

From: [REDACTED]  
To: [Cleve Hill Solar Park](#)  
Subject: Cleve Hill Solar Park NSIP  
Date: 12 September 2019 13:23:32  
Attachments: [REDACTED]

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Dear Sir,

Further to my oral representation at the recent Issue Specific Hearing 5 (relating to the draft DCO) I am forwarding a copy of the final conditions for the London Array substation. I am doing so to assist the Examining Authority in accepting the Council's request that the dDCO Requirements (if such a DCO is to be granted) include Primary Requirements relating to hours of construction, hours of piling, waste burning on site, and external lighting, as set out in paragraph 32 of the Council's original Written Representation dated 26 June 2019.

To clarify, the Council simply seeks the inclusion in the DCO of Primary Requirements equivalent (or similar) to condition 5 , 6, 9 and 19 of the London Array permission to cover the points we are raising. The Council sees no need for the applicant's preferred flexibility in such basic controls, as the Council can see no reason why such matters should be open to flexibility. Nor will such flexibility assist either the Council or local residents in certainty or enforceability of such basic matters.

The Council thanks the Examining Authority for considering this request.

Graham Thomas  
Area Planning Officer  
Swale Borough Council  
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[REDACTED]



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**Conditions**

***Commencement of development***

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

***Approval of details***

- 2 No works of construction of the substation buildings and structures shall take place until there has been submitted to the local planning authority a scheme which accords with the principles set out in the Updated Substation Design Brief with particular reference to Figures 1 - 9 of the *Supplementary Environmental Information* (November 2006); and the local planning authority shall have approved the following elements of the scheme:-
  - i. external design, appearance and dimensions of all buildings and structures which are to be retained following the commissioning of the development;
  - ii. details of the colour and surface finishes to be used in respect of those buildings and structures referred to in (i) above; and
  - iii. phasing of the works included in the scheme.

***Traffic Management Plan***

- 3 No development shall take place until there has been submitted to, and approved in writing by, the local planning authority a Traffic Management Plan which shall include provision for:-
  - imposition of a 20 mph speed limit on heavy goods vehicle construction traffic past Graveney Primary School and proposed monitoring arrangements;
  - wheel washing of vehicles leaving the site;
  - sheeting of vehicles carrying loose materials to or from the site;
  - prevention of site vehicles parking on-road;
  - road sweeping at the site entrance;
  - heavy goods vehicle haulage routes and monitoring arrangements;
  - suitable liaison arrangements between site management and contractors/hauliers to ensure smooth flow of traffic;
  - public liaison with a Community Liaison Committee (made up of representatives of all interested parties) to review the effectiveness of the Traffic Management Plan and suggest possible adjustments where necessary;
  - public liaison with the Parish Council, and monitoring, to agree and advise on periods of high activity and abnormal loads;
  - recording of arrivals and departures and regular reporting to the Parish Council;

- managing heavy goods vehicle movements to avoid significant traffic past Graveney Primary School during drop-off and pick-up periods or when children are walking to/from the Parish Church.

The plan shall be carried out as approved.

### ***Ecological Mitigation and Management Plan***

4 No development shall take place until there has been submitted to and approved in writing by the local planning authority an Ecological Mitigation and Management Plan which shall include provision for:-

- ornithological surveys of the foreshore, inter-tidal area and onshore areas between October and March in each year of construction, and for at least one year after completion of the works;
- removal and reinstatement of rhizomes and sediment in areas of the borrow pits affected by cable or conduit installation and removal and reinstatement of areas of vegetated turf;
- collection and sowing of seed from scarce or rare species in areas of vegetated shingle affected by the works;
- measures to minimise disturbance to birds during construction, including clearance of vegetation along the cable route prior to 31 March in any year to avoid the bird breeding season;
- marking of the boundary of the Special Protection Area and Ramsar Site adjacent to Seasalter Road to avoid accidental incursion or damage by construction workers or traffic;
- briefing of staff/contractors working on the site on locations of environmentally sensitive features and working practices to safeguard these features;
- checking of watercourses and water features for water voles prior to commencement of construction;
- precautionary measures to prevent impacts on Great Crested Newts and reptiles during construction;
- protection of foreshore from damage by movement of plant/vehicles or by storage of materials through use of steel sheets or geotextile matting and removal of material used to protect the foreshore when no longer required;
- restrictions on works relating to the laying of cables from the substation to the limit of Swale Borough Council's jurisdiction in the Swale (other than clearance of vegetation along the cable route in March) taking place between 1 October and 31 March within, or within 500 metres of the boundary of, the Swale SPA and Ramsar site;
- use of native tree shrub and plant species as part of the landscaping scheme.

The plan shall be carried out as approved.

### ***Hours of Working***

5 No construction works shall take place on any Sunday or Bank Holiday, nor on any other day outside the hours of:-

Monday to Friday 0730-1900

Saturday 0730-1300

unless in association with an emergency or with the prior written agreement of the local planning authority.

- 6 No impact pile driving shall take place on any Saturday, Sunday or Bank Holiday, nor on any other day outside the hours of 0900-1700 unless in an emergency or with the prior written agreement of the local planning authority.

### **Noise Monitoring**

- 7 No development shall take place until there has been submitted to, and approved in writing by, the local planning authority, a scheme of noise monitoring points, and arrangements for access thereto, for the monitoring of noise generated by the operation of the development. The scheme shall specify the locations from which noise will be monitored, the method of noise measurement and the maximum permissible noise level generated by the operation of the development at each such noise monitoring location such that the calculated level of noise generated by the operation of the development shall not exceed 27dB LAeq (24 hour) during a 24 hour period at a point 1.2 metres above the ground and not less than 4 metres from the existing residential dwellings of Crown Cottages, Graveney Hill Farm or Cleve Farm House, except in an emergency or with the prior written approval of the local planning authority. The development shall be designed, operated and maintained in accordance with the approved scheme.

### **Pollution and Waste**

- 8 No works shall be carried out until measures for the handling and storage of any potentially polluting substances, response to spillages and provisions for surface water drainage in respect of those works have been submitted to, and approved in writing by, the local planning authority.
- 9 There shall be no burning of waste or refuse on site associated with construction works other than with the prior written agreement of the local planning authority.

### **Archaeological Works**

- 10 No works shall be carried out until the developer has secured the implementation of:-
- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved in writing by the local planning authority; and
  - ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the local planning authority.
- 11 No works shall be carried out until details of foundation designs and any other proposals involving below ground excavation have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

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- 12 No works shall be carried out until the developer has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the local planning authority.

### ***Drainage***

- 13 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the separator.
- 14 Prior to being discharged into any watercourse, surface water sewer or soakaway system water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911: 1982 with an overall capacity compatible with the site being drained.

### ***Landscaping***

- 15 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking and other vehicle and pedestrian access and circulation areas; hard surfacing materials; and an implementation programme.
- 16 Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with tree, shrub, plant and grass establishment); schedules of trees, shrubs and plants, noting species, tree shrub and plant sizes and proposed numbers/densities where appropriate.
- 17 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the commencement of the use of any part of the development or in accordance with the programme agreed with the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written approval to any variation.
- 18 Except with the agreement in writing of the local planning authority, no excavated material within the site shall be removed from the site, nor shall any soil, subsoil, rock or stone be brought on to the site other than for inclusion in any building, structure, roadway or hard surface. Details of where excavated material is to be disposed of shall be submitted to and approved in writing by the local planning authority before excavation works commence. The works shall be carried out in accordance with the approved details.

### ***Lighting***

- 19 No floodlighting, security lighting or other external lighting shall be installed or operated on the site other than in accordance with a scheme of lighting which has first been submitted to and approved in writing by the local planning authority.

### ***Cable Laying***

- 20 The laying of cables involving breaching the seawall shall not be carried out except between the months of April to September in any year.

### ***Site Access***

- 21 No works shall commence until details of the junction between the proposed access road and the highway have been submitted and approved in writing by the local planning authority. No further works, other than the construction of the access junction and any immediately necessary part of the service road, as may be agreed by the local planning authority, shall take place until the access junction has been constructed in accordance with the approved details.

