



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Mrs Louise Leyland
Energy Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Application For: Full Planning Permission

NOTICE OF DECISION

Application No: 23/01444/FUL

Applicant: Harmony OB Limited

Agent: Mrs Louise Leyland

Proposal: Proposed Solar Farm to Produce up to 34MW of Renewable Energy

Site Address: Land Off Rayton Lane Osberton Worksop Nottinghamshire

The Council have considered the application and hereby **GRANT PLANNING PERMISSION** subject to the conditions which have been imposed for the reasons set out below:

CONDITIONS:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be in accordance with details and specifications included on the submitted application form and shown on the following approved plans:

- Existing Block Plan of the site ESP02
- The Location Plan LP01
- LVA Figures:

- Site Location Plan - figure 1
- Site Context-Figure 2
- Landscape character Figure 3
- ZTV and Assess View Points - figure 4

- Agricultural Land Classification Survey dated 18th May 2023
- Arboricultural Impact Assessment dated June 2023
- Construction Traffic Management Plan dated June 2023
- Geophysical Survey Report dated May 2023
- Glint and Glare Study dated 6th June 2023
- Heritage Statement dated 6th June 2023
- Landscape and Visual Appraisal dated June 2023
- Noise impact Assessment dated 25th May 2023
- Soil Resource Management Plan dated 30th May 2023
- Statement of Community Involvement
- Transport Statement dated June 2023
- Hedge Removal Plans drawing number LTC 179-HRP1 and LTC 179-HRP2 received on 27th February 2024
- PV Array details Drawing Number HES 1003-200 Rev A
- DNO Details Drawing Number HES 1003-220
- Customer Substation Drawing Number HES 1003-221 Rev A
- Storage Container details Drawing Number HES 1003-222
- Power Station Details Drawing Number HES 1003-223 - Rev A
- Access Track Drawing Number HES 1003-230
- Fence and Gates Drawing Number HES 1003-231
- CCTV Mounting Details Drawing Number HES 1003-232
- Satellite Dish Mounting Details Drawing Number HES 1003-235
- Design and Access Statement dated 5th June 2023
- Flood Risk Assessment dated 8th May 2023
- Biodiversity Management Plan ref: 80-856-R3-3 dated January 2024
- Biodiversity Metric Calculation (revised) received on 16th January 2024
- Biodiversity Metric Report (revised) received on 16th January 2024
- SLR Consulting Ltd - Applicant's Rebuttal, Archaeology dated 15th January 2024
- Revised Planning Statement dated January 2024
- Revised Preliminary Ecological Assessment dated January 2024
- Landscape Mitigation Plan figure 5 drawing number 1003 received on 16th January 2024

Reason: To ensure the development takes the agreed form envisaged by the Local Planning Authority when determining the application and for the avoidance of doubt.

3. The planning permission hereby granted shall be for a temporary period only to expire 40 years after the first export date of the development. Written confirmation of the first export date shall be provided to the Local Planning Authority within one month after the event. At the end of the 40 year period, the solar array and the ancillary equipment shall be removed from the site and the land restored in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority within 3 months of cessation of the use.

Reason: By virtue of its construction, appearance and method of energy generation, the solar array is not considered suitable as a permanent structure on the site and to ensure that the redundant solar panels are removed from the site before they become dilapidated or degraded to the detriment of the appearance of the area.

4. Construction work and ancillary operations, including deliveries to and removal of plant, equipment, machinery and waste from the site shall be carried out only

between the following hours: 0800 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank or public holidays.

Reason: To safeguard the amenities of dwellings located closest to the boundaries of the application site

5. If, during the development, land contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further works on or around the contaminated land shall be carried out until a method statement detailing a scheme for dealing with suspect contamination has been submitted to and agreed in writing with the Local Planning Authority.

Reason: To comply with the requirements of paragraphs 189 and 190 of the NPPF.

6. The proposed landscaping as shown on approved landscaping plan drawing number 1003 shall be implemented in the first planting season following the first operation of the solar farm.

Reason: To ensure that the landscaping is in place to secure adequate visual amenity, biodiversity and safety from any proposed glint.

7. Any trees, hedges or shrubs that are removed, are dying, being severely damaged or become seriously diseased within the lifetime of the development shall be replaced in the following planting season by trees or shrubs of a size and species similar to those originally required to be planted.

Reason: To ensure that the landscaped areas are provided for the lifetime of the development to secure the mitigation proposed by the application

8. No temporary lighting shall be used during the construction period. If this requirement changes details should be submitted and approved by the Local Planning Authority prior to the use of any lighting. The development shall be undertaken in accordance with the approved details.

Reason: To ensure that there are no detrimental impacts on residential amenity or biodiversity

9. No development or demolition shall take place until an Archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The Mitigation Strategy will include appropriate Written Schemes of Investigation for evaluation trenching and provision for further mitigation work. These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.

10. The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework.

11. A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the archaeological works hereby approved being commenced, unless otherwise agreed in writing by the Local Planning Authority. The post-investigation assessment must be completed in accordance with the programme set out in the approved Written Scheme of Investigation and shall include provision for analysis, publication and dissemination of results and deposition of the archive being secured.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.

12. Within 24 months of the completion and commencement of operations of the development hereby approved (such a date as to be notified to the Local Planning Authority) in the event of any complaint to the Council from Network Rail relating to signal sighting safety or driver distraction, upon notification to the Local Planning Authority, the applicant or operator of the solar farm shall as soon as possible and not later than 28 days, submit for approval to the Council details of a scheme of remedial measures to address the concerns raised with details of a timescale for implementation of the works. The works shall be carried out in accordance with the approved details and timetable.

Reason: To ensure safety of the users of the railway.

13. All vehicles preparing to leave the site during the construction and decommissioning periods shall have their wheels thoroughly cleaned should they be displaying signs of mud or debris and a mechanically propelled road sweeper shall be employed should mud or debris be transported onto the public highway immediately following each occurrence until such time as all mud and debris has been removed.

Reason: To minimise the exportation of mud and debris onto the public highway and to ensure that this is appropriately dealt with in the interest of highway safety.

14. The B6079 has a 4.3m height restriction to the south west because of the overhead railway bridge for the Sheffield to Lincoln line, this is located between the Worksop Sewage Treatment Works access road and the B6040 roundabout.

The applicant shall take all reasonable steps to instruct all vehicles entering and leaving the site above 3.5 tonnes gross vehicle weight to access and egress using the B6079 route towards the A1 only. These steps shall include the issuing of instructions to all drivers of such vehicles advising of the required route and the

provision of turn left signage at the exit of the construction access throughout the construction period.

Reason: In the interest of highway safety.

15. 6 months prior to the solar farm being decommissioned a Construction Traffic Management Plan (CTMP) covering vehicles exceeding 3.5 tonnes gross vehicle weight shall be submitted to and be approved by the Local Planning Authority. The CTMP shall thereafter be implemented as approved.

Reason: To minimise the possibility of heavy construction traffic using inappropriate routes to and from the site in the interests of maintaining highway efficiency and safety.

16. Prior to any construction commencing on the site or works to the grid connection a Construction Traffic Management Plan (CTMP) covering vehicles exceeding 3.5 tonnes gross vehicle weight shall be submitted to and be approved by the Local Planning Authority and shall include provision for:

- the routing of vehicles to and from the site and grid connection corridor,
- the monitoring of the approved arrangements during the construction of the development and laying of the grid connection,
- ensuring that all drivers of vehicles under the control of the Applicant are made aware of the approved arrangements,
- disciplinary steps that will be exercised in the event of a default,
- the parking of site operatives and visitors,
- the loading and unloading of vans, lorries, and plant,
- the siting and storage of plant, materials, and waste, and
- a plan of the temporary access, parking, loading, and unloading areas, and their surface treatment

The first action on commencement of development, and prior to any further action (including site clearance, site stripping or site establishment) shall be the formation of; any temporary access arrangements; parking areas; and loading, unloading, and storage areas in accordance with the approved CTMP. The CTMP shall thereafter be implemented as approved.

Reason: To minimise the possibility of heavy construction traffic using inappropriate routes to and from the site in the interests of maintaining highway efficiency and safety.

17. The development shall be undertaken and managed strictly in accordance with the Biodiversity Management Plan ref: 80-856-R3-3 dated January 2024

Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surrounding and in the interests of biodiversity enhancement.

18. The development shall be carried out, managed and monitored as detailed within the Biodiversity Management Plan dated January 2024.

Reason: In the interest of biodiversity.

19. The development hereby permitted shall only be carried out by the recommendations included in Section 4 of the Revised Preliminary Ecological Appraisal dated 9th January 2024.

Reason: In the interests of biodiversity

20. A pre-construction check for badger setts should be undertaken prior to the development taking place by a suitably qualified ecologist. Appropriate measures should be implemented to minimize disturbance and the risk of harm to badgers. A full report detailing the findings and any mitigation should be submitted to and approved in writing prior to the commencement of development and the development should be undertaken in accordance with the approved details

Reason: In order to protect any badgers on the site.

21. Worksop Bridleway 47 (Rayton Lane) shall remain open and free from obstruction or structures unless agreed in writing with the Local Planning Authority. In the event there is any damage to the surfacing of the bridleway a scheme for repairs shall be submitted to and agreed to the Local Planning Authority. The approved scheme shall be fully implemented.

Reason: To ensure that the proposed development complies with the guidance outlined in paragraph 104 of the NPPF.

22. The development hereby permitted shall be carried out in accordance with the details and recommendations detailed in the submitted Flood Risk Assessment dated 8th May 2023 and drawing numbers FRDA - 003, FRDA 004. The surface water drainage scheme shall be fully implemented prior to the approved solar farm becoming operational.

Reason: In the interests of surface water disposal and flooding.

23. The developer shall ensure that the surface water runoff from hardstanding and small buildings should be captured/drain within the site.

Reason: To comply with the requirements of paragraphs 165 and 173 of the NPPF.

24. The development shall be carried out in accordance with the Arboricultural Impact Assessment dated June 2023

Reason: To ensure that the trees/hedgerows are managed and protected satisfactorily in the interests of the appearance of the site and amenity of the area.

25. Before development commences a lighting strategy scheme, including a light contour plan shall be submitted and approved to ensure that there are no adverse impacts to bats and their commuting/foraging habits from lighting. The lighting strategy shall comply with the Institution of Lighting Professionals (ILP) Guidance Note 8 Bats and Artificial Lighting. All lighting shall be installed in accordance with the specifications and locations set out in the approved strategy. The approved lighting shall be retained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed.

Reason: To ensure compliance with wildlife legislation and to safeguard Natural Environment and Rural Communities (NERC) Act 2006 priority species and to ensure that there are no detrimental impacts on residential amenity or biodiversity

26. Before development commences a construction management plan shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include measures that will be taken to minimise construction noise during the construction phase of the project. The development shall only be carried out in accordance with the approved Construction Management Plan

Reason: To safeguard the amenity of residents living in the vicinity of the site

NOTES

1. The applicant is advised that all planning permissions granted on or after the 1st September 2013 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at

www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

2. The Council have granted this permission / consent subject to conditions which are considered essential. Where conditions require the agreement of certain details this agreement should be the subject of an application for those conditions to be discharged. Where conditions require agreement of any matter prior to certain works being carried out, the 'Discharge of Condition' application should be submitted and the conditions discharged before those works are carried out on site. FAILURE TO DO SO COULD INVALIDATE THE PLANNING PERMISSION. The Council reserve the right to refuse permission for the retention of development not carried out in accordance with the conditions and to take enforcement action to secure compliance with the conditions.

Your right to appeal to the Secretary of State for the Environment against any condition is indicated on the reverse side of the decision notice.

3. The Highway Authority has made the following comments on the proposal

Planning consent is not agreement to work on or adjacent to the public highway, therefore prior to any works commencing on site including demolition works you must contact Highways Network Management at licences@viaem.co.uk to ensure all necessary licences and permissions are in place.

The applicant must contact VIA EM Ltd Roadworks Coordination for approval of the traffic management signage scheme and/or any licence for National Grid cable connections that affect public highway before commencement of any works.

See Temporary activities in the highway | Nottinghamshire County Council

Further contacts streetworks@viaem.co.uk; tro@viaem.co.uk; abnormalloads@viaem.co.uk in respect of these processes & works in the public highway.

For works affecting definitive/non-definitive rights of way such as public footpaths, public road, bridleway, BOAT or restricted bye way please contact countryside.access@nottscc.gov.uk.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

Enquiries about adopted public highway records highwaysearches@viaem.co.uk

4. The applicant is advised to check the legal line of the right of way i.e. Worksop Bridleway 47 by carrying out an official search, contact row.landsearches@nottscc.gov.uk.

Date: **7 March 2024**



John Krawczyk
Planning Development Manager
Authorised Officer on behalf of Planning Services
Bassetlaw District Council

Note: Attention is drawn to the Notices attached

Grant of Planning Permission

Application Number: 23/01444/FUL

This permission/approval/consent is given only under the Town and Country Planning Acts. It does not give approval under the Building Regulations.

If you are aggrieved by the decision of the District Planning Authority to grant permission/approval/consent subject to conditions, then you can appeal to the Secretary of State for the Environment.

If you want to appeal and your application was not for *householder development, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. An appeal in respect of an advertisement application must be made within eight weeks.

If you wish to appeal for a *householder development, you must do so within 12 weeks of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider the appeals solely because the local planning authority based its decision on a direction given by him.

If either the District Planning Authority or the Secretary of State for the Environment grants permission/approval/consent subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonable beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions by the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

* Householder application means – (a) an application for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse or (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, **but does not include** – an application for change of use; an application to change the number of dwellings in a building.

Other Acts and non-planning legislation may apply for example Right to Light or Party Wall Act etc. 1996, it is your responsibility to comply.