



Appeal Decision

Site visit made on 29 June 2026

by J Woolcock BNatRes MURP PGDipLaw MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2026

Appeal Ref: APP/D0840/W/25/3375136

Land Adjacent Wind Turbine, Station Road, Camelford, Cornwall PL32 9TX

- 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 Geothermal Engineering Ltd against the decision of Cornwall Council.
 - The application Ref is PA23/10067.
 - The development proposed is a geothermal power plant including site preparation, drilling of two deep geothermal wells, resource testing, construction of a binary cycle power station and subsequent operation.
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Decision

1. The appeal is allowed and planning permission is granted for a geothermal power plant including site preparation, drilling of two deep geothermal wells, resource testing, construction of a binary cycle power station and subsequent operation at Land Adjacent Wind Turbine, Station Road, Camelford, Cornwall PL32 9TX in accordance with the terms of the application, Ref PA23/10067, and the plans submitted with it (as amended), subject to the conditions in the attached schedule.

Application for costs

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

Preliminary matters

3. The proposed development was amended prior to determination of the application by Cornwall Council. These amendments revised layout plans to site the development outside of the topple zone of the adjacent wind turbine, included additional landscape and biodiversity measures, along with the inclusion of cladding and a 6 m high timber screen to the cooling plant. However, not all the application plans were updated.
4. The proposed development involves the drilling of two deep wells. A production well, drilled to a depth of about 4,500 m, would be used to pump hot geothermal fluid to the surface. The results of this initial well would dictate the drilling of the second well for reinjection, which would be about 3,000 m deep. The wells would undergo testing to confirm the temperatures and flow rates. If the testing was positive the binary cycle power station would be constructed. If not commercially viable the project would be closed, with well(s) capped and the site restored.
5. The drilling and testing phase would take about 14 months, during which there would be modular units on site for offices, storage and testing. The drilling rig, with a maximum height of 55 m, would be on site for about nine months, and would be

able to operate 24/7, but would require maintenance at times. Testing would require replacement of the drilling rig with a temporary smaller workover rig. The power station, if constructed, would include heat exchangers, a turbine, generators, pumps and a bank of cooling fans. The scheme includes biodiversity enhancement.

6. A Screening Direction was issued by the Secretary of State, dated 3 February 2025, which concluded that there is unlikely to be significant environmental effects from the proposal, and therefore an Environmental Impact Assessment (EIA) is not required. This Screening Direction erroneously states that the appeal site is located within the Cornwall National Landscape, and I requested that the screening be reassessed in the light of all the evidence submitted at the appeal stage. The reassessment concluded that the proposal is not EIA development. I concur with this finding. I am satisfied that the documentation submitted with the application and the appeal, along with consultation responses at both application and appeal stages, which includes detailed and technical evidence by third parties, provides me with sufficient information to determine the appeal.
7. Cornwall Council refused the application, against officer recommendation for approval, on the grounds that it would harm the natural and historic distinctive character of the area, which includes the setting of a nearby Grade II* Listed Building at Worthyvale Manor, and that the benefit from the production of renewable energy would not outweigh the harm identified to the landscape and the heritage asset. Forrabury and Minster Parish Council and Camelford Town Council both object to the proposal.
8. The appeal site is approximately 3.20 ha and is adjacent to the Tregath Business Park. Access is via the B3266. The town of Camelford lies about 1.4 km to the south-east, with the small settlement of Slaughterbridge some 290 m to the north-east. A 49.7m-high wind turbine lies to the immediate west of the appeal site. The site lies within the River Camel Catchment Area. There is a watercourse some 35 m to the north of the site that flows into the River Camel. The site overlies a Secondary A bedrock aquifer. The River Camel Special Area for Conservation (SAC) at its nearest is some 150 m to the east of the site. This is also designated as the River Camel Valley and Tributaries Site of Special Scientific Interest (SSSI). The appeal site lies within a Minerals Safeguarding Area for the nearby Jabez Concrete Plant. The site lies between the coastal and Bodmin Moor sections of the Cornwall National Landscape, with the nearest part of the coastal section some 1.3 km to the north-west and the Bodmin Moor section about 4.8 km to the south-east.
9. Worthyvale Manor and Garden Wall to Front, a Grade II* listed building, along with associated Grade II listed holiday cottages, are located about 745 m from the site of the proposed drilling rig and power plant. I am required by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. An Early Christian Memorial Stone nearby is a Scheduled Monument.
10. The development plan for the area includes the Cornwall Local Plan Strategic Policies 2010-2030 (CLP), the Cornwall Council Climate Emergency Development Plan Document 2023 (CEDPD) and the Camelford Neighbourhood Plan 2020-

2030 (CNP). I was also referred to saved Policy ENV1 of the North Cornwall District Local Plan 1999 and to Cornwall Renewable Energy Planning Advice SPD 2016. I have had regard to the National Planning Policy Framework (NPPF) and to the National Planning Policy Guidance (PPG).

11. I enquired, on a without-prejudice basis, about what other consents, approvals, or permissions pursuant to other regulatory regimes would be required to implement the appeal scheme if planning permission was granted. There is not currently a dedicated geothermal licensing regime in the UK. Instead, reliance is placed upon a suite of extant regulations, each addressing a different aspect of the operation. Prior to drilling, the Environment Agency (EA) and Health and Safety Executive (HSE) would be notified. The EA advised that the proposal is likely to require an abstraction licence and possibly a discharge permit. The HSE oversees the design, construction and operation of boreholes. Induced seismicity is primarily a matter for Cornwall Council. A copy of all drilling records and data must be submitted to the British Geological Survey.

Main issues

12. The main issues in this appeal are the effects of the proposed development on;
 - (i) the character and appearance of the area,
 - (ii) heritage assets, andwhether the benefits of the development outweigh any harm.

Reasons

Drilling/testing and operational phases

13. Construction and operation of the power plant would depend upon a viability assessment based on drilling and testing. In determining this appeal, there is no certainty that the scheme would generate renewable energy. Given that the site would be restored if the power plant was unviable, it is appropriate to assess the planning merits of the different stages of the proposed development.
14. If testing did not indicate a viable power plant, the appellant considers that the scheme could be used as a heat-only supply for industry. However, the application is for a power plant with a binary cycle power station. If it was proposed that the plant be used for a heat-only supply for industry, then, in that scenario, the local planning authority would need to decide if such a use or development of the site would require a separate planning permission.

Character and appearance

15. In the Cornwall Character Area Description, the site lies within CCA29: Camel and Allen Valleys. The most valued landscape attributes for CCA29 include a traditional farmed character with mixed farmland in medieval enclosures delineated by Cornish hedgerows, with intact rural qualities and an overall peaceful landscape with historic villages and scattered farmsteads, along with a sense of enclosure within valleys that contrasts with the more open character of the undulating farmland. Renewable energy schemes including wind turbines and solar farms have impacted on the current landscape character, and there is ongoing pressure for renewable energy development which may result in

cumulative impact on landscape and views. Guidance for renewable energy infrastructure includes considering landscape and visual effects with impacts mitigated through careful design and planting where appropriate. The appeal site and its local context shares some of the key characteristics of CCA29.

16. During the drilling/testing phase the drilling rig, and to a lesser extent the later workover rig, would introduce a tall industrial structure into the open countryside to the east of the existing wind turbine and business park. The drilling/testing operation would require safety lighting that would draw attention to the site. The drilling rig, more so than the workover rig, would detract from the intact rural qualities and peaceful landscape in CCA29. However, the landscape context includes other vertical elements including pylons. The drilling rig would also have some limited effect on the character of the adjoining CCA32 Delabole Plateau, an elevated undulating plateau with sweeping skylines, but where windfarms form prominent vertical features on the open skyline.
17. In terms of visual impact, the drilling rig would be widely visible and prominent from vantage points within some 2 km of the site; the workover rig less so. The drilling rig would be similar in height and scale to the pylons and nearby wind turbine, but would have distinguishing features, including lighting and activity at ground level. In some local views it would appear as an intrusive feature in views of the wider countryside, resulting in a substantial adverse visual impact for some visual receptors for a short period. There would also be some adverse cumulative visual impact when seen in association with the nearby wind turbine during the time the drilling rig was on site, but the workover rig would be less intrusive.
18. Duration of adverse impacts is a relevant consideration in determining the overall effect of the development. The adverse landscape and visual effects of the drilling rig, and later the workover rig, would be experienced for a short period of time. Taking all these considerations into account, I find that the drilling/testing phase would have an adverse effect on the character and appearance of the area of moderate significance.
19. Construction of the power plant would extend an industrial use and buildings into the open countryside beyond the existing business park, concrete batching plant and wind turbine. This would have an adverse effect on the character of this part of CCA29. However, with a maximum height of 10 m the power plant and cooling fans would not adversely affect CCA32.
20. In terms of visual impact, I am not convinced that the proposed cladding would give the development the appearance of an agricultural barn. Notwithstanding the proposed timber cladding and screens, elements of the proposed power plant, including pipework, would in some views give the structure an industrial look, particularly so for the period during which the proposed landscape planting was maturing. However, given its built form and height, the power plant would have no significant cumulative impact with other renewable energy development in the locality.
21. The proposed tree and hedgerow planting would in time soften the visual impact of the power plant. This, along with low level lighting, would limit localised adverse visual effects. Local climatic and soil conditions could influence the growth of trees and hedgerows, but an approved landscape scheme could specify appropriate species and management for these conditions. Subject to the imposition of

appropriate planning conditions, I find that the proposed operational phase of the appeal scheme would have an adverse effect on the character and appearance of the area of moderate significance.

22. Given the separation distance, along with the intervening topography and vegetation, neither phase of the proposed development would adversely affect the setting of the Cornwall National Landscape.

Heritage assets

23. I was unable to visit the private property at Worthyvale Manor on my site visit but was able to appreciate its siting within the local context in views from the appeal site and from visiting local roads. It was possible to see some restricted views of the listed buildings at Worthyvale Manor, located on the opposite side of a valley, from within the appeal site. I have also had regard to the heritage statement and addendum submitted by the appellant. Cornwall Council's Historic Environment (Planning) Team found the latter to be helpful in understanding the potential impacts to the setting of the listed buildings. Historic England (HE) generally agreed with the suggested impacts in the addendum, left the level of harm for the local planning authority to determine, and did not object to the proposal.
24. Worthyvale Manor is listed for its special architectural or historic interest. The listing description states that it is circa early 17th century and possibly later extended and remodelled. There is a long tree-lined driveway extending from the bottom of the valley via Grade II listed piers and bridge northwards up to Worthyvale Manor and the listed holiday cottages. The rural setting for the listed buildings at Worthyvale Manor contributes to the significance of these assets as part of their historic agricultural context.
25. The proposed drilling rig, and to a lesser extent the workover rig, sited on the opposite side of the valley to these listed buildings, would introduce a modern vertical feature into this rural landscape. Pylons and a wind turbine are existing vertical elements in the locality. Nevertheless, this is part of the landscape that historically sustained the manorial centre and later farmstead. The drilling rig, and later the workover rig, would impair the significance of the listed buildings to some extent by adding to the modern features in this historically agricultural landscape. This would be so for only a limited period. I consider that the drilling/testing phase would result in less than substantial harm, towards the bottom of the scale, to the significance of the listed buildings at Worthyvale Manor.
26. In the operational phase, the power station would appear as a large and prominent structure within the setting of the listed buildings at Worthyvale Manor. However, the maturing landscape planting would soften the impact on the historic context for these heritage assets. Over the 50-year duration of the proposed power plant, I find that the scheme, overall, would result in less than substantial harm, towards the lower end of the scale, to the significance of the listed buildings at Worthyvale Manor.
27. The memorial stone lies within the sheltered river valley. HE was assured that there would be no visibility of the proposed development in peripheral views of the Scheduled Monument. I concur. Given the separation distance and intervening topography, neither the drilling/testing phase nor the operational phase of the proposed development would harm the significance of the Scheduled Monument.

28. The proposed development would not harm the setting of Camelford Conservation Area, which lies some 1.2 km to the south, because of the separation distance and intervening topography, vegetation and development. For similar reasons, I agree with Cornwall Council's Historic Environment (Planning) Team's assessment that the proposal would have no impact on the other assets in the area, and those specifically highlighted in the Heritage Impact Assessment, which include Slaughterbridge and Buttermill, both Grade II listed. The evidence indicates that it is unlikely that significant archaeological remains would be disturbed by groundworks and no archaeological mitigation is required.
29. The proposed development, in both the drilling/testing phase and operational phase, would result in less than substantial harm to the significance of the listed buildings at Worthyvale Manor. In accordance with the NPPF, this harm must be weighed against the public benefits of the proposal. Great weight should be given to the conservation of designated heritage assets, and any harm should require clear and convincing justification.

Biodiversity

30. The appellant submitted a technical report to inform a Habitats Regulations Assessment. Based on the plans submitted, Natural England (NE) considers that the proposed development would not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, NE advised Cornwall Council to record its decision that a likely significant effect can be ruled out. I have taken into account all the evidence available at the appeal stage and find that the appeal scheme, either alone or in combination with other relevant projects and plans, is not likely to result in a significant adverse effect on the River Camel SAC.
31. Given the separation distance and intervening land use, and with the imposition of appropriate planning conditions, the proposed development would safeguard the SSSI. Drainage and flood risk are matters that could be reasonably addressed by the imposition of appropriate planning conditions. I find that the appeal scheme is not likely to have an adverse effect on the SSSI either individually or in combination with other developments. Planning conditions could also safeguard wildlife during drilling/testing, construction and operation of the power plant, including a lighting scheme and mitigation measures to avoid negative impacts on protected species, including bats. Cornish hedges could be protected during the lifetime of the development by an approved Landscape and Ecology Management Plan.
32. Implementation of the appeal scheme would initiate a requirement for a 10% gain in biodiversity over a 30-year period. The long-term benefits of the proposed development to biodiversity weigh in favour of both phases of the appeal scheme.

Renewable energy and economic benefits

33. The drilling/testing, construction and operational phases of the appeal scheme would each generate employment and economic benefits. The proposed power plant would have a gross generating capacity of about 4.9 MW of electrical energy (4.9 MWe) and about 20 MW of thermal energy (20 MWth).¹ This would be the

¹ These are the appellant's estimates based on a desktop assessment that would be dependent on the viability of the geothermal resource.

equivalent of powering and heating more than 11,375 homes. While there is no certainty about how much renewable energy would be generated, I am satisfied that, if the appeal scheme proved to be viable, it would over its 50-year lifetime make a significant contribution to the generation of renewable energy in Cornwall. This is a consideration that attracts significant weight in the planning balance for the operational phase.

Other matters

Pollution

34. There is local concern, by the Camel Valley and Bodmin Moor Protection Society and others, about safety considerations and the risk of pollution, including from compounds, drilling fluids, muds or other discharges. There is particular concern about a well-casing failure resulting in groundwater contamination of the aquifer and associated water supplies. However, in determining this appeal reliance can be placed on the effectiveness of other regulatory regimes. The EA has jurisdiction over water quality, pollution prevention and waste management. The HSE is responsible for overseeing regulations for the design, construction and operation of deep boreholes. Noise is a matter that could be controlled within acceptable limits for this rural location. The imposition of appropriate planning conditions would avoid noise giving rise to significant adverse impacts on health or quality of life.
35. In determining this appeal, I have focussed on whether the proposed development is an acceptable use of land. I am satisfied in this case that the relevant regulatory regimes could ensure that the proposed development would not result in unacceptable adverse effects on human health, the quality of life or on the environment. The NPPF states that planning decisions should assume that separate pollution control regimes will operate effectively.

Seismicity

36. There is an acknowledged risk of induced seismicity from deep drilling and testing. The appellant's Seismic Hazard Assessment notes that the project would create an inherent stress change in the rock, during the project development phase and/or through long term operation, which could induce micro-seismic events. The assessment adds that once an event occurs, there is sometimes the potential to impact local structures as well as cause alarm to the local community. The assessment was made without access to any operational data from the appeal site. It estimated the probability of induced seismicity from similar geothermal sites around the world. Based on the results, it was concluded that any cosmetic and/or structural damage was very unlikely to occur. Nevertheless, the assessment noted the possibility that induced events would be experienced by the local community either through vibrations or audibly heard.
37. Cornwall Council has not objected to the proposal on the grounds of seismic risk, which indicates to me that the local planning authority is confident that this is a matter that could be reasonably addressed by condition. Such a planning condition could secure a micro-seismic survey and monitoring scheme to specify the location of a micro-seismic network. It could also require details of control measures to be implemented should any potentially damaging seismic trends become apparent and set numerical trigger vibration parameters for the suspension of drilling and testing. Given that the appellant's Seismic Hazard

Assessment did not have access to operational data from the site, it would be necessary for the Seismic Hazard Assessment to be re-evaluated during the operation to provide a more accurate estimate of the site-specific parameters and the associated hazard and risks. Subject to the imposition of an appropriate planning condition, I am satisfied that there would be a low risk of harm arising from induced seismicity.

Health and well-being

38. Local anxiety about health and well-being is understandable given the type of development proposed. This is a relevant material consideration in determining this appeal. But not much weight can be attributed to fears for the health and well-being of those living nearby given the controls on the development that would be exercised by the EA, HSE and Cornwall Council. I am satisfied that the proposed development would reasonably avoid or mitigate against harmful impacts and health risks. I find no conflict with CLP Policy 16.

Minerals

39. The proposal does not include the extraction of minerals, such as lithium, from geothermal liquids. A planning condition could specify that any permission granted authorised only the development of a geothermal power plant, including site preparation, drilling of two deep geothermal wells, resource testing, construction of a binary cycle power station and its subsequent operation and decommissioning.
40. The Minerals Safeguarding Area for the Jabez Concrete Plant safeguards the surface infrastructure and operation within Jabez's landholding. Given the type of development proposed and the separation distance from the Jabez's site, the appeal scheme would not have an adverse effect on the operation of the concrete plant.

Wind turbine

41. There is evidence that the drilling rig could, at times, result in some interference with the laminar wind flow to the nearby wind turbine. However, this would be for a limited period, would be dependent upon certain wind directions, and likely to have only a very small impact. There is also concern about the possible effects on the local wind resource from tree planting, the temporary workover rig, the power plant and atmospheric changes resulting from the cooling fans. I am not convinced that these changes in the vicinity of the wind turbine would affect laminar wind flow to such an extent that it would become an influential consideration in determining this appeal. On the available evidence, I consider that the proposed development would not have an unacceptable adverse effect on the performance of the wind turbine.

Planning balance

42. Given the possibility that the scheme might not progress beyond the drilling and testing phase, a separate planning balance/policy exercise is required for the drilling/testing phase from that which should be undertaken for the overall development, which would include both the drilling/testing phase and the operational power plant.

Drilling and testing phase

43. In the drilling and testing phase, there would be harm to the character and appearance of the area and to heritage assets, albeit for a limited period. This harm would need to be weighed against any benefits of the drilling and testing phase if the scheme subsequently proved to be unviable. In the scenario in which the power plant was not constructed, the site would be restored in accordance with a scheme to be approved by Cornwall Council, but the biodiversity benefits would endure for the long-term. A planning condition would require a minimum 10% net gain in biodiversity for a 30-year period.
44. I have given considerable importance and weight to the harm I have identified to the significance of the listed buildings at Worthyvale Manor by development within their setting. However, I consider that the public benefits of the biodiversity gains would outweigh this harm. Additional benefits would derive from the drilling records and data submitted to the British Geological Survey, along with limited economic benefits from the drilling and testing. In my judgement, the longer-term benefits attributable to the drilling and testing phase would outweigh the temporary harm to the character and appearance of the area and to heritage assets.

Operational phase

45. In the operational phase there would be harm to the character and appearance of the area, albeit reducing with the maturing landscaping, along with some harm to the significance of the listed buildings at Worthyvale Manor by development within their setting. The latter attracts considerable importance and weight in the planning balance. The likely renewable energy benefits of the proposal are only estimates but are based on evidence about the thermal resource in the region and experience from other deep geothermal energy schemes. However, it is not necessary to know the precise quantity of renewable energy likely to be produced in assessing the planning balance. Given that the geothermal power plant would only be constructed if the scheme was viable, its proven viability would, over its lifetime, make a significant contribution to the production of renewable energy in Cornwall.
46. This phase gains support from the NPPF, which gives significant weight to the benefits associated with renewable and low carbon energy generation and a proposal's contribution to net zero. There would also be limited economic benefits from the operation. In my judgement, the public benefits from the construction and operation of the geothermal power plant would outweigh both the harm to heritage assets and the harm to the character and appearance of the area.

Planning policy

47. Neither phase of the proposed development would undermine the spatial strategy in the CLP set out in Policy 2. This provides for respecting quality of place, delivering renewable and low carbon energies and generating economic activity. The design for the scheme would be appropriate for the type of development and its location and so there would be no conflict with CLP Policy 12. The proposal reasonably recognises and respects the landscape character of the area and would enhance biodiversity consistent with CLP Policy 23. CLP Policy 24 concerning the historic environment is consistent with national policy in that it states that proposals causing harm will be weighed against the substantial public benefits of the proposal. I have found that the public benefits in both phases of the

development would outweigh the less than substantial harm to heritage assets and so find no conflict with CLP Policy 24.

48. The proposal would not be at odds with CNP Policy 1C concerning heritage, which requires compliance with national and local policy. Given the proposed landscaping, the appeal scheme would not be at odds with CNP Policy 5A, which seeks to protect, conserve and enhance the landscape setting of the Parish and encourage the planting of additional native trees. CNP Policy 6 concerns renewable energy but other than encouraging energy efficiency measures is not directly relevant to the proposed development. Subject to the imposition of appropriate planning conditions, I find no conflict with saved Policy ENV1, which permits development in the countryside where they are allowed under other policies and do not have a significant adverse effect on the amenity or landscape character of the area.
49. For the operational phase, the proposal would gain some support from the thrust of CEDPD Policy RE1 concerning its contribution to Cornwall Council's target of 100% renewable electricity by 2030 and achieving a balance for the environmental, social and economic benefits of renewable electricity. However, the appeal scheme would be at odds with criterion a) for deep geothermal energy development because, for the reasons set out above, the significance of heritage assets and their settings would not be conserved. Criteria b) concerning the water regime and criterion c) minimising visual impact would both be satisfied by the appeal scheme.
50. Taking all the above into account, I consider that both the drilling/testing and operational phases of the appeal scheme would accord with the development plan taken as a whole.

Conditions

51. Cornwall Council suggested the conditions listed in its committee report if planning permission was granted. On a without-prejudice basis, I asked the appellant and Cornwall Council to consider revised wording for some of the suggested conditions and to clarify the submitted plans. I have taken into account the comments on an earlier draft of amended conditions. The appellant gave written agreement to the suggested pre-commencement conditions.
52. In addition to the standard commencement condition, it would be necessary to give written notice of commencement of the development (Condition 1), to control the extent of the development (Condition 2) and to ensure that the development was consistent with the scheme assessed at appeal (Condition 5). Measures to restore the site after 50 years, or earlier if either the scheme was unviable or ceased to generate electricity, would be necessary in the interests of the appearance of the area (Conditions 3 and 4).
53. Cornwall Council suggested that the development should be undertaken in accordance with a list of supporting documents. However, these include preliminary analysis, designs and indicative plans. These supporting documents are not sufficiently precise to be included as a basis for enforceable planning conditions.
54. It was clarified that the correct cross section plan is BR10229.041 Rev A but the appellant considers that reference should also be made to the Indicative

Isopachyte drawing BR10229.040 Rev A. Reference to an indicative drawing would lack precision and so a condition would be necessary for the approval of an isopachyte drawing (Condition 6).

55. A liaison group would be required to inform stakeholders about progression of the development and the operator's contact details would need to be displayed so any complaints could be logged (Conditions 7 and 33). Construction would need to be controlled in the interests of local amenity (Condition 8). A landscape and ecology plan would need to be approved and implemented to minimise the effects of the proposal in its local context (Condition 9). A biodiversity management plan would be necessary to secure net gains for a 30-year period and measures to safeguard protected species would be required (Conditions 10, 11 and 13).
56. Construction traffic controls, safe access and prevention of tracking out material onto the public highway would be necessary for highway safety reasons (Conditions 12, 20 and 21). Waste management would need to be controlled in the interests of the amenity of the area (Condition 14). The EA advised that planning permission should only be granted for the proposed development if a planning condition regarding unsuspected contamination was imposed. This, along with measures to address any on-site contamination, would be necessary to safeguard against pollution (Conditions 15 and 17).
57. A micro-seismic survey and monitoring scheme would be necessary to manage risks from induced seismicity. The scheme would need to include provisions for the recommendations set out in the appellant's Seismic Hazard Assessment regarding: a site-specific micro-tremor investigation, a traffic light system to manage seismic risk, provisions for the seismic hazard assessment to be re-evaluated, and a communication plan to ensure the local community was aware of the project (Condition 16).
58. Protection of water features in the locality would be required given the risk of pollution and surface water drainage controlled to minimise the risk of flooding (Conditions 18 and 19). Further details about the drilling rig, workover rig and any structures or equipment exceeding a height of 50 m would need to be provided in the interests of the visual amenity of the area and notification given to the relevant authorities (Conditions 22, 23 and 24). A connection to the National Grid would be necessary to power the site, with appropriate provision for unforeseen failure of supply, and to export renewable energy given that there is nothing to indicate that the electricity generated could be utilised in the immediate area (Conditions 25 and 26).
59. Hours for construction working would need to be restricted in the interests of the amenity of the area (Condition 27). For similar reasons, a scheme would need to be approved and implemented to control pollution (Condition 28), contain potential contaminants (Condition 29) and limit dust emission (Condition 30). Specific noise limits would need to be set at sensitive receptors to safeguard residential amenity during drilling, testing, construction and the subsequent operation of the proposed plant, to be applied in accordance with an approved noise monitoring scheme, along with controls on vehicle and other noise (Conditions 31, 32, 34 and 35).
60. Trees and hedges to be retained on site would need to be protected during construction and vegetation clearance restricted during the bird breeding season for nature conservation reasons (Conditions 36 and 37). For similar reasons, measures would be necessary to control noxious weeds and to conserve topsoil for restoration (Conditions 38 and 39).

61. Cornwall Council suggested the following condition: “The developer shall monitor the level of energy generated from the development hereby permitted and shall make this available to the LPA within two weeks of the receipt of a written request. The developer shall notify the LPA within one month of the development generating over 5 MW in energy. The notification shall contain a timetable setting out the period within which a Collaborative Benefits Report (CBR) will be submitted to and approved in writing by the LPA. The CBR shall set out the engagement with local stakeholders, including a record of any offer, negotiation and acceptance or rejection of an element of shared ownership (any structure which involves a community group as a financial partner). The minimum offer shall be 5%. The CBR must set out clear guidance on the methodology for the valuation of the community offer made.”
62. Cornwall Council’s reason for the condition was to accord with the aims and intentions of CEDPD Policy RE1(f). This policy states that proposals for renewable and low carbon energy-generating and distribution networks, will be supported in the context of sustainable development and climate change where, amongst other things, commercial led energy schemes with a capacity over 5 MW shall provide an option to communities to own at least 5% of the scheme subject to viability.
63. I asked the parties how this suggested condition squared with the tests for conditions in the NPPF. Having considered the responses, I am not satisfied that this condition accords with the policy requirements for conditions for the following reasons.
64. The condition does not seek to regulate the use and development of land and so would not make an otherwise unacceptable scheme into one that was acceptable in planning terms. Furthermore, in this case, specifying that “the minimum offer shall be 5%” exceeds the requirement of the policy, which states “at least 5% of the scheme subject to viability” (my underlining). The condition makes no provisions for viability considerations. I consider that the condition would not be necessary. However, it would be relevant to planning, but only insofar as it gives effect to an adopted development plan policy. Even so, it would do so with respect to a private commercial matter that is not addressing the planning impacts of the scheme.
65. The condition would apply to a renewable energy scheme exceeding 5 MW capacity and so would be relevant to the proposed development. With respect to enforceability, the condition lacks an implementation clause, so rendering the condition effectively unenforceable beyond securing the submission of the information about engagement with local stakeholders, including a record of any offer, negotiation and acceptance or rejection of an element of shared ownership. The condition refers to ‘the development generating over 5 MW in energy’ but the policy applies to schemes with a capacity over 5 MW (my underlining). How the trigger is defined for when the condition would bite lacks precision. Even if the condition referred to ‘capacity’ there are different measures of capacity for a scheme that has the potential to generate electricity and heat. Ambiguity about when the condition applied could render it invalid.
66. The condition requires the CBR to set out ‘clear guidance’ on the methodology for the valuation of the community offer made, but what is clear guidance is open to interpretation and an ambiguous phrase to use in a binding planning condition.

The condition is unrelated to the planning harm resulting from the proposed development so it cannot be determined whether the requirements of the CBR are disproportionate to that harm. I find that it is not possible to conclude that the condition is reasonable in all other respects. Taking all the above into account, the suggested condition would not meet the tests. The PPG notes that any proposed condition that fails to meet one of the 6 tests should not be used.

Conclusion

67. The planning balance here falls in favour of the proposal for both the drilling/testing and operational phases of the appeal scheme. I find for both phases that the proposed development would accord with the development plan taken as a whole. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

J Woolcock

INSPECTOR

Schedule of Conditions (1-39)

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. The local planning authority shall be notified in writing of the date of commencement of the development within seven days from that date.
2. The permission hereby granted authorises only the development of a geothermal power plant, including site preparation, drilling of two deep geothermal wells, resource testing, construction of a binary cycle power station and its subsequent operation and decommissioning.
3. The local planning authority shall be notified in writing of the date of the first export of electricity generated by the geothermal power plant (First Export Date) within seven days of that event. Within 50 years and six months of the First Export Date, or within six months of the cessation of electricity generation by the geothermal power plant (Cessation Date), whichever is sooner, the power plant building, condenser fans, electrical substation and all other buildings and structures including fencing and hardstanding, shall be dismantled and be removed from the site. Written notification shall be provided to the local planning authority of the Cessation Date within seven days of that event. The site shall thereafter be restored in accordance with a scheme to be approved in writing by the local planning authority, including a timescale for implementation, which shall have been submitted for approval no later than three months after the Cessation Date. The scheme for decommissioning and site restoration shall consider the conditions encountered within the boreholes, including the geology, specific flow horizons, water levels, unexpected contamination and any historical mining structures. The scheme for decommissioning and site restoration shall be implemented in accordance with the approved details and timescale.
4. Should this permission be implemented and the site be developed in terms of site preparation and site mobilisation but the drilling and testing phases then demonstrate that the geothermal scheme is not viable due to adverse testing results and a decision is taken that the construction and operation of the power plant is not to be progressed then written notification shall be provided to the local planning authority of this decision within seven days of that event (Viability Decision Date). The site shall thereafter be decommissioned and restored in accordance with a scheme to be approved in writing by the local planning authority, including a timescale for implementation, which shall have been submitted for approval no later than three months after the Viability Decision Date. The scheme for decommissioning and site restoration shall consider the conditions encountered within the boreholes, including the geology, specific flow horizons, water levels, unexpected contamination and any historical mining structures. The scheme for decommissioning and site restoration shall be implemented in accordance with the approved details and timescale.

5. The development hereby permitted shall be carried out in accordance with the following plans:

Drawing number – BR10229-001 Rev A – Site Location Plan – dated January 2024 [for the avoidance of doubt the land edged blue was revised in later drawings]

Drawing number – GEL-TRE-02K – Revised Drilling Layout – dated March 2025 [for the avoidance of doubt the land edged blue is different from the site edged blue on BR10229-001 Rev A – Site Location Plan]

Drawing number – GEL-TRE-04K – Revised Operational Layout – dated 13 February 2025 [for the avoidance of doubt the land edged blue is different from the site edged blue on BR10229-001 Rev A – Site Location Plan]

Drawing number – BR10229-043 Rev A – Detailed Soft Landscape Plan – dated 28 April 2025 [for the avoidance of doubt the land edged blue is different from the site edged blue on BR10229-001 Rev A – Site Location Plan]

Drawing number – BR10229-012 Rev A – Drill Rig – Proposed Elevations – dated December 2023

Drawing number – BR10229.015 Rev B – Fan Elevation – dated October 2024 [for the avoidance of doubt the elevation indicating 3x5 fans is incorrect and the revised scheme includes 2x6 + 2x6 fans as shown on the revised layout, but individual fan dimensions are as shown]

Drawing number – BR10229.004 Rev B – GEL Office – dated October 2024

Drawing number – BR10229.005 Rev B – Water Storage Tanks – dated October 2024

Drawing number – BR10229-006 Rev A – Welfare Units – dated December 2023 [for the avoidance of doubt the layout shown does not apply]

Drawing number – BR10229-007 Rev A – Storage Units – dated December 2023 [for the avoidance of doubt the layout shown does not apply]

Drawing number – GEL/TRE/08 – Storage/Workshop Plan – dated 31/7/2024

Drawing number – BR10229-009 Rev A – Testing Units – dated December 2023 [for the avoidance of doubt the layout shown does not apply]

Drawing number – BR10229-010 Rev A – Drilling Contractors Units – dated December 2023 [for the avoidance of doubt the layout shown does not apply]

Drawing number – BR10229-011 Rev A – Security and Induction Units – dated December 2023 [for the avoidance of doubt the layout shown does not apply]

Drawing number – BR10229.014 Rev B – Substation Elevation – dated October 2024

Drawing number – 0823-2599-001 - Topographical Survey - dated December 2023

Drawing number – BR10229.041 Rev A – Cross Section – dated October 2024

6. No development shall be commenced until there has been submitted to and approved in writing by the local planning authority a detailed isopachyte drawing, which shall have regard to the Indicative Isopachyte drawing BR10229.040 Rev A and shall be consistent with drawing BR10229.041 Rev A – Cross Section. The development shall be implemented in accordance with the approved details.
7. No development shall be commenced until there has been submitted to and approved in writing by the local planning authority, a timescale and details of arrangements for regular Local Liaison Group meetings to take place during the mobilisation, site preparation, drilling testing, power plant construction, operation and decommissioning phases of the development hereby permitted. The details shall include the constitution of the Local Liaison Group, frequency of meetings, responsibility for convening and hosting these meetings, taking minutes and distributing papers. The meetings shall take place in accordance with the approved details.
8. No development shall be commenced until there has been submitted to and approved in writing by the local planning authority, a Construction Environmental Management Plan (CEMP). This shall be based on the document titled Tregath Geothermal Development Construction Environmental Management Plan for Enabling Work, Well Drilling and Testing dated December 2023. The CEMP shall include details showing how emissions to air, water and soils are controlled and how pollution would be prevented and the responses necessary should prevention measures fail. The CEMP shall include a Construction Method Statement detailing how the development would be constructed. The CEMP shall be implemented as approved.
9. No development shall be commenced until there has been submitted to and approved in writing by the local planning authority a Landscape and Ecology Management Plan (LEMP). The LEMP shall include measures to minimise the adverse landscape and visual effects of the development, and to avoid or minimise adverse effects on biodiversity, both during the construction and operation of the development. The LEMP shall reference the recommendations in the document titled Tregath Geothermal Plant Ecological Impact Assessment dated December 2023; the document titled Landscape and Visual Impact Appraisal dated June 2024; the document titled Tregath Geothermal Plant Biodiversity Impact Assessment dated October 2024 and the Landscape and Visual Impact Appraisal Addendum dated March 2025. The LEMP shall include full details about;

- (a) materials and colours of all proposed site buildings,
- (b) siting, specifications and maintenance for all timber cladding and screens,
- (c) long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas,
- (d) positions and style of protective fencing, the establishment of Root Protection Zones, details about any trees to be removed, including age, species, number and reason for removal, along with details of new tree planting, including areas of planting, ground preparation, sizes, species, spacing, aftercare and maintenance,
- (e) Precautionary Working Method Statements for relevant species,
- (f) site clearance, which shall be subject to an Ecological Watching Brief and a programme of works,
- (g) locations where new Cornish hedges shall be re-established and the timescale for their re-creation, along with detailed specification drawings, including foundations, height, width at base and top, profile, provenance of stone, method and design of construction, planting on top and/or at side of hedge,
- (h) the re-use of stone and earth arising from the original hedge removals, along with any necessary supplementary stone, in accordance with details to be approved in writing by the local planning authority to maintain the local seed bank and local stone,
- (i) provision of a schedule and method of maintenance for new and existing Cornish hedges and their herbaceous margins including a schedule and method of maintenance for the meadow grass and wildflower sward,
- (j) provision of a planting plan including location, numbers and specification of new scrub planting, tree planting and seeded areas,
- (k) enhancements to existing hedges including native Holly in planting mixes to enhance visual screening,
- (l) locations and specifications for all ecological enhancement features,
- (m) an evaluation of the proposed lighting design to demonstrate how Cornish hedges will remain in dark corridors.

The LEMP shall be implemented as approved and shall be maintained for the duration of the development hereby permitted. Any trees or plants which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

10. No development shall commence until details have been submitted to and approved in writing by the local planning authority for a Biodiversity Management Plan (BMP) to ensure that there is a minimum 10% net gain in biodiversity for a minimum 30-year period. The BMP shall be based on the submitted documents titled Biodiversity Impact Assessment (0004 BIA – V2.0 FINAL) dated June 2024, Biodiversity Impact Assessment Update / Technical Note dated April 2025, and the Updated Statutory Biodiversity Metric dated 25 April 2025. The impact of the development shall be assessed in accordance with the relevant Defra biodiversity metric as applicable to the area in which the site is situated, and the BMP shall include;

- (a) proposals for on-site biodiversity net gain full details of which will be provided in relation to each phase of development, including new planting and/or for off-site offsetting clearly stating the habitats to be provided and the target condition for each habitat,
- (b) a methodology for the identification of any offsetting site(s) to be used for offsetting measures and the identification of any such offsetting site(s),
- (c) details of the organisation(s) and/or individuals responsible for delivering any offsite biodiversity net gain where applicable including details of the organisation(s) and/or individuals to whom any Offsetting Credits are to be paid where applicable, and
- (d) BNG Management and Monitoring Plan for all on-site and off-site biodiversity net gain, including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2, 5, 7, 10, 15, 20, 25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The development shall be implemented in full accordance with the requirements of a timescale submitted with the approved Biodiversity Management Plan and shall be retained for a minimum 30-year period.

11. The actions, mitigations and recommendations set out in the documents titled Tregath Geothermal Plant Ecological Impact Assessment dated December 2023, Tregath Geothermal Plant Ecological Impact Assessment Appendix 3 ECIA Checklist, GEL Tregath Geothermal Bat Ecological Impact Assessment dated December 2023, Tregath Geothermal Bat Lighting Strategy dated October 2024, and GEL Tregath Geothermal Reptile Impact Assessment Report dated December 2023, shall be adopted in full for the duration of the development hereby permitted.
12. No development shall commence until details have been submitted to and approved in writing by the local planning authority for a Construction Traffic Management Plan (CTMP). The CTMP shall include;
- (a) the anticipated number, frequency and size of construction vehicles,
 - (b) construction operation hours,
 - (c) construction vehicular routes to and from the site,
 - (d) construction delivery hours,
 - (e) expected number of construction vehicles per day,
 - (f) specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice,
 - (g) a scheme to encourage the use of public transport amongst contractors,
 - (h) the parking of vehicles of site operatives and visitors,
 - (i) details of any site compounds,
 - (j) wheel washing facilities,
 - (k) manoeuvring and parking areas,
 - (l) details of proposals for temporary speed limits in the area during construction and how such measures would be implemented.

Development shall be carried out in accordance with the approved CTMP for the duration of works and the CTMP shall include all development phases including site clearance and preparation, drilling, testing and construction of the power station and ancillary developments.

13. No development shall commence until details have been submitted to and approved in writing by the local planning authority for a Lighting Plan (LP/CCTV Plan) for the site in all its phases, including drilling, testing and operation of the power plant. The LP/CCTV Plan shall include details of light sources (including security lighting), numbers, design, locations, heights, brightness (lumens), directionality, residential and ecological receptors, dark sky assessment, mitigation and management. This shall include the retention of hedgerows as dark corridors with light levels under 0.5 LUX in bat activity season. The LP/CCTV Plan should have input and approval from an ecologist and reference previous Ecology Reports and the Institute of Lighting Professionals Bats and Artificial Lighting at Night guidance note GN08/23. The approved LP/CCTV Plan shall be implemented as approved for the duration of the development.
14. No development shall commence until details have been submitted to and approved in writing by the local planning authority for a Site Waste Management Plan (SWMP). The SWMP shall include details of;
 - (a) all types and quantities of waste generated during the mobilisation, drilling and power plant construction phases,
 - (b) measures to minimise such waste,
 - (c) any temporary storage areas for waste,
 - (d) a general materials balance for the project,
 - (e) any off-site disposal where necessary.The SWMP shall be implemented as approved.
15. No development shall commence until details have been submitted to and approved in writing by the local planning authority for an assessment of the site to identify any likely ground instability. If likely instability is identified on the site, a scheme for on-site investigations, an assessment to identify the extent of unstable ground and the measures to be taken to avoid risk to buildings and structures when the site is developed, shall also be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.
16. Prior to the commencement of drilling operations details shall have been submitted to and approved in writing by the local planning authority for a micro-seismic survey and monitoring scheme. The scheme shall include;
 - (a) a site-specific microtremor investigation,
 - (b) a traffic light system to manage seismic risk,
 - (c) the location of the micro-seismic network, which shall provide for the opportunity to amend the location of sensors if notified in writing by the local planning authority,
 - (d) full details of the control measures to be implemented should any potentially damaging seismic trends become apparent,

- (e) the numerical trigger vibration parameters by which drilling and drill hole testing shall be suspended,
- (f) remedial measures to be taken prior to the recommencement of drilling and testing,
- (g) a requirement that a 'caution state' is entered if any event with a Peak Ground Velocity (PGV) greater than 0.5 mm/s is detected,
- (h) provisions for the seismic hazard assessment to be re-evaluated during the operation to provide a more accurate estimate of the site-specific parameters and the associated hazard and risks,
- (i) measures for the ongoing management of the operation,
- (j) a communication plan to ensure the local community is aware of the project, the short-term potential for nuisances, and how it is planned to manage and respond to seismic risks.

The micro-seismic survey and monitoring scheme shall be implemented and be undertaken throughout the operational life of the development in accordance with the approved details. The results of the monitoring shall be submitted in writing annually to the local planning authority, or within five working days of a written request by the local planning authority for such information.

17. Any contamination that is found during construction of the development that was not previously identified shall be reported in writing immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted for approval in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development or relevant phase of the development is resumed or continued.
18. No drilling shall commence until a scheme to secure the protection of all water features potentially at risk from the development has been submitted to and approved in writing by the local planning authority. This scheme shall include a detailed water features survey and identification, along with site specific assessments of all identified water features, including licensed and unlicensed sources of water, spring-led flows and groundwater dependent terrestrial ecosystems. The assessment shall detail measures required to prevent pollution of the identified features and include recommendations where necessary, for active monitoring to verify that the protective measures included within the scheme are effective. The scheme shall also include the following for private water supplies within 500 m of the planned wells;
- (a) baseline data to characterise the quality and quantity of water provided by any private water supply that may be affected by the development,
 - (b) mitigation measures for the protection of private water supplies where a risk is identified,
 - (c) a methodology for notification about a possible deterioration in water quality or quantity arising from the development,
 - (d) provision of alternative suitable and sufficient water supplies on a temporary and/or permanent basis in the event of any interruption or

adverse change caused by the development in the quantity or quality of water previously enjoyed,

- (e) arrangements for undertaking sampling, measurement and analysis of private water supplies before and during construction, up to six months after construction of the power plant has been completed, during and after any water pollution or interruption incident that may arise during construction works and subsequently, and at other times at the written request of the local planning authority.

The scheme shall be fully implemented in accordance with the approved details for the duration of the development.

19. No development hereby permitted shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the local planning authority. The surface water drainage system shall be in accordance with the principles set out in the Wardell Armstrong Flood Risk Assessment and Drainage Strategy Ref: BR10229 Report 0006 V4.0 dated June 2024. The details shall include;

- (a) the final drainage schemes including ground investigation and testing results, calculations and layout,
- (b) a Construction Phase Surface Water Management Plan,
- (c) a Construction Quality Control Plan,
- (d) a plan indicating the provisions for exceedance pathways, overland flow routes and proposed detention features,
- (e) a timescale for construction,
- (f) a plan for the management and maintenance of drainage systems and overland flow routes,
- (g) the management responsibility for each drainage element, including a schedule of maintenance.

The local planning authority must be informed in writing about any proposed variation from the details provided and approve 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. Thereafter, the approved scheme shall be implemented in accordance with the approved timescale, and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

20. Prior to any groundworks including mobilisation or construction taking place within the site, the access between the public highway and the site shall have been constructed in accordance with the details shown in document titled Tregath Geothermal Project Transport Statement, Appendix A: Approved Site Access Arrangements Drawing No. 21.JS.3.b dated December 2023. Thereafter this access shall be the sole access point to the site from the public highway.

21. No mud, dust, stones or other deleterious material shall be tracked out from the site onto the public highway.

22. Prior to the erection of any drilling or workover rig a scheme for the structure shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the following;
- (a) the location of the rig,
 - (b) full details of the rig to be used on the site including height, appearance, materials and colour,
 - (c) the height above ground level of the tallest structure, which shall not exceed 55 m,
 - (d) the maximum extension height of any construction equipment,
 - (e) details of aviation warning lighting fitted to the structure including the position of the lights, the type(s) of lights and performance specification of the lights,
 - (f) confirmation that the lighting shall have been fitted to the rig on the completion of the rig installation and thereafter retained,
 - (g) details of the notification to the Digital Vertical Obstruction File (DVOF) at the Defence Geographic Centre to enable charting and mapping of the obstruction,
 - (h) anticipated dates of commencement and completion of construction, drilling and testing.

Rigs shall be erected and operated in accordance with the approved scheme.

23. Prior to commencing construction of any drilling rig, cranes or associated infrastructure, or deploying any construction equipment or temporary structure(s) 50 m or more in height above ground level an aviation lighting scheme shall have been submitted to and approved in writing by the local planning authority, defining how the development will be lit throughout the life of the development. The scheme shall include;

- (a) details of any construction equipment and temporary structures with a total height of 50 m or greater above ground level that will be deployed during the construction of rigs or associated infrastructure and details of any aviation warning lighting that will be fitted,
- (b) the locations and heights of all rig or associated infrastructure featured in the development identifying those that will be fitted with aviation warning lighting, the position of the lights on the platform, rig or associated infrastructure; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) used.

Rigs or associated infrastructure shall be erected and operated in accordance with the approved scheme. Thereafter, the development must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the duration that the rig or cranes and temporary tower type structures, employed in its deployment or removal, are erected at the development site.

24. The Ministry of Defence shall be notified in writing at least 14 days prior to commencing the erection of the rig or cranes and temporary tower type structures that will be used in its deployment and removal, including information on;

- (a) the date of the commencement of the erection of the rig or cranes and temporary tower type structures,
- (b) the maximum height of any construction equipment to be used in the erection of the rig or cranes and temporary tower type structures,
- (c) the date any rig or associated infrastructure are brought into use,
- (d) the latitude and longitude and maximum heights of the rig.

The local planning authority and the Ministry of Defence must be notified in writing of any changes to the information supplied in accordance with these requirements.

25. Prior to the installation of the drilling rig, the site shall have been provided with an electrical connection to/from the National Grid, initially to provide a suitable electricity supply from the Grid to power the site equipment, in particular the drilling rig and associated equipment, and subsequently to export surplus generated electricity to the Grid once the power plant becomes operational. The location, design and construction of any Grid connection facility shall be in accordance with details previously submitted to and approved in writing by the local planning authority.
26. Rigs and pumps shall be powered by electricity from the grid connection except in the event of an unforeseen failure of electrical supply. In such circumstance, there may be the temporary use of diesel-powered generators in accordance with details and a timescale to be approved in writing by the local planning authority. Prior to the use of any diesel-powered generators, the operators shall have submitted to and had approved in writing by the local planning authority, a scheme for diesel power generation. The scheme shall include calculation of rated thermal input, emissions from generators and an air quality assessment quantifying whether the unit requires abatement and a stack height calculation to ensure that the generator does not cause any exceedance of the air quality objectives. Any such scheme shall be implemented as approved and be maintained for the duration of the development.
27. There shall be no engineering groundworks or construction working on site, including construction vehicles and lorries entering or leaving the site, except between the following hours: Between 0800 and 1800 hours Monday to Friday inclusive and between 0900 and 1300 hours on Saturdays. There shall be no engineering groundworks or construction working on Sundays, Bank or Public Holidays. The provisions of this condition shall not preclude internal construction works at the site (i.e. within buildings) between 0700 and 0800 and between 1800 and 1900 on weekdays provided that such activities are not audible beyond the site boundary. The above working hours shall not apply to drilling and testing operations, which may proceed without working hours restrictions.
28. Prior to the installation of the drilling rig, a scheme shall be submitted to and approved in writing by the local planning authority detailing practicable means to be employed for preventing or minimising vibration and the emission of dust, smoke, fumes, odour and litter. The scheme shall also control vermin. Vehicles, plant and machinery within the site shall be fitted with silencers in accordance

with the manufacturers' specifications and maintained to those specifications at all times. The development shall be carried out in accordance with the approved details of the scheme.

29. Any fuel, oil, lubricant or other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse. For any liquid other than water this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil. Any pipes shall vent downwards within the enclosure formed by the bund.
30. Prior to the installation of the drilling rig, a Dust Management Plan (DMP) shall be submitted to and approved in writing by the local planning authority. The DMP shall adopt in full the dust control methods set out in Section 5.2 of the document titled Tregath Geothermal Development Construction Environmental Management Plan for Enabling Work Well Drilling and Testing, dated December 2023, and include provisions for monitoring dust emissions, to ensure that dust arising from the development is not deposited outside of the site boundary. The DMP shall be implemented in accordance with the approved details.
31. For construction works including enabling works, groundworks, mobilisation, general site works, drilling, testing and construction of the plant, the maximum cumulative noise levels attributable to activities taking place within the site shall not exceed the 'Adopted Threshold levels' set out in Table 6 'Construction Noise (drilling) Assessment' from the document titled 'Noise Impact Assessment' dated July 2024 for daytime (0700 – 1900 hours) and evening (1900 – 2300) operations measured at the various Existing Sensitive Receptors (ESRs) otherwise known as Noise Sensitive Receptors (NSRs) referred to in that table. For night-time 2300-0700 hours works including drilling, the maximum cumulative noise levels attributable to activities taking place within the site, shall neither exceed the night-time criteria 1 (outdoor) nor the night-time criteria 2 (indoor) Adopted Threshold Levels in Table 6 'Construction Noise (drilling) Assessment' as measured at the various ESRs referred to in the table. Construction works shall be carried out in accordance with the mitigation measures set out in section 7 of the document titled 'Noise Impact Assessment' dated July 2024.
32. The cumulative noise levels during the operational phase of the permitted development, including the operation of the power plant and fans combined and attributable to the permitted development shall not exceed the 'Noise Rating Level at identified ESR, $L_{Aeq,t}$ ' in Tables 8, 9 and 10 daytime, evening and night time respectively set out in the document titled 'Noise Impact Assessment' dated July 2024, with those periods defined as: Day time 0700 – 1900 hours; Evening 1900 – 2300 hours; Night time 2300 – 0700 hours. The site shall be operated in accordance with the mitigation measures set out in section 7 of the document titled 'Noise Impact Assessment' dated July 2024.

33. The operator of the development hereby permitted shall display their contact details, including telephone number and email address, in prominent positions on the site boundary in accordance with details approved in writing by the local planning authority. A log of any complaints received by the operator of the development and of any actions taken shall be maintained and submitted in writing to the local planning authority if requested to do so.
34. Prior to the installation of the drilling rig, a Noise Monitoring Scheme (NMS) shall be submitted to and approved in writing by the local planning authority. The NMS shall set out a methodology for measuring and assessing noise from the development, along with timescales for the submission of results in writing to the local planning authority. The NMS shall be undertaken by the operator of the development in accordance with the approved details upon receiving a request in writing by the local planning authority to do so.
35. Heavy and light goods vehicles along with plant under the direct control of the operators that operate the site shall only use non-intrusive broadband and/or vehicle noise alarms and/or reversing cameras. On such vehicles there shall be no use of single or multi-pitch reversing beepers. There shall be no use of amplified radios, other music, broadcasting devices during the drilling and construction programme.
36. All trees, hedges and associated vegetation not scheduled for removal during the development of the site shall be protected from damage or disturbance for the duration of the construction works on site in accordance with BS5837:2005 Trees in relation to construction. There shall be no topping or lopping of such trees without the prior written approval of the local planning authority.
37. No vegetation clearance shall take place during the bird nesting season from 1 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 written record of this kept, which shall be submitted to the local planning authority upon a request in writing to do so.
38. During the operation of the site, noxious weeds, in particular Ragwort and Japanese Knotweed, shall not be allowed to colonise the site including the perimeter boundaries. Recognised control measures shall be implemented as soon as is practicable following initial infestation and shall be operated until clearance is achieved.
39. All topsoil on site shall be conserved for future use in restoration. There shall be no export of surplus materials arising from the development hereby permitted except with the prior written approval of the local planning authority.