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## Appeal Decision

Site visit made on 6 January 2026

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

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### **Appeal Ref: APP/D0840/W/25/3369222**

#### **Land off Menear Road, north of St Austell PL25 3TD**

- 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 Anesco Ltd against the decision of Cornwall Council.
  - The application Ref is PA23/09532.
  - The development proposed is construction of a temporary 17.51MWp Solar Photovoltaic (PV) and 5MW Battery Storage Farm comprising solar modules, battery cabinets, landscaping, access from the public highway and associated works.
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### **Decision**

1. The appeal is allowed and planning permission is granted for construction of a temporary 17.51MWp Solar Photovoltaic (PV) and 5MW Battery Storage Farm comprising solar modules, battery cabinets, landscaping, access from the public highway and associated works at Land off Menear Road, north of St Austell PL25 3TD in accordance with the terms of the application, Ref PA23/09532, subject to the conditions in the attached schedule.

### **Applications for costs**

2. An application for costs was made by Anesco Ltd against Cornwall Council. This application is the subject of a separate Decision.

### **Main Issue**

3. The main issue is the effect of the proposal on the character and appearance of the area.

### **Reasons**

4. The majority of the appeal site lies within Cornwall Character Area CCA27 'St Austell and Hensbarrow China Clay', with a small area located within CCA30 'St Austell Bay and Luxulyan Valley' (CCAs). The site and surrounding area is locally undulating and has a rural agricultural character demonstrating some of the key characteristics of the Cornwall Character Areas it falls within. These include a pastoral agricultural landscape of small-scale, irregular medieval field patterns defined by Cornish hedges. As such, the appeal site positively contributes to the surrounding landscape character.
5. Moreover, whilst not formally designated or defined within the Cornwall Local Plan Strategic Policies 2010-2030 (LP), given the appeal sites spatial relationship with the built form of St Austell and its position adjacent to a main route into the town which is framed by sloping topography, it is reasonable to consider the appeal site as part of a gateway landscape.

6. Nevertheless, I observed that the nearby surrounding area also features some sporadic built form including both residential development and utilitarian infrastructure including a household waste recycling centre, telecommunications masts, overhead cables, and an underground reservoir.
7. There is no dispute between the main parties that the proposal would result in change to the surrounding landscape, although the extent is disputed. At my site visit, I observed the appeal site from various viewpoints outlined in the appellant's Landscape and Visual Impact Assessment<sup>1</sup> (LVIA) and those viewpoints highlighted by the Council.
8. Boundary treatments, as well as the oblique and passing view of the site from the adjacent highway do minimise shorter views. However, I observed that the proposal would be visible from a number of wider views over and above the identified viewpoints within the LVIA, particularly from medium and longer distances and within the urban areas of St Austell.
9. The proposal would be set within existing field boundaries with built form being reasonably low-lying and parcels of land within the site remaining undeveloped. Nonetheless, the regimented rows of panels and the associated infrastructure, in combination with two distinct blocks of panels to either side of the highway would appear, where seen, to reduce the perceived openness of the appeal site and as utilitarian infrastructure uncharacteristic of the pastoral landscape.
10. Given the sensitivity of receptors, context of the proposal within the surrounding landscape, and availability and limited vantage from some shorter views, I find the effects on surrounding receptors would range from neutral/negligible adverse to a moderate adverse significance at year 1.
11. Nevertheless, even noting the siting guidance and sensitivity of solar development of this size detailed in the Rural Landscape Unit guidance notes RLU 13 and RLU 32, the proposal would not be seen as contained by, or in conjunction with other nearby renewable energy infrastructure. Moreover, large parts of the CCAs would remain unchanged by energy infrastructure developments and it would not become a key characteristic. As such, I find that the proposal would have a medium magnitude of effect and a resultant moderate adverse harm on landscape character, both of which findings broadly accord with the findings of the LVIA.
12. A comprehensive landscaping scheme is proposed which includes hedge, tree and wildflower planting which would both aid screening and provide some assimilation of the structures into the landscape. Furthermore, this would provide some modest residual overall benefits to the landscape through the provision of new tree and hedge planting which would outlast the temporary, albeit 40-year development. Whilst this would take time to mature, I see no reasons why, even given the hillside location of the appeal site, the plantings would not successfully establish or mature, resulting in the effects of the proposal on the landscape lessening over time.
13. Even so, given the structures proposed and regimented non-organic alignment, glimpsed views particularly during the winter months, would still likely be available by year 15. This would result in some continued harmful adverse visual effects,

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<sup>1</sup> Ref: 33559/A5/LVIA

with a minor adverse impact on the landscape, as detailed within the LVIA being a reasonable assumption.

14. The appeal site is also adjacent, but not within, a Green Buffer identified within the Carlyon Parish Neighbourhood Plan 2022-2030 and referenced within para 9.69 of the Cornwall Council Site Allocation Development Plan Document 2019. As the proposal is outside of the Green Buffer, the Green Buffer would be adequately maintained by the proposal with enhanced landscaping and hedge boundaries. It would not impinge on the logical boundary of St Austell, an important biodiversity corridor, or any areas of the Green Buffer which offer amenity value to residents.
15. To conclude, although there would be an inevitable change to the character of the site, the rural character would remain the dominant influence in the wider area. However, the proposal would still erode the existing vista of relatively open agricultural land, resulting in an adverse effect on the perceptual qualities of the landscape as people view into or out across the landscape. As such, whilst diminishing over time when landscaping becomes established, the proposal, albeit temporary for a 40-year period, would harm the character and appearance of the area, albeit being reduced to a minor level at year 15. Nevertheless, the proposal would conflict with LP policies 2, 12 and 23. These policies seek, amongst other things, to protect, conserve and enhance Cornwall's distinctive natural and historic landscape character, ensure Cornwall's enduring distinctiveness and maintain and enhance its distinctive natural and historic landscape character and natural environment.
16. Although Policy RE1 of the Cornwall Council Climate Emergency Development Plan Document 2023 (CEDPD) is quoted within the Council's reason for refusal, the evidence indicates that there is no previously developed land of sufficient scale in the vicinity of the point of connection that could deliver the benefits from the grid connection offer. The proposal would result in temporary loss of Grade 3a and 3b Best and Most Versatile agricultural land (BMV). Nonetheless, it is also demonstrated that there are no reasonable alternative sites of lower grade agricultural land. In combination with my findings that the proposal would not cause 'significant' adverse impacts on the local environment that cannot be satisfactorily mitigated, I find no conflict with this Policy.

## Other Matters

17. A scheduled standing stone<sup>2</sup> is located near the appeal site and the site is located to the west of part of the Charlestown Leat of the Luxulyan and Charlestown catchment of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). The significance of the standing stone derives primarily from its archaeological interest with its setting on elevated land contributing to its significance. The Charlestown Leat derives its historic interest and significance from its functional relationship with the Charlestown Harbour. Furthermore, the various tunnels, cut channels and aqueduct represent historic innovation in terms of the transportation of water across the landscape.
18. Based on the distance involved and lack of material intervisibility, the Council concluded that the proposal would not affect the setting of these heritage assets. Having viewed the site and the relationship with the designated heritage assets, based on the evidence before me, I am likewise satisfied that the proposal would

<sup>2</sup> NHLE 1007283

have no adverse effect on the significance or Outstanding Universal Value (in respect of the WHS), or setting of these designated heritage assets.

19. Menear Farm is located 150m from the application site and is identified by the Council as a non-designated heritage asset of comparatively low significance, with the significance being derived from the asset's historical interest, representing an example of a former 19<sup>th</sup> century farmhouse and associated buildings. The appeal site forms part of the working farmland associated with the farmstead that forms it's setting. The proposal, albeit for a temporary period, would alter the legibility between the farmhouse and its historic landholding.
20. The National Planning Policy Framework (Framework) states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of non-designated heritage assets. In this case, the asset's significance would largely be retained resulting in a minor level of harm which would be reversible at the end of the temporary period of the proposal. In my view, this would be outweighed by the wider benefits of the proposal from renewable energy production, biodiversity net-gain and economic benefits.
21. A number of other matters have been raised by interested parties, made both at the planning application and the appeal stages. Where comments relate to the main issues, they have been considered as part of my reasoning elsewhere. Other objections are not in contention by the Council, including the loss of best and most versatile agricultural land, flood risk and effects on ecology, which are considered in detail within the Council's Committee Report, and where relevant, are subject to responses from relevant statutory consultees.
22. I have carefully considered all representations. However, I have not been presented with compelling substantive evidence to demonstrate that the appeal proposal would be unacceptable with regard to any of these matters or would result in unacceptable effects in relation to them. In the absence of any additional technical evidence submitted at appeal stage to contradict that already considered by the Council and relevant statutory consultees, they do not affect my conclusions.

### **Planning Balance**

23. Despite proposed planting and landscape enhancement, the proposal would cause a moderate (at year 1), reducing to minor adverse degree of harm to the character and appearance of the area. Therefore, the proposal would be contrary to LP policies 2, 12 and 23. Nonetheless, the proposal would be temporary for a 40-year period following which the site could be returned to an agricultural use with the adverse effects on landscape character being reversed. As such I give moderate weight to the identified harm. Furthermore, the proposal would result in temporary loss of BMV, and minor harm to a non-designated heritage asset, both of which I ascribe modest weight.
24. The Framework outlines that the planning system should support the transition to net zero by 2050 and support renewable and low carbon energy and associated infrastructure. The Framework also states that significant weight should be given to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future. Furthermore, Cornwall Council declared a Climate Emergency in 2019 and as part of their plans for 'Carbon

Neutral Cornwall' the CEDPD highlights Cornwall's target of 100% renewable electricity supply by 2030.

25. The Planning Practice Guidance (PPG) also outlines that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate changes and stimulate investment in new jobs and businesses.
26. National Policy Statements (NPS) for the delivery of major energy infrastructure recognise that large scale energy generating projects will inevitably have impacts, particularly if sited in rural areas. The overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Renewable Energy Infrastructure (EN-3) both state that the NPSs can be a material consideration in decision making on applications that both exceed or sit under the thresholds for nationally significant projects.
27. The NPS emphasises that it is critical that the UK continues to have secure and reliable supplies of electricity and that a diverse mix of electricity infrastructure comes forward, so that secure, reliable, affordable and net zero consistent systems come forward.
28. EN-3 continues that solar is the most established renewable electricity technology in the UK and is a key part of the Government's strategy for low-cost decarbonisation of the energy sector and has an important role in delivering the Governments goals for greater energy independence.
29. Further Government energy policy and advice including 'Powering Up Britain; NESO Energy – Clean Power 2030 and connections Annex (2025) and the Department for Energy Security and Net Zero: Solar Roadmap (2025) further reaffirms the Government's commitment to renewable energy generation and the need for significant amounts of new renewable energy generation and storage.
30. The proposal would provide a Solar Photovoltaic generating capacity of up to 17.51MWp and 5MW Battery Storage, which is capable of providing renewable energy to power 3880 typical UK homes, with further homes being powered through storing the energy generated by solar on site to be released at times of greater demand. The evidence indicates that the proposal would save 3344 tonnes of CO2 per annum compared to fossil fuel energy, equating to almost 135000 tonnes over the 40-year period of the proposal and would contribute to achieving net zero.
31. The appeal site is also well related to a grid connection, with an offer for connection and, as far as the evidence before me indicates, an absence of suitable alternative sites. Whilst I am informed that Cornwall is well advanced in providing renewable energy, having 796Mw of installed capacity and a further 187MW permitted, given the confirmed grid connection, and the nationwide critical need for renewable energy facilities to come forward, benefits are substantial and attract significant weight in favour of the proposal.
32. Further benefits would flow from the proposal, including landscaping, green infrastructure including habitat linkages and biodiversity net gain of 16.72% in habitats and 12.76% in hedgerow units. Moreover, the retention of the enhanced landscaping following the temporary period of the development would also result in residual benefits. Planning conditions can be imposed to secure implementation,

management and maintenance of the landscape and biodiversity net gain measures and decommissioning. I attach moderate weight to these benefits of the scheme.

33. Further limited economic benefits would also flow from the proposal through employment and associated use of local businesses both during construction, and at a more modest level, longer term over the lifetime of the proposal. This attracts modest weight in favour of the appeal.
34. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, material considerations outweigh the harm that would arise and associated conflict with development plan policies. Consequently, material considerations indicate that the proposal should be permitted notwithstanding the conflict with the development plan as a whole.

### **Conditions**

35. The Council has provided a list of suggested conditions in the event of the appeal being allowed, which I have assessed and, where necessary, amended wording with regard to the advice provided in the PPG.
36. In terms of the standard time condition, the PPG advises that a longer time period may be justified for very complex projects where there is evidence that 3 years is not long enough to allow all the necessary preparations to be completed before development can start. In this instance, whilst the proposal has a grid connection, it is put to me that a connection date cannot be confirmed until planning permission has been granted. However, a grid connection date is likely to be late 2020's or early 2030's, with the potential to be brought forward. In such circumstances, and given the relative complexity of the proposal, I consider a 5-year implementation period to be reasonable. In addition to the standard time condition, it is necessary for a condition to confirm the approved plans in the interests of certainty.
37. A number of pre-commencement conditions are required. A Construction Environmental Management Plan is necessary to safeguard the health and living conditions of local residents and in the interests of biodiversity. This is required pre-commencement to prevent any activities associated with construction detrimentally impacting highway safety or causing dust and mud etc.
38. A scheme for the provision of surface water management is necessary to prevent an increased risk of flooding and minimise risk of pollution of surface water. This is required pre-commencement to prevent any activities associated with construction resulting in surface water flooding or pollution.
39. Conditions requiring a Bio-diversity Net Gain management, monitoring plan and Landscape and Ecological Management Plan are necessary in the interests of the mitigation, enhancement and promotion of biodiversity and are required pre-commencement to ensure biodiversity is managed and monitored throughout the development process.
40. A programme of archaeological work including a Written Scheme of Investigation is necessary due to the variable archaeological potential of the site demonstrated within the appellant's Archaeological Evaluation. This is required pre-

commencement to ensure a programme of site investigation and recording is undertaken before other physical works to the site.

41. A condition requiring a scheme for the protection of retained trees is necessary to ensure that development does not detrimentally impact the natural environment. This is necessary pre-commencement to ensure any construction activity, including ground clearance does not impact trees and their root protection areas.
42. Moreover, conditions are necessary to ensure that visibility splays are constructed prior to other development subject to the permission and that the development is carried out in accordance with the Construction Traffic Management Plan in the interests of highway safety.
43. In the interests of protection of living conditions of surrounding residents, a condition is necessary to limit hours of construction works associated with the development. A condition is necessary to ensure the submission of a Collaborative Benefits Report to ensure that an offer of partial ownership of the proposal is made to the local community as required by CEDPD Policy RE1.
44. Further conditions are required to ensure the proposal is carried out in accordance with actions set out in the appellant's ecological reports, and to ensure no vegetation clearance takes place during bird nesting season in the interests of protection and enhancement of biodiversity.
45. In the interests of the character and appearance of the area and prevention of harm to the natural environment, conditions are required to ensure landscaping is carried out and maintained, and canopy provision is implemented.
46. A condition is also required to ensure details of security measures are submitted prior to the commercial commencement of the development in the interests of safe management of the development and prevention of crime and anti-social behaviour.
47. A condition is necessary in relation to the provision of a remediation strategy if any contamination not previously identified at the site is found. This is required to ensure that there is no unacceptable risk, or the site is adversely affected by unacceptable levels of pollution and contamination.
48. Finally, a condition setting out the time limit for the operational period of the proposal and its subsequent decommissioning is also necessary in the interests of the character and appearance of the area.

## **Conclusion**

49. For the reasons given above, the appeal is allowed.

*S Harrington*

INSPECTOR

## Schedule

### Conditions

- 1) The development hereby permitted shall begin not later than 5 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos : C0002467\_01 Rev P, C0002467\_03 Rev B, C0002467\_04 Rev B, C0002467\_05 Rev A, C0002467\_06 Rev B, C0002467\_07 Rev A, C0002467\_08 Rev A, C0002467\_10 Rev A, Anesco Solar PV Materials Illustrated List Rev 1, 402.065306.00001 Rev 05, 35678 LN-LP-07 Rev F, FO-SHE-115a Rev 1.0, 2305102.
- 3) Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water. It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The CEMP shall also include measures to prevent harm to protected species with special regards paid to the protection of hedgehogs during the construction phase:
  - Excavations and piping would be fenced/capped overnight to deter hedgehogs from entering.
  - Excavations that could not be covered would have a means of escape for any animals that may fall in.

The development shall be carried out in full accordance with the approved CEMP at all times.

- 4) Prior to the commencement of the development hereby permitted, details of a scheme for the provision of surface water management shall be submitted to and approved by the local Planning Authority. The proposed surface water drainage systems shall be in accordance with the principles set out in the SLR Consulting Ltd Flood Risk Assessment and Drainage Strategy Ref 402.065306.00001 Rev 05 (dated 30/10/2024) and the details shall include:
  - A description of the surface water drainage systems operation.
  - Details of the final drainage schemes including ground investigation and testing results, calculations and layout.
  - Sectional details of the surface water drainage features.
  - A plan indicating the provisions for exceedance pathways, overland flow routes and proposed detention features.
  - A Construction Phasing Plan.

- A Construction Phase Surface Water Management Plan.
- A Construction Quality Control Plan.
- A timetable of construction.
- Confirmation of who will maintain the drainage systems.

A plan for the future management and maintenance of the drainage systems and overland flow routes. The plan must include a drawing which clearly indicates the management responsibility for each drainage element, and a schedule of maintenance.

The developer must inform the local planning authority of any variation from the details provided and agree these in writing before such variations are undertaken.

The surface water drainage systems shall fully manage surface water flows resulting from the developed site up to the 1 in 100-year peak rainfall event plus a minimum allowance of 50% for the impacts of climate change.

The approved scheme shall be implemented in accordance with the timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

- 5) Prior to commencement of the development hereby permitted, a 30-year management and monitoring plan shall be submitted to the local planning authority, demonstrating how the Biodiversity Net Gain (BNG) is progressing towards achieving its objectives for habitat creation and condition. Once approved in writing the BNG works shall be implemented as per the approved management and monitoring plan.
- 6) Prior to the commencement of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:
  - Description and evaluation of the features to be managed.
  - Ecological trends and constraints on site that might influence management.
  - Aims and objectives of management.
  - Appropriate management options for achieving aims and objectives.
  - Prescriptions for management actions, including the following:
  - The actions and mitigations as set out in the Ecological Impact Assessment (SLR Consulting, 416.064886.00001 Version 1, dated 23 December 2023); in the 'Supplementary Ecological Information' report (SLR Consulting, 424.065150.00001 Version 2, 10 December 2024); and in chapter 3 of the 'Further Supplementary Ecological Information - Dormice and Dry Watercourse' report (SLR Consulting, 424.065150.00001 Version 2, 29 January 2025).
  - Pre-construction surveys for protected species and invasive species to inform additional avoidance or mitigation requirements during the construction phase.
  - New habitat enhancement.

- The provision of wildlife habitats, for example bat and bird boxes, insect hotels, hibernacula and refugia.
- The appointment of a project ecologist.
- Preparation of a work schedule, including an annual work plan capable of being rolled forward over a five-year period.
- Details of the body or organisation responsible for implementation of the plan.
- Ongoing monitoring and remedial measures.

The LEMP shall also include details of the mechanisms by which the long-term implementation of the Plan will be secured by the developer with the management bodies responsible for its delivery. The Plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial actions will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The development shall be undertaken in accordance with the details and timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

- 7) A) Prior to commencement of the development hereby permitted a programme of archaeological work including a Written Scheme of Investigation shall be submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and:
- The programme and methodology of site investigation and recording
  - The programme for post investigation assessment
  - Provision to be made for analysis of the site investigation and recording
  - Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - Provision to be made for archive deposition of the analysis and records of the site investigation
  - 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 condition (A).
- C) The development shall not be occupied 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 condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- D) The archaeological recording condition will normally only be discharged when ALL elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.

- 8) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees, in accordance with BS 5837, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the local planning authority.

The development thereafter shall be implemented in strict accordance with the approved details.

- 9) No other development subject of this permission shall be commenced until the visibility splays shown hatched on drawings numbered 2315132-02 Rev A and 2315132-03 are constructed at a height of no more than 900mm above ground level relative to the adjacent carriageway. The visibility splay shall be maintained thereafter to the satisfaction of the Cornwall Council as the local highways authority.

- 10) Prior to the expiry of the first year of its commercial operation, a Collaborative Benefits Report (CBR) shall be submitted to and approved in writing by the local planning authority. The CBR must set out the developer's process of engagement with local stakeholders, including a record of any offer (offering a minimum of 5% community ownership, subject to financial, commercial, legal and operational viability), negotiation and acceptance or rejection of an element of community ownership (meaning: owned and controlled through some representative mechanism that allows a community to influence their operation or use and to enjoy benefits arising or other financial arrangement that benefits the local community).

The CBR must set out clear guidance on the methodology for the valuation of the community offer made. If it is demonstrated within the CBR that community ownership in respect of the development is not financially, commercially, legal or operationally viable, then the developer shall not be required to make any offer of community ownership.

- 11) Demolition or construction works associated with the development hereby permitted shall not take place outside hours of 08.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 on Saturdays or at any time on Sundays or Public/Bank Holidays.
- 12) The development hereby approved shall be carried out in full accordance with the submitted Construction Traffic Management Plan (Anesco, FO-SHE-115A REV 1.0, January 2025).
- 13) The development hereby approved shall be carried out in accordance with the actions set out in chapters 4, 5 and 6 of the Ecological Impact Assessment (SLR Consulting, 416.064886.00001 Version 1, dated 23 December 2023); in the 'Supplementary Ecological Information' report (SLR Consulting, 424.065150.00001 Version 2, 10 December 2024); the approved Biodiversity Metric 4.0; and in chapter 3 of the 'Further Supplementary Ecological Information - Dormice and Dry Watercourse' report (SLR Consulting, 424.065150.00001 Version 2, 29 January 2025).

- 14) No vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.
- 15) All planting, seeding or turfing comprised in the approved scheme of landscaping, shown on approved drawing no 35678 LN-LP-07 Rev F, shall be carried out in the first planting and seeding seasons following the first exportation of electricity or the completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size and species as those originally planted.
- 16) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- 17) Canopy provision (to include the retention of existing canopy and the establishment of new canopy) shall be implemented in strict accord with the approved Landscape Strategy Plan LN-LP-07 Rev F.

During the implementation of the canopy establishment hereby approved there shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees. Unless required by a separate landscape or biodiversity management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any canopy that dies, is removed, becomes severely damaged or diseased within a period of five years from planting will be replaced. Unless further specific permission has been given by the local planning authority, replacement planting shall be in accordance with the approved details.

- 18) Prior to the commencement of the commercial production of electricity of the development hereby approved, details of security measures shall be supplied to the local planning authority for review and their approval in writing, prior to their installation. Once approved and installed the security measures shall be retained as such thereafter for the lifetime of the development.
- 19) No external lighting shall be installed at any time at the application site without the written permission of the local planning authority.
- 20) The solar array and battery storage system hereby permitted shall operate for a period of no more than forty years from the date of commencement of the commercial production of electricity.

If the solar array and battery storage system ceases to produce electricity for a continuous period of 12 months, unless the solar array or battery storage system

are under repair, then a scheme for the decommissioning and removal of the solar array, battery storage system and any associated infrastructure and restoration of the land to its former condition, including a timetable for all works of removal and restoration, shall be submitted to the local planning authority for written approval within 6 months of the end of the 12 month period.

If the solar array and battery storage system does not cease producing electricity at a point in time which is passed the thirty-eighth year of the forty years of consent then, at least twelve months before the end of the forty-year consented period, the scheme for decommissioning the development, as described above, shall be submitted to the local Planning Authority for their written approval. The scheme of decommissioning shall then be completed in accordance with the approved details, once approved in writing by the local planning authority.

\*\*\*End of Conditions\*\*\*