

Reference: 15/00343/FUL
Applicant: Rochester 004 Ltd
Location: Land At Tower Hayes Farm Ellistown Lane Stanton Under Bardon
Proposal: Erection of a 17.9 MW solar farm with associated infrastructure

RECOMMENDATION:- Grant subject to conditions.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation at the request of the Chief Planning & Development Officer following discussion with the Chair of Planning Committee.

Application Proposal

This application seeks full planning permission for the erection of a 17.9MW photovoltaic solar farm and associated infrastructure including inverter and transformers, substations, storage container, access tracks, security fencing and other minor works.

The site has an existing access from the B585 (Victoria Road), towards to north eastern corner of the site. The proposal will retain and utilise this existing access.

The solar panels would be set at 20 degrees and would be piled into the ground. The height of the solar panels at ground level would be 2.9 metres. From the rows of panels underground cables would carry electricity to inverter cabins and sub-stations. The solar farm would be connected by underground cables to the National Grid.

Deer fencing is proposed around the parcels of land for security purposes, this consists of wooden posts and mesh at a height of 2 metres.

Planning permission is sought for a 30 year period. After this period of time the site would be dismantled and returned back to its former agricultural use.

Amended plans have been received, which include additional planting to the north of the site, following consultation responses.

The Site and Surrounding Area

The proposal is located within the north eastern edge of the borough and lies upon the boundary between Hinckley & Bosworth Borough Council and North West Leicestershire District Council. The site is within the open countryside, with the nearest settlement being Bagworth to the south west. The site is also within the National Forest, and is adjacent to existing woodland to the south. The site contains mature hedgerows and trees along the boundary of the site and also to field boundaries.

The site has an area of approximately 39.9 hectares and its current use is agricultural land. The site comprises seven fields with farm buildings within the centre of the site. The nearest residential properties are Home Bridge Farm to the west, dwellings along Stanton Lane to the east, Straw Hall Farm to the south east of the site.

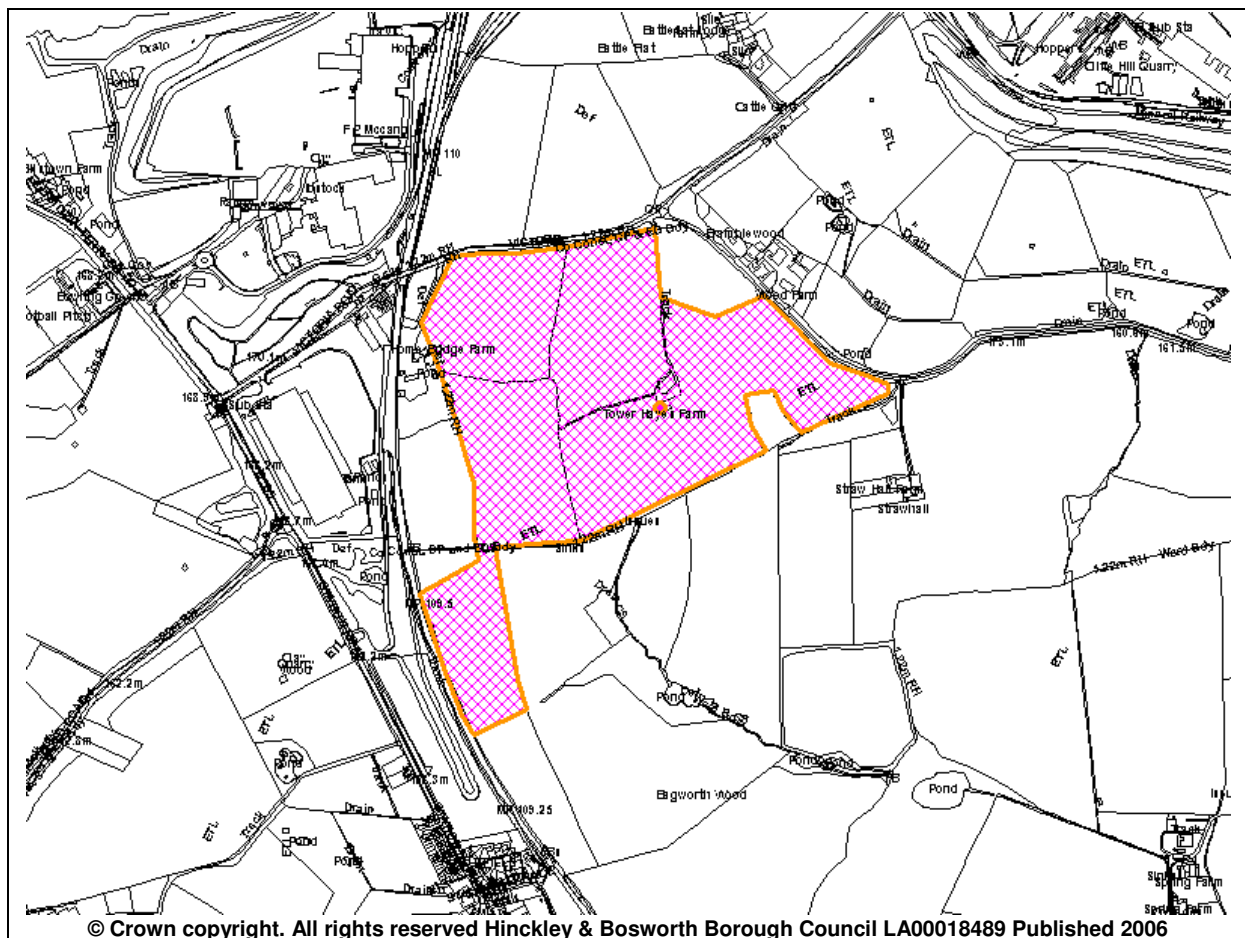
There are two public rights of way which are adjacent to the application site, the first (Q99) running along the southern boundary, and the second (R120) which abuts the eastern boundary of the extreme south western plot. Q99 does enter the site to the south west for approximately 180 metres.

Technical Documents submitted with the application

Landscape and Visual Assessment
Construction Method Statement
Flood Risk Assessment
Design and Access Statement
Planning Statement
Solar Photovoltaic Clint and Glare Study
Preliminary Ecological Appraisal
Agricultural Appraisal
Historic Environment Desk-Based Assessment
Mitigation Strategy - Great Crested New
Landscape and Ecological Management Plan

Relevant Planning History:-

None relevant.



Consultations:-

No objections, subject to conditions, have been received from:-

Environment Agency

Historic England

Coal Authority

Leicestershire County Council (Highways)

Leicestershire County Council (Ecology)

Leicestershire County Council (Public Rights of Way)

Tree Officer

The National Forest Company considers that further tree planning and landscaping is required for the development to meet the expectations of Core Strategy Policy 21. Additionally The National Forest Company states that an assessment of the root protection areas of the retained trees and hedgerows should be undertaken and that protective fencing should be erected and additionally a condition requiring the submission of a Biodiversity Management Plan should be included.

Leicestershire County Council (Archaeology) have requested additional archaeological detail is submitted alongside the application in regard to geophysical surveys and if necessary trial trenching prior to the determination of the application.

Stanton under Bardon Parish Council have objected to the application for the following reasons:-

- a) unwarranted intrusion into the countryside
- b) close to the mineshaft at the former Ellistown Colliery and subsidence could potentially be an issue
- c) loss of productive agricultural land
- d) at the end of the lifespan of the panel the land could be deemed to be brownfield and it may then be difficult to prevent future development
- e) is in the green belt between Ellistown, Bagworth, Battram and Stanton under Bardon
- f) permission would make it difficult to resist further applications of this nature.

Neighbours notified, three site notices were displayed and a press notice published. No neighbourhood comments were received.

Policy:-

National Policy Guidance

The National Planning Policy Framework 2012 (NPPF)

National Planning Practice Guidance 2014 (NPPG)

Hinckley & Bosworth Core Strategy 2009

Spatial Objective 12: Climate Change and Resource

Policy 21: National Forest

Hinckley & Bosworth Local Plan 2001

Policy NE5: Development in the Countryside

Policy NE14: Protection of Surface Waters & Ground Water Quality

Policy BE1: Design and Siting of Development

Policy BE5: The Setting of a Listed Building

Policy BE7: Development in a Conservation Area
Policy BE13: Initial Assessment of Sites of Archaeological Interest and Potential
Policy T5: Highway Safety

Other Relevant Policy Guidance

Hinckley & Bosworth Landscape Character Assessment (2006)
Hinckley & Bosworth Renewable Energy Capacity Study (2014)

Appraisal:-

The main considerations in respect of this application are:-

- The Principle of Development
- The Landscape and Visual Impact
- Cumulative Landscape and Visual Impacts
- Ecology
- Heritage Assets, the Historical Landscape and Archaeology
- The Impact on Neighbouring Residential Properties
- Highway Safety and Construction Traffic Management
- Flood risk

Principle of Development

One of the core planning principles of the NPPF as set out in Paragraph 17 is to support the transition to a low carbon future in a changing climate by encouraging the use of renewable resources and the development of renewable energy. This is set out further in Paragraph 93 of the NPPF which states that planning has a key role in supporting the delivery of renewable and low carbon energy and associated infrastructure which is central to the economic, social and environmental dimensions of sustainable development. Furthermore Paragraph 98 states that when determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and approve the application if its impacts are (or can be made) acceptable.

The NPPG provides guidance in regards to specific renewable and low carbon energy developments and provides guidance upon key issues to assess when determining an application for large scale ground-mounted solar photovoltaic farms. This provides detailed guidance on particular factors to consider which includes encouraging effective use of land, the quality of agricultural land, the temporary nature of the proposals, visual impact of the proposal, potential impacts if the proposal includes arrays which follow the sun, the need and impact of security measures, impact upon heritage assets, potential to mitigate landscape and visual impacts, energy generating potential, cumulative landscape and visual impact.

Spatial Objective 12 of the Core Strategy on climate change and resource efficiency seeks to minimise the impacts of climate change by promoting the prudent use of resources through increasing the use of renewable energy technologies.

An agricultural assessment of the site concluded that the land is classified as grade 3B, which is considered to be land of moderate quality and not the best quality (grades 1 - 2). Therefore the development of a solar farm on this site would not result in a loss of valuable agricultural land and is therefore considered acceptable.

It is therefore concluded that the proposal is in accordance with both national and local planning policies and guidance and is therefore acceptable in principle.

Landscape and Visual Impact

Policy BE1 (criterion a) of the Local Plan requires development to complement or enhance the character of the surrounding area with regard to scale, layout, mass and design. Policy NE5 also requires development within the countryside to not have an adverse effect on the appearance or character of the landscape and is in keeping with its surroundings and would be screened by landscaping. This approach is in line with Paragraph 109 of the NPPF, which recognises the importance of the intrinsic character and beauty of the countryside and states that the planning system should contribute to enhancing the natural and local environment by protecting and enhancing valued landscapes.

The site is defined in the Hinckley and Bosworth Landscape Character Assessment as part of the Forest Hills Character Area. The key characteristics of this area are gently undulating landforms with small plateaus on higher ground. It is defined as a predominantly rural landscape with arable and rough set-aside, influenced by industrial/urban features such as masts, poles and pylons. The area is strongly influenced by its industrial past, and as a changing landscape, it is of lesser sensitivity and therefore more resilient to change. The Landscape Character Assessment is an evidence-based document and therefore whilst not forming part of the Development Plan, it provides a contextual background in respect of the landscape character of the area.

The site does not fall within any national or local protected landscape designations, such as Areas of Outstanding Natural Beauty.

The Landscape and Visual Impact Assessment (LVIA) which accompanies the application concludes the proposed development will initially result in adverse impacts of minor significance to a Public Right of Way, a small number of nearby residents and road users. However, this study considers these effects would be localised and once the mitigation planting is established and grown to 3 metres in height the adverse effects should reduce to minor/negligible adverse effects. The report also highlights that the hedgerows will take approximately 5 years to reach a height of 3 metres, trees along the north, east and western boundaries will be planted at a height of 2 metres and will reach a height of 7 metres. The belt of woodland trees to the south will include a mix of heavy standard trees at a height of 5-6 metres, feathered trees which will take approximately 10 years to reach a height of 7 metres and transplant trees which will take approximately 8.5 years to reach a height of 5 metres.

The landscape character of the wider area is open countryside, with a heavy industrial influence, from quarries to the east of the site and industrial sites to the west, and north. The character appraisal of the Forest Hills Character Area identifies that the area has a changing landscape, influenced by its industrial past and is of a lesser sensitivity and more resilient to change. It is therefore considered that the proposal would not cause significant detrimental harm to the character of the wider area.

The proposal will be visible within the immediate local area and it is considered that the site is most publicly visible from Victoria Road (north of the site), Stanton Lane, Public Rights of Way (Q99 and R120). The proposal includes the reinforcement of existing hedging along Stanton Lane. This hedge reduces views into the site and additional planting to remove gaps, thin areas of the hedge will insure the view of the wider site is further reduced. This planting will lessen the impact from the public however these views will not be completely blocked from adjacent properties along Stanton Lane, specifically the upper floors.

Due to the rising nature of the land the site will be highly visible along Victoria Road, when traveling from the east. The initial proposal includes a 5 metre tree belt to the northern boundary of the site with Victoria Road; however an amended layout identifies an additional 15 metre wide tree shrub planting to the northern boundary. The additional planting buffer has resulted in a removal of solar panels within the most northern areas of the site. Whilst the proposed planting will not screen the development completely from public view, it will minimise the impact of the development and will restrict open views of the entire site. It is therefore considered that whilst the proposal will have an impact upon the character of the local areas, however it will not be significantly detrimental and is therefore acceptable.

The proposal will be visible from points along the public rights of way (PROW) (Q99 and R120), more so in places where gaps are in existing planting and specifically where the public right of way is within the application site. The scheme includes new hedgerow planting and buffers to mitigate the views of the proposal from the PROW, this will not entirely remove views of the proposal, however this will soften the views and provide a buffer between the PROW and the proposed solar panels. Whilst for a stretch of PROW the character of the immediate landscape will alter it is considered with the mitigation measure and the limited stretch of PROW that would be affected the impacts will not be significant and are acceptable.

The proposal includes inverters and transformers, substations and storage containers within each field. The substation is situated at the entrance of the development and has a height of 3.4 metres, its design is simple and would be green in colour. Additionally the invertors and transformers are storage containers 2.5 metres in height green in colour. These are set back into the site and it is considered that these associated buildings will harm the character of the area and will 'read' as part of the wider development.

A fence would be erected around the perimeter of the site and would be at a height of 2 metres. The fence would be a 'deer style' fence and as such would not be visually obtrusive in the landscape and is considered acceptable.

CCTV cameras are proposed on site; however the details are yet to be agreed. The CCTV cameras currently submitted are not suitable in their current form, as due to being pole mounted would appear as an urban feature in a rural setting. Alternative security systems exist and a condition is recommended to ensure a suitable system is agreed prior to the commencement of development. No audible alarms, lighting or warning systems are proposed.

The layout submitted is a concept layout, as final details are subject to change; therefore a condition is required for the submission of final details of the layout.

It is therefore considered that the proposal will not have a detrimental visual impact to the surrounding area, and is in accordance with Policy BE1 (criterion a), NE5 and the guidance contained within the NPPF and NPPG.

Cumulative Landscape and Visual Impacts

The NPPG outlines that consideration should be given to both cumulative landscape and visual impacts of renewable energy developments, including large scale solar farms. Further details is provided and broken down separately for cumulative landscape impacts and cumulative visual impacts.

There are no permitted solar farms within the immediate area (2.5km radius), the nearest permitted solar farm within the borough is a 5MW Solar Farm at Lindridge Farm, Desford (planning permission 14/01270/FUL), over 5km away from the application site.

It is considered that owing to the distance of the nearest Solar Farm and owing to the undulating nature of the wider area the proposal would not result in any cumulative landscape or visual impacts and therefore the proposal accords with Policy BE1 of the Local Plan (2001) and the guidance provided in the NPPG.

Ecology

Paragraph 109 of the NPPF recognises the wider benefits of ecosystems and that the planning system should minimise impacts on biodiversity.

The applicant has submitted a preliminary Ecological Appraisal, Landscape and Ecological Management Plan and Mitigation Strategy - Great Crested Newts. The proposal has been considered by Leicestershire County Council (Ecology) who has raised no objections subject to conditions.

Additional information was requested by LCC Ecology in regard to additional information for Great Crested Newts, however to obtain the information additional visits to ponds not within the application site are needed. The applicant has not been able to obtain permission for access to these ponds and therefore the information cannot be obtained. As further information has not been provided it would be unreasonable to request full mitigation measure to be undertaken onsite. It is therefore considered a reasonable approach is to condition the construction of solar panels to the months of November - January in areas of the site which are within a 500 metre buffer zone of the identified ponds to ensure harm to Great Crested Newts does not occur.

Subject to conditions it is not considered that the proposal would have an adverse impact upon sites of ecological importance or protected species.

Policy 21 of the Core Strategy requires new developments within The National Forest to reflect the forest context in their accompanying landscape proposals. It identifies that landscaping will generally involve woodland planting but can also include creation and management of other appropriate habitats, open space provision and the provision of new recreational facilities and this mix will depend upon the setting and the opportunities that the site presents.

The National Forest Company has requested further tree planting and landscaping in line with the expectations of Core Strategy policy 21 and suggests that rather than the creation of a small arable field to the south the remaining area could be planted creating a woodland or parkland. Additionally the tree belts should be increased to 15 metres.

The scheme includes the ecological enhancements across the site and includes an area of semi-improved grassland which is being retained as a wildlife resource for foraging and sheltering opportunities. As previously discussed additional tree shrub planting has been included to the northern boundary of the site. Trees can impact on a solar development owing to the shadowing effect they cause, and, therefore the addition of further planting in the site will significantly impact on the number of solar panels and the efficiency of the site.

The development would provide ecological enhancements and would provide an area for the creation of a new habitat, including tree belts to the northern and southern boundaries, with the trees within the site to be retained. It is therefore considered that the proposed landscaping is in keeping with the National Forest context and is in accordance with Policy 21 of the Core Strategy.

Heritage Assets, the Historical Landscape and Archaeology

Paragraph 19 of the renewable and low carbon energy guidance as set out in the NPPG states that the significance of a heritage asset derives not only from its physical presence but also from its setting and careful consideration should be given to the impact of solar farms on such assets. This is reinforced by Paragraph 131 of the NPPF which states that in determining planning applications local planning authorities should take account of the positive contribution the conservation of heritage assets can make to sustainable communities. The NPPG also sets out guidance in respect of solar farms and that they can cause harm to the setting of heritage assets. This is additionally supported by saved Policies BE5 and BE7 of the Hinckley & Bosworth Local Plan.

The nearest listed building are approximately 2km away (Bagworth Park Farmhouse) and the nearest conservation area is Markfield Conservation Area over 4km away. It is not considered that the proposal will harm the setting of any heritage assets within the area and is therefore in accordance with the Paragraph 131 of the NPPF and saved Policies BE5 and BE7 of the Hinckley & Bosworth Local Plan.

Paragraph 128 of the NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Saved Policy BE13 requires developers to assess whether the site is known or likely to contain archaeological remains.

The applicant has submitted a Historic Environment Desk-Based Assessment; this concludes that the archaeological potential for the site is negligible/low and further investigations are not required. However, Leicestershire County Council (Archaeology) state the information available on the site is insufficient to allow confident conclusions to be drawn about the archaeological implications of the development scheme and therefore request further information prior to the determination of the application.

There are difficulties with undertaking this work prior to determination due to existing crops growing within the application site. Whilst it is identified that there is the possibility of archaeological remains on site and this should be explored further, it is considered, due to the size of the site, that any findings can be mitigated and dealt with through the submission of an amended layout. It is therefore considered, in this instance that further archaeological investigations are not required prior to the determination of the application, subject to a condition requiring a programme of archaeological mitigation is undertaken prior to the commencement of development.

It is therefore considered that subject to conditions the application will not harm heritage assets of archaeological significance and the proposal is in accordance with Paragraph 128 of the NPPF and saved Policy BE13 of the Hinckley & Bosworth Local Plan (2001).

The Impact on Neighbouring Residential Properties

Policy BE1 (criterion i) of the Local Plan requires that development does not adversely affect the amenity of neighbouring properties.

The nearest residential properties are those along Stanton Lane to the east of the application site, Home Bridge Farmhouse and Straw Hall Farmhouse.

Owing to existing plating and the topography of the area it is considered that the views of the application to Straw Hall Farmhouse would be limited and will not harm the visual amenity of the residents.

The proposal will be visible from Home Bridge Farm and the properties along Stanton Lane. Mitigation has been proposed which includes additional tree, shrub and hedgerow planting and buffer zones to reduce the impact upon neighbouring properties. Whilst this planting would not limit all views of the development from these properties it is considered that the impact would be reduced by this mitigation. Owing to the low level nature of the solar panels this proposal would not have a significant detrimental impact upon visual residential amenity and is considered acceptable and in accordance with saved Policy BE1 (criterion i) of the Hinckley & Bosworth Local Plan (2001).

Highway Safety

Policy T5 of the Local Plan states that proposals should not impact upon highway safety or the satisfactory functioning of the local highway network.

The proposal will utilise the existing agricultural access from Victoria Road (B585). No objections have been received from Leicestershire County Council (Highways), subject to recommended conditions.

A construction management plan has also been submitted by the applicant, however this report does not include plans showing the location of the compound, parking and wheelwashing facilities. It is therefore considered that a condition requesting a construction management plan is reasonable and necessary for this application.

It is therefore considered that this application will not have a detrimental impact upon highway safety and, subject to conditions, is in accordance with saved Policy T5 of the Hinckley & Bosworth Local Plan (2001).

Flood Risk

Saved Policy NE14 of the Local Plan states that development proposals should provide satisfactory surface water and foul water measures. In addition the NPPF sets out at Paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The application has been accompanied by a Flood Risk Assessment (FRA) and the scheme has been considered by the Environment Agency and Environmental Health (Drainage). The Environment Agency has raised no objection in principle to this scheme, however have identified that the submitted FRA lacks certain information therefore requests a condition requiring a surface water drainage scheme to be submitted prior to the commencement of development.

Therefore subject to a condition relating to the FRA the proposal is not likely to lead to surface water flood risk and would be in accordance with Policy NE14 of the Local Plan and the NPPF.

Conclusion

The NPPF supports the transition to a low carbon future in a changing climate by encouraging the use of renewable resources and the development of renewable energy and that local planning authorities should approve the application if its impacts are (or can be made) acceptable. The principle of development is therefore considered to be acceptable.

It is considered that the proposal would lead to a minimal landscape and visual impact, mitigated by existing landscape screening, with proposed additions to build up gaps in the

site boundaries. Additionally it is concluded the proposal will not result in negative cumulative landscape and visual effects. The solar farm would not cause significant detriment to heritage assets, flood risk and ecology.

It is also considered that the proposed solar farm would have a minimal impact upon residential amenity and would not create any highway safety issues.

Therefore, and after considering the issues discussed above it is considered that the principle of development would be acceptable and there would be minimal landscape harm. The proposal is therefore considered to be in accordance with the development plan and the overarching intentions of the NPPF. In addition, regard has been had to the renewable and low carbon energy guidance as set out in the NPPG as a material consideration.

RECOMMENDATION:- Grant subject to conditions.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as the principle of development is considered acceptable, the proposal would not have significant detrimental visual or landscape impact, cumulative visual or landscape impact, would not impact upon ecology, flood risk, historic assets, residential amenity or highway safety.

Hinckley & Bosworth Core Strategy (2009):- Policy 21.

Hinckley & Bosworth Local Plan (2001):- Policies NE5, NE12, NE14, BE1, BE5, BE7, BE16 and T5.

In dealing with the application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the submitted drawings Site Location Plan Dwg No 2721-001 (Scale 1:25000), Inverter and Transformer Elevation and Plan V1, Private Substation Building Elevation & Plan V1, Satellite Pole & Elevation V, Storage Container Elevation & Plan V1, Array Cross Section V1, DNP Substation Building Elevation & Plan V1 all received 18 March 2015 and Deer Fence Plan Dwg No 03 received 26 May 2015.
- 3 Notwithstanding the details submitted, no development shall commence until a site layout plan showing the final location of all solar panels, inverter and transformers, substations, storage container, access tracks, security fencing and other minor works is submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with this plan.
- 4 All cables within the development site and to the point of connection to the National Grid shall be set underground.

- 5 Written confirmation of the date of the first export of electricity to the National Grid from the solar farm hereby approved shall be provided to the local planning authority within one month of the date of this taking place.
- 6 The planning permission hereby granted is temporary for a period of 30 years from the date of the first export of electricity to the National Grid from the solar farm hereby approved. After such time the use shall cease and the solar farm and associated equipment shall be removed from site in accordance with Condition 6.
- 7 Not less than 12 months prior to the expiry of this permission a Decommissioning Method Statement & Site Restoration Scheme shall be submitted to and in agreed in writing by the local planning authority. This shall include details of:-
 - a) The works for the removal of the solar panels, ancillary equipment and structures;
 - b) works for the restoration of the site;
 - c) the management and timing of any works;
 - d) a Traffic Management Plan;
 - e) an Environmental Management Plan to include measures to be taking during decommissioning to protect wildlife and habitats;
 - f) identification of access routes; and
 - g) a programme of implementation.
- 8 Should the solar farm hereby approved no longer be required for the purposes of electricity generation or cease to operate for a continuous period of 6 months, a Decommissioning Method Statement & Site Restoration Scheme as per the requirements of Condition 7 shall be submitted to and agreed in writing by the local planning authority within 3 months of the end of the 6 months cessation period. The decommissioning works shall then be carried out in accordance with the agreed Decommissioning Method Statement & Site Restoration Scheme.
- 9 Installation of the solar panels within a 500 metre radius of ponds 2, 3, 4, 10, 11 (identified on Additional Figure 2 - Pond Locations within 500m received 30/04/2015) shall not be erected between the months of February and October.'
- 10 No development shall commence on site until a Landscape and Ecological Management Scheme is submitted to and approved in writing by the local planning authority. This scheme shall include a site specific Tree and Hedge Protection Plan, in accordance with BS5839:2012. The development shall be implemented in accordance with the approved scheme.
- 11 The approved landscaping scheme shall be fully implemented in accordance with the approved details in the first available planting season after the commencement of development. The landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the local planning authority.
- 12 Notwithstanding the details submitted with the application, no development shall commence until details of the proposed CCTV, and external facing and roofing materials of the DNO Substations and Inverter Cabinets are submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 13 No development shall commence on site until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1:100 year critical storm including climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 14 No development shall commence on the site until such time as a construction traffic/site traffic management plan, including details of the routing of construction traffic, wheel cleansing facilities and vehicle parking and turning facilities, and a timetable for their provision, has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
- 15 No unbound material shall be used in the surface treatment of the vehicular access within 15 metres of the highway boundary.
- 16 Before first use of the development hereby permitted, the existing gates to the vehicular access shall be removed. Any new vehicular access gates, barriers, bollards, chains or other such obstructions erected shall be set back a minimum distance of 15 metres behind the highway boundary and shall be hung so as not to open outwards.

Reasons:-

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the final layout of the proposed development does not have an unacceptable visual impact in accordance with Policy BE1 of the Hinckley & Bosworth Local Plan (2001).
- 4 To ensure the permitted development does not have an unacceptable visual impact in accordance with Policy BE1 of the Hinckley & Bosworth Local Plan (2001).
- 5 This permission is temporary and as such notification of commencement of the export of electricity to the National Grid is required to maintain proper record.
- 6 This permission is temporary for a period of 30 years following first export to the National Grid.
- 7 In the interests of visual amenity and to order to ensure the site is restored to a satisfactory appearance following decommission of the solar farm in accordance with Policy BE1 (criterion a) of the Hinckley & Bosworth Local Plan 2001.
- 8 To ensure the development is used for sustainable renewable energy generation in accordance with Paragraph 93 of the NPPF.
- 9 In the interests of biodiversity and the protection of Great Crested Newts in accordance with Paragraph 109 of the National Planning Policy Framework.

- 10 In the interests of providing landscaping to enhance visual amenity and biodiversity in accordance with Paragraph 109 of the National Planning Policy Framework.
- 11 In the interests of ensuring landscaping is in place to enhance visual amenity and biodiversity in accordance with Paragraph 109 of the National Planning Policy Framework.
- 12 To ensure the details and materials of the proposal are appropriate to its location and does not detract from visual amenity of the area in line with saved Policy BE1 of the Hinckley & Bosworth Local Plan (2001).
- 13 To prevent the increased risk of flooding, both on and off site in accordance with Paragraph 100 of the National Planning Policy Framework.
- 14 In the interests of highway safety in accordance with saved policy T5 of the Hinckley & Bosworth Local Plan 2001.
- 15 To avoid displacement of loose material onto the highway in the interests of highway safety and to ensure that drainage is sustainable, in accordance with Policy T5 of the Hinckley & Bosworth Local Plan 2001.
- 16 To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway, in accordance with Policy T5 of the Hinckley & Bosworth Local Plan 2001.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Helen Wilson Ext 5691