

19/01882/FUL

**Installation and operation of a solar farm and associated infrastructure.
at South Lowfields Farm Lowfield Lane Kirkby Fleetham North Yorkshire
for Lightsource SPV 155 Limited.**

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site lies to the south east of Kirkby Fleetham, north east of Little and Great Fencote and west of the River Swale. The site comprises approximately 226 acres and is currently in agricultural use. The site is accessed from the existing farm track off Lowfield Lane to the north of the Site.
- 1.2 The site is broadly flat in character with well-established hedgerows and small woodland blocks on field boundaries. The surrounding landscape is predominantly rural with limited areas of woodland in all directions. The fields surrounding the site comprise of further farmland, with a sewage works located adjacent to the western boundary and high voltage electrical infrastructure crossing the site.
- 1.3 The application is for the installation and operation of a solar farm and associated infrastructure. This includes solar PV panels, substations, transformers, monitoring house, toilet facility, security fencing, access track within the site and CCTV security system.
- 1.4 This Solar Installation will have a generation capacity of 49.9 megawatts (MWp) and will generate enough electricity to power the equivalent of 15,730 houses annually. This will result in 19,800 fewer tonnes of carbon dioxide emissions from energy generation in the UK each year.
- 1.5 The proposal is for a temporary development for the operational life of the solar farm. At the end of the solar array's operational lifetime, all equipment associated with the Solar Installation will be removed and the land restored to sole agricultural use. If a defined permission term is required by Council, then a minimum term of 30 years is requested. Solar PV panels are currently manufactured with performance warranties of 30years plus – this guarantees the performance of the panels to a certain minimum level at year 30 of operation, the panels will continue to work efficiently and economically well beyond this performance warranty period.
- 1.6 The application is supported by the following reports:
 - Solar Photovoltaic Glint and Glare Study
 - Transport Statement
 - Aquatic Habitat Assessment
 - Sequential Test Analysis
 - Construction, Decommissioning and Traffic Management Assessment
 - Agricultural Land Classification
 - Landscape and Visual Appraisal
 - Landscape and Biodiversity Management Plan
 - Great Crested Newt Assessment
 - Ecological Appraisal
 - Statement of Community Involvement

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 19/00888/SCR - Request for screening opinion pursuant to Town and Country (Environmental Impact Assessment) Regulations 2017 for a 49.9mw solar installation – Environmental Statement Not Required
- 2.2 15/02801/SCR - Screening opinion for a solar farm – Environmental Statement Not Required
- 2.3 10/01404/FUL - Construction of an agricultural building for the housing of livestock and the storing of associated bedding materials and feed stuffs as amended by plans received by Hambleton District Council on 10 and 12 August 2010 - Granted

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

- Core Strategy Policy CP1 - Sustainable development
- Core Strategy Policy CP2 - Access
- Core Strategy Policy CP4 - Settlement hierarchy
- Core Strategy Policy CP15 - Rural Regeneration
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Core Strategy Policy CP17 - Promoting high quality design
- Core Strategy Policy CP18 - Prudent use of natural resources
- Core Strategy Policy CP21 - Safe response to natural and other forces
- Development Policies DP1 - Protecting amenity
- Development Policies DP3 - Site accessibility
- Development Policies DP6 - Utilities and infrastructure
- Development Policies DP9 - Development outside Development Limits
- Development Policies DP10 - Form and character of settlements
- Development Policies DP26 - Agricultural issues
- Development Policies DP28 - Conservation
- Development Policies DP29 - Archaeology
- Development Policies DP30 - Protecting the character and appearance of the countryside
- Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
- Development Policies DP33 - Landscaping
- Development Policies DP34 - Sustainable energy
- Development Policies DP36 - Waste
- Development Policies DP43 - Flooding and floodplains

4.0 CONSULTATIONS

- 4.1 Kirkby Fleetham with Fencotes Parish Council – Wishes to see the application approved.
Some concern raised over the transportation route especially during school pick up and drop off times. Recommend approval subject to conditions controlling the movement of HGVs during construction
- 4.2 Environment Agency - Provided the LPA are happy that the FRA demonstrates that the site does not lie within functional floodplain then we have no objections to the proposed development subject to the works being carried out in accordance with the FRA and subject to a condition relating to compensatory storage.

- 4.3 Natural England – No Objection
- 4.4 Northern Gas – Objection based on proximity of building to existing gas pipeline. Negotiations ongoing, however, it is expected that an agreement can be reached that will enable the lifting of the objection.
- 4.5 NYCC Archaeologist – Geophysical survey indicated a complex multi-phase settlement that was previously unrecorded. NYCC Archaeologist agrees that mitigation should advance understanding of the new settlement and safeguard it for the lifetime of the solar farm (removing the threat from degradation from the plough). Currently awaiting formal comments on the mitigation strategy
- 4.6 NYCC Highways – No objection subject to conditions
- 4.7 NYCC Lead Local Flood Authority – No objection
- 4.8 MOD Safeguarding-RAF Leeming – No objection subject to conditions to ensure the removal of bird attractants (loose earth, pooling on site etc).
- 4.9 SABIC UK – No Observations
- 4.10 Public Representations – 18 Representations in support of the development and 3 objecting have been received. The issues raised are summarised below:

Concerns raised include:

- Routing of vehicles during construction and management of the development
- Disruption during construction
- Impact on breeding birds in the area

Supporters of the scheme raise:

- Local and national benefits to the environment
- Site is well screened
- Scheme will enhance wildlife
- Disruption would be short-lived
- Once installed it will not be visible
- Opportunity for farm diversification
- Solar energy should be encouraged
- Will help to reach regional carbon targets
- Will reduce farm related traffic in long term
- Combat climate change

5.0 OBSERVATIONS

- 5.1 Having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, applying all relevant Development Plan policies, and considering all other policy and guidance (including the NPPF and PPG) and all other material planning considerations, including representations received, it is considered that the main planning considerations raised in relation to the determination of this application are as follows:

- The principle of the development, including national and local planning policies on solar energy and Agricultural Land Classification
- Impact on landscape and the character of the countryside
- The cumulative impact of this and other solar schemes
- Impact on Heritage Assets and Archaeology

- Drainage and flooding
- Neighbour amenity, health and safety
- Ecology
- Highways, access and construction issues
- Community involvement

The Principle of development, including national and local planning policies on solar energy and agricultural land classification

- 5.2 Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the NPPF deals with the promotion of renewable energy projects. Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 5.3 Paragraph 150 of the NPPF indicates that new development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.
- 5.4 Paragraph 154 of the NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.
- 5.5 In terms of Development Plan policy, Core Strategy Policy CP1 indicates that the use and development of land will be assessed against the community's housing, economic and social requirements, protection and enhancement of the natural and built environment and minimisation of energy consumption and the need to travel. Proposals will be supported if they promote and encourage or protect and enhance: the conservation of scarce resources and reduction of their use, and encouragement to the use of sustainable resources.
- 5.6 Core Strategy Policy CP4 states that outside of development limits development will only be supported when an exceptional case can be made for the proposals in terms of Policies CP1 and CP2, and where inter alia it would make provision for renewable energy generation, of a scale and design appropriate to its location.
- 5.7 LDF Policy DP34 of the Hambleton Local Development Framework Development Policies states that development proposals should minimise energy demand, improve energy efficiency and promote energy generated from renewable sources.

The Policy goes on to state that developments will be promoted which enable the provision of renewable energy through environmentally acceptable solutions.

- 5.8 Government Guidance “Planning for renewable and low carbon energy” encourages the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value. Where a proposal involves greenfield land, the following will also need to be taken into account: whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- 5.9 The site was subject to an Agricultural Land Classification (ALC) survey, conducted in April 2019. This identifies approximately 21ha as grade 3a (Best and Most Versatile Land), approximately 58ha as grade 3b (not BMV land) and approximately 21ha as grade 4 (not BMV land).
- 5.10 Grade 3a is considered to be the Best and Most Versatile agricultural land (BMV). Hambleton District is mainly Agricultural Grading 2 and 3, with small areas of Grade 1 and 4 land. The NPPF states that Local planning authorities should recognise the economic and other benefits of the best and most versatile agricultural land. Footnote 53 indicates that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
- 5.11 Development Plan policy CP16 “Protecting and Enhancing Natural and Man-made Assets” specifically refers to BMV in its introductory text (as part of the open countryside) and states: “Development or activities will not be supported which:
- i. Has a detrimental impact upon the interests of a natural or man-made asset;
 - ii. Is inconsistent with the principles of an asset’s proper management;
 - iii. Is contrary to the necessary control of development within nationally or locally designated areas.”

In this regard, BMV is clearly an asset that would normally be protected under this policy.

- 5.12 In this case the majority of the land falls under grades 3b and 4 which are not considered the best and most versatile land. The applicant argues that the site has also been considered in relation to proximity to the Leeming Bar substation which is the point of connection to the National Grid. The proposed grid connection therefore will not need to cross main roads or railway lines and can be a prohibitively costly and technically problematic issue for the development of solar farms.
- 5.13 It is noted that the development would be temporary (30-40 years) and the use reversible, with little in the way of ground disturbance. The proposal would not lead to an irreversible loss of agricultural land irrespective of land quality. This argument has been accepted by Planning Inspectors and the Secretary of State in considering appeals relating to BMV and also by this Council in the determination of previous applications for solar farms. The proposal has also been designed to accommodate sheep grazing beneath and between the rows of solar panels, to maintain grasslands within the Site and maintain an agricultural use.
- 5.14 A sequential test was also carried out by the applicant. The report indicates that the size of a suitable study area depends on the size of the electricity generating

station. The cost of connection to the electrical grid increases substantially with distance from the connection point. Therefore, the maximum viable distance from the site to the point of electrical connection to the grid has been determined to be no more than 4 km. This results in a 4 km radius of the Leeming Bar substation.

- 5.15 Within the study radius, land to the west of the A1 was discounted due to the requirement of the connection to cross the A1 to reach the Leeming Bar substation. To the east of the A1 agricultural land with a classification grade of 2 or higher was discounted. Topography, scale and proximity to residential dwellings and public rights of way were also considered in the search for an appropriate site. The chosen site benefits from local undulation and significant screening from existing woodland areas which acts to reduce the visual extent of the development.
- 5.16 It is considered that, in principle, the proposed development meets the requirements of national and local policy.

Impact on landscape and the character of the countryside

- 5.17 LDF Policy DP30 advises that the openness, intrinsic character and quality of the District's landscape will be respected and where possible enhanced. Throughout the District, the design and location of new development should take account of landscape character and its surroundings, and not have a detrimental effect on the immediate environment and on any important long distance views.
- 5.18 Paragraph 170 of the NPPF indicates that Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- 5.19 A Landscape and Visual Impact Assessment (LVIA) was submitted with the application assessing the effect of the proposed development upon the landscape character.
- 5.20 The assessment indicates that the development site is located in an area with established screening giving rise to limited open views. Screening is afforded by extensive existing vegetation both onsite and within the surrounding context. The site has a relatively flat and low-lying topography within the site. A large embankment alongside the River Swale reduces the visibility from the east. The existing screening provides multiple layers of vegetation which effectively block and filter views of the Development. There will be some filtered views of the Development from the network of local roads and public rights of way that cross the area. Additional mitigation planting is proposed as part of the Development which will further reduce views, and both add to the exiting vegetation layers in the landscape.
- 5.21 The proposed development will result in a change to the character of the landscape in this area, through the installation of what are effectively industrial structures. However, overall it is considered that the degree of harmful impact of the development on local landscape character is low.

The cumulative impact of this and other solar schemes

- 5.22 The National Planning practice Guidance indicates that cumulative impacts require particular attention, especially the increasing impact that large scale solar farms can have on landscape and local amenity as the number of solar arrays in an area increases; local topography is an important factor in assessing whether large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas.
- 5.23 The closest array to the development site is sited at land to the North East of Ainderby Steeple. This solar farm was approved in 2014 and has been installed. The remaining installed arrays beyond this are located some distance away at Dalton, Huthwaite and Easingwold. It is considered that the cumulative impact on the landscape in this case is acceptable.

Impact on Heritage Assets and Archaeology

- 5.24 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area. LDF policy DP28 states that conservation of the historic heritage will be ensured by [...] ii. identifying, protecting and enhancing Conservation Areas; [...] Development within or affecting the feature or its setting should seek to preserve or enhance all aspects that contribute to its character and appearance, in accordance with the national legislation that designates the feature, and in the case of a Conservation Area, any appraisal produced for that Area. Permission will be granted, where this is consistent with the conservation of the feature, for its interpretation and public enjoyment, and developments refused which could prejudice its restoration. Particularly important considerations will include the position and massing of new development in relation to the particular feature, and the materials and design utilised.
- 5.25 In addition to this the NPPF sets out the following guidance for the assessment of development affecting designated heritage assets:

Paragraph 193: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 196: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal

Paragraph 200: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

- 5.26 The application site borders the eastern edge of the Kirkby Fleetham Conservation Area. Kirkby Fleetham is situated around a spacious village green of about 4 acres. On three sides the green is enclosed by modest buildings, on the south east side

there are no buildings giving an uninterrupted view to the countryside beyond (towards the application site). This has been taken into account in the design of the layout of the array so that the panels are adequately separated from the edge of the Conservation Area. In this regard it is considered that there will be no significant impact on the character of the Conservation Area.

- 5.27 A heritage impact statement was submitted in support of the application. The statement indicates that data provided by the National Mapping Programme identifies a number of potential subsurface archaeological remains. Despite the past agricultural activities on the land which has destroyed surface evidence, there was a medium-high potential that subsurface remains have survived. A geophysical survey was recommended.
- 5.28 During the life of the application the geophysical survey was undertaken. The survey indicated a complex, multi-phase settlement that was previously unrecorded. In response to this the applicant proposed a mitigation strategy to advance the understanding of the new settlement and safeguard it for the lifetime of the solar farm whilst also removing the threat of degradation from the plough. At the time of writing North Yorkshire County Council's Archaeologist and the applicant were in the process of agreeing the details of the mitigation strategy and conditions. NYCC Archaeologist has confirmed, however, that the remaining issues can be addressed through the mitigation strategy and planning conditions.

Drainage and flooding

- 5.29 Paragraph 158 in NPPF states that developments located within Flood Zone 3 should apply a risk based sequential test in order to steer the proposed development towards areas classed as having a lower probability of flooding. Paragraph 159 and 160 in NPPF does, however, acknowledge that under certain circumstances it may not be possible to locate the development on land identified as having a lower risk of flooding (Flood Zone 1) but the benefits of the development should be clearly stated.
- 5.30 A large section of the site is recorded as being located within flood zone 3b – functional floodplain. A flood risk assessment has therefore been carried out which includes detailed flood modelling. The flood risk assessment concludes that the Flood modelling has demonstrated that the development is not located within the functional floodplain, as large flood embankments are located adjacent to the River Swale. The Development site should be considered as being located within Flood Zone 3a and benefitting from flood defences.
- 5.31 Subsequently the Environment Agency was consulted and have responded as follows: The FRA submitted with the application details that the site should not be classed as functional floodplain based on detailed modelling that the applicant has carried out. This would appear to be backed up by the historic information also detailed within the FRA. Provided the LPA are happy that the FRA demonstrates that the site does not lie within functional floodplain then we have no objections to the proposed development subject to the works being carried out in accordance with the FRA and a condition relating to compensatory storage.
- 5.32 As the development has been determined to be located in flood zone 3a and the development is classed as 'Essential Infrastructure' an exception test is required. The Planning Practice Guidance to the NPPF also states that the two criteria set out in the Exception Test should be applied to developments:

1. It must be demonstrated that the Development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment; and

2. A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

5.33 In response to this the applicant argues that the primary function of the Development is to produce green energy for export to the National Grid. Sections 2.2.1 to 2.2.6 of the Flood Risk Assessment have demonstrated that onsite flood risk, and the potential risk of offsite flooding, will not increase as a result of the Development. Additionally, it is considered that the Development will provide significant wider sustainability benefits in terms of a significant supply of renewable energy to the National Grid.

5.34 Sections 2.2.4 and 4 of the Flood Risk Assessment demonstrate that current surface water runoff rates will be maintained for the life time of the Development, as climate change allowances have been factored into surface water runoff calculations. The embedded development design ensures that the non-critical elements of the development have been designed to be flood resilient (PV arrays) while the critical infrastructure has been designed to be flood resistant. An evacuation plan for construction contractors will be established in the event that overtopping (or possible breach of) flood defences to the west of the development site during the construction phase. Similarly, an evacuation plan for visiting servicing personnel will also be in place during the operational phase.

Neighbour amenity, health and safety

5.35 Policy DP1 states that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight.

5.36 During the construction phase the applicant has indicated that excavation requirements are minimal and no large machinery is required. During the operation phase some noise will be generated by inverters, transformers and the substation, however, given the distance to neighbouring dwellings this is unlikely to have a significant impact on amenity.

5.37 A Glint and Glare assessment has been carried out to assess the impact of the development on aviation. For clarity the following definitions are provided by the applicant:

Glint – a momentary flash of bright light typically received by moving receptors or from moving reflectors.

Glare – a continuous source of bright light typically received by static receptors or from large reflective surfaces.

The assessment found that the orientation of the panels in relation to the assessed flight paths and approach points would negate any impact on aviation.

5.38 Due to the presence of a Northern Gas Networks pipeline which runs through the centre of the site, northern Gas raised a holding objection to development pending consultation with their technicians. During the life of the application the applicant has liaised with Northern Gas Networks to ensure that the site can be developed and operated safely. At the time of writing there was general agreement that a designated crossing point for vehicles should be agreed. This crossing point may need to be reinforced to ensure that heavy vehicles do not damage Northern Gas

assets underground. It is considered that this information can be agreed by condition.

Ecology

- 5.39 The ecological appraisal submitted with the application state that the only habitats of value that will be lost to the Development will be small amounts of semi-improved grassland, which represents a limited amount of the Site's overall ecological value. Following changes to management of habitats on the site to maximise benefits for biodiversity, the change in land use will provide a net gain in the ecological value of the grassland beneath and between the solar panels and in areas outside the solar panel footprint.
- 5.40 Enhancements have been proposed with the aim of providing a local net biodiversity gain, such as planting additional hedgerows to connect the Site to a wider area, filling in existing hedgerow gaps, creation of log/brush/grass piles and installing bird and bat boxes. Mitigation measures have been recommended to minimise the risk of harm to badgers, bats, reptiles and birds during the construction phase of the Development. It is recommended that a condition be included in the decision requiring the development to be carried out in accordance with the ecological appraisal.

Highways, access and construction issues

- 5.41 The Highways Officer has commented as follows: It is acknowledged that the main concern from a highway perspective is the routing of construction traffic to and from the application site. The most suitable route for construction/delivery vehicles has already been highlighted by the applicant within the Transport Statement and it is agreed that access via the B6271 and Langton Bridge is not appropriate. Whilst the width of Lowfield Lane is of concern for the Local Highway Authority with regard to HGV movements, it is accepted that vehicle trips will only form a temporary intensification on the local network. The timing of HGV vehicles making deliveries to the site will reduce the chances of large vehicles meeting on Lowfield Lane. There is no Highways objection subject to conditions relating to highways condition survey and construction management plan.

Community involvement

- 5.42 The applicant held a public community information event on Wednesday 12th June 2019 at the Kirkby Fleetham Village Hall between 4pm and 6:30pm. Earlier in the day two other sessions were held for Councillors and Parish Councillors. The Council is in receipt of an information pack which was available at the event. A public notice was placed in the 1st June 2019 editions of the Darlington & Stockton Times and The Northern Echo inviting people to the event. Copies of the information leaflets, along with invitations to the Information Event were sent to the local MP, County Councillor, Ward Councillors, District Councillors and Parish Council. A site walkover was arranged with Kirkby Fleetham and Fencote Parish Councillors on Wednesday 12th June 2019. Three representatives of Lightsource BP attended the meeting, the purpose of which was to provide members with an overview of the proposal while viewing the site. A summary of feedback gathered at the event was provided along with the applicants responses in the Statement of Community involvement.
- 5.43 In addition a further event was held on request of the Parish Council in order to discuss the construction traffic. Following the meeting the transport statement was updated to reflect feedback from the community. The Highways Officer has subsequently confirmed that the update is acceptable.

Planning Balance

- 5.44 The proposed development will result in a detrimental impact on the appearance of the local landscape. However, owing to the landscape form, the scope of this impact is considered to be limited. The development will result in the loss of Best and Most Versatile farm land. This loss is relatively transient and not considered to be sufficient to warrant a recommendation for refusal. The proposed development will have an impact on the use of the local highway network, although this is mitigated through the provision of a detailed transport management plan. It is considered that the relatively minor detrimental impacts of the proposed development are sufficiently offset by the environmental gains through the provision of renewable energy on the scale proposed to allow the proposed development to be recommended for approval.

6.0 RECOMMENDATION:

- 6.1 That subject to any outstanding consultations the application be **Granted** subject to any outstanding consultations and subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered:

South Lowfield Farm_Proposed Layout_Rev15 Slow_01 received 11th October 2019

Road Cross Section RCS_01 received 4th September 2019 CCTV Pole Details CCTV_01 received 4th September 2019

Deer Fence Details inc. Mammal Gates DRF_01 received 4th September 2019

Landscape Masterplan 3362-DR-LAN-101 Revision E received 4th September 2019

Panel Elevation 4 Landscape for Bifacial PNL_4L-BI received 4th September 2019

Switchgear/Production Substation/MV&LV Kiosk Details SWS_01 received 4th September 2019

Toilet Cabinet Details TLT_01 received 4th September 2019

Transformer Details TFM_01 received 4th September 2019AC

Box Details ACB_01 received 4th September 2019

Auxiliary Transformer Details AUX_01 received 4th September 2019

Customer Substation Building Details CSS_01 received 4th September 2019

DNO Building Details DNO_01 received 4th September 2019

Monitoring House/Communication Building Details MTH_01 received 4th September 2019

Storage Building Details STG_01 received 4th September 2019

3. The permission hereby granted is for the development to be retained for a period of not more than 30 years from the date when electricity is first exported to the electricity grid (First Export Date), or in the event that electricity is not exported to the electricity grid from the date that works first commenced on site. Written confirmation of the First Export Date shall be submitted in writing to the Local Planning Authority within one month of the First Export Date.

4. Unless otherwise approved in writing by the Local Planning Authority, there shall be no heavy commercial vehicles brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority.
5. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
 - a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. wheel washing facilities
 - e. measures to control the emission of dust and dirt during construction
 - f. HGV routing and delivery timings
 - g. Deliveries to be arranged to avoid school opening and closing times
6. Details of a scheme for compensatory storage are to be submitted and agreed in writing with the Local Planning Authority. The scheme is to be in line with the details submitted within section 2.2.1.4 of the Flood Risk Assessment.
7. No development for any phase of the development shall take place until a Call Off Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details for the removal of attractants (compaction of loose earth and drainage of any ponding or pooling on site) should the construction be attracting and supporting hazardous birds (gulls and other soaring birds that could potentially increase the bird-strike risk to aircraft operations).
8. Archaeology condition to be agreed with NYCC subject to ongoing site investigation
9. Potential condition relating to the safeguarding of the gas pipeline (details to be discussed with SABIC)

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) CP1, CP16, CP17, DP1, DP28 and National Planning Policy Framework.
3. In the interests of the open character of the rural surroundings, in accordance with Local Development Framework Policy CP16 and DP30.
4. In accordance with Policy CP2 and DP3 and in the interests of highway safety and the general amenity of the area.
5. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity.

6. To ensure that there is no loss of storage from the floodplain and that flood flows are not displaced onto others.
7. To ensure the safety of passing aircraft.
8. In order to ensure that archaeological remains are protected in accordance with Development Policy DP29.
9. In order to ensure the safety of the SABIC pipeline.