

TOWN AND COUNTRY PLANNING ACT 1990

FULL PLANNING PERMISSION



APPLICATION NO: PA/2014/0892

Applicant:

[REDACTED]
Kinetica Solar

Address/Agent:

[REDACTED]
Axis PED
Well House Barns
Bretton
CHESTER
CH4 0DH

North Lincolnshire Council hereby give notice that the application received on 14/08/2014 for:

installation of ground-mounted photovoltaic (PV) solar arrays to provide 38MW generation capacity together with inverter stations, transformer station/control building, switchgear building, internal access track, landscaping, fencing, security measures, access gate and ancillary infrastructure

at Raventhorpe Farm, Raventhorpe Farm Road, Broughton and Holme parishes, DN16 3RH

and the Environmental Assessment which accompanied it, have been considered and 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.

Within 30 years and six months following completion of construction of development, or within six months of the permanent cessation of electricity generation by the solar PV facility hereby approved, whichever is the sooner, the solar PV panels, frames, foundations, inverter and transformer buildings and all associated structures and fencing approved 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 only as set out in the application details and accompanying Environmental Statement.

3.

Within 12 months from the 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 2 above.

Reason

To ensure that the land, in its entirety, is returned to agricultural use and all works removed from the site when no longer required, in the interests of amenity in accordance with policies DS1 and LC7 of the North Lincolnshire Local Plan.

4.

Prior to development commencing, a scheme to show the details of the location of the construction site compound, details of soil stripping, storage of sub-soil and top soil, and existing and proposed finished ground levels shall be submitted to and approved in writing by the local planning authority. All work shall accord with the approved details.

Reason

To ensure suitable separation of soils to ensure future agricultural use is not compromised and to ensure an appropriate location of the site compound in the interests of the amenity of residents in accordance with policies RD7 and DS1 of the North Lincolnshire Local Plan.

5.

The construction method for installation of all PV solar panel support frames hereby approved shall use non-penetrating techniques and shall be placed directly onto the ground surface in accordance with details to be submitted to and agreed in writing with the local planning authority, prior to any development commencing, unless otherwise agreed in writing with the local planning authority.

Reason

In recognition of the archaeological importance of the site and to safeguard possible Heritage Assets.

6.

No development shall take place until the applicant or their agents or successors in title have completed the archaeological evaluation in accordance with the Written Scheme of Investigation prepared by AOC Archaeology, dated October 2014. The written evaluation report shall be submitted to the local planning authority within four weeks of the date of this permission.

Reason

In recognition of the potential archaeological significance of the site.

7.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy, as defined in a Written Scheme of Investigation that has been submitted to and approved in writing by the local planning authority at least six weeks prior to the commencement of development. The strategy shall include details of the following:

- (i) the proper identification and evaluation of the extent, character and significance of archaeological remains within the application area
- (ii) an assessment of the impact of the proposed development and its decommissioning on the archaeological remains
- (iii) measures to ensure the preservation in situ of archaeological features of identified significance through the use of non-penetrating ground surface mounted PV panels and their support frames
- (iv) measures to ensure the preservation by record of archaeological remains in advance of, and during, development
- (v) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (vi) post-fieldwork methodologies for assessment, reporting and subsequent analyses in accordance with an updated project design to be agreed by the planning authority prior to implementation
- (vii) final report content and arrangements for dissemination, and publication proposals
- (viii) archive preparation and deposition with recognised repositories
- (ix) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (x) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (xi) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

In recognition of the archaeological importance of the site.

8.

All work shall accord with the agreed archaeological mitigation strategy to be carried out in accordance with the approved details and timings, subject to any variations to be agreed in writing by the local planning authority in advance of implementation.

Reason

In recognition of the archaeological importance of the site.

9.

A copy of any assessment, 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

In recognition of the archaeological importance of the site.

10.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

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

11.

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 T2 of the North Lincolnshire Local Plan.

12.

No development shall take place until all details of temporary traffic management on the adjacent highway, including temporary signage in accordance with TSRGD and construction traffic routing, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full throughout the construction period.

Reason

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

13.

In conjunction with the requirements of the construction phase traffic management plan, a pre-commencement condition survey shall be carried out on the highway access to the site from the lay-by with the A18. Any damage caused to the highway shall be made good in accordance with details and a timetable to be submitted to and approved in writing with the local planning authority.

Reason

To protect the public highway in the interests of public safety in accordance with policy T2 of the North Lincolnshire Local Plan.

14.

The development hereby approved shall be carried out in accordance with the approved flood risk assessment (FRA) entitled 'Proposed development of solar photovoltaic panels and associated works at Raventhorpe, Scunthorpe' Edition: 03, compiled by H2OK, October 2014.

The necessary mitigation measures recommended within the FRA include:

- swales, as shown in the site drainage layout detailed within Appendix B, providing a surface water attenuation volume of at least 1080m² as suggested within section 6.3;
- construction of any related access tracks using a permeable substance as detailed within section 6.3.

The approved mitigation measures shall be fully implemented before the development is completed.

Reason

To prevent flooding by ensuring the satisfactory storage of surface water from the site and reducing the surface water run-off generated by the proposed development in accordance with policies DS13, DS14, and DS16 of the North Lincolnshire Local Plan and Section 10 of the National Planning Policy Framework and Core Strategy.

15.

The rating level of noise emitted from the operation of plant shall not exceed 35dB, measured as LAeq, 5 minutes at any residential boundary. The definition of rating level shall be as described in BS4142:1997.

Reason

For the protection of residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

16.

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. This shall include details of mitigation measures for the control of pollution including noise, dust, and light and shall include proposed construction hours. All

construction work shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the local planning authority.

Reason

For the protection of residential amenity during construction of development in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

17.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure all contamination is properly dealt with to protect against pollution of the environment in accordance with policy DS7 of the North Lincolnshire Local Plan.

18.

Within one month of the date of this decision notice a biodiversity management and landscape plan shall be submitted to and approved in writing by the local planning authority. The plan shall include:

- (i) details of measures to avoid harm to nesting birds and protected species during construction and ongoing management;
- (ii) details of uncropped cultivated margins to be established and managed in areas of sandy or sandy loam soils in accordance with the Natural England EF11 Entry Level option (dated 2013) and the Plantlife leaflet 'Arable Plants - A management Guide' dated 2009;
- (iii) details of grassland, including the grazing land underneath and around the solar installation, field margin and other habitats to be created, including management responsibilities and maintenance schedules for the life of the development. Details shall include grazing regimes, grazing levels, grass seed mixes and access for animal welfare purposes;
- (iv) details of enhanced hedgerow management measures, including coppicing and gapping up with mixed native species, and sensitive hedge trimming, including management responsibilities and maintenance schedules for the life of the development hereby approved, with all hedges to be maintained at a minimum height of 3 metres above ground level unless otherwise agreed in writing with the local planning authority;
- (v) details of bat boxes, barn owl boxes and other nest boxes to be installed;
- (vi) proposed timings of the above works;
- (vii) details of all proposed tree and shrub planting, including species, spacing, sizes, numbers, and management and maintenance schedules. The planting

layout shall accord the master landscape plan shown on Figure 5.6 of the accompanying Environmental Impact Statement.

Reason

To create, protect and enhance features of recognised nature conservation importance in accordance with policy CS17 of the North Lincolnshire Core Strategy, Section 11 of the National Planning Policy Framework and policies LC5, LC6, LC7, LC12 and LC15 of the North Lincolnshire Local Plan.

19.

The biodiversity and landscape management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, for at least the duration of the development unless otherwise approved in writing by the local planning authority. In accordance with the timetable of works set out in the approved biodiversity and landscape management plan the applicant or their successor in title shall submit a report to the local planning authority providing evidence of compliance with the biodiversity and landscape management plan within 28 days of the completion of the works. Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To protect and enhance features of recognised nature conservation importance and to provide screening in accordance with policy CS17 of the North Lincolnshire Core Strategy, Section 11 of the National Planning Policy Framework and policies LC5, LC6, LC7, LC12 and LC15 of the North Lincolnshire Local Plan.

20.

No site clearance shall take place during the bird nesting period unless otherwise agreed in writing with the local planning authority.

Reason

To protect the nesting birds in accordance with policy LC5 of the North Lincolnshire Local Plan and the Wildlife and Countryside Act.

21.

No development shall take place until an arboricultural impact assessment, a tree and hedge protection plan and an arboricultural method statement have been submitted to and approved in writing by the local planning authority and the works shall be carried out as approved during all construction works.

Reason

To protect trees and hedges from damage in accordance with policy LC12 of the North Lincolnshire Local Plan.

22.

No trees or hedges 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/hedges without the previous written consent of the local planning authority. Any trees or hedges removed without such consent, or dying or being severely damaged, or becoming seriously diseased, shall be replaced with trees/hedges of such size and species as may be agreed with the local planning authority.

Reason

To ensure satisfactory landscaping of the site to provide adequate screening of the development and appropriate biodiversity enhancements all as set out in the Environmental Statement accompanying the application and in accordance with policies LC6 and LC7 of the North Lincolnshire Local Plan.

23.

No floodlighting shall be installed at the site, once operational, other than infra red lighting as shown in the application details.

Reason

To protect residential amenity and to prevent adverse impacts on wildlife in accordance with policies DS1 and LC5 of the North Lincolnshire Local Plan.

24.

Within two months of the date of this decision a detailed scheme indicating the proposed permissive bridleway as shown on a plan submitted on 7 October 2014 shall be submitted to and approved in writing by the local planning authority. Such an approved scheme shall show the surfacing and suitable signage indicating the route of the bridleway for users, together with the proposed maintenance of the permissive bridleway. The bridleway shall be provided in accordance with the approved details within two months of the approved solar farm becoming operational, and shall thereafter be so retained for the life of the development.

Reason

To provide enhanced access to the site in accordance with the requirements of the National Planning Policy Framework and policy T6 of the North Lincolnshire Local Plan.

25.

Public Right of Way 212 shall be protected against obstruction and damage during the construction period in accordance with a scheme to be submitted to and approved in writing with the local planning authority prior to work on site commencing. Such an approved scheme shall be retained at all times during construction works.

Reason

To protect access for the public in accordance with policy T6 of the North Lincolnshire Local Plan in the interests of amenity.

26.

Within two months of the completion of the development two interpretative boards shall be displayed in accordance with a scheme submitted to and approved in writing by the local planning authority which shall show the materials, position, size, content,

means of fixing and maintenance schedule. The approved boards shall be displayed in accordance with the approved details in perpetuity in relation to the medieval village and for the life of the development in relation to the solar farm hereby approved.

Reason

To promote facilities for the enjoyment and education of the public regarding the solar farm industry and the historic asset at Raventhorpe Ancient Monument in accordance with the National Planning Policy Framework.

27.

The development shall be carried out strictly in accordance with the approved plans: site location plan, Figure 1 received 13 August 2014; topographical survey drawings 1215/1315 1 and 2; application boundary 1517-01-01 rev A; indicative layout drawing 1517-01-02; proposed access route Figure 2 received 13 August 2014; Indicative elevation of solar panels 1517-01-03; inverter station details 1517-01-04; details of transformer station 1517-01-05; details of switchgear building 1517-01-06; cross-section of access track construction 1517-01-07; security fence and gate details 1517-01-08; typical pole mounted CCTV installation 1517-01-09; proposed security fencing layout plan 1517-01-10; proposed route of permissive bridleway 1517-01-11; Amended Flood Risk Assessment entitled 'Proposed Development of Solar PV Panels and Associated Works at Raventhorpe, Scunthorpe' dated 28/10/2014 by H2OK received by the local planning authority on 3 November 2014 and Design and Access Statement received on 13 August 2014.

Reason

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

Dated: 5 November 2014

Signed:



Head of Development Management

Informative 1

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.

Informative 2

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable drainage systems (SuDS) are an approach to surface water run-off which seeks to mimic natural drainage systems and retain water on site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. Support for the SuDS approach is set out in the National Planning Policy Framework.

Informative 3

This large site overlies an area of complex geology, including aquifers classified as principal, secondary A and unproductive. The Environmental Statement has not considered risks to the underlying aquifers, but this is acceptable as the proposed use is unlikely to impact on groundwater.

Informative 4

Any facilities for the storage of oils, fuels or chemicals should be provided with secondary containment that is impermeable to both oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval in writing. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment, the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges, and sight gauge must be located within the secondary containment. The secondary containment should have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund. More information on the minimum legal requirements is contained in 'Above ground oil storage: PPG 2' available online at <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>.

Informative 5

Advice on maximising biodiversity benefits within solar developments is available in BRE (2014) Biodiversity Guidance for Solar Developments. Eds G E Parker and I Greene.

Informative 6

The assessment of the impact toward Doncaster Airport has been carried out in relation to the Glint and Glare assessment as provided by Kinetica Energy. Should the solar farm have any adverse effect towards aviation other than those described in the assessment, the applicant shall provide further assessments for consideration and approval in writing by the local planning authority in the interests of airport safety.

WARNING

THIS DOCUMENT DOES NOT CONSTITUTE ANY
APPROVAL UNDER THE BUILDING REGULATIONS 1985

WARNING

1. 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.
2. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Planning Inspectorate, in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 304A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN .

The Planning Inspectorate has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Planning Inspectorate is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

3. If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Planning Inspectorate, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council in whose area the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. In certain circumstances a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.