

Planning Committee Report – 23/0321/FUL

1.0 Application Information

| | |
|-----------------------------|---|
| Number: | 23/0321/FUL |
| Applicant: | University of Exeter |
| Proposal: | The erection of a fixed ground mounted Solar Photovoltaic array with an expected capacity of no less than 1.07MWp of generating capacity, a transformer substation, cable run, associated access, fencing, biodiversity measures and ancillary works. |
| Site Address: | Land On The West Side Of Belle Vue Road Exeter |
| Registration Date: | 6 th April 2023 |
| Link to Application: | https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RR5RJSBHM9A00 |
| Ward Member(s): | Cllrs Mitchell, Mitchell and Pearce. |

Reason Application is going to Committee: Requested by Members at Delegation Briefing.

2.0 Summary of recommendation

APPROVE subject to conditions.

3.0 Reason for the recommendation:

The harms identified through landscape impact on the setting of the city and the rural character and appearance of the Duryard Valley Park mean that the scheme conflicts with policy L1 and LS1 of the Exeter Local Plan 1st Review.

However very substantial weight is given to the benefits of the scheme in terms of renewable energy generation, and hence it is considered that it does comply with policy EN6.

On balance it is therefore concluded that the benefits of the scheme in terms of renewable energy generation outweigh the visual and landscape harm and harm to the Duryard Valley Park, and the proposal is therefore considered to be in conformity with the development plan taken as a whole.

4.0 Table of key planning issues

| Issue | Conclusion |
|---|---|
| Principle of development | <p>Policies L1 and LS1 of the Local Plan 1st Review and policy CP16 of the Core Strategy protect the valley park site from development other than in connection with the open spaces use of the site. Policy EN6 of the Local Plan allows renewable energy development where the Landscape impact are considered to be outweighed by the benefits of the development.</p> <p>The principle of development is only acceptable therefore if the benefits are considered to outweigh the landscape harm, and all other harms.</p> |
| Scale, design, impact on character and appearance | <p>The scale of development and the design, with low angled panels on the upper parts of the site and short runs of panels arranged around the contours of the hill, is considered to make good use of the site extent whilst reducing its potential visual impact and glare. The design of means of enclosure and provision of landscaping enhancement can be secured by condition.</p> |
| Impact on residential amenity | <p>The Noise Assessment concludes that the development is not likely to harm amenity of local residents through noise, which can be conditioned to be part of any consent.</p> <p>Whilst the array will be directly visible from a small number of dwellings and will result in visual prominence and some reflective glare, the magnitude of these harms are not considered to be such the magnitude of these impacts are not considered to be such to result in unacceptable of loss of residential amenity.</p> |
| Access | <p>There are no highways impact concerns.</p> |

| | |
|------------------------------------|--|
| | <p>The proposals include permissive access to the lower part of the field containing the proposed solar array.</p> <p>The construction access route is considered to be the least harmful to landscape and tree planting available through the University estate. A condition can require reinstatement of the access track to greenfield or to more rural character for maintenance access purposes once no longer required for construction can be required by condition.</p> |
| Wildlife, Ecology and Biodiversity | <p>The site is a County Wildlife Site and is designated as Site of Nature Conservation Importance. Policies LS4 of the Local Plan 1st Review guides that development that harms such a site would only be permitted if the need for the development outweighs the harm, the extent of damage is kept to a minimum and appropriate mitigation and compensatory measure are implemented.</p> <p>The comments of the Ecology and Biodiversity Officer, including in relation to the objection form the Devon Wildlife trust are noted.</p> <p>Provided the mitigation measures set out in the Ecological Impact Assessment are secured by condition, with the changes to the landscape and ecological mitigation identified, the proposals are considered to accord with the aims of Policy LS4.</p> |
| Impact on landscape | <p>The development is considered harmful to the landscape quality and character of this part of the Duryard Valley Park through an urbanising impact.</p> |

| | |
|---|---|
| | <p>As such the development is contrary to Policies L1 and LS1 of the Local Plan and policy CP16 of the Core Strategy.</p> <p>Reinstatement of the site to greenfield once no longer required for solar generation can be required by condition.</p> |
| <p>Net Zero and Renewable Energy Generation</p> | <p>Policy EN6 supports Renewable Energy proposals where the renewable energy benefits outweigh any harm to landscape.</p> <p>It is considered that very significant weight should be given to the provision of this additional 1MW solar PV installation in the interests of meeting Net Zero Carbon targets and mitigating the effects of climate change given the scale of additional generation considered to be required in the City.</p> |

5.0 Description of site

The selected site is located 2km north of the city centre bound to the north by residential development, to the west by the grounds of Avanti Hall School, to the south by the University student accommodation, and to the east by the Duryard Valley.

The site is comprised of a field sloping down towards the south and west where it is bounded by established treed landscape.

The Site of the proposed development extends to 2.3 Hectares with 1 hectare being the solar array. The remainder of the application site is required to accommodate the construction of a temporary access track and associated landscaping and biodiversity mitigation and enhancement measures.

The site falls within the Duryard Valley Park and is a designated a Site of Nature Conservation Importance and County Wildlife Site. The site of the solar array is Grade 3 agricultural land.

The Duryard Valley is recognised for its matrix of meadows and woodland which host a wide range of wildlife that thrive in its quiet valleys.

6.0 Description of development

A fixed ground mounted Solar Photovoltaic array with an expected capacity of no less than 1.07MWp of generating capacity, a transformer substation, cable run which allows a direct electrical connection into the University's private H/V electrical network with below ground cables, associated access, fencing, biodiversity measures and ancillary works.

A temporary construction access with a crossing of the brook is proposed with a construction compound on an existing University Duryard Residences hardstanding car park. Access being via the University Estate from Cowley Bridge Road.

7.0 Supporting information provided by applicant

The applicant has submitted the following documents in support of the application:

- Planning Statement
- Biodiversity net gain report
- Construction Plan
- Design and Access Statement
- Flood Risk Assessment
- Grid Connection Offer
- Land Classification and Use Report
- Landscape Specification
- Glare Study
- Substation and Transformer information
- Landscape and Visual Impact Assessment
- 3D Visualisations

8.0 Relevant planning history

[23/0319/SO](#) Screening Opinion for Solar Farm. Not EIA Development.
13.03.2023.

9.0 List of constraints

Valley Park
Landscape Setting of City
Site of Importance for Nature Conservation
County Wildlife Site

10.0 Consultations

All consultee responses can be viewed in full on the Council's website.

Exeter Airport: This proposal has been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria. Accordingly, Exeter Airport have no safeguarding objections to this development provided there are no changes made to the current application.

ECC Environmental Health: Approve with conditions, CEMP, noise, unsuspected contamination.

ECC Trees Officer: There are no arboriculture objections to the above proposal. The loss of trees (T20) is of course regrettable, but understandable given its poor condition and the need to make way for the access track. Removed tree to be replaced by a robust replanting plan that is to be approved by the councils Landscape Officer. The proposed planting in the vicinity of the veteran trees on site is expected to help to create continuity of habitat. However, care must be taken not to plant too close to existing trees, particularly veteran specimens, which may be vulnerable to disturbance and competition from newly planted trees.

ECC Landscape and Urban Design Officer: Construction and repair of construction access needs clarification. In use access track is unsuitable as proposed. Permissive access to the field in which the solar panels are located is welcomed. Consider additional planting to the north of the proposed arrays. Consider hedge planting to perimeter in addition to stock fencing. Substation is isolated and placement should be reviewed.

The residual scale of change from viewpoints 01d, 02a, 04 and 05 is considered to be medium/large rather than small.

ECC Ecology & Biodiversity Officer:

The assessment of the grassland is accurate with the area mapped as a poor example of MG5 on the southern side of the northern field, and rest of the grassland as other neutral. It presents as an old meadow that has been under-managed, with coarse grasses now dominating forming an MG1 type community. With the site under a management plan, there is potential to restore and enhance this part of the CWS over the life of the scheme.

I have also read the DWT response, and feel that the concerns in relation to the grassland and management can be addressed through the LEMP condition. With regards to reptiles, DWT objected to a lack of survey. My view is that while surveys would have provided more information, I don't feel their confirmed rather than assumed presence would alter the mitigation proposed, since there would not be a need to translocate reptiles for a solar farm as the grassland is retained and because the construction impacts are short-term and localised. The CEMP condition below will secure appropriate reptile mitigation.

With regards to the woodland removal, it is regrettable that the section of woodland is to be removed for access, but as it is temporary and will be restored, the overall effect is not considered significant.

The Ecological Impact Assessment (GE Consulting, 2023) recognises that the site forms part of a County Wildlife Site and it proposes various measures which are proportionate to the biodiversity value of the site. The measures proposed should be secured through planning conditions.

The report states that no lighting is proposed, therefore on this basis, a sensitive lighting strategy condition is not necessary.

No objection to the proposals with suggested conditions, but request a reduction in tree planting within the grassland and some other specifics which can be secured by the suggested conditions.

Suggested conditions cover off the CEMP, Ecology, LEMP, enhancements and EPS licence for dormouse.

Devon Wildlife Trust: We object to the planning application because we consider that the proposals do not provide sufficient evidence to satisfy the requirements relating to biodiversity in paragraphs 174d, 180a and 180d of the National Planning Policy Framework or the requirements of paragraph 99 of ODPM Circular 06/2005 Biodiversity and Geological Conservation. Furthermore, the Environment Act 2021 and National Planning Practice Guidance requirements relating to biodiversity net gain have not been addressed.

11.0 Representations

The application has been advertised by neighbour letter, site notice and press notice. 14 objections or representations have been received raising the following concerns:

- Objections to location, not principle of solar energy.
- Solar farm proposed because the land is unsuitable for buildings and motivated by profit.
- Would harm character of Duryard Valley
- Permissive path should extend to Lower Argyle Road
- Space should be enhanced for use by residents as is the Hoopern Valley.
- Would set a precedent for further development.
- Solar panels should be put on buildings on campus not in the valley park.
- Harm to green resource, no benefit to residents.
- Harm to wildlife.
- Trees should be granted TPO status.
- Widely visible from south sides of Duryard Valley.

- Should prohibit vehicular access from West Garth Road.
- Would harm landscape setting of the city contrary to policy LS1.
- Loss of grazing/foraging habitat.
- Construction and operation will generate noise pollution.
- Loss of a green resource for future generations.
- Construction route destructive of habitat and disruptive of wildlife corridor.
- Alternative better sites for PV are available.
- Construction Access should be through Thomas Hall.
- Will obstruct an active travel route through the field.
- Site is valued for peaceful setting and access to nature.

12.0 Relevant policies

National Planning Policy Framework

Paragraph 158. When determining planning applications for renewable and low carbon development, local planning authorities should:

(a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

(b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

Development Plan

Core Strategy (Adopted 21 February 2012)
CP16 - Green Infrastructure

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)
L1 - Valley Parks
LS1 - Landscape Setting
LS4 - Sites of Nature Conservation Importance
EN5 - Noise
EN6 - Renewable Energy

Other material considerations

The Exeter Plan – Outline Draft Plan (September 2022)

CE1 – Net Zero Exeter
NE3 – Biodiversity

Trees and development DPD
Exeter Fringes Landscape Sensitivity and Capacity Study 2007 (excluded)
Exeter Landscape Sensitivity Assessment Aug 2022 (LP38)
Net Zero Exeter Plan 2023, Exeter City Futures.

13.0 Human rights

Article 6 - Right to a fair trial.
Article 8 - Right to respect for private and family life and home.
The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

It is acknowledged that there are certain properties where they may be some impact through visual impact and glare (this can be mitigated by conditions) However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme in terms of provision of renewable energy.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public sector equalities duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and person who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the equality Act 2010.

15.0 Financial Issues

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

Material considerations

The development would create additional employment in construction and operation phases.

Non material considerations

The development would not be CIL liable.

The proposal will not generate business rates.

16.0 Planning assessment

Principle of development

Policies L1 and LS1 of the Local Plan and policy CP16 of the Core Strategy protect the site from development other than in connection with the open spaces use of the site. Policy EN6 of the Local Plan allows renewable energy development where the Landscape impact are considered to be outweighed by the benefits of the development.

The principle of development is therefore only acceptable if the benefits of the development in terms of generation of renewable energy are considered to outweigh the landscape harm, and all other harms.

Scale, design, and appearance

The modest scale of the solar array and the design, with low angled panels on the upper parts of the site and short runs of panels arranged around the contours of the hill, enclosed by a stock fence is considered to make good use of the site extent that is suitable for solar generation whilst minimising its potential visual impact and glare.

The design of the means of enclosure and provision of landscaping enhancements can be secured by condition.

Impact on residential amenity

The position of the transformer extends the development area but reduces potential noise impact on dwellings. The Noise Assessment concludes that the development is not likely to harm amenity of local residents through noise and can be conditioned to be part of any consent. As such it considered to accord with the aims of Policy EN5 of the Exeter Local Plan 1st Review.

Whilst the array will be directly visible from a small number of dwellings and will result in some reflective glare, the size and layout of the array is considered to mean that the magnitude of these impacts are not considered to be such to result in unacceptable of loss of residential amenity.

Access

There are no highways impact concerns.

The proposals include proposals to grant permissive access to the lower part of the field containing the proposed solar array.

The construction access route is considered to be the least harmful to landscape and tree planting available through the University estate. The comments of the Tree Officer in respect of the condition of the tree to be removed are noted. A condition can require reinstatement of the access track to green field, or to a more rural character for maintenance access purposes, once no longer required for construction can be required by condition to ensure that this happens as proposed.

Operational phase maintenance access will be via the existing track with restoration and improvements on that alignment.

Wildlife, Ecology and Biodiversity

The site is a County Wildlife Site and is designated as Site of Nature Conservation Importance. Policies LS4 of the Local Plan 1st Review guides that development that harms such a site would only be permitted if the need for the development outweighs the harm, the extent of damage is kept to a minimum, and appropriate mitigation and compensatory measure are implemented.

The comments of the Ecology and Biodiversity Officer, including in relation to the objection from the Devon Wildlife Trust are noted.

Provided the mitigation measures set out in the Ecological Impact Assessment are secured by condition, with the changes to the landscape and ecological mitigation identified, the proposals are considered to accord with the aims of Policy LS4 in minimising harm and securing appropriate mitigation..

Impact on landscape

No external lighting is proposed as part of the development.

Additional planting to the north of the proposed arrays and at low level to the perimeter could further reduce visual impact. This could not be in such position or level to shade the array.

Nevertheless the residual scale of change from viewpoints 01d, 02a, 04 and 05 assessed in the Landscape and Visual Impact Assessment is considered to be medium/large rather than small, and the impact would be to urbanise part of the Valley Park.

Given the topography the main visual impacts and harms are considered to be localised, to the Duryard Valley Park rather than to the setting of the city.

The proposals therefore are considered to harm the green rural character of this part of the Duryard Valley Park.

Any consent could be conditioned to be removed and the site reinstated to a green field at any such time the solar array ceases to be used.

Solar PV and Netzero.

Exeter City Council (ECC) declared a Climate Emergency in 2019 and pledged to work towards creating a carbon neutral city by 2030. The target year is 20 years in advance of the nationally set net zero 2050 target required to be achieved by the Climate Change Act.

The Centre for Energy and the Environment at the University of Exeter was commissioned to establish a baseline greenhouse gas (GHG) inventory for the city, quantify the reductions required to achieve net zero in 2030 and identify more specific and timely metrics for monitoring progress towards carbon neutrality in each emissions sector.

To achieve net zero carbon emissions the Centre for Energy and the Environment at the University of Exeter commissioned by the City Council projected that non-domestic solar PV installations need to increase from 5MW total installed capacity in 2020, to 42 MW. This application, for over 1 MW generating capacity, would be the second ground mounted solar installation within Exeter.

It is considered that very significant weight should be given to the provision of additional non-domestic solar PV installations in the interests of meeting Net Zero, whether this is by 2030 or 2050, given the substantial shortfall in provision and the importance of addressing climate change challenge through carbon emissions reduction.

Exeter Local Plan 1st Review Policy EN6 supports Renewable Energy proposals where the renewable energy benefits outweigh harm to landscape.

17.0 Conclusion

The harms identified through landscape impact on the setting of the city and the rural character and appearance of the Duryard valley park mean that the scheme conflicts with policy L1 and LS1 of the Exeter Local Plan 1st Review.

However very substantial weight is given to the benefits of the scheme in terms of renewable energy generation, and hence it is considered that it does comply with policy EN6.

On balance it is therefore concluded that the benefits of the scheme in terms of renewable energy generation outweigh the visual and landscape harm and harm to the Duryard Valley Park, and the proposal is therefore considered to be in conformity with the development plan taken as a whole.

18.0 Recommendation

APPROVE subject to conditions below the wording of which may be varied:

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 6 April 2013 (including drawings numbers listed below) as modified by other conditions of this consent.

784-B030890_ T00002 Site Layout Plan P02
784-B030890_ T00003 Site Sections P01
Noise Assessment Report R1
CONSTRUCTION PLAN ZLC-DURYARD-INSTALL-REP-CPP-01.RevA1
Substation ZLC-DURYARD-SUB-01.RevA1
DESIGN AND ACCES STATEMENT-01.RevA3
LAYOUT PV ZLC-DURYARD-GA-01-D
25-40kW Inverter Datasheet Solis
525-550Wp Panel Datasheet JA Solar
SGB Transformers Planning Information
0915-PAA-002_ISS_01
0915-PAA-003_ISS_01
0915-UPA-002_ISS_01
0915-UPA-003_ISS_01

Reason: In order to ensure compliance with the approved drawings.

3) No materials shall be brought onto the site or any development commenced until the developer has erected tree protective fencing in accordance with tree protection plan 'D36 57 P2 Duryard PV Tree Plan' received 6 April 2023, or such other such plan that has been submitted to and approved in writing by Exeter City Council. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning

Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason: Required prior to commencement of development to satisfy the Exeter City Council that the trees and hedges to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, and pursuant to section 197 of the Town and Country Planning Act 1990.

4) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the construction and maintenance access routes, including reinstatement where required, have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

5) No development shall take place (including demolition, ground works, vegetation clearance) until a construction ecological management plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include, but not be limited to, the measures proposed within the Ecological Impact Assessment (GE Consulting, 1523-EclA-MD, April 2023). The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

6) No development shall take place until a finalised Biodiversity Enhancement Plan has been submitted to and approved by the local planning authority showing the bird, bat, hedgehog and dormouse boxes and hibernacula, as proposed in The Ecological Impact Assessment (GE Consulting, 2023). The approved plan will be implemented in accordance with the approved details.

7) No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority.

The Statement shall provide for:

- a) The site access point(s) of all vehicles to the site during the construction phase.
- b) The erection and maintenance of securing hoarding, if appropriate.
- c) Wheel washing facilities.
- d) Measures to monitor and control the emission of dust and dirt during construction.
- e) No burning on site during construction or site preparation works.
- f) Measures to monitor and minimise noise/vibration nuisance to neighbours from plant and machinery.

g) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

8) No development shall take place until a landscape and ecological management plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following: a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions. f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). g) Details of the body or organization responsible for implementation of the plan. h) Ongoing detailed monitoring of the grassland and remedial measures and i) a future baseline at decommission. The LEMP shall include but not be limited to the measures proposed within the Ecological Impact Assessment (GE Consulting, 1523-EcIA-MD, April 2023) in relation to the management of the grassland, woodland, stream, trees/scrub, invasive species, new and restored orchard and other created habitats. The approved plan will be implemented in accordance with the approved details.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

All post-construction site management shall be undertaken in accordance with the LEMP.

Reason: In the interests of biodiversity and good design in accordance with Policy CP16 of the Core Strategy, Policies LS4 and DG1 of the Local Plan First Review and paragraphs 58, 109 and 118 of the NPPF.

9) Unless otherwise agreed, the woodland and scrub works required to enable the construction shall only commence under a European Protected Species Mitigation Licence for dormouse. The works will be conducted in accordance with the Outline Mitigation Strategy (section 5.3.5, Ecological Impact Assessment (GE Consulting, 1523-EcIA-MD, April 2023)) unless otherwise negotiated with Natural England during the licence application process. If for any reason it is later determined that the necessary works can commence without an EPS licence, a method statement shall be submitted to and approved in writing by the local planning authority either separately or as part of the CEcMP.

10) 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, and obtained

written approval from the Local Planning Authority for an [amended] investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: In the interests of protecting human health and the natural environment.

11) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and the solar panels hereby approved shall not be brought into use until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

12) At such time that the development hereby approved ceases to be used for the generation of electricity the solar panels, supporting structures, transformer substation and base, hardstandings, fencing, and associated development shall be removed from the site. Within one year of the date of the cessation of electricity generation the site shall have been reinstated to its current green field state, or such other landscaped condition as has been agreed in writing by the Local Planning Authority.

Reason: To ensure the site is only used for the approved development and is restored afterwards.