

Application No: W 13 / 1134

Town/Parish Council: Bishops Tachbrook
Case Officer: Liam D'Onofrio

01926 456527 liam.donofrio@warwickdc.gov.uk

Registration Date: 15/08/13

Expiry Date: 14/11/13

Land at Brickyard Barn, Mallory Road, Bishops Tachbrook, Leamington Spa, CV33 9QD

Construction of an 4.1 Mw Solar Photo voltaic Park complete with all necessary inverters, security fencing, switchgear and landscaping. FOR Sun Glow Power

This application is being presented to Committee due to the number of objections received, including an objection from the Parish Council.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the erection of a solar photo-voltaic park to generate 4.1Mw. The scheme will include the construction of solar photovoltaic panels and associated works including inverter housings, switchgear, security fencing and CCTV. A new access driveway will be provided from the site to link into the existing driveway to Brickyard Barn, which exits onto Mallory Road.

The solar panels will be set on a framework at an angle of approximately 25-degrees with a 3.6m gap between each row. The switchgear housing will measure 4.5m by 5m by 2.5m high and will be a glass reinforced plastic (GRP) construction and the larger switchroom will be a flat roof, brick structure measuring 5.7m by 5.2m by 4.2m high. The inverters cabinets (the four structures shown amongst the panels) will measure 4.5m by 3.6m by 3m high. Proposed fencing will be 1.83 metre high mesh wire supported on posts.

The scheme includes a supporting statement incorporating a flood risk assessment. The supporting information states that: *The solar farm is a 4.1Mw development that will cover 8.2ha all contained within existing field boundaries. The development will contain approximately 16,216 solar panels. These would be mounted in a landscape position, four high at an angle between 22 and 25 degrees. This will mean the panels have a maximum height of 2 metres. The solar farm will have an operational life span of around 25 years after which the panels are likely to be removed from the site. The solar panels are 991mm by 1650mm in size. The panels will be held in place on an anodised aluminium alloy sub-construction frame with tapered post's driven around 1 metre into the ground. The site will also house a total of 4 inverters/ transformers. The surface*

of each panel is constructed of toughened glass, beneath which there is a non-reflective layer, electrical connectors, silicon and a backing layer, all of which is set within an aluminium frame. The panels are designed to absorb sunlight to maximise electricity generation, which has the additional benefit of minimising reflection and glare from the panels. The solar tables are arranged in rows running across the field, forming a regular linear pattern, with wide spacing. The solar panels appear with a dark blue finish with lighter aluminium frames showing between.

The applicant notes the following:

- The scale, location, layout and appearance of the proposals have being addressed against national and local policies.*
- The site has being carefully selected as part of a detailed feasibility process, and a landscaping and screening scheme will ensure the site has no visual impact upon local residential amenity or the landscape character of the area.*
- The solar energy proposal responds to international, European and national policy in response to the reduction of CO2 emissions, by helping to contribute to the attainment of renewable energy targets. The proposals will therefore take a step towards meeting the UK's climate change targets.*

In terms of landscaping the applicant states:

It is evident that the proposed development would not harm the distinctive landscape features associated with the site and the surrounding area. The development improves the biodiversity of an otherwise limited range of species while leaving the sites undulating topography relatively untouched. Existing woodland and trees on the site would be retained and the large-scale planting scheme would help to increase the local woodland while simultaneously screening the site. These mitigation proposals were deemed to be the best possible measures for improving the ecological value of the surrounding environment whilst mitigating the impact upon local character. New sections of hedgerow would be planted where they are currently missing or sparse and a 2 metre high landscaped embankment along the Northern and Eastern boundary would reduce the impact upon the local residents by screening the site from passing traffic and any residential properties.

THE SITE AND ITS LOCATION

The application site relates to a field within open countryside located to the northwest of Bishop's Tachbrook village. The site is located on the southern side of a valley and the land levels gently slope upwards for north to south. A mature boundary hedge is located to the southern boundary with mature but more sporadic hedging and trees to other boundaries. The site will be accessed from Mallory Road to the south. The minimum distance between the closest neighbouring properties and the edge of the site is 80m.

PLANNING HISTORY

None relevant.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP9 - Farm Diversification (Warwick District Local Plan 1996 - 2011)
- RAP10 - Safeguarding Rural Roads (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Bishops Tachbrook Parish Council : Objection. Rural policies apply. The PC are already committed to including within its Neighbourhood Plan sites for the production of renewable energy that do not compromise other environmental objectives. Solar panels are far too close to existing residential properties. The site forms part of the Tachbrook Valley and is adjacent to a footpath. The proposed planting will take 10 years to establish and deciduous native species will not fully screen the development in winter. Panels are ugly, intrusive, a blot on the landscape. The site is subject to springs that run down the hill to the brook. Farm diversification is not explained and may lead to the fragmentation of the existing farm holding. The development has an industrial scale and solar panels would be better suited to roofs of large factories/commercial units. Development would have an adverse effect on the countryside visually and environmentally. The PC wish to support a substantial solar energy installation, but not in this location as it is not possible to mitigate against adverse environmental effects.

Natural England - No objection, scheme is unlikely to affect any statutorily protected sites or landscapes. NE notes that it is unclear whether there are suitable habitats or features, such as ponds, in the locality that may support Great Crested Newts (GCN). Further clarification is advised. (A GCN survey has been submitted accordingly).

Environment Agency - No objection.

English Heritage - It is suspected that the proposals may not have an impact upon the setting of the castle and Park, however this has not been adequately demonstrated in the application. Similarly there are listed buildings nearby not mentioned in the assessment. EH recommend that a more detailed assessment is undertaken to demonstrate the lack of impact to heritage assets.

This assessment has been submitted and English Heritage's comments are awaited. Members will be updated at the meeting accordingly.

Ramblers Association- Footpath W105 not directly affected, the security measures may give sense of enclosure, although mitigated by native species planting.

WCC Highways - No objection, subject to conditions.

WCC Public Rights of Way - No objection, notes suggested.

WCC Ecology - Pre-determinative Great Crested Newts survey requested, which has been submitted by the applicant. The Ecologist has confirmed that they are satisfied that the potential for GCN has been appropriately assessed. As there is potential for a range of protected species to be found on site the Ecologist agrees with the recommendations in the report that avoidance measures should be taken in order the proposed works not to impact on protected species. This will be controlled by condition.

Further conditions are suggested and protected species notes.

WDC Environmental Services - No objection, subject to natural landscaping screen to minimise any effects of glint or glare from panels.

Public response:

One petition received with 159 signatures against the current proposal, however 99 of those 159 signatures confirm that they would accept a reduced proposal for solar panels in the field furthest from the village, thus giving a buffer zone of one full field and its surrounding hedges.

Fifteen individual objections have been received from local residents raising the following concerns:

- Concern at proximity to existing houses/village.
- Eyesore, not just solar panels but also ugly perimeter fence/gates.
- What will stop developer expanding into surrounding fields?
- Loss of view.
- Concerns of danger/explosion/fire.
- Applicant's public consultation was too discreet/no local knowledge of plans.
- Site is a major attraction/a large community of dog walkers use the field.
- Devastating impact upon rural character and village.
- Several comments that a reduced scheme, moved away from the houses, could be reluctantly accepted.
- Loss of privacy from CCTV, likely to deter people using footpath.
- Local Area Plan made no mention of a solar farm.
- Concerns of reflection and glare.
- Recognition of renewable energy importance, but there must be other options?
- Loss of wildlife.

ASSESSMENT

The main considerations in assessing this application are as follows:

- Principle;
- Siting/Design;
- Neighbours' amenity;
- Highway matters;
- Ecology/landscaping;
- Other matters.

Principle

The National Planning Policy Framework (NPPF) 2012 paragraph 97 states that to help increase the use and supply of renewable and low carbon energy sources LPA's should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon resources. The NPPF adds that when determining planning applications LPA's should not require applicant's for energy development to demonstrate the overall need for renewable energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Local Plan Policy DP13 'Renewable Energy Developments' is also relevant to consideration of the scheme, which states that planning permission will be granted for developments which generate energy from renewable resources where they do not have an unacceptable impact upon: local amenity, including visual appearance, noise, and traffic generation; public health/safety; landscape character; the natural environment; or interests of archaeological and historic importance.

The proposed scheme would make a significant contribution to national renewable energy targets and to energy security, and would also make a contribution to the rural economy, supporting farm diversification.

The NPPF states that LPA's should approve such applications if the impacts (other material considerations) are, or can be made, acceptable.

The application is therefore acceptable in principle. Other material considerations relevant to the application site and the assessment of the scheme are considered below.

Siting and design

Whilst the scheme is acceptable in principle the NPPF also states that the planning system should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes and also to identify and assess the particular significance of any heritage asset that may be affected by the proposal.

The application site is on the southern side of a valley and the site rises from north to south. In terms of longer views the development is unlikely to be visible at all from Mallory Road to the south due to falling land levels, the limited height

of the solar arrays and existing landscape screening. The site will be visible from Harbury Lane, across the valley to the north, although public view is limited by a mature boundary hedge to the southern edge of Harbury Lane. At this distance the panels, where visible, would still be a distinct feature within the rural landscape, although visually they would not be dissimilar to glasshouse or polytunnel structures used for farming. The panels face south and any views from Harbury Lane would be onto the rear of the panel/supporting framework.

The site will be visible from properties to the north western edge of Bishop's Tachbrook and easily visible from the public footpath that runs adjacent to the application site. It would be an unreasonable expectation that solar parks could be completely hidden from view, however they are less visually intrusive than other renewable energy proposals found within the countryside, such as wind turbines. The solar arrays will be a modest 2.3m high and a robust planting scheme, whilst taking time to establish, will complement existing landscaping on site and assist in mitigating against the visual impact of the proposed development upon the open countryside.

English Heritage have indicated that they "*suspect proposals will not have an impact upon the setting of the Castle and Park*", however they consider that the applicant has not fully assessed the possible impacts of the proposals and therefore recommend that a more detailed assessment is undertaken to properly demonstrate the lack of impact to heritage assets. This assessment has been completed and forwarded to English Heritage for further comment. It is unlikely that if there is any impact that it cannot be adequately mitigated against through conditions, however English Heritage's further comments will be reported to members at Planning Committee.

Landscape screening will be key to the visual mitigation of the development to ensure it is sympathetically incorporated into the surrounding landscape. The submitted landscaping plan is indicative only, however the applicant has confirmed that new sections of hedgerow would be planted where they are currently missing or sparse and a 2 metre high landscaped embankment will be created along the northern and eastern boundaries to provide immediate screening. Planting will take time to establish and the applicant has confirmed that fast growing Elder will also be utilised to the eastern boundary to assist in the soft landscaping becoming quickly established. A robust landscaping scheme can be secured through condition.

The scheme is, on balance, considered to be acceptable, subject to securing a suitable hard and soft landscaping scheme to include fencing and planting details. A condition would require the solar panels and associated equipment/security fencing to be removed from the site and the land reinstated to its former condition either within 25 years or if the panels are no longer required for solar generation.

Neighbours' amenity

The scheme has raised a number of concerns from local residents, which the applicant Green Energy UK has sought to directly address.

In terms of the existing footpath access the applicant notes that: *'having access to green space to interact with the natural environment is something many residents currently enjoy and wish to continue to enjoy. Green Energy UK is committed to ensuring that residents have access to footpaths now, during the development and after the development. The existing footpath on the site will not be altered during the development, nor will access be interrupted during the development of the site'*. Public footpath W105 runs to the north of the site and the County Public Rights of Way Team have no objection to the scheme. Notes are suggested to ensure that the applicant is made aware of their obligations that the footpath should remain open and any new planting must be set 2m from the footpath edge.

In terms of the Hedgerows and Ecological Value the applicant states that they: *'strive to achieve development that is not only sustainable now, but also for the future. To ensure that future generations have a safe environment to enjoy we believe in increasing the ecology of neighbourhoods we work with. Green Energy will provide screening for the site approved by an accredited professional ecologist together with the county ecologist to ensure that species chosen compliment the local natural environment. Contrary to popular belief, solar panels increase the ecological value of green space. Development is non invasive and will sit on top of the current land, thus no net reduction in the amount of green space provided with an increase in the amount of local native trees and shrubs which will block the development from sight'*. The County Ecologist has raised no concerns with the scheme, subject to conditions.

In terms of Noise the applicant states that: *'Solar farms, by their nature are static developments with no moving parts. They are designed to be highly efficient at generating energy and not wasting any through the production of noise. Independent tests in Germany have been conducted on equipment proposed for the solar park. The tests were carried out to measure the noise output when being run at 100% capacity - a level which is extremely unlikely to happen on a regular basis. At this level, the noise levels are unable to be heard outside the perimeter of the site and is comparable to the noise of a conversation between 2 adults. Policy states that residents should not be subject to noise levels above 55db during the day time and 35db during the day time. At 100m from the inverter there is a noise output of 37db if the inverter is running at 100% - every fan at full capacity. To ensure noise does not escape the site there are a series of buffer points to reduce the noise escaping the site including panels, fencing and trees around the site. Inverters are positioned near the centre of the arrays on the site and are rarely closer to the boundary than 100m. Noise decreases by 6db as the distance doubles if there is no obstruction between the inverter and the sensor. The inverters have several items which is obstruct the sound waves including solar panels, fencing and trees. With these three layers it is unlikely any person outside of the site boundary will be able to hear the inverters at all'*. No noise concerns are raised.

In terms of glare the applicant advises that: *'Glint and glare are two concerns very frequently raised when discussing solar farms. Solar panels are designed to be highly efficient at absorbing light and converting this into electrical energy,*

not reflecting the energy away. This is due to the use of non-reflective glass used in the panel manufacture. The absorption index of a solar panel is similar to that of black asphalt used on many UK roads . Solar farms are now considered to pose such a little risk of glint and glare that airports are willing to place the farms in the land adjacent to runways. Gatwick Airport, Bournemouth Airport and Newquay airport are 3 airports currently in operation with solar farms adjacent to the site with no record of complaints from pilots or neighbours. The Council's EHO has commented that additional landscape screening should be planted as a means to minimise any glint or glare on surrounding properties.

In terms of site restoration following the expiry of the 25 year consent the applicant notes that: *'Brickyard Solar Farm is not designed to be a permanent development. Solar farms preserve land for a minimum of 25 years and are contracted to restore sites at the end of their agreement. To ensure that the land is protected a photographic report is made prior to installation of the farm. At the end of the lease, the de-commissioning project must re establish the same condition. A financial bond to cover the cost of this is established during the last 4 years of the lease'*. A condition would require the solar panels and associated equipment/security fencing to be removed from the site and the land reinstated to its former condition either within 25 years or if the panels are no longer required for solar generation.

Finally in terms of site security the applicant advises that: *'Security is paramount at Green Energy UK. Developing an energy production site has several safety considerations on and off site. It is imperative that the public are safe from any risks exposed at the site. As this is an unmanned site, CCTV cameras will be installed to offer an additional layer of protection in addition to a security fence around the perimeter. We at Green Energy believe in privacy and have no intention in encroaching into people personal space or the acquisition of such data. All CCTV cameras will face inside the site from the fence , and will be used for the sole purpose of protecting the equipment'*. A condition is suggested to control the installation and positioning of CCTV to ensure an appropriate solution is achieved. A further condition is suggested to control any lighting, which could be detrimental to nearby residents and create light pollution is not sympathetically installed.

Given the height of the proposed panels and ancillary single storey structures and the 80 metre plus distance to neighbouring properties, the proposed scheme is not considered to result in any significant impact upon the amenities of the occupiers of surrounding properties in terms of light, outlook or disturbance that would warrant refusal of the scheme.

Highways

The existing access will be used on the northern side of Mallory Road to Brickyard Barn, with the driveway extended to reach the site. The Highway Engineer notes that the proposed access to the site is located along a section of the public highway (Mallory Road) which is subject to a 50mph speed limit. The visibility splays commensurate with the 50mph speed limit (160.0 metre 'y' distance from a 2.4 metre 'x' distance) can be attained from the point of access

onto the public highway, subject to the cutting back and future maintenance of the boundary hedge immediately adjacent to the access on the southern side.

The Highway Engineer notes that drivers of vehicles approaching the site from the east have reduced visibility of vehicles turning right into the site (and vice-versa) and together with concerns that the current geometry of the site access will not enable HGVs associated with construction of the scheme to manoeuvre without crossing the carriageway into the opposing lane do not appear to have been addressed within either the Traffic Management Plan or Construction Management Plan. Neither section make reference to any temporary works to the driveway to enable these vehicles to gain suitable access without impacting on the public highway. Similar concerns are also applicable to the movement of HGVs, in particular the articulated vehicles and large rigids, at the junction of Mallory Road with the B4100 as again the geometry of the junction is unlikely to accommodate the swept path of these vehicles without crossing the centreline of the B4100 as they turn in a northerly direction.

The supporting report indicates that the number of planned deliveries will be two per day, although this will change dependant on the phase of construction. The Highway Engineer notes that the number of movements are still likely to be minor. Nevertheless it is considered important that the construction phase of the development does not impact onto the day to day operation of the public highway. The Highway Engineer has therefore raised no objection to the proposed development, subject to conditions to control the delivery route and delivery times during construction, a construction method statement for the temporary (during construction) and permanent access, signing for the delivery route and wheel washing facilities to keep the highway clear.

Ecology/landscaping

Natural England have raised no objection noting that the scheme is unlikely to affect any statutorily protected sites or landscapes. Natural England note that it is unclear whether there are suitable habitats or features, such as ponds, in the locality that may support Great Crested Newts (GCN). The County Ecologist has also requested a pre-determinative GCN survey requested, which has been submitted by the applicant. The Ecologist has confirmed that they are satisfied that the potential for Great Crested Newts on site has been appropriately assessed. As there is potential for a range of protected species to be found on site the Ecologist agrees with the recommendations in the report that avoidance measures should be taken in order the proposed works not to impact on protected species. This will be controlled by condition.

The site benefits from existing mature landscaping and a mature Oak Tree is located within the site area. A condition is suggested to ensure that, in addition to agreeing a robust planting screen, measures are secured to retain and protect existing landscaping during the construction phase.

Other matters

In terms of flooding the applicant has confirmed that: *'the arrays of panels will have a 3.6m gap between each row of panels. The majority of the site will remain as a permeable surface as grass will cover the site including the area under the panels. Only around 33% of the 8.2ha site will be covered in panels and rainfall landing on the panels will be able to drain freely onto the ground beneath the panel and therefore the total surface area of the photovoltaic array is not be considered to be an impermeable area in this assessment'*. The Environment Agency have stated that there are large enough gaps between the rows that the runoff will not be unduly concentrated into channels and therefore no objections and no further comments to made.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority the proposal, including mitigation measures, will have limited impact on the visual amenities of the area and neighbouring amenity and will help to meet the Government's Objectives, set out in the NPPF 2012 by increasing supplies of renewable energy, thus reducing carbon dioxide emissions. The proposal is therefore considered to comply with national policy and the local policies listed.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 8001-1004-2001C, GEUKD -1001-1004-0001G, GEUKD-1001-04-0201A, GEUKD-4001-1004-0002A, GEUKD-4001-1004-0001A, GEUKD-9001-1004-4000A, GEUKD-5001-04-0002A, GEUKD-8001-1004-4001A, GEUKD-5001-1004-0501A, GEUKD-5001-1004-0500A, and specification contained therein, submitted on 05/08/13. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 No development shall take place until details of the proposed construction, materials and surfacing of the site access road and its junction with the public highway Mallory Road have been submitted to and approved in writing by the Local Planning Authority. These details shall include confirmation of visibility splays in both directions along the public highway Mallory Road, details of proposed boundary treatments (including any gates), swept path diagrams for the delivery vehicles using the site entrance including construction of temporary and

permanent access arrangements to the site. details shall be carried out as approved. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

- 4 The development shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: details of the construction of temporary and permanent access arrangements to the site; details of the proposed temporary site compound for storage of materials, machinery (including areas designated for car parking); delivery time limits to the site or removal from the site of any materials, construction materials, plant or equipment relating to the preparation of the site for the development or the construction of the development; details and timetable for post construction restoration/reinstatement of the temporary access; details of the protection of public footpaths and bridleways during construction; and wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.
- 5 No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Traffic Management Plan shall include all associated construction traffic and shall include proposals for; a) the routing of construction traffic, including swept path details for the junctions of the B4100 Banbury Road/Mallory Road and the site access onto the public highway Mallory Road), b) scheduling and timing of movements including nature and number of vehicles. c) temporary warning signs. details shall be carried out as approved. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.
- 6 The development shall not be commenced unless and until a suitable signing scheme for the period of construction, in accordance with Chapter 8 of the Traffic Signs Manual, is provided on the approach to the junction of the public highway Mallory Road and the B4100 Banbury Road junction access along the public highway. Such scheme shall be agreed in accordance with the directions of the Area Team at the expense of the developer. Details shall be carried out as approved. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual

amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

- 7 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, including the new vehicular access, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. Hard landscaping details should include earth works or bunding associated with the screening of the site and relevant cross-sections. The hard landscaping works shall be completed in full accordance with the approved details within three months of the completion of the installation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the completion of installation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.
- 8 No lighting or illumination of any part of the site shall be installed or operated unless and until details of such measures shall have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **REASON:** To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 9 The development hereby permitted shall be undertaken in the presence of a ecological clerks of works appointed by the applicant to supervise all destructive and construction works on site. Should any protected species, such as reptiles or badgers, be found during this operation, then work must cease immediately whilst WCC Ecological Services or Natural England are consulted for further advice. In addition to this the

qualified ecologist worker shall submit a brief report to the local planning authority within 1 month following completion of the supervised works to summarise the findings. **REASON:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan.

- 10 No CCTV cameras or ancillary equipment shall be installed or operated unless and until details of such measures have been submitted to and approved in writing by the local planning authority and such works, and use of that CCTV, shall be carried out and operated only in full accordance with those approved details. **REASON:** To ensure that any CCTV is designed and installed so as not to detrimentally affect the visual amenities of the area in accordance with Policies DP1 of the Warwick District Local Plan 1996-2011.
- 11 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation take place without the prior consent in writing of the District Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 12 The development hereby permitted shall not commence until a bat survey of the mature oak tree located within the site, in accordance with BCT Bat Surveys – Good Practice Guidelines, has been carried out to determine the presence/absence of bat roost in this tree, and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation plan shall thereafter be implemented in full. **REASON:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan.
- 13 The development hereby permitted, including solar arrays, associated

inverters, switchgear, fencing and security measures shall be removed in their entirety and the land reinstated to its former condition as soon as practicably reasonable (not including any agreed landscaping planting to enhance the site boundaries) within 25 years of the date of this permission or when the development is not longer needed for generating renewable energy, whichever comes first. **Reason:** To ensure that a redundant facility is not retained to the detriment of the visual amenity of the locality and contrary to Policy DP1 of the Warwick Local Plan 1996-2011 and the aims of NPPF 2012, which provides justification for such renewable energy projects.

