plan Ref. UG_1933_LAN_SL_DRW_04 P06 soft landscaping 3/3 received 5th December 2023 must be carried out and completed in accordance with those approved details not later than the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If, within a period of 6 years of from the date of planting, any tree or shrub planted as part of the approved LS 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
17. 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 or the Reduction of Obtrusive Light 01/21).
18. Prior to the development being brought into use precise details of the boundary treatments to the site including heights, positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved details.
19. Prior to installation of structures and equipment, including battery containers, storage and utility containers, generators and transformers and fencing, details of:
- the external finishing colour of all elements; and
 - details of all CCTV infrastructure including height, colour and location of any mounted equipment.

Shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter all CCTV infrastructure shall be installed and provided in accordance with the approved details, and the structures and fencing shall be retained and maintained in the agreed finish for the lifetime of the development.

Monitoring and Management Conditions

20. Measures to minimise and manage the creation of dust and smoke should be implemented for the full duration of all construction works, including demolition and excavation, in accordance with the advice of East Midlands Airport and the Civil Aviation Authority.
21. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

END OF SCHEDULE