

TOWN AND COUNTRY PLANNING ACT 1990

## FULL PLANNING PERMISSION

APPLICATION NO: PA/2018/2140



Address/Agent:

[REDACTED]  
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South Wing  
Equinox North  
Great Park Road  
Almondsbury  
BRISTOL  
BS32 4QL

**Applicant:** INRG Solar (Conesby) Ltd

North Lincolnshire Council hereby gives notice that the application received on 26/10/2018 for:

**Planning permission for the installation of a renewable led energy scheme comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substations; transformer stations; access; internal access track; landscaping; security fencing; security measures; access gate; and ancillary infrastructure at Conesby House Farm, Normanby Road, Scunthorpe, DN15 8QZ**

has been considered and that permission for this development in accordance with the plans and written particulars submitted has been granted subject to the following conditions and reasons:

1.  
The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.  
The development hereby permitted shall be carried out in accordance with the following approved plans: P17-1751\_03, A12B0C0, A03B0C0, A01B0C0 and E2018-1135-001 rev C.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.  
Within 35 years following completion of construction of development, or within six months of the permanent cessation of electricity generation by the solar photovoltaic

(PV) facility hereby approved, whichever is the sooner, the solar PV panels, frames, foundations, battery storage units, substation and associated infrastructure and fencing shall be dismantled and removed from the site. The developer shall notify the local planning authority in writing no later than 28 days following cessation of power production. The site shall subsequently be restored in accordance with the approved restoration scheme no later than three months following the cessation of power production.

Reason

The application has been considered on the basis of a temporary period as set out in the planning application.

4.

Within 12 months of completion of the development hereby approved, a scheme for the decommissioning of the solar farm and restoration of the site to agricultural use shall be submitted to and approved in writing by the local planning authority. Such an approved scheme shall be implemented in accordance with the timescales set out in condition 3 above.

Reason

To ensure that the land, in its entirety, is returned to agricultural use and all works are removed from the site when no longer required, in the interests of visual amenity in accordance with policies RD2, DS1 and DS21 of the North Lincolnshire Local Plan.

5.

The surface water drainage scheme shall be implemented in accordance with the approved Flood Risk Assessment and Drainage Strategy Version 3, dated 24 October 2018, shall be completed prior to the operation of the solar park, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing by the local planning authority.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage features in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

6.

Works shall be carried out strictly in accordance with section 6.4 of the submitted Ecological Survey and Assessment Report. All biodiversity features shall be retained thereafter. Prior to the operation of the solar arrays, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with this condition.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

7.

Within six months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- (1) prescriptions for the management of existing and target acid grassland plant communities, including details of any seed mixes to be used, and details of sandy and stony ground to be provided for priority butterfly species;
- (2) details of grassland, field margin and other habitats to be created, with prescriptions for habitat creation techniques and ongoing management and detailed evidence to show that the grassland can be established around and under the proposed panels given the proposed separation distances between the solar arrays and the consequent shadowing that would result;
- (3) details of enhanced tree and hedgerow management measures with hedges to be maintained at a minimum height of 3 metres above ground level and details of any coppicing, gapping up with mixed native species and sensitive hedge trimming;
- (4) prescriptions for the management of ponds and ditches;
- (5) details of the number, type and position of bat boxes and nest boxes to be installed;
- (6) proposed timings for the above works; and
- (7) restrictions on external lighting to avoid impacts on bat foraging areas and sensitive habitats.

#### Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

8.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to operation of the solar arrays, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

#### Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

9.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

### Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health
  - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land
  - groundwaters and surface waters
  - ecological systems
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

### Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the

effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

#### Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

#### 10.

Prior to the operation of the solar park a noise impact assessment shall be submitted to and approved in writing by the local planning authority. The noise impact assessment shall be carried out with reference to:

- National Planning Policy Framework (2018);
- National Planning Practice Guidance (2014);
- BS 4142:2014 Methods for rating and assessing industrial and commercial sound;
- World Health Organisation Guidelines for Community Noise (1999);
- World Health Organisation Night Noise Guidelines for Europe (2009);
- BS8233:2014 Guidance on sound insulation and noise reduction for buildings;
- BS7445-2:1991, ISO1996-2:1987 Description of environmental noise. Part 2: Guide to acquisition of data pertinent to land use.

The assessment report shall provide details of existing background noise levels, likely operational noise sources which may impact upon sensitive receptors, mitigation methods to be employed and the resulting predicted level of noise at sensitive locations.

#### Reason

To protect the amenity of the locality and those living nearby in accordance with policy DS1 of the North Lincolnshire Local Plan.

11.

No stage of the development hereby permitted shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

Noise and vibration: The CEMP shall set out the particulars of:

- (a) the works, and the method by which they are to be carried out;
- (b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- (c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.

Light: The CEMP shall set out the particulars of:

- (a) specified locations for contractors' compounds and materials storage areas;
- (b) areas where lighting will be required for health and safety purposes;
- (c) the location of potential temporary floodlights;
- (d) identification of sensitive receptors likely to be impacted upon by light nuisance;
- (e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust: The CEMP shall set out the particulars of:

- (a) site dust monitoring, recording and complaint investigation procedures;
- (b) identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- (c) provision of water to the site;
- (d) dust mitigation techniques at all stages of development;
- (e) prevention of dust trackout;
- (f) communication with residents and other receptors;
- (g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- (h) a no burning of waste policy.

Construction operations shall take place in accordance with the approved CEMP.

Reason

To protect the amenity of the locality and those living nearby in accordance with policy DS1 of the North Lincolnshire Local Plan.

12.

Construction and site clearance operations shall be limited to the following days and hours:

- 7am to 7pm Monday to Friday
- 7am to 1pm on Saturdays

No construction or site clearance operations shall take place on Sundays or public holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To protect the amenity of the locality and for those living nearby in accordance with policy DS1 of the North Lincolnshire Local Plan.

13.

The archaeological programme of monitoring and recording shall be carried out in accordance with the *Written Scheme of Investigation for an Archaeological Strip Map & Record Investigation and Archaeological Watching Brief* document produced by Cotswold Archaeology dated January 2019, ref: 661100 and shall follow the details and timings set out in the WSI, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

14.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

15.

Within the areas of non-intrusive installation methods identified on figure 3 of the approved Written Scheme of Investigation development shall take place fully in accordance with the *Archaeological Mitigation Strategy: Construction Method*

*Statement for 'Non-Intrusive' Areas* document produced by Pegasus Group, dated January 2019.

Reason

The agreed scheme for non-intrusive methods is required in recognition of the archaeological importance of the site and to safeguard heritage assets, in accordance with policy HE9 of the North Lincolnshire Local Plan.

16.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

17.

Before development is commenced, details of the method of protecting the existing trees on the site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

To protect existing trees on the site.

18.

Prior to the solar park being brought into use, a detailed landscaping scheme shall be submitted to and approved in writing by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained.

Reason

To enhance the appearance of the development in the interests of amenity.

19.

All works indicated by the approved scheme of landscaping shall be carried out within the first planting season (1 October to 31 March) and seeding season (the month of September or April) following the granting of the permission or within such extended time period as may be agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the landscaping die, are



removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally required to be planted unless the local planning authority have given written consent to any variation.

**Reason**

To secure the timely completion and successful establishment of the approved scheme of landscaping for the site.

20.

The solar panels hereby permitted shall be constructed with a non-reflective surface finish and thereafter retained as such.

**Reason**

To protect the amenity of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

21.

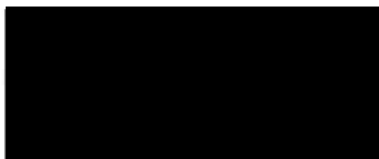
No additional external lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority. The scheme shall include details of the number, type, position, height, location, luminance and timing of the lighting and the development shall be undertaken in accordance with the agreed details and thereafter retained.

**Reason**

To protect residential amenity and to prevent adverse impacts on wildlife in accordance with policy DS1 of the North Lincolnshire Local Plan.

**Dated:** 22/02/2019

**Signed:**



**Group Manager – Development Management and Building Control**

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

**WARNING**

THIS DOCUMENT DOES NOT CONSTITUTE ANY  
APPROVAL UNDER THE BUILDING REGULATIONS

## WARNING

This is a PLANNING PERMISSION ONLY. It does NOT convey any approval or consent required under any enactment, byelaw, order or regulation other than those referred to in the heading of this notice. It is IMPORTANT that you should read the notes concerning APPEALS below.

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

#### Please note however:

If your application was for **householder development** (dwelling house extensions, alterations, garages, swimming pools, walls, fences, vehicular access, porches, satellite dishes etc) and you wish to appeal to remove or vary a condition or conditions attached to this permission then you must do so **within 12 weeks** of the date of this notice.

- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (telephone 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- 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 they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

#### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably 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 in whose area the land is situated. This notice will require the council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.