
Appeal Decision

Site visit made on 12 November 2015

by Brian Cook BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 March 2016

Appeal Ref: APP/L3245/W/15/3019429

High Point, Neen Sollars, Kidderminster DY14 9AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by TGC Renewables Ltd against the decision of Shropshire Council.
 - The application Ref 14/04463/FUL, dated 2 October 2014, was refused by notice dated 16 March 2015.
 - The development proposed is construction of a solar park comprising the installation of (circa) 14,200 ground mounted solar panels; inverter cabin; electricity sub-station; switchroom; comms building; pole mounted CCTV system; 2.4m high security fencing; associated access gates and gravelled roads.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a solar park comprising the installation of (circa) 14,200 ground mounted solar panels; inverter cabin; electricity sub-station; switchroom; comms building; pole mounted CCTV system; 2.4m high security fencing; associated access gates and gravelled roads at High Point, Neen Sollars, Kidderminster DY14 9AD in accordance with the terms of the application, Ref 14/04463/FUL, dated 2 October 2014 subject to the conditions set out in Schedule 1 to this decision.

Preliminary and Procedural Matters

2. Having considered the appellant's request for a Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 the Council confirmed on 20 May 2014 that environmental impact assessment was not required.
 3. The description of the proposed development given in the summary details above differs from that in the planning application but is one that the appellant specifically agreed at appeal stage.
 4. Having advertised the planning application the Council received some 271 representations; 231 objections, 35 in support and five 'neutral'. An umbrella group called Save Our Green Hills Community Group (SOGHCG) commissioned a total of five reports. On 9 January 2015 Sightline Landscape produced a critique of the appellant's landscape and visual impact appraisal (LVIA). On 25 February Sightline issued what amounts to a rejoinder to the appellant's comments on its critique. On 2 December 2014 SOYL produced a critique of the appellant's agricultural land classification report. Again, on 26 February SOYL issued a rejoinder to the appellant's observations on that critique. All of these were available to the Council when it took its decision. Finally, in August
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2015 Robert Doughty Consultancy produced a policy appraisal report as part of its representation to the Planning Inspectorate on behalf of SOGHCG. This was not therefore available to the Council members.

5. I will address at this point criticisms made by SOGHCG and others of the appellant's LVIA, Heritage Statement and Heritage Asset Impact Assessment (the Heritage Assessment) and agricultural land classification report. It seems to me that the LVIA has been prepared following the latest and most appropriate guidelines issued by the relevant Institutes. The Heritage Assessment addresses the matters set out in section 12 of the National Planning Policy Framework (the Framework) and in Framework paragraph 128 particularly. While SOGHCG and others may disagree with the conclusions drawn, I consider any criticisms of the methodology followed or the adequacy of the reports to be unfounded.
6. The position regarding the appellant's agricultural land classification report is slightly different. Both the report and the response to the first SOYL critique are quite short. Although both say that the relevant guidance has been followed, SOYL dispute that, particularly with regard to the categorisation of soil wetness. I shall return to this when considering my third main issue.
7. On 6 March 2015 the appellant made a number of amendments to the submitted planning application. These included a revised site design (layout), some changes to the northern boundary landscape treatments and an offer to reduce the maximum height of the proposed panels to 2.6m. The design and height of the perimeter security fencing had already been amended.
8. The changes were put forward to address concerns raised by SOGHCG and others. The main change was to draw back the northern edge of the panels in the western of the two fields to the line of the overhead power cable thus removing the panels from the north-facing slope in that area. However, in doing so the appellant has increased the number of panels that would be installed from the number given in the summary details above to some 17,200. That is an increase of some 21%. The appellant pointed out during the site visit that this would be accommodated by reducing the distance between the arrays. I have no evidence about the impact of this, if any, on the scheme output or the construction period.
9. The Council has confirmed that these changes were not subject to consultation but were reported, displayed and explained to the Council members. I understand that they visited the appeal site on the same day that the planning application was determined. The decision that they made was based on the changes put forward on 6 March.
10. This is not a case where the appellant is seeking to amend the proposals through the appeal process. The changes were accepted by the Council notwithstanding the absence of further consultation. Furthermore, SOGHCG and others have had the chance to make comment upon them as part of the appeal process. Taking all these matters into account, I have determined this appeal on the same basis as the Council.

The Shropshire Council Site Allocation and Management of Development Plan (SAMDev)

11. The SAMDev was adopted by the Council on 17 December 2015 and therefore after the site inspection took place. On 15 January 2016 the Planning Inspectorate wrote to the main parties and SOGHCG asking for any comments on the implications this may have for the determination of this appeal. The appellant responded on 29 January as did SOGHCG. These two parties then responded to the initial comments of each other on 8 and 5 February respectively. No response at all was received from the Council.
12. The responding parties agree that SAMDev policies MD2, MD8, MD12 and MD13 are relevant to the appeal proposal. The appellant provided the whole wording of each policy and the supporting text. Additionally, the appellant considers policy S6 to be relevant and supplied the text of it and the *Place Plan for Cleobury Mortimer & Surrounding Area* to which it makes reference. Both parties also provide appeal decisions which they argue supports their case. I have taken all the views expressed on the implications of the SAMDev into account.
13. Policies MD2, MD12 and MD13 are general policies addressing Sustainable Design, the Natural Environment and the Historic Environment respectively. In their preambles they refer, in MD2, to policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (CS), adopted in March 2011 and, in MD12 and MD13, to CS policies CS6 and CS17. In doing so they either say 'further to' or 'in accordance with' the relevant CS policy.
14. The policy of most direct relevance to the appeal would appear to be MD8 which addresses infrastructure provision. Under 'New Strategic Infrastructure' are two sections. Section 3 addresses applications for several types including strategic energy infrastructure and confirms that these will be supported where the contribution to agreed objectives outweighs the potential for adverse impacts. Particular consideration will be given to listed matters many of which will be addressed by other policies. Section 4 states that the following infrastructure specific criteria will also apply. However, solar energy is not among the otherwise comprehensive list of renewable energy infrastructure. The SAMDev does not therefore require any specific or particular matters to be taken into account when considering the appeal proposal.

Main Issues

15. From my review of the evidence and my view of the appeal site and the surrounding area I consider the main issues for the determination of this appeal to be:
 - (a) The effect that the development would have on the character and appearance of the landscape;
 - (b) The effect that the development would have on the significance of the designated heritage assets in the locality; and
 - (c) Whether the proposal would accord with national planning policy and guidance for the siting of ground-mounted solar farms.

Reasons

The effect that the development would have on the character and appearance of the landscape

16. The appeal site lies within the Principal Timbered Farmlands landscape character area (LCA) as identified in the Shropshire Council Landscape Typology, 2006. The appellant's LVIA sets out the key characteristics of this LCA as being:
 - i) Rolling lowland with occasional steep sided hills;
 - ii) Relic ancient woodland;
 - iii) Hedged fields with scattered hedgerow trees;
 - iv) Predominantly dispersed settlement pattern; and
 - v) Small to medium scale landscapes with filtered views.
17. Access to High Point Farm is from a narrow lane that leads from the A456 to the south. Immediately to the south of both the access and the lane is a large woodland block, Gaudywood Park. Spot heights on the OS map show this to be around 138m AOD. The lane then falls down the valley side to the bridge over the River Rea; this is at about 70m AOD. From there it rises slightly into the small settlement of Neen Sollars before rising again towards the village hall which is on land around the 100m contour. The lane then continues out of the settlement dropping steeply to the bridge over the Mill Brook.
18. The landscape within which the appeal site lies is one that is framed by the valley sides and the woodland and is of medium scale. The topography of the valley side on which the appeal site sits is a complex of folds and undulations through which runs a minor tributary of the River Rea. The landscape therefore exhibits most of the characteristics listed above as typical of the LCA although to my eye hedgerow trees hereabouts are considerably more extensive than the term 'scattered' would suggest.
19. The appeal site itself comprises two fields each of which have marked and complex ground level changes. Into these fields would be installed the built elements described in the summary details above, as amended on 6 March.
20. Turning first to the effect on landscape character, the development proposed would have no effect on the landscape structure of the area. No hedgerows would be removed and those that are present now would be strengthened and managed to a height to provide appropriate screening where necessary. New hedgerows would be planted along parts of the north-facing development boundaries and along the western boundary to mitigate views into the site from the north and the bridleway to the west respectively. In that respect, the proposal would enhance a characteristic of the LCA and would accord with policy CS policy CS17 and SAMDev policy MD12.
21. The two fields themselves form a very small part of the area of which they are a part. Although unlikely to be the intention, this is perhaps best illustrated by the various viewpoint photographs included within the initial Sightline report. Even though I doubt these embrace the entire field of view from those locations (and since many seem to be taken from private property I was unable to verify this), the appeal fields have been colour-washed red to identify them. Furthermore, it appears that the entire north-facing slope has been coloured whereas the panels would not be installed on that slope.

22. That reinforces my own observations that most of the landscape characteristics of the area would be unaffected by the development proposed. The effect on the small to medium scale landscape of which the appeal site forms a part would be very localised. In my judgement the assessment of this effect in the appellant's LVIA as 'slight-moderate adverse' is fair. As I understand it, the development would not therefore conflict with CS policy CS17, bullet 3. This policy sets out an objective in the preamble which is to be achieved 'by ensuring that all development...'. There are then four bullets which are not linked by 'and' and therefore do not all have to be met. Bullet 3 requires development not to have a significant adverse impact on Shropshire's environmental assets and not to create barriers or sever links between dependent sites. The second part does not apply in this case and the level of effect to conflict with the policy would not be reached. As explained above, SAMDev policy MD12 is in accordance with this CS policy; as such, there would be no conflict with it either. Neither would it conflict with CS policy CS6 or SAMDev policy MD2 to the extent that they are relevant at all as they appear to be design principles rather than landscape protection policies.
23. Turning now to the effect on the appearance of the landscape, it is obvious that the appearance of the two fields will alter for the duration of the development. The issue is the extent to which that change would be appreciated and from where it would be perceived. In this respect it is material that the development would be at about 100m AOD or just above.
24. The appellant has included views from only six representative viewpoints in the LVIA although, in accordance with best practice, these were discussed and agreed with the Council. The LVIA explains that the curtilage of private properties was not entered and the assessments of those views are given from the nearest public vantage point. Sightline produced 22 viewpoint photographs, many of which appear to be from within private properties. For example, viewpoint 6 has what appear to be garden chairs in the foreground of the view. These are of course private rather than public views.
25. There is an extensive network of public rights of way in the area although these are mainly to the south of the appeal site and on lower ground. Views of the appeal site from that running north of the site but east-west across Neens Hill from the River Rea would be largely obscured by either the intervening landform or the woodland. The most important views would be available from the public rights of way running due south from the settlement towards the appeal site.
26. During my inspection of the site itself many members of the local community could be seen standing on these routes in high visibility tabards. However, when I walked these same routes later I was able to appreciate that over much of their length views across the valley towards the appeal site are heavily filtered by the hedges along the route, even in mid November when the leaves were beginning to fall. There are a number of gateways which allow glimpses across the valley and I imagine that it was in these gateways that people were standing. In addition both routes follow the contours down towards the two rivers which would again limit the points from which views across the landscape can be gained.
27. Nevertheless, having crossed the River Rea and risen up the steep contours the bridleway attains the same height as the appeal site and, as the appellant's

Figure 7 illustrates, there are open views across a wide area. Until the mitigation hedgerow planting matured to the planned height users of this public right of way would experience a significant change in their outlook from the open view across countryside available now to one through a deer fence and across a solar farm. Once matured, the hedgerow itself would block the open views now available to those on foot while having almost no impact on the views across the development for those on horseback. In my judgement there would be considerable harm to the experience that users of this right of way now enjoy. In that respect, I consider the judgement given in the appellant's LVIA fails to reflect the differing impacts that the development would have for walkers and horse riders.

28. I was asked to look back at the settlement from the high point of the appeal site by SOGHCG. In doing so I noted the upper floors of a few dwellings and the church steeple in the settlement and a few properties on the side of Neens Hill. In many of the reverse views across the site from the settlement the most prominent buildings are those of High Point Farm set against the backdrop of the woodland.
29. Turning now to the views available from within Neen Sollars, these would, in my judgement be limited from public viewpoints. Any views from the village hall car park, which is at more or less the same elevation as the appeal site, would be obscured by the village hall building. Very few views across the valley are available from the lane through the settlement. From the churchyard there is one clear view from the fence but this is at a lower elevation and the appeal site is but one small element in the view.
30. Most other views that are available in the evidence are from private property. I was able to view the landscape from one of these, Hilltop Farm, which, as the name suggests, is at one of the highest points in the settlement. In my judgement only limited views of the appeal fields are available from within this property.
31. I appreciate that the panel backs would be visible to a degree from some private properties and that they may draw the eye to the appeal site whereas, at present, it is no different in appearance from many of the other fields in the landscape. However, in my judgement, the colour wash used in the Sightline photographs, some of which were included in the report to members, very much over states that difference. First, the colour renders the two fields totally dominant in the view which they would not be given the dark hues to be applied to the panel backs. Second, they appear to both foreshorten and narrow the view. In my judgement, the fields represent a much smaller element in the overall landscape in the field of vision. Indeed, in some directions while the generality of the landscape can be appreciated, the two appeal fields hardly register. Finally (and no criticism is implied since the images were prepared on the basis of the submitted scheme) they overstate the extent of the panel coverage on the settlement-facing slope.
32. My overall judgement therefore is that for the reasons set out above, the adverse impact on the appearance of the landscape would be limited to that experienced by the users of the bridleway in close proximity to the appeal site. However, the purpose of CS policy CS17 bullet 1 is, among other things, to ensure that all development would not adversely affect the visual, recreational values and functions of the named assets which includes Shropshire's natural

environment. There would therefore be a conflict with the relevant development plan policy in this limited regard. However, there would be no conflict with SAMDev policy MD12 since the level of harm required to trigger a conflict (significant adverse effect) would not be reached.

The effect that the development would have on the significance of the designated heritage assets in the locality

33. There are a number of Listed Buildings both within Neen Sollars and the wider area and the majority of the linear settlement is within the Neen Sollars Conservation Area. The development proposed would have no direct effect on any of the Listed Buildings and would have no direct impact on the character or appearance of the Conservation Area. Both these aspects of the Conservation Area, to which I must have regard by statute, would therefore be preserved.
34. The Heritage Assessment explains how the heritage assets that would be subject to detailed settings assessment were selected and how that assessment was carried out. I have no evidence before me to dispute that process. The three assets subject to more detailed analysis were Wharf House and Dower House and the Conservation Area as a whole.
35. In each case the rural setting of the building and the Conservation Area adds to the significance of the asset. However, there is no evidence that a designed view forms part of the significance of the setting of either of the houses while it is the buildings themselves and their groupings together with the Church that are the most important elements of the character and appearance of the Conservation Area.
36. As set out under my first main issue the appeal development would affect only a very small part of the landscape. It would not be visually prominent from either Listed Building assessed in detail or from within the public domain of the Conservation Area. In my view, there would be no impact on the setting of any heritage asset and thus no conflict with the objectives of Framework section 12 which sets out national planning policy to achieve the core planning principle listed in Framework paragraph 17, bullet 10. For the same reasons there would be accordance with SAMDev policy MD13 criteria 1 which requires development proposal to avoid harm or loss of significance to designated or non-designated heritage assets including their settings wherever possible.

Whether the proposal would accord with national planning policy and guidance for the siting of ground-mounted solar farms

37. I have not been made aware of any CS policy that guides the delivery of renewable and low carbon energy and associated infrastructure. As set out above, SAMDev policy MD8 has no solar farm specific guidance. I have therefore had regard to the Framework and the Planning Practice Guidance.
38. Framework paragraph 17, bullet 6 encourages the use of renewable resources by, for example, the development of renewable energy in order to support the transition to a low carbon future in a changing climate. Framework section 10 develops this and is, in short, supportive of such developments. In particular, Framework paragraph 98 states that applicants are not required to demonstrate the overall need for renewable energy and that it should be recognised that even small-scale projects can provide a valuable contribution to

- cutting greenhouse gas emissions. Furthermore, applications should be approved if their impacts are or can be made acceptable.
39. In this case, the appellant's evidence is that the proposal would power some 1,165 homes and save about 54,000 tonnes of CO₂ emissions over the lifetime of the project. The Council does not dispute this evidence.
 40. Detailed guidance is given about the planning considerations to take into account when dealing with ground-mounted solar farms in the Planning Practice Guidance. In the Ministerial Written Statement dated 25 March 2015 it was made very clear that these included '...making effective use of previously developed land and, where a proposal involves agricultural land, being quite clear this is necessary and that poorer quality land is to be used in preference to land of a higher quality.' Read in context 'higher quality' means the best and most versatile agricultural land, namely grades 1, 2 and 3a.
 41. The planning application was supported by an 'Opportunity Register' which sets out all the potential schemes on non-agricultural land that the appellant has pursued country-wide and, where these have been unsuccessful, the reasons why. The Council has not disputed that evidence.
 42. The appellant's initial position was that the appeal site was grade 4. On further investigation in preparing the response to SOYL this was revised to a grade 3b/4 split of about 35%/65% on the basis of land gradient and laboratory tests of the soil and soil wetness. Each of these was derived from on-site samples or measurement.
 43. SOYL disputes this assessment and, on the basis of land gradient, puts the 3b land at no more than 30% of the site. However, SOYL did not have access to the appeal site and this critique is based on an assertion that guidelines for measuring soil wetness have not been followed and an analysis of commercially available maps to establish land gradient.
 44. It seems to me that SOYL and the appellant actually agree on the proportion of the site that is grade 3b. However, SOYL then make the assumption that the remainder is 'probably' best and most versatile land whereas the appellant finds that it is grade 4. SOYL's assumption is however subject to the caveat '...unless proper measurements for assessing soil wetness are made according to the ALC guidelines...'. SOYL's assumption relies therefore on the assertion that the way the wetness test has been carried out is wrong (which I cannot resolve on the evidence before me) and on a correct test showing that the other 70% of the land is grade 3a or above. In my judgment that is not evidence which would allow me to conclude that the appeal site is best and most versatile agricultural land.
 45. My conclusion on this issue is that the proposal would accord with the policies in Framework section 10 and would accord with what amounts to the sequential approach set out in the Planning Practice Guidance and the Written Ministerial Statement.

Other Matters

46. In its appeal statement the Council alludes to an additional conflict with development plan policy that does not form part of the reasons for refusal. It suggests that the development would harm tourism because the high quality

and tranquil nature of the landscape around the application site would be adversely affected. A conflict with CS policies CS13 and CS16 is contended.

47. Ground-mounted solar farm developments are not noise generators so it is not clear to me why the Council considers that the tranquillity of the landscape would be affected. I have found under my first issue that the adverse effect that would arise would be limited to the experience of those users of what is a relatively short length of public right of way along the western edge of the development. While this is a part of the recreational resource of the County, no evidence has been put forward to substantiate any argument that tourism would be adversely affected as a consequence.
48. The appellant has indicated that a community benefit fund would be created and payable to the Parish Council. However, no mechanism such as an obligation under s106 of the principal Act has been put forward to secure this and I have given no weight to this matter in reaching my decision. Similarly, I give very little weight to the statement that sheep will graze the land once the development has taken place. Although the fields were so used at the time of my site view, no means to secure this has been put forward.
49. The appellant also acknowledges and has taken into account the SOGHCG observation that the disposal of solar panels is subject to the Waste Electrical and Electronic Equipment Regulations. However, given the period that would elapse before any disposal was required, it seems to me unnecessary to speculate now on the costs or indeed the method of doing so at a point some 30 years into the future.

Conditions

50. This planning application was recommended for approval by the officers and the report to members included a number of conditions. As far as I am aware, the appellant has not commented upon them. I have considered them in the light of the advice in the Planning Practice Guidance and have amended the wording of some for clarity.
51. In addition to the standard commencement condition a condition specifying the approved plans is required in the interest of certainty, particularly as revisions have been made to the submitted application drawings. However, the condition suggested by the Council is unnecessarily complex with some of the matters covered being addressed by other conditions in any event. The 'plans' condition also makes the Council's suggested conditions 3 (application site boundary) and 12 (fencing and CCTV system details) superfluous.
52. Other conditions are required to secure the route to be used during the construction period for the delivery of materials and the provision of the access prior to the commencement of the development. Also required is a scheme specifying a programme of archaeological works in view of the potential for such remains identified by the appellant's Heritage Assessment. Schemes are required to be agreed for landscaping, tree and hedgerow protection, Great Crested Newt surveys and habitat management to deliver the mitigation and other measures identified by the appellant in the various reports that accompany the planning application.
53. The development is, in my opinion, unlikely to generate any noise nuisance given the positioning of the equipment within the site and the relationship to

any non-involved property. I note too the Council's Public Protection officer has raised no objections to the appeal proposal. Moreover, the officer report also states that '...there is no reason to suspect that there would be any unacceptable noise impact given...the separation distance to the nearest properties and the screening effect of the intervening topography.'

Nevertheless, suggested conditions 14 and 15 which respectively set a noise limit and a complaints resolution procedure in the event of any being made are put forward. The wording of both seems somewhat uncertain and neither seems necessary in the particular circumstances of the appeal site. Neither would meet the tests set out in the Planning Practice Guidance and I shall not impose them.

54. Finally, suggested condition 16 sets a limit of 30 years for the life of the development (this being the design life of modern solar panels in the Council's view) and requires restoration of the site to agriculture thereafter. I note that the Council does not require decommissioning in the event of electricity production permanently ceasing before that 30 year period ends. That is unusual in my experience but that is a matter for the Council. Since the end date is determined by the planned design life of the panels, part (a) of the suggested condition (prohibiting the replacement of any panels at the end of their design life) seems unnecessary and therefore not justified by the tests set out in the Planning Practice Guidance.

Conclusion

55. For the reasons set out above, I have concluded that there would be a conflict with one aspect of CS policy CS17 but no conflict with another aspect of the same policy, with CS policy CS6 or with any of the SAMDev policies brought to my attention by the parties. I therefore conclude that the appeal proposal would not conflict with the development plan as a whole.
56. In any event, on heritage matters the appeal proposal would accord with the core principles of national planning policy and SAMDev policy MD13. It would also contribute to the Framework core principle of supporting the transition to a low carbon future in a changing climate through the use of renewable resources by, for example, the development of renewable energy infrastructure. These are material considerations that in my judgement outweigh any residual conflict with the development plan.
57. For the reasons given above I therefore conclude that the appeal should be allowed.

Brian Cook

Inspector

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site boundary at 1:10,000; Site Design Rev A5 1:2500; Site Design Rev A5 1:4000; Site Design (access) 1:1000; 232-05-PV (Access Plan); 2V Racking System Rev 2; GCS0016-1; GCS0016-2; GCS0016-3; GCS0016-4; GCS0016-5; GCS0016-6; TGC/PV001 (2.0m deer fencing amended); TGC/PV002 Rev A1; TGC/PV003 rev A1; TGC/PV004 Rev A2; TGC/PV009/01 Rev A1; TGC/PV010 Rev A3.
- 3) No development shall take place until a construction management plan which shows the route along the highway to be used for the delivery of materials and plant to be used in the construction of the development hereby permitted and the measures to minimize the impact on the local highway network has been submitted to and approved in writing by the local planning authority. The construction management plan shall be carried out as approved.
- 4) The sole access from the public highway to and from the development during construction and throughout the operational phase of the development hereby permitted shall be that shown on the approved plan 'site boundary at 1:10,000'.
- 5) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.
- 6) All planting, seeding or turfing comprised in the approved details of landscaping approved under condition 5 shall be carried out in the first planting and seeding seasons following the completion of the development; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 7) Where the scheme approved under approved under condition 5 indicates that construction work is to take place within the root protection area (RPA) of any retained trees, large shrubs or hedgerows no development shall take place until an arboricultural method statement (AMS) detailing how the trees, shrubs and hedgerows will be protected during the construction works has been submitted to and approved in writing by the local planning authority. The scheme shall also ensure that no ground disturbance, siting of plant, equipment, buildings or bunds shall take place within 2m of any hedgerow and within a fenced off minimum 10m buffer between the woodland edge of Gaudywood Park and the access track. The scheme shall be implemented as approved.
- 8) No development shall take place until a habitat management plan has been submitted to and approved in writing by the local planning

authority. The plan shall include: description and evaluation of the features to be managed; ecological trends and constraints on the site that may influence management; aims and objectives of management; appropriate management options for achieving aims and objectives; prescriptions for management actions; preparation of a works schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually); personnel responsible for implementation of the plan; monitoring and remedial/contingencies measures triggered by monitoring. The plan shall be carried out as approved.

- 9) The development hereby approved shall be carried out in accordance with the All Ecology Great Crested Newt Method Statement dated January 2015.
- 10) No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The programme shall be carried out as approved. Where significant archaeological remains are identified by the investigation the approved programme shall provide for non-intrusive construction methods to be employed within areas to be approved in writing by the local planning authority prior to the commencement of the development hereby permitted.
- 11) The photovoltaic panels and all other structures erected in accordance with the development hereby approved shall be removed within 30 years of the date of this planning permission and the land reinstated to agricultural use. Not less than 7 days' notice shall be given to the local planning authority in writing of the date on which the works of decommissioning shall start.