

**Standard Condition**

1. *The development to which this permission relates must be begun not later than the expiration of five years from the date of this permission.*

**REASON**

*To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.*

**Defining Conditions**

2. *The development hereby permitted shall not be carried out except in complete accordance with the following approved plans and documents:*
  - a. *The Location Plan P.Nailcote Farm/04 REVA*
  - b. *The Planning Layout Drawing P. Nailcote Farm/09 REVE*
  - c. *Section Views drawing P. Nailcote Farm/06RevB (sheets 1 and 2)*
  - d. *DNO Building - P007039/11/DNO Subsections REVA*
  - e. *Access Plan 2210072/05*
  - f. *Landscape Strategy Plan P24-1827\_EN\_008*
  - g. *Drainage Strategy (document NFW/BWB/ZZ/XX/RP/CD/0001/DS Rev PO7) prepared by BWB Consulting Ltd*
  - h. *The Flood Risk Assessment NFW/BWB/ZZ/XX/RP/YE/001/FRA/Rev PO7.***
  - i. *3D Basins and Sections - NFW-BWB-ZZ-XX-DR-CD-002 Rev P01*

**REASON**

*In order to define the extent and scope of the permission.*

3. *“The generating capacity of the development hereby approved shall not exceed 49.9 MW(AC)”*

**REASON**

*In order to define the development such that it accords with approved plans.*

4. *The planning permission hereby granted shall be for a temporary period only, to expire 40 years after the date of the first commercial export of electrical power from the development. Written confirmation of the first export date shall be provided in writing to the Local Planning Authority within one month after the event.*

**REASON**

*In order to confirm that this permission is for a temporary period only and so as*

*define the extent and scope of the development.*

5. *If the solar farm hereby permitted ceases to operate for a continuous period of twelve months, and/ or at the end of the 40 year period referred to in condition 4 then a scheme for the de-commissioning and removal of the solar farm and all of its ancillary equipment shall be submitted in writing to the Local Planning Authority within six months of the cessation period. The scheme shall make provision for the removal of the solar panels and associated above and below ground works approved under this permission. The scheme shall also include the details of the management and timing of the de-commissioning works, together with a traffic management plan to address any likely traffic impact issues during the de-commissioning period together with the temporary arrangements necessary at the access onto Meriden Road (the B4102) and an environmental management plan to include details of the measures to be taken during the de-commissioning period to protect wildlife and habitats as well as details of site restoration measures. For the avoidance of doubt, the landscape planting and bio-diversity improvements approved under this permission shall be excluded from this condition.*

**REASON**

*In order to define the scope of the permission and to confirm that it for a temporary period only. The case of the grant of planning permission is that the development is for a 40-year life-span and is thus reversible. The condition deals with the operational requirements on that de-commissioning.*

6. *The scheme as agreed in writing by the Local Planning Authority under condition 5 shall be implemented in full within twelve months of the cessation of the site for the commercial export of electrical power, whether that cessation occurs under the time period set out in condition 4, but also at the end of any continuous cessation of the commercial export of electrical power from the site for a period of twelve months.*

**REASON**

*In order to ensure the satisfactory re-instatement of the land.*

**Pre-Commencement Conditions**

7. *Notwithstanding the approved plans defined in condition 2, prior to their erection on site, details of the proposed materials and finish, including colour, of all solar panels, frames, ancillary buildings, equipment, fences and enclosures, and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved details and shall be maintained as such for the lifetime of the development.*

## REASON

*In the interests of the appearance of the area.* The condition enables any changes that may be required by the appellant since submission to be included in a final discharge of condition application.

8. *Notwithstanding the submitted details, no works, site clearance or development shall take place until an Arboricultural Method Statement and Scheme for the Protection of any retained trees and hedgerows has first been agreed in writing by the Local Planning Authority. The Scheme shall include a plan showing details and positions of the ground areas to be protected areas and details of the position and type of protection barriers to be installed prior to construction works first starting on site and to be maintained for the duration of the construction period.*

## REASON

*In the interests of the appearance of the area and to ensure that there is no avoidable loss of landscaping and bio-diversity enhancement.* Local Plan policy LP35 applies here as well as Local Plan policy LP16 (Natural Environment) on the need to retain the importance of the natural environment. As above the condition enables a final detailed submission to be made following any changes sought by the appellant.

9. *No external lighting shall be erected/used on site unless details of that lighting have first been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and thereafter maintained in accordance with the approved details for the lifetime of the development.*

## REASON

*In the interests of the residential amenity of neighbouring occupiers and to protect landscape character.* Local Plan policy LP29 on Development Considerations at point 9 requires there to be avoidance of impacts such as those that might arise from new lighting. Local Plan policies LP30 and LP35 and Neighbourhood Plan policies FNP01 and FNP02 relate to landscape considerations. No details or specifications have yet been submitted.

10. *No development shall take place on site including any site clearance or preparation prior to construction, until all of the following have been completed.*
  - a. *A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work over the whole site has been submitted to and approved in writing by the Local Planning Authority.*
  - b. *The programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken and a report detailing the results of this fieldwork and*

*confirmation of the arrangements for the deposition of the archaeological archive has been submitted to the Local Planning Authority.*

- c. An Archaeological Mitigation Strategy (including a WSI for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. The Strategy should mitigate the impact of the proposed development and should be informed by the evaluation work undertaken. It should also include the procedures for relevant archival reporting and deposition.*

## **REASON**

*In the interests of the potential archaeological value of the site. Local Plan policy LP15 on the Historic Environment requires archaeological features to be protected and enhanced commensurate with the significance of the asset. The WSI will provide the evidence for this assessment and point to an appropriate mitigation strategy.*

- 11. No development shall commence on site until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and including the ponds and swales as shown on drawing no. P24-1827\_EN\_008, has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall include:*

- a. Evidence to show whether an infiltration type drainage strategy is an appropriate means of managing surface water run-off*
- b. Demonstration of support of the scheme through “feature specific” detailed plans and calculations of the proposed attenuation system, cross sections, attenuation features and outfall arrangements in line with CIRIA Report C753,*
- c. Provision of detailed network level calculations demonstrating the performance of the proposed system to include suitable representation of the proposed drainage scheme, details of design criteria used (including consideration of a surcharged outfall) with justification of such criteria, simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events, together with results demonstrating the performance of the drainage scheme including attenuation storage, potential flood volumes and network status for each return period,*
- d. The provision of plans such as external levels plans supporting the exceedance and overland flow routing provided to date. This overland flow routing should demonstrate how run-off will be directed through the development without exposing properties to flood risk and recognition that exceedance can occur due to a number of factors such that exceedance management should not rely on calculations demonstrating no flooding.*

*Only the scheme that has been approved in writing shall then be implemented on Site in accordance with a timescale to be provided to and approved in writing by the Local Planning*

Authority.

REASON

*To reduce the risk of increased flooding and to improve and protect water supply.* Local Plan policy LP33 on Water Management requires sustainable urban drainage systems to be provided to reduce surface water run-off so reducing the risk of flooding. Neighbourhood Plan FNP03 requires development to minimise flood risk within the village whilst maintaining balance with other policies with any development ameliorating flood risks by providing SUDS as required in consultation with the LLFA. The condition requires the full technical evidence base for the design of those systems.

12. *No development shall commence on site until the whole of the access arrangements as shown on the approved plan drawing no. 2210072/05 together with the alterations to the highway verge crossing have all been laid out and constructed to the written satisfaction of the Local Planning Authority.*

REASON

*In the interests of highway safety.* Local Plan policy LP29 (Development Considerations) at point 6 requires safe and suitable access arrangements. They need to be implemented in full if they are to be safe.

13. *No development shall commence on site, or any site clearance take place, until a Construction Management Plan has first been submitted to and approved in writing by the Local Planning Authority. This Plan shall particularly include measures to prevent the transfer of any material from the site onto the public highway, the scheduling of HGV movements to prevent conflict around the access to the site and details of the temporary traffic signals to control vehicle movements within the site access, Meriden Road and Newhall Green Lane. The details included in that Construction Management Plan so approved shall be implemented in accordance with the approved details and adhered to throughout the construction period.*

REASON

*In the interests of highway safety.* Local Plan policy LP29 (Development Considerations) at point 6 requires a safe and suitable access. This needs to apply to the construction period as well.

Soil Management Plan

14. Prior to the commencement of the development a Soil Management Plan (SMP) shall be submitted to, and approved in writing by, the local planning authority. The SMP shall include the following:
- a) Measures to protect soils during development with reference to the guidance found in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites;

- b) A works programme showing how all soil handling and trafficking operations will be undertaken and which makes allowance for poor weather/ ground conditions stoppages;
- c) Details of how construction activities will be managed across the site to minimise impact on soils; and
- d) Details of appropriate equipment and methods for stockpiling, re-spreading and ameliorating of soil compaction in accordance with good practice techniques to minimise the risk of soil compaction.

The development shall be carried out strictly in accordance with the approved Soil Management Plan.

Reason: In the interests of protecting and maintaining the significance of the Best and Most Versatile Land through the management of the soils during the lifetime of the development and thus in accord with para 187(a) of the NPPF 2024.

### ***Pre-Operational Use Conditions***

*15. There shall be no commercial export of electrical power from the site until a Drainage Verification Report for the installed surface water drainage system based on the Drainage Strategy approved under condition 2 and the system as approved under Condition 11 has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority. It should include:*

- a. Demonstration that any departures from the approved design are in keeping with the approved principles.*
- b. As built photographs and drawings*
- c. The results of any performance testing undertaken as part of the application process,*
- d. Copies of all statutory approvals such as Land Drainage Consent for Discharge,*
- e. Confirmation that the system is free from defects, damage and foreign objects.*
- f. The report should be prepared by a suitably qualified independent drainage engineer.*

### ***REASON***

*To ensure that the development is implemented as approved and thereby reducing the risk of flooding.* Local Plan policy LP33 on Water Management requires sustainable urban drainage systems to be provided to reduce surface water run-off so reducing the risk of flooding. Neighbourhood Plan FNP03 requires development to minimise flood risk within the village whilst maintaining balance with other policies with any development ameliorating flood risks by providing SUDS as required in consultation with the LLFA. The condition requires the evidence base for the full implementation of the approved design of those systems

16. *There shall be no commercial export of electrical power from the site until a detailed site- specific maintenance plan for the approved surface water drainage system has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority. It shall include:*

- a. The name of the party responsible, including contact names, address, email address and phone numbers.*
- b. Plans showing the locations of features requiring maintenance and how these should be accessed,*
- c. Details of how each feature is to be maintained and managed throughout the lifetime of the development,*
- d. Provide details of how site vegetation will be maintained for the lifetime of the development.*
- e. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.*

*The approved maintenance plan shall be implemented in accordance with the approved details.*

#### **REASON**

*To ensure that the maintenance of sustainable drainage structures so as to reduce the risk of flooding Local Plan policy LP33 on Water Management requires sustainable urban drainage systems to be provided to reduce surface water run-off so reducing the risk of flooding. Neighbourhood Plan FNP03 requires development to minimise flood risk within the village whilst maintaining balance with other policies with any development ameliorating flood risks by providing SUDS as required in consultation with the LLFA. The condition requires the details of monitoring arrangements for the on-going maintenance of the approved arrangements.*

17. *There shall be no commercial export of electrical power from the site until a Landscape and Ecological Management Plan ("LEMP") has first been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be in general accordance with the approved Landscape Strategy Plan approved under condition 2 and shall include particular reference to the community garden shown on that Plan. The LEMP shall include:*

- a. a description and evaluation of the features to be managed;*
- b. ecological trends and constraints on site that might influence management,*
- c. the aims, objectives and targets for the management,*
- d. descriptions of the management operations for achieving the aims and objectives,*
- e. prescriptions for management actions,*
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period),*

- g. Details of the monitoring needed to measure the effectiveness of management,*
- h. Details of each element of the monitoring programme,*
- i. Details of the persons or organisations(s) responsible for implementation and monitoring,*
- j. Mechanisms of adaptive management to account for necessary changes in the work schedule to achieve the required aims, objectives and targets,*
- k. Reporting procedures for each year 1, 2, 5, 10, 20 and 30 with bio-diversity net gain reconciliation calculated at each stage,*
- l. The mechanisms by which the long-term implementation of the LEMP will be secured by the developer and the management body(ies) responsible for its delivery,*
- m. How contingencies and/or remedial action will be identified, agreed and implemented in the event that monitoring under (k) above shows that the conservation aims and objectives set out in (c) above are not being met so that the development still delivers the full functioning bio-diversity objectives of the originally approved scheme.*

*The details in that Plan shall then be implemented on site and be adhered to at all times during the lifetime of the development.*

#### **REASON**

*In the interests of enhancing and protecting bio-diversity. Local Plan Policy LP16 (Natural Environment) requires provision of net gains for bio-diversity. The condition requires details of how this is to be provided, implemented and monitored.*

- 18. There shall be no commercial export of electrical power from the site until the existing public highway verge crossing has been widened to a width of no more than 18.75 metres, laid out and constructed in accordance with the approved plan drawing no. 2210072/05 including its surfacing with a bound material for a distance of no less than 20 metres as measured from the near edge of the public highway carriageway, all to the written satisfaction of the Local Planning Authority.*

#### **REASON**

*In the interests of highway safety. Local Plan Policy LP29 (Development Considerations) at point 6 requires safe and suitable access. This condition requires the highway specifications to be implemented in full in order to provide the required outcome.*

- 19. Within three months of the first commercial export of electrical power from the site, the extension to the access as shown on the approved plan drawing no. 2210072/05 shall be removed and the public highway verge crossing reduced in width and constructed to the written satisfaction of the Local Planning Authority.*

#### **REASON**

*In the interests of highway safety. Local Plan policy LP29 (Development Consider-*



ations) at point 6 requires safe and suitable access arrangements. They need to be implemented in full if they are to be safe.

20. Prior to the First electricity Export Date, a grazing management plan (GMP) shall be submitted to and approved in writing by the local planning authority. The GMP shall detail which parts of the site shall be used for the grazing of livestock, during which months of the year, how the grazing is to be managed and monitored. Within one year of the First electricity Export Date, or in an alternative period to be agreed in writing by the Local Planning Authority, the grazing of livestock shall be implemented on the site in accordance with the GMP.

Reason: In the interests of maintaining the agricultural use of the land during the lifetime of the development and thus in accord with para 187 (a) of the NPPF 2024.

### **Other Conditions**

21. *The landscaping scheme as approved under condition 2 shall be carried out within the first planting season following the date when electrical power is first exported, or as otherwise agreed within the approved scheme. If within a period of five years from the date of planting, any tree, shrub hedgerow, or replacement is removed, uprooted, destroyed or dies, then another of the same species and size of the original shall be planted at the same location.*

#### **REASON**

*In the interests of the appearance of the area and to ensure that this is maintained throughout the life of the permission.* Local Plan policy LP16 (Natural Environment) seeks net bio-diversity gain. This condition assists that outcome. Additionally Local Plan policy LP14 (Landscape) seeks replacements of landscaping features LP35. This condition ensures that all of these objectives are on-going.

22. *No tree works or vegetation clearance shall take place during the bird nesting period (the beginning of March to the end of August inclusive) unless otherwise agreed in writing by the Local Planning Authority on submission of appropriate evidence.*

#### **REASON**

*In the interests of ensuring that the nature conservation value of the site is maintained.* Local Plan policy LP16 (Natural Environment) seeks protection of the natural environment.

23. *No gates shall be located within the vehicular access to the site during the construction and de-commissioning phases so as to open within 20 metres of the near edge of the public highway carriageway.*

**REASON**

*In the interests of highway safety.* Local Plan policy LP29 (Development Considerations) at point 6 requires safe and suitable access arrangements. This requirement will achieve this but needs to be implemented in full if the access is to be safe.

24. *There shall be no vegetation planted or security fencing erected within two metres of the edge of the public footpath numbered M294 which crosses the site*

**REASON**

*In the interests of ensuring access to the public footpath network.* Local Plan policy LP29 (Development Considerations) at points 2 and 6 require safe and suitable access for all users. This condition will provide this.