



Appeal Decision

Site visit made on 3 September 2025

by **L N Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th October 2025

Appeal Ref: APP/F1040/W/25/3366962

Land east of Stenson Lane, Unnamed road from Twyford Road to Buckford Lane, Stenson, Grid Ref Easting: 432864, Grid Ref Northing: 329651

- 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 Innova Renewables Developments Limited against the decision of South Derbyshire District Council.
 - The application Ref is DMPA/2024/0586.
 - The development proposed is the installation and operation of an Energy Storage System (ESS), including energy storage units, substation, site access, cable connection, landscaping and ancillary infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for the installation and operation of an Energy Storage System (ESS), including energy storage units, substation, site access, cable connection, landscaping and ancillary infrastructure, at Land east of Stenson Lane, DE73 7HL in accordance with the terms of the application, Ref DMPA/2024/0586, subject to the conditions in the attached Schedule.

Preliminary Matters

2. The application form cites the address as 'Land east of Stenson Lane, Easting: 432864, Northing: 329651'. The decision notice cites 'Land at Sk3229 8968, Unnamed road from Twyford Road to Buckford Lane, Stenson, Derby'. The appeal form combines the two and provides the most clarity, and therefore as above I have used that address for my decision.

Main Issue

3. The main issue is the effect of the proposed development on Best and Most Versatile Agricultural Land.

Reasons

4. The appeal site comprises an agricultural field parcel, to the south east of the small hamlet of Stenson. The proposal is an Energy Storage System (ESS) compound with substation and associated infrastructure, landscaping and drainage features, access, and a cable route to the Willington National Grid Substation. The proposal seeks a 50 year permission, a very considerable length of time spanning more than a generation. However, appropriate conditions would ensure that decommissioning would occur at the end of the permission, to remove equipment and reinstate the site to an acceptable condition. It would therefore not be irreversible, and my reasoning below is made on this basis.

5. The Agricultural Land Classification (ALC) rates Best and Most Versatile Agricultural Land (BMVAL) as Grades 1, 2 and 3a. The parties agree that over the life of the permission, the proposal would take away the agricultural use of 3.5 hectares of Grade 3a land. The Council considers the loss and impact from losing this extent of BMVAL would not be outweighed by the proposal's renewable energy benefits.
6. The South Derbyshire Local Plan Part 1 (LP1) Policy BNE4 requires the protection and enhancement of the quality of the soilscape (criterion A), and protection of BMVAL soils and wherever possible directing development to areas with lower quality soils (criterion E). Policy SD6(A)(i) supports renewable and other energy developments and ancillary buildings or infrastructure subject to several considerations, with 'environmental effects' being the only potentially relevant BMVAL aspect. The South Derbyshire Local Plan Part 2 (LP2) Policy BNE5(v) also requires for development in rural areas to not unduly impact on BMVAL.
7. The Planning Practice Guidance (PPG) lists particular considerations for large scale solar farms¹, which also has relevance to ESS schemes. This includes whether the use of any agricultural land has been shown to be necessary, and poorer quality land has been used in preference to higher quality land. The PPG also identifies that soil is an essential natural capital asset providing important ecosystem services². The National Planning Policy Framework ('the Framework') (2024) paragraph 187 also requires protection of soil quality. Paragraph 188 and its footnote 65 further identify that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. Natural England guidance³ also supports this approach.
8. Natural England are the only statutory consultee for BMVAL. The appellant suggests the best proxy for the Framework paragraph 188 definition of 'significant development', is the 20 ha loss of BMVAL size threshold above which Natural England consultation is required⁴. I note that Natural England were consulted despite the site falling below this threshold, with no objection raised.
9. The Agricultural Situation Report also identifies that more than 60% of the field comprises Grade 3b land, with the location and composition of the mix of Grade 3a and Grade 3b soils meaning that the field is difficult to crop evenly. This is evidenced by aerial photos and farmer reports of crop growing difficulties. As such, the appellant highlights that the Grade 3a land cannot be farmed in accordance with that grading, with the field effectively limited to production at Grade 3b level.
10. Both parties refer to appeal decisions in support. Although BMVAL is an issue involving percentages and calculations, and which therefore appears capable of comparison with other decisions, such aspects are inevitably site and context specific. I find the most material decision to be for a Battery Energy Storage System at 'Land South of Walton Road'⁵, because that also lies within South Derbyshire, and dates from less than 4 months ago. That Inspector allowed the proposal for a 40 year period, on land comprising 11.8ha of Grade 3a BMVAL.

¹ Paragraph: 013 Reference ID: 5-013-20150327 Revision date: 27 03 2015

² Paragraph: 002 Reference ID: 8-002-20190721 Revision date: 21 07 2019

³ Guide to assessing development proposals on agricultural land, updated 5 February 2021

⁴ Schedule 4(y) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

⁵ Appeal Ref: APP/F1040/W/25/3362049, Land South of Walton Road, Drakelow, DE15 9UA, allowed with conditions 4 July 2025.

11. The Council argues that the cumulative loss of BMVAL in South Derbyshire has become increasingly significant since the time of that decision, as evidenced by the scale of consented renewable energy schemes, including the Oaklands Farm Solar Park on 115ha of BMVAL. However, the Walton Road appeal decision references that the Oaklands Farm Consent Order had already been received. The Council's Statement of Case paragraph 6.20 also cites two applications to demonstrate the context of the increasing prevalence of ESS schemes within the District and the immediate vicinity⁶, but both have been refused, with no subsequent appeals having yet been determined. The Council also references the Swadlincote Resource Recovery Park⁷ in the context of cumulative loss, but there is no information before me as to the extent of its use of BMVAL.
12. Importantly, the Walton Road Inspector identified that on the evidence before them, and even accounting for Oaklands Farm and the other two sites with planning permission at Drakelow South, and Royle Farm Business Park (references not provided), cumulatively the total amount of land used would still be just a very small percentage of local, regional and national BMVAL.
13. If I were to allow this appeal, that BMVAL percentage loss figure would increase. At some point, a cumulative tipping point may be reached, and it is clearly important to consider any adverse cumulative impacts. However, no convincing material circumstances have been put before me to suggest that such a tipping point has been reached less than 4 months since the Walton Road decision. I also take into account the size comparison of the 11.8 ha of BMVAL at Walton Road, compared to the 3.5 ha currently before me.
14. Even were I to discount the Walton Road detailed conclusions, the appellant identifies that the whole appeal site of approximately 10 ha would account for approximately 0.03% of the total of all agricultural land within the South Derbyshire district. The ALC mapping does not differentiate between Grade 3a and Grade 3b, but to my mind this further reinforces that a loss of 3.5ha of BMVAL against this wider backdrop would be not significant.
15. Furthermore, the BMVAL would not be lost in perpetuity because a condition to require soil restoration would be imposed. At the current time and on the evidence before me, I do not consider there to be a significant impact from the long-term loss of BMVAL on the appeal site, either individually or cumulatively. I must also assess the proposal before me, and not, as suggested by the Council, in the context of the likelihood of future schemes coming forward.
16. I therefore find it unnecessary to address in detail the evidence of potential alternative sites on lower quality agricultural land. This is also because the Framework and PPG do not mandate this in any form of formal sequential test, notwithstanding the policy context requiring the choice of previously development land or poorer quality agricultural land where possible.
17. A 3km search radius around the proposed point of connection is a commonly accepted approach for this scale of ESS, based on the general maximum extent for a viable cable connection. Within this area, multiple site constraints have been

⁶ DMPA/2024/0789 Fairfield's Farm, Rosliston Road, Walton-on-Trent, Swadlincote, DE12 8LR. Refused 12 March 2025. Appeal in progress: PP/F1040/W/25/3369340.

DMPA/2024/1643 Land to the North of Main Street/Drakelow Road, Walton upon Trent, Swadlincote. Refused 1 July 2025.

⁷ APP/U1050/W/24/3354670 Land adjacent to Willshee's Depot 3, Keith Willshee's Way, Swadlincote, DE11 9EN. Allowed 4th August 2025.

identified, such as a large area of high flood risk, cable routing issues across physical barriers, and Scheduled Monument designation. No previously developed land was identified as suitable and available for the proposed scheme. ALC mapping indicates that the remaining potential sites have a higher BMVAL classification than that of the appeal site, or that the distinction between Grade 3a and 3b cannot be ascertained without physical sampling. Overall, I am content with the extent of information provided, and its demonstration of the low possibility of other viable and available sites with lower quality soils on which to site the appeal proposal.

18. The Council well articulates that both energy security and food security needs are vitally important, with neither automatically overriding the other, and with a balanced approach required as they cannot be mutually exclusive. The Council declared a Climate Change Emergency in June 2019 and announced a target to be carbon neutral as a Council by 2030. The significant benefits of ESS schemes are well rehearsed nationally, and support includes from the Framework Paragraphs 161 and 168(a).
19. In conclusion, I find the proposal would not involve the undue and permanent loss of a significant amount of BMVAL. In accordance with the LP1 Policies SD6(A)(i) and BNE4(A), the soilscape would thus be protected. I am also content that it is not possible in this instance to direct development to areas with lower quality agricultural land or lower quality soils, and thus there is no conflict with Policy BNE4(E). Overall therefore, there would be no undue impact on BMVAL, individually or cumulatively, in accordance with LP2 Policy BNE5(E). There would also be no conflict with the Framework requirements.

Other Matters

20. The Council raised no issue relating to the proposal's visual impact, and I see no reason to find differently. Existing landscaping features would be retained, plus substantial and phased landscaping would also act as screening and provide a relatively contained visual envelope. An element of urbanisation is inevitable when considering the necessary form and function of an ESS, and the substation would be most apparent due to its height and bulk, but the proposal overall would not have an overwhelming impact on the wider area or on any key receptors.
21. I have considered the interested party responses made at both application and appeal stage. Key concerns include flood risk, visual impact, fire safety, and noise effect on nearby horses. However, there are no technical objections from relevant statutory consultees or from the Council on these matters.
22. This includes no objection from Lead Local Flood Authority. There would be a flood risk betterment as the drainage scheme would slow down runoff flow and provide additional storage capacity. I note that this would not require wider ditch maintenance as part of the solution. Subject to the imposition of relevant conditions to ensure the Sustainable Drainage System as part of the overall surface water and drainage strategy, drainage has been satisfactorily addressed. The ESS would also provide an on-site Biodiversity Net Gain of 25.78% habitat units, 15.85% hedgerow units, and 134.94% watercourse units.
23. Regarding fire safety, the proposal is supported by an Outline Battery Safety Management Plan, with no objection from the Derbyshire Fire and Rescue Service. The proposal demonstrates appropriate compliance with the relevant

National Fire Chiefs Council guidance, for instance with regard to availability of water for firefighting, consideration of how flood risk may affect emergency vehicle access into the site, internal circulation routes, and in-built control measures for unit specification and maintenance. Furthermore, conditions would require a further Detailed Battery Safety Management Plan, and Emergency Response Plan, following confirmation of the final equipment specification. This would require further approval on fire safety matters following consultation with relevant parties, and other types of control would be gained from other legislative regimes. I therefore find matters of fire safety to have been satisfactorily addressed.

24. Regarding the impact on the horses kept on neighbouring property, I am satisfied with the conclusions of the appellant's acoustics professional, in that the background operational noise levels for the relevant locations would not be unduly loud, or include any sources of impulsive noise to potentially cause startling. The appellant also identifies that construction would not require considerable earthworks or foundation construction such as impact piling which would produce impulsive noise. Noise levels would therefore likely not be significantly higher, or be of a different character, to that associated with typical rural land activities. Control over aspects such as construction timings would also be possible from the imposition of relevant conditions.

Conditions

25. Several conditions are required pre-commencement, in order to provide essential protection or mitigation from the effects of construction. I have imposed the Council's suggested conditions, subject to amendments to reflect the tests in the Framework paragraph 57 and the PPG. In particular, it would be duplication to impose the proposed condition for materials to match those in the approved plans. It is not reasonable or necessary to restrict additional development which may otherwise be allowed through permitted development measures, because this is either already accounted for through the imposition of other conditions, or would be very minor in the context of the proposal as a whole.
26. There is no detailed evidence before me for the need for a Local Employment Opportunities Plan. As such, although this would be a positive element which would bring local economic benefits, I do not find this condition to be specifically necessary in order to make the development acceptable. I have rationalised the proposed conditions for habitat works and their monitoring, landscaping, and tree protection, to avoid unnecessary duplication.
27. The Ecology Officer proposed a mitigation condition for replacement Skylark territory to be provided through an Agri-Environment Scheme, as two skylark territories would be lost. The appellant disputed this need, citing that this not a significant loss in the context of the East Midlands Skylark population which is currently stable and has increased over the medium-term, and that Skylark is classed as 'common' by the Derbyshire Ornithology Society, and as 'widespread' by the Derbyshire Wildlife Trust. I note there was no concern in this regard from the Derbyshire Wildlife Trust as acting Biodiversity Planning Consultee. However, Skylark remains on the BoCC Red listed species⁸, and there would be a specific habitat loss, for which mitigation has not been identified as being so difficult so as to render a condition unreasonable.

⁸ Birds of Conservation Concern 5

28. I find it unclear whether the Skylark condition as proposed would require off-site reprovision, and there has been no suggestion that the appellant has control over neighbouring farmland. I do not find off-site reprovision to be so essential so as to justify dismissing the appeal on this basis. I have therefore slightly amended the proposed condition to still require a Skylark Mitigation Strategy, but with no details of its intended methodology enshrined within the condition. It can be determined in accordance with the other biodiversity measures to be finalised and approved across the site, while having specific regard to Skylarks.
29. The statutory condition will limit the lifespan of the planning permission (1), and specifying approved plans will provide clarity for the terms of the permission (2). Limiting the operational period to 50 years (3) will bind the proposal to that on which my determination was based, and similarly requiring decommissioning and site restoration (20) will protect the agricultural land from permanent change, and reinforce the timeframe or an earlier timeframe if the development ceases to export electricity for more than 12 months. I have added the requirement for a scheme to restore the land and soil to its former condition, into the Construction Environmental Management Plan, and the decommissioning condition.
30. A Construction Management Plan (4) is necessary to protect the amenity of neighbouring residents, to avoid undue disruption to the function of the highway network, and to protect biodiversity. An Archaeological Written Scheme of Investigation (5) is necessary to protect archaeological remains, and a scheme for surface water drainage (6) will ensure sustainable drainage and no increase in runoff or flood risk. Conditions (6 and 7) will consider and address any potential contamination.
31. A range of biodiversity protection and enhancement measures need to be ensured, which will be achieved through the imposition of numerous conditions. These require a Construction Environmental Management Plan (9); a 30 year Habitat Monitoring and Management Plan (10); a Badger Survey (11); details of bat and bird boxes and log piles/hibernacula (12); a Skylark Mitigation Strategy as already discussed above (13); landscaping details (14) which will also minimise the proposal's visual impact; a Great Crested Newt District Level License if necessary (15); and details of any external lighting and how it would minimise impact on bat commuting and foraging routes (16).
32. A Detailed Battery Safety Management Plan (17) and Emergency Response Plan (18) are required prior to installation of the battery equipment and then its first use, to ensure that safety matters are fully considered for the lifetime of the permission once the final equipment specification is known. A condition to require the means of access to be completed, including retention of visibility splays (19) is necessary for highway safety.

Conclusion

33. For the reasons given above, and having regard to all other matters raised, I conclude that the development accords with the development plan taken as a whole, and therefore the appeal is allowed.

L N Hughes

INSPECTOR

***** SCHEDULE OF CONDITIONS *****

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following plans;
 - Red Line Plan V3
 - Red Line Plan - Part 1
 - Red Line Plan - Part 2
 - Red Line Plan - Part 3
 - Red Line Plan - Part 4
 - Red Line Plan - Part 5
 - Layout Plan SL9.3
 - Landscape Masterplan P23-1455_EN_0002_REV C
 - Proposed Site Access Arrangements ST20404-003 Rev D
 - 400kV Substation – Part 1 001
 - 400kV Substation – Part 2 001
 - 400kV Substation – Part 3 001
 - ESS Unit V2
 - Acoustic Fence V2
 - Palisade Fence V2 2
 - Security Gate Detail 7
 - Spares Container 8
 - Access Tracks - Energy Storage System 16
 - Office Container 18
 - CCTV Post 20
 - Water Container 21
 - 132kV Substation Layout 28
 - Car Parking Details 29
- 3) The development hereby permitted shall be limited to a period of 50 years from the date of the first export of electricity to the Grid. This date is referred to hereinafter as 'the First Export Date'. Written notification of the First Export Date shall be given to the Local Planning Authority within 1 month of the First Export Date.
- 4) No development including site clearance shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the following details:
 - (a) That no removal of or works to any hedgerows, trees, shrubs or brambles shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.
 - (b) Specification of working hours, that during construction works, any operation of machinery, carrying out of processes, and construction traffic entering or leaving the site, shall take place only between 0800 to 1800 on Mondays to Fridays, between 0800 and 1300 on Saturdays, and shall not take place at any time on Sundays or on public and bank holidays;

- (c) Measures to control the emission of dust and dirt during construction, including arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways;
- (d) Methods to control and monitor nearby highways and routing and timing of delivery vehicles to/from site for construction traffic, material deliveries, loading, and storage, and vehicle parking of site operatives and visitors;
- (e) The storage of plant and materials used in constructing the development;
- (f) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (g) Details of how additional surface water run-off from the site will be avoided during construction;
- (h) Details of a Highway Condition survey to be undertaken before and after construction so that any damage caused by construction vehicles can be established and repairs charged to the applicant/developer;
- (i) Methods of communicating the CMP to staff, visitors, and neighbouring residents and businesses.

The development hereby permitted shall be implemented in accordance with the approved CMP for the entirety of the construction period.

- 5) No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of:
- (a) An assessment of significance and research questions;
 - (b) The programme and methodology of site investigation and recording;
 - (c) The programme for post investigation assessment;
 - (d) Provision to be made for analysis of the site investigation and recording;
 - (e) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - (f) Provision to be made for archive deposition of the analysis and records of the site investigation;
 - (g) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall commence other than in accordance with the approved Archaeological Written Scheme of Investigation, and there shall be no export of electricity to the Grid until the site investigation and post investigation reporting has been completed in accordance with the programme set out in the approved Archaeological Written Scheme of Investigation and the provision to be made for publication and dissemination of results and archive deposition has been secured.

- 6) No development shall commence until a scheme for the disposal of surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The drainage details shall include undertaking a reasonable assessment of the condition and wider connectivity of the existing ordinary watercourse. The drainage details shall be based upon the principles outlined within the Flood Risk Assessment and Surface Water Drainage Strategy for the

proposed Energy Storage Scheme on Land East of Stenson Lane (J-15444, Edition 02, 04/03/2024, Nijhuis) including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team, and DEFRA's non-statutory technical standards for sustainable drainage systems (March 2015). The development hereby permitted shall be carried out, managed, and maintained thereafter in accordance with the approved details.

- 7) No development shall commence until a desk-study assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include:
- (a) A survey of the likely extent, scale, and nature of potentially hazardous materials and substances, and whether or not they originated from the site;
 - (b) A conceptual model of pollutant-receptor linkage;
 - (c) An assessment of the potential risks to human health, property (existing or proposed) including buildings, livestock, pets, trees, and service lines and pipes; adjoining land; groundwaters and surface waters, ecological systems, and archaeological sites and ancient monuments.

If any potential contamination is identified, no development shall commence until details of a site investigation strategy have been submitted to and approved in writing by the Local Planning Authority, which shall where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study assessment. The site investigation shall be carried out by a competent person in accordance with the current UK requirements for sampling and analysis.

- 8) If any contamination is identified under condition 7, no development shall commence until a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. No development shall commence until the site has been remediated in accordance with the approved measures and timescale, and a verification report has been submitted to and approved in writing by the Local Planning Authority.
- 9) No development including site clearance shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
- (a) A scheme identifying the condition of the land and soil, as a baseline to be restored to that condition following future decommissioning;
 - (b) A risk assessment of potentially damaging construction-type activities;
 - (c) Details of practical measures to include physical measures and sensitive working practices, to avoid or reduce biodiversity impacts during construction, including action to be taken if any protected species are found during construction works;
 - (d) Use of protective fences, exclusion barriers and warning signs;
 - (e) The location and timing of sensitive works to avoid harm to biodiversity features;

- (f) The times during construction when specialist ecologists need to be present on site to oversee works;
- (g) Responsible persons and lines of communication including the role and responsibilities on site of an ecological clerk of works or similarly competent person.

The construction of the development hereby permitted shall be carried out in accordance with the approved CEMP.

- 10) No development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include details of:
- (a) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (b) Description and location of the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan and approved biodiversity metric;
 - (c) The management measures including the legal and funding mechanism(s) to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
 - (d) The monitoring methodology and frequency to be submitted to the Local Planning Authority in respect of the created or enhanced habitat, and the remedial measures to be applied if conservation aims and objectives of the plan are not being met.

The development hereby permitted shall be implemented, monitored, and maintained in accordance with the approved HMMP.

- 11) No development including site clearance shall commence until a detailed badger survey for any recently excavated badger setts on the site or within 30 metres of the site boundary shall be undertaken. The results and any appropriate mitigation/licensing requirements shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out, managed, and maintained thereafter in accordance with the approved details.
- 12) No development shall commence until details for the installation and type of 2 x external bird boxes erected on the northern aspect of retained trees along the southern boundary, 2 x Woodcrete/Woodstone bat roost boxes on the southern or western aspect of retained trees along the southern or eastern boundary, and the creation of log piles/hibernacula within the northern field, have been submitted to and approved in writing by the Local Planning Authority. The boxes and log piles/hibernacula must be installed in accordance with the specified details, and retained thereafter.
- 13) No development shall commence until a Skylark Mitigation Strategy and implementation programme has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall then be implemented and maintained in accordance with the approved Skylark Mitigation Strategy and implementation programme.

- 14) Notwithstanding condition 2, no development shall commence until full details of soft landscape works and implementation programme have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
- (a) Means of enclosure;
 - (b) Planting plans and written specifications of species, plant sizes and proposed numbers and densities, and cultivation and other operations associated with plant and grassland establishment;
 - (c) Details of any additional tree protection measures or process for the submission of these to protect phased planting
 - (a) Details of landscaping maintenance.

The landscaping works shall be carried out in accordance with the approved details and the agreed implementation programme. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or shrub, or plant of the same species and size as that originally planted, shall be planted at the same place.

- 15) Prior to the commencement of any works which may affect Great Crested Newts and/or their habitat, a copy of the relevant issued District Level License shall be submitted to and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the requirements of the signed and issued Natural England licence.
- 16) Prior to the installation of any external lighting, full details including height, design, location, intensity, hours of use, and details of how it would minimise impact on bat commuting and foraging routes, shall be submitted to and approved in writing by the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details and maintained for the duration of the permission.
- 17) Prior to the installation of any Battery Energy Storage Equipment, a Detailed Battery Safety Management Plan (DBSMP) shall be submitted to and approved in writing by the Local Planning Authority. The DBSMP shall align with the general principles set out within the Outline Battery Safety Management Plan (Abbott Risk Consulting Limited, ARC-1223-005-R4 Issue 2 October 2024), and shall include details of safety measures and risk mitigation across the construction, operational, and decommissioning phases of the development. The development shall be carried out and maintained for the duration of the permission in accordance with the approved DBSMP.
- 18) Prior to the First Export Date, a detailed Emergency Response Plan (ERP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained for the duration of the permission in accordance with the approved details.
- 19) Prior to the First Export Date, the means of access for vehicles, pedestrians and cyclists shall have been constructed and completed as shown on the approved drawings in condition 2. Visibility splays are to be provided from a point 0.6 metres above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 120 metres in each direction measured along the

nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These visibility splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6 metres in height above carriageway level for the lifetime of the development.

- 20) Within a period of 49 years and 6 months following the First Export Date, or in the event of the development hereby permitted ceasing to export electricity to the Grid for a continuous period of more than 12 months then within 3 months from the end of that 12 month non-electricity storing period, a Decommissioning Scheme to include details of the removal of all structures, equipment, and infrastructure relating to the development hereby permitted, to include a timetable for implementation and a scheme to restore the land and soil to its former condition, shall be submitted to the Local Planning Authority. Additional details or a revised Decommissioning Scheme must be submitted if requested by the Local Planning Authority, within its stated timescale. Once the Decommissioning Scheme is approved in writing, the development hereby permitted shall be decommissioned in accordance with the approved details.

***** END OF SCHEDULE*****