
Appeal Decision

Site visit made on 12 November 2025

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

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

Appeal Ref: APP/H0724/W/25/3368455

Land at Whelly Hill Farm, Worset Lane, Hartlepool TS27 3BH

- 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 Ms Emma Harding of Gridserve Sustainable Energy Ltd against the decision of Hartlepool Borough Council.
 - The application Ref is H/2022/0423.
 - The development proposed is Erection of a Solar Electric Forecourt with ancillary commercial uses, and associated electrical infrastructure, a solar photo voltaic (PV) farm, energy storage, new access, car parking, landscaping and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for Erection of a Solar Electric Forecourt with ancillary commercial uses, and associated electrical infrastructure, a solar photo voltaic (PV) farm, energy storage, new access, car parking, landscaping and associated works, at Land at Whelly Hill Farm, Hartlepool, TS27 3BH in accordance with the terms of the application, Ref H/2022/0423, subject to the conditions in the attached Schedule.

Preliminary Matters

2. The Council issued a Scoping Opinion in October 2021 with regard to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) ('the EIA Regulations'). This indicated an Environmental Statement (ES) scope for landscape and visual impact assessment, archaeology, and cumulative effects. The application submission included an ES with non-technical summary. An ES Landscape Chapter Addendum was submitted in December 2023 to account for a revised layout, and to incorporate updates to the ES in response to the Council's June 2023 comments.
3. The ES and ES Addendum are considered satisfactory in terms of Schedule 4 of the EIA Regulations. They allow for reasoned conclusions to be made regarding the effects of the proposed development on the environment. Each aspect chapter includes a description of the likely significant effects of the proposed development on the environment resulting from construction, operation and decommissioning, including the cumulative effects associated with the proposed development and other developments in the local area.
4. In reaching my decision on this appeal, I have taken into account all comments from those statutory consultation bodies as required under the EIA Regulations, as well as any representations from interested parties regarding the ES and the likely environmental effects of the proposed development, and any further information provided under Regulation 25. I have also taken into account all other environmental information submitted in connection with the appeal.

Main Issue

5. The main issue is the effect of the proposed development on highway safety and the highway network.

Reasons

6. The site comprises a series of fields wrapping around Whelly Hill Farm. It is bounded by the A19 to the west and the A179 to the north, with the Hartmoor Substation and Worset Lane forming the eastern boundary. The A19 and A179 are key routes linking Hartlepool to neighbouring towns, converging at the 'Sheraton Interchange' with the B1280 by the northwest corner of the site.
7. The proposal includes a 0.92ha Solar Electric Forecourt (0.92ha) accessed via a new vehicular access from the A179. It would include a series of electric vehicle charging points, an amenity building for customers while vehicles are charging, and supporting infrastructure. The remainder would comprise a hybrid solar farm (87ha) incorporating solar PV panels with trackers to automatically tilt the angles of the panels, and battery energy storage, with associated infrastructure. It would be accessed off Worset Lane and connect to the Hartmoor Substation, at 43.3MWp.
8. The reason for refusal cites that the increased traffic using the solar electric forecourt would result in a potential adverse impact on highway safety and congestion on the A179, and conflict with the Hartlepool Local Plan (LP) Policy QP3 and the National Planning Policy Framework ('the Framework') (2024) paragraph 116.
9. The Council's Officer Report discusses the highway matters considered. Various iterations of the technical evidence base of modelling, detailed design, and potential mitigation was discussed with relevant consultees, such that the final scope of the network considered was limited to the proposed site access junction with the A179, and the Sheraton Interchange. Sensitivity test scenarios were included, to account for different timings of other expected highways works in the vicinity. The Stage 1 Road Safety Audit (RSA) recommended potential mitigation measures along the A179 such as specific road markings and surface treatments to protect right turning lanes, an extension to the existing 40mph speed limit, lighting, and refuge islands.
10. Neither the Highway Authority nor National Highways held any outstanding objections by the time of the Council's decision. This was subject to the imposition of several conditions, including the completion and submission of a Stage 2 RSA to identify and ensure full details of any required highway mitigation measures. This was also subject to a s106 legal agreement for a £30,000 contribution towards sustainable transport, suggested as being a new bus stop and footpath links to it, and a crossing island to the existing bus stop. This would ensure compliance with one of the requirements of the LP Policy QP3, whereby a developer may be required to contribute to the expansion of an existing service. A s106 to provide this contribution is before me, signed by all relevant parties.
11. The Council's appeal Statement of Case reiterates the case background. The only new evidence presented are Highway Authority figures, that in the past five years of recorded accidents, there was one slight injury within 200m of each side of the proposed new access location, and ten slight injuries and one serious injury between Worset Lane and the A179/Palace Row junction. To my mind, one slight injury accident near to the proposed new access location does not suggest a specific highway safety problem on such a busy road.

12. The Transport Assessment as agreed between the relevant parties, concludes that the proposed Solar Electric Forecourt is not expected to generate additional vehicle trips to or from the east along the A179. Instead, it will primarily serve passing traffic, meaning traffic flows at the Worset Lane/A179 junction would be unaffected. The Council has not explained why the eleven accidents near that junction, at least 1km away from the proposed access point, has relevance to the reason for refusal in terms of direct correlation or causation. The proposed Solar Electric Forecourt access would not generate the same circumstances for accidents, as it would be a priority T junction with a ghost island right turn lane allowing through traffic to bypass queuing right turners.
13. The appellant's additional appeal data on recorded personal injury collisions (PIC) within the vicinity of the site, covers 1 May 2020 to 30 April 2025. This dataset encompasses the area defined in the Transport Assessment, including the Sheraton Interchange, and provides more detail on the circumstances of each PIC than from the Council. Four PICs were identified within this area; three classified as slight in severity, and one as serious. I am satisfied by the appellant's evidence that they were all different in nature and location, and with their own specific circumstances, so as to indicate no inherent road safety issues at the interchange. No details of pre-existing planned improvements to the A179 along this stretch of road have been put before me, so as to infer that it is currently operating at an level of highway safety unacceptable to the relevant authorities.
14. The Council has provided no detailed justification for why Committee Members rejected the conclusions of the existing highways evidence or the advice of the Highway Authority as statutory consultee. No explanation is given as to how the proposal would conflict with the LP Policy QP3 requirements, such as for development to be safe and accessible, and for highway safety provisions to be in line with the relevant guidance. Policy QP3 states that additional access points on roads including the A179 will only be supported if they have the approval of National Highways and/or the Highway Authority, which has been secured for this proposal. The National Highways appeal consultation response confirmed no further comments, other than reiterating a previous request for conditions.
15. My own consideration of the highways evidence base has raised no concerns to suggest that I should come to a conclusion different from the Highway Authority.
16. I note that Council Members suggested that the site access should instead be a roundabout, or be a different new access point off the A19. However, I have to assess the proposal before me on its own merits. In the absence of any information to suggest that the access as proposed would cause harm, it is not my role to consider whether an alternative access point may be more preferable. In any event, the appellant has also provided technical justification as to why this could not be achieved, which I find reasonable in the context of the scheme as a whole, and which again the Highway Authority has accepted.
17. Other interested parties have similarly cited alternative preferential locations for the scheme as a whole, but the Bramley court judgement¹ confirmed that the Framework and the PPG do not mandate the consideration of alternatives for renewable energy scheme site selection. Moreover, as I have found no harm, there is no need to demonstrate the scheme's benefits or other material considerations through evidencing a lack of available other sites.

¹ Bramley Solar Farm Residents Group v Secretary of State for Levelling Up, Housing and Communities, Bramley Solar Limited & Basingstoke and Deane Borough Council & Others [2023] EWHC 2842 [Admin]

18. Overall therefore, I find the proposed development would cause no adverse impact to highway safety or congestion. The Framework paragraph 116 directs that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. I find no evidence to suggest that either of these elements would be severe. The proposal would comply with the LP Policy QP3 as already outlined above.

Other Matters

19. Interested parties have objected about the impact on agricultural land, wildlife, and on the character and appearance of the area, including in relation to cumulative landscape impacts alongside other nearby energy infrastructure. However, the Council and relevant consultees consider these issues to be acceptable. Notwithstanding the subsequent highways reason for refusal, the Officer Report concluded that overall, the proposal was broadly considered to be appropriate development by supporting public infrastructure in the rural area. It was therefore judged to be generally consistent with the development plan, including the LP Policy NE2, which specifically addresses renewable and low-carbon energy schemes. On this basis, and from my site visit observations and my own review of the evidence, I see no reason to reach a different conclusion on these matters.
20. In particular, although the open character and appearance of the site would be altered, existing landscape features would be retained, including no panels on Whelly Hill. Screening would be provided by the existing vegetation, landform, built development, and the proposed landscaping, forming a relatively contained visual envelope with no overwhelming impact on the wider area or on any key receptors. The Solar Electric Forecourt building and access would be more visible, but this is to a large extent an essential aspect of its function, and its design is subdued with a suitable material palette. The Council's Landscape Architect advised that any residual impacts would be local, reduce over time up to year 15, and would be acceptable given the site context. There would be no unacceptable adverse visual impact on the character and appearance of the open countryside, or the approach into and out of Hartlepool.
21. The ES describes the methodology and other developments considered for the assessment of cumulative landscape and visual effects. It provides a summary of the likely significant effects of the proposed development on the environment resulting from the cumulative effects with other developments. None were identified, and having regard to the evidence base as a whole, I similarly conclude that it would read as a standalone development, not contiguous with any nearby energy development schemes.

Habitats Regulations

22. The appeal site lies approximately 3.7km from the Durham Coast Special Area of Conservation (SAC), and the Northumbria Coast Special Protection Area (SPA) and Ramsar site, with the Teesmouth and Cleveland Coast SPA and Ramsar site, and the Castle Eden Dene SAC lying slightly further away. They are afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations). As the Competent Authority, I may only grant permission after having ascertained that the proposed development would not affect the integrity of these or any other protected site.

23. The qualifying features of the Durham Coast SAC are its vegetated sea cliffs on magnesian limestone exposures. The Northumbria Coast SPA and Ramsar site comprises several discrete sections of rocky foreshore, boulder and cobble beaches, some sandy beaches, and parts of artificial piers. Its qualifying features are its support for important numbers of breeding little tern, as well as populations of overwintering migratory purple sandpiper and turnstone, and its wetland ecosystem. The Teesmouth and Cleveland Coast SPA is a complex of coastal habitats centred on the Tees Estuary, which support internationally important populations of breeding and non-breeding waterbirds. The qualifying feature of the Castle Eden Dene SAC is its yew-dominated woodland.
24. The conservation objectives of all these sites are to ensure maintenance or restoration of their integrity, with relation to the extent, distribution, structure, and function of the habitats, the supporting processes on which those habitats rely, and the distribution and total populations of the qualifying species. The Northumbria Coast Ramsar objectives are further to maintain the wetland's ecological character.
25. Natural England has confirmed that the proposal would cause no Likely Significant Effect on statutorily protected sites. On the evidence before me, and having regard to the precautionary principle, I similarly find the evidence to rule out any Likely Significant Effect on the qualifying species or conservation objectives of the identified designated sites, either alone or in combination with other plans or projects.
26. This is due to the buffer distances being too great from the designated habitats to cause any hydrological changes, physical damage, or air quality impact. No recreational pressure would be caused on those sites. Regarding species disturbance, the appeal site predominantly comprises arable farmland with boundary hedgerows, with dense scrub and plantation woodland plus a small patch of calcareous grassland. This is significantly different to the designated habitats, and although numerous breeding and wintering birds were recorded within the site, the evidence indicates that qualifying species would be unaffected.
27. I note that the proposal would also provide mitigation and protection measures not directly related to the SACs/SPA, to allow for habitat and biodiversity compensation and enhancement. Conditions would secure the implementation of all relevant mitigation measures.

Mitigation Measures and Conditions

28. The submitted ES means that the proposal should be considered as 'EIA development', with a need to consider mitigation measures. I have considered these in combination with the imposition of planning conditions. Embedded mitigation for the proposed development includes its siting and design, and vegetation planting and green infrastructure. The ES also proposes several management plans to avoid, prevent, reduce, or offset adverse effects on the environment, which would be secured through conditions.
29. I have taken account of the list of conditions within the agreed Statement of Common Ground, subject to slight amendment to reflect the Framework paragraph 57 and the PPG on the use of planning conditions. This includes the appellant's written consent to the imposition of numerous pre-commencement conditions, required in order to provide essential protection or mitigation from construction.

30. I have excluded conditions requiring layout of specific elements in accordance with the approved plans, as being unnecessary duplication. The proposed 'Biodiversity Net Gain Plan scheme' condition would duplicate in part the statutory condition that development may not begin unless a Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority. As the proposed wording includes that the 'Biodiversity Net Gain Plan scheme' must include a Management and Monitoring Plan, I have therefore amended it to being the submission of a Habitat Management and Monitoring Plan. This will identify how that approved BNG will then be managed and monitored for a period of 30 years.
31. The statutory condition will limit the lifespan of the planning permission (1), and specifying the approved plans will provide clarity for the terms of the permission (2). Limiting the operational period to 40 years (3) and limiting its electricity generation capacity (4) will bind the proposal to that on which my determination was based. Requiring details of site levels (5), the temporary construction compound (7), soft landscaping details (8), external materials and finishing colours (21), hard landscaping and surface finishes (22), and details of the information panels (23), will provide control over the proposal's impact on character and appearance. Soft landscaping will also protect and enhance biodiversity.
32. Further biodiversity protection and enhancement measures will be achieved through tree protection (9), a Soil Management Plan (10), a Habitat Management and Monitoring Plan (11), a Construction Environmental Management Plan (12), sensitive lighting (26) and a Landscape and Ecological Management Plan (LEMP) (28). The LEMP would encompass the proposed bird nesting box condition.
33. Highway safety interests will be served by a Stage 2 Road Safety Audit (6), a Construction Management Plan (13), a Construction Traffic Management Plan (14), completion of the access and associated visibility splays (25), and restrictions on the solar panel tilt (27). Conditions 13 and 14 would also protect the amenity of neighbouring residents and highway users, mitigate adverse impact on the A19, and protect biodiversity. Hours of construction (19) would also ensure appropriate resident amenity.
34. A surface water drainage condition will ensure control of sustainable drainage (15). A programme of archaeological work and protective fencing and exclusion of construction around Zones of Archaeological Interest (16, 17, 18), are necessary to ensure appropriate heritage considerations. Measures for if unexpected contamination are identified (20) will provide environmental protection. Details of the internal layout of the ancillary forecourt building (24) and its restriction to being for no other purpose or use (29), will control it being a satisfactory and ancillary form of development, and ensure footfall is not taken away from retail centres. Requiring decommissioning and site restoration (30) will protect the area's character and appearance, and reinforce the 40 year timeframe or an earlier timeframe if the solar farm ceases to operate for more than 12 months.

Conclusion

35. 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 approved plans;
Dwg. No. 8503-BOW-A0-ZZ-DR-A-0101 Rev P1 (Site Location Plan & Red Line Application Boundary),
Dwg. No. 8503-BOW-A1-ZZ-DR-A-0110 (Proposed Masterplan),
Dwg. No. 8503-BOW-A0-ZZ-DR-A-0106 Rev P2 (Proposed Electric Forecourt Site Plan),
Dwg. No. 8503-BOW-A0-ZZ-DR-A-0200 Rev P2 (Proposed Building GA Plans),
Dwg. No. 8503-BOW-A0-ZZ-DR-A-0201 Rev P1 (Proposed Building Roof Plan),
Dwg. No. 8503-BOW-A0-ZZ-DR-A-0300 Rev P1 (Proposed Building Elevations & Sections),
Dwg. No. 8503-BOW-A0-ZZ-DR-A-0301 Rev P1 (Proposed Site Sectional Elevations),
Dwg. No. 8503-BOW-ZZ-A)-DR-A-0502 (Proposed Fence Types),
Dwg. No. 8503-BOW-ZZ-A)-DR-A-0503 (Proposed Cycle Shelter),
Dwg. No. 8503-BOW-ZZ-A)-DR-A-0504 (Proposed Retail Store Coldroom Area),
Dwg. No. 1084 Rev 00 (DNO Compound),
Dwg. No. 1205 Rev 00 (PCS and BESS Elevations),
Dwg. No. 1212 Rev 00 (Monitoring Box Elevation),
Dwg. No. 1218 Rev 00 (CCTV Post Details),
Dwg. No. 1301 Rev 00 (Customer Substation Details),
Dwg. No. 1308 Rev 00 (Access Gate Details),
Dwg. No. 1313 Rev 00 (Storage Details),
Dwg. No. 1314 Rev 00 (Mesh Fencing Elevation),
Dwg. No. 1316 Rev 00 (Deer Fencing Elevation),
Dwg. No. 2065 Rev 05 (Proposed Site Plan),
Dwg. No. 2217 Rev 01 (Generic Gabion Solution Arrangement),
Dwg. No. 21119-CPA-ZZ-ZZ-DR-C-1200 S2 Rev P01 (Proposed Finished Levels),
Dwg. No. 20/154/39/TR/001 Rev C (Proposed Access Works),
Dwg. No. 20/154/39/TR/002 Rev A (Proposed Access Works),
Dwg. No. 22/4106/E63/EX01 Rev A (External Lighting Layout For Planning),
Dwg. No. 22/4106/E63/EX02 Rev A (External Lighting Plot),
Dwg. No. INTERNAL_C1026318 Rev B (Construction Standards – Equipment Layout and Conduit Layout),
Dwg. No. 3341-TLP-XX-XX-D-L-10001 Rev P05 (Landscape General Arrangement),
Dwg. No. 3341-TLP-XX-XX-D-L-50001 Rev P01 (Landscape Sections),
Dwg. No. 3341-TLP-XX-XX-D-L-10002_ Rev P04 (1 of 4) (Landscape General Arrangement Plan Detail Plan 1 of 4),
Dwg. No. 3341-TLP-XX-XX-D-L-10003_ Rev P03 (2 of 4) (Landscape General Arrangement Plan Detail Plan 2 of 4),
Dwg. No. 3341-TLP-XX-XX-D-L-10004_ Rev P03 (3 of 4) (Landscape General Arrangement Plan Detail Plan 3 of 4),
Dwg. No. 3341-TLP-XX-XX-D-L-10005 Rev P02 (4 of 4) (Landscape General Arrangement Plan Detail Plan 4 of 4),
Dwg. No. PD-O-L-10 (Outline of a Free Standing Feeder Pillar),
Dwg. No. OTT10-0666 Rev 01 (600kVA 33 / 0.4 kV Dimensional Drawing).

- 3) The development hereby permitted shall be limited to a period of 40 years from the date electricity generated by the solar panels is first commercially exported to the electricity 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) The export capacity of the development hereby permitted shall not exceed 49.9 MW (AC).
- 5) No development shall take place until details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
- 6) No development shall take place until a Stage 2 Road Safety Audit has been completed and approved in writing by the Local Planning Authority. The Stage 2 Road Safety Audit shall include full details of any highway mitigation measures, as outlined in the document entitled Stage 1 Road Safety Audit issue 1 dated 17/11/2022 (Section 3.1 Junctions and Section 3.2 Traffic Signs, Carriageway Markings and Lighting). Thereafter, the approved scheme of any highway mitigation works shall be implemented prior to the commencement of the development hereby approved.
- 7) No development including the erection of the temporary construction compound as approved under Dwg. No. 2065 Rev 05 (Proposed Site Plan) shall take place until details of the temporary construction compound and associated structures have been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for the installation and removal of the temporary construction compound within 6 months of the First Export Date or completion of the development hereby approved, whichever is sooner. The construction of the development shall be carried out in accordance with the approved details and timetable.
- 8) No development shall take place until a detailed scheme of soft landscape works and implementation programme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in general conformity with; Dwg. No. 3341-TLP-XX-XX-D-L- 10001 Rev P05 (Landscape General Arrangement), Dwg. No. 3544-TLP-XX-XX-SP-L-90005 P02 (Outline Plant Schedule – Hartlepool Solar Farm), and Dwg. No. 3544-TLP-XX-XX-SP-L-90006 P02 (Outline Plant Schedule – Hartlepool Solar Forecourt). The details shall include:
 - (a) 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;
 - (b) The planting mix for the reseeding of the backfilled trenches following the installation of the underground cables hereby approved; and
 - (c) The layout and surfacing of all open space areas; and
 - (d) Maintenance and management for a minimum of 30 years.

The development shall be carried out and maintained in accordance with the approved scheme and the approved implementation programme, for the lifetime of the development hereby approved. 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 in the next planting season.

- 9) No development including site clearance and any other preparatory works shall take place until the tree protection measures identified in Dwg. No. 221011_2.1-WHP-TPP-JI (Tree Protection Plan) have been implemented. These tree protection measures shall be retained intact throughout the site clearance and construction period and shall not be breached, removed or repositioned until completion of construction. No altered ground levels, excavations, storage of materials, plant or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of waste or surplus construction materials or liquids, shall take place within any area designated as being fenced off or otherwise protected pursuant to these tree protection measures.
- 10) No development shall take place until a Soil Management Plan (SMP) has been submitted to and approved in writing by the Local Planning Authority. The SMP shall include:
- (a) A method statement to ensure soil is stable and in a condition to promote sufficient aeration drainage, fertility and root growth to sustain the proposed landscape measures including how such materials will be sourced;
 - (b) The scope of any ameliorative work, established via soil testing, in order to identify any incoming soils intended for the landscape measures that require treatment;
 - (c) Presentation of results of laboratory testing of samples of soils to demonstrate their suitability;
 - (d) Standard of topsoil proposed for tree / shrub planting areas, together with details of ripping and other soil amelioration treatments, if required; and
 - (e) Proposals for adhering to relevant guidance set out within the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites 2009' produced by DEFRA.

The development shall be carried out in accordance with the approved SMP.

- 11) No development shall take place 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 or from the lifetime of the development (whichever is the longer); and

- (d) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority, and the remedial measures to be applied if conservation aims and objectives of the plan are not being met.

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

- 12) No development including site clearance and any other preparatory works shall take place until a Construction Environmental Management Plan (CEMP) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be based on Section 4.0 (General Management Prescriptions) of the Landscape and Ecological Management Plan (LEMP) Version 05 – Updated Masterplan, 20/01/2025. The CEMP shall include the following details:
- (a) A badger survey to inform the need for any additional badger mitigation and/or compensation;
 - (b) Vegetation within the developable area to be cleared on a phased approach, initially to a height of 150mm and then maintained at or near ground level;
 - (c) Protective fencing to protect sensitive retained features;
 - (d) Any trenches covered overnight;
 - (e) Sensitive working methods detailed in a Precautionary Working Method Statement (PWMS);
 - (f) Vegetation clearance to be undertaken ideally outside the breeding bird season (March to August inclusive), with works in this season undertaken by a qualified ecologist, and ideally outside the breeding hares season (February to September), with works, where unavoidable, to be sensitively undertaken immediately prior to construction;
 - (g) No materials stored on site during the construction phase within 5m of any boundary hedgerows or trees;
 - (h) Adherence to pollution prevention methods;
 - (i) Works within 500m of ponds 8 and 10 shall be undertaken in line with a Non-Licensed Method Statement for Great Crested Newts;
 - (j) A suitably qualified ecologist shall brief the Landscape Contractor on commencement;
 - (k) That an Ecological Clerk of Works shall be appointed by the developer or contractor to deliver a toolbox talk to the Site Manager and/or Site Supervisor and workers on site prior to commencement of work within the Great Crested Newt Risk Zone (GCNRZ), and provide a watching brief as required during site works which shall be submitted to and approved in writing with the Local Planning Authority; and
 - (l) A walkover inspection on site within three months of the start of any works, including vegetation clearance, on site.

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

13) No development shall take place 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) The routing of all HGVs movements associated with the construction phase; and
- (b) Control of dust emissions from the site demolition/remediation and construction works, to address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing measures to reduce mud on highways, road sheeting of vehicles, offsite dust/odour monitoring, and communication with local residents.

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

14) No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in accordance with the approved CTMP for the entirety of the construction period.

15) No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design shall demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event (subject to minimum practicable flow control). The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards (or any subsequent update or replacement for that document). The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development and maintained thereafter throughout the lifetime of the development.

16) (A) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:

- (a) The programme and methodology of site investigation and recording;
- (b) The programme for post investigation assessment;
- (c) Provision to be made for analysis of the site investigation and recording;
- (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (e) Provision to be made for archive deposition of the analysis and records of the site investigation; and
- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

(B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under (A) and/or the 'Hartlepool West Solar Electric Forecourt Land at Whelly Hill Farm Worset Lane Hartlepool: Outline Construction Method Statement (Archaeology)' (Report No: CA Project MK0952, received by the Local Planning Authority on 21/12/2023).

(C) No part of the development shall be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

- 17) No development including site clearance and any other preparatory works shall take place until a scheme for protective fencing to be erected around the Zones of Archaeological Interest (ZAI) during construction has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in accordance with the approved scheme for protective fencing for the entirety of the construction period.
- 18) No development shall take place within the Zones of Archaeological Interest (ZAI) unless it is in accordance with Hartlepool West Solar Electric Forecourt Land at Whelly Hill Farm Worset Lane Hartlepool: Outline Construction Method Statement (Archaeology) (Report No: CA Project MK0952), Revision 2, document dated 15/12/2023 submitted by Cotswold Archaeology, date received by the Local Planning Authority on 21st December 2023.
- 19) 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 between 0800 and 1400 on Sundays only for those activities detailed in document 'Sunday Working Hour Details' received by the Local Planning Authority on 6th December 2023 detailing activities that are permitted to be undertaken on Sundays, and shall not take place at any time on public and bank holidays.
- 20) In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.
- 21) No development shall take place above ground level until precise details of the external materials and finishing colours of the buildings and structures hereby approved have been submitted to and approved by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

- 22) No development shall take place above ground level until details of proposed hard landscaping and surface finishes, including footpaths and car parking, have been submitted to and approved in writing by the Local Planning Authority. These details shall include all external finishing materials, finished levels, and all construction details, confirming materials, colours and finishes. The development shall be carried out and maintained in accordance with the approved details.
- 23) No development shall take place above ground level until details of the information panels providing information on the flora and fauna and information on the solar technology used in the development have been submitted to and approved in writing by the Local Planning Authority. These details shall include their construction materials and finish, and a timetable for installation. The development shall be carried out and maintained in accordance with the approved details.
- 24) Prior to the completion or first use (whichever is the sooner) of the ancillary electric forecourt building hereby approved, details of the internal layout of the ancillary forecourt building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
- 25) Prior to the completion or first use (whichever is sooner) of the development hereby approved, the access and associated visibility splays to the development hereby approved shall be completed in accordance with Dwg. No. 20/154/39/TR/001 Revision C (Proposed Access Works), dated 20/09/2022.
- 26) No external lighting shall be installed on site unless details of any external lighting has been submitted to and approved in writing by the local planning authority. Any approved lighting equipment shall then be installed in accordance with the approved details and thereafter retained.
- 27) The modules/solar panels shall be preprogrammed at a tilt of 5 degrees and shall not be permitted to go back to flat (0 degrees) at any time of day / night in accordance with the details in the Solar Photovoltaic Glint and Glare Study, Issue 2 (Pager Power Ltd, October 2022). This programming of the modules shall be maintained for the lifetime of the development hereby permitted.
- 28) The development hereby permitted shall be implemented in accordance with the details and timetable stipulated in the submitted Landscape and Ecological Management Plan V05 (LEMP) (20/01/2025) to include the implementation of the 'Management Objectives' as detailed in Table 3 (Summary and timing of management prescriptions). Following the implementation of the approved 'Management Objectives' within the approved timescales set out within the LEMP, condition assessments shall be collected during the yearly monitoring surveys post construction and every five years thereafter for a minimum of 30 years. Such information shall be made available within 14 days of a written request by the Local Planning Authority.
- 29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the ancillary electric forecourt building hereby approved shall only be used for a use falling within Use Classes E(a) and E(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and for no other

purpose or use (including within Class E), and the ancillary electric forecourt building hereby approved shall not be extended or altered in any way.

- 30) Within a period of 39 years following the First Export Date of the development hereby permitted, 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 (other than for operational reasons outside of the operator's control) then within 3 months from the end of that 12 month period, an Early Decommissioning Scheme and an Ecological Assessment Report shall be submitted to the Local Planning Authority. Additional details or a revised Early Decommissioning Scheme and Ecological Assessment Report must be submitted if requested by the Local Planning Authority, within its stated timescale. The Plan shall include details of:
- (a) The decommissioning and removal of the development and all ancillary plant, cabling, and equipment;
 - (b) The restoration of the land to its condition as existed at the point the development was permitted, or betterment from that condition detailing site requirements in respect of retaining ecological features; and
 - (c) Timings of works.

Once the Early Decommissioning Scheme and Ecological Assessment Report are approved in writing, the development hereby permitted shall be decommissioned in full in accordance with the approved details.

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