



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Mr Owen Horrell
Enso Energy Limited
The Priors
Long Street
Dursley
GL11 4HR

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Application For: Full Planning Permission

NOTICE OF DECISION

Application No: 22/00358/FUL

Applicant: Enso Green Holdings A Ltd

Agent: Mr Owen Horrell

Proposal: Installation of a Solar Farm and Battery Storage Facility with Associated Infrastructure.

Site Address: Land To The East Of Bumble Bee Farm Gainsborough Road Saundby 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:

- Site Location Plan - Sheet 1 of 3, ENS009 SP-01 Rev 02, dated 7th January 2022;

- Site Location Plan - Sheet 2 of 3, ENS009 SP-01a Rev 02, dated 7th January 2022;
- Site Location Plan - Sheet 3 of 3, ENS009 SP-01b Rev 02, dated 7th January 2022;
- 1.0, dated 24th November 2021;
- Proposed Site Plan, BB2.0 Rev 03A, dated 20th December 2021;
- PV Elevations, BB3.0 Rev 01, dated 22nd October 2021;
- Inverter Transformer Stations, BB4.0 Rev 01, dated 22nd October, 2021;
- Internal Access Road Detail, BB5.0 Rev 01, dated 22nd October 2021;
- Fence and Gate Elevations, BB6.0 Rev 01, dated 22nd October 2021;
- Weather Station Detail, BB7.0 Rev 01, dated 22nd October 2021;
- CCTV Elevations, BB11.0 Rev 01, dated 22nd October 2021;
- Battery Container Elevations 40ft, BB12.0 Rev 02, dated 16th December 2021;
- Storage Container Elevations 40ft, BB13.0 Rev 01, dated 22nd October 2021;
- Battery and Substation Fence and Gate Elevations, BB14.0 Rev 01, dated 16th December 2021;
- 132kV Substation Proposed Site Layout, 001 Rev P12, received 15th March 2022;
- Detailed Landscape Design, P21-3191.002 Rev C, 13th January 2022;
- Construction Traffic Management Plan, dated January 2022
- Ecological Assessment Report, dated January 2022
- Biodiversity Management Plan, dated January 2022
- Flood Risk Assessment and Drainage Scheme, dated 24th January 2022

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 (with the exception of the substation), to expire 40 years and six months 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 and six month period, the solar array and the ancillary equipment shall be removed from the site and returned to its former agricultural condition.

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. Within 6 months of the cessation of the export of electrical power from the site, or within a period of 40 years and 6 months following the first export date, the solar farm and ancillary equipment (with the exception of the substation) shall be dismantled and 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.

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.

5. 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 14 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.

6. Prior to the solar farm being brought into use until the existing site access that has been made redundant by this consent on Saundby Road (X:478535 Y:387630) shall be permanently closed and the access crossing shall be reinstated as verge.

Reason: To prevent indiscriminate parking in the interest of highway safety.

7. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include:

- i) Parking for site operatives and visitors;
- ii) Loading and unloading areas for plant and materials;
- iii) Areas for the storage of plant, materials, and waste associated with the construction of the development.

Reason: In the interests of highway safety.

8. The designated areas shall be in place on commencement of development and the approved Construction Method Statement and the Construction Traffic Management Plan January 2022 shall be adhered to throughout the site clearance and construction period.

Reason: In the interests of highway safety.

9. Prior to commencement of development the Gainsborough Road site access shall be widened in accordance with plan reference SK01 Rev A and shall be resurfaced/repared across its full width up to a distance of 20m into the site.

Reason: In the interest of highway safety.

10. All vehicles preparing to leave the site during the construction period shall have their wheels thoroughly washed 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.

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.

11. No gates or other obstacle shall be erected on the access driveway within 6.0m of the site boundary fronting Gainsborough Road and any gates shall be hung so not to open outwards.

Reason: To ensure a van or large saloon car can clear the public highway without obstruction in the interest of the free flow of traffic and in the interest of highway safety.

12. The operator shall take all reasonable steps to ensure all vehicles above 12 tonnes GVW access the site via junction 34 A1 (M), the A614, and the A631 and vice versa for existing vehicles. These steps shall include the issuing of instructions to all drivers to advise them of the required route and the provision of right turn signage at the exit of solar farm during the construction and decommissioning phases.

Reason: In the interest of highway safety and to ensure vehicles above 12 tonnes adhere to the most appropriate route.

13. No development shall commence until details of the surface treatment, maintenance, width and details of the adjacent hedgerow(s) has been agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the proposed development does not present a detriment to nearby Public Rights of Way (PRoWs).

14. With the exception of temporary closures (for instance during the construction period), adjacent PRoWs shall remain open, free from obstruction or structures unless agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development complies with the guidance outlined in paragraph 100 of the NPPF.

15. No development 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 an appropriate Specification for preservation of in situ archaeological remains and a Written Scheme of Archaeological Investigation where archaeological field work is required. These schemes shall include the following:

- i) An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
- ii) A methodology and timetable of site investigation and recording;
- iii) Provision for site analysis;
- iv) Provision for publication and dissemination of analysis and records;
- v) Provision for archive deposition; and
- vi) 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 NPPF.

16. The archaeological site work must be undertaken only in full accordance with the approved Mitigation Strategy 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 NPPF.

17. 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 works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the Museum Service, or another public depository willing to receive it.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site. This Condition is imposed in accordance with the NPPF.

18. If, during the development, land contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further works 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 183 and 184 of the NPPF.

19. The development hereby permitted shall be carried out in accordance with the details and recommendations detailed in the submitted 'Flood Risk Assessment and Drainage Scheme - Bumble Bee Solar Farm', dated 24th January 2022. 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.

20. 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 159 and 167 of the NPPF.

21. No works shall take place in relation to the cabling works to connect the development hereby approved to the electricity network until a Cable Method Statement to control the impact of the development on highway users and the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. The Cable Method Statement shall include a cross section plan of the trench and describe the method by which the cable will be laid. The works shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory form of development with respect to the potential impacts of the cable routing.

22. The landscaping and planting shall be completed within the first planting season of the solar farm hereby approved becoming operational and shall be undertaken strictly in accordance with the Detailed Planting Plan, Drawing No. P21-3191.002 Revision C. Any trees, hedgerows, plants or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of a size and species similar to those originally required to be planted.

The findings of the walkover surveys outlined in the Biodiversity Management Plan shall be submitted to the Local Planning Authority at five-year intervals for the lifetime of the development hereby permitted. Any remedial works recommended by such surveys shall be carried out at the earliest opportunity.

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.

23. The development shall be undertaken and managed strictly in accordance with the Biodiversity Management Plan

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.

24. Works forming the implementation of the Battery Energy Storage System (BESS) shall not commence until a Detailed Battery Safety Management Plan (DBSMP) has been submitted to and approved in writing by the Local Planning Authority. The BESS operation on site shall only take place in accordance with the approved DBSMP.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of amenity of the area.

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

It is the Council's view that CIL MAY BE PAYABLE on the development hereby approved as is detailed below. If CIL IS LIABLE full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, extension or annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website:

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

or from the Planning Portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

STATEMENT

The application as submitted was acceptable and did not require the Local Planning Authority to work positively and proactively with the applicant to seek solutions to problems arising from the application.

Date: **14 July 2022**



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: 22/00358/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.