

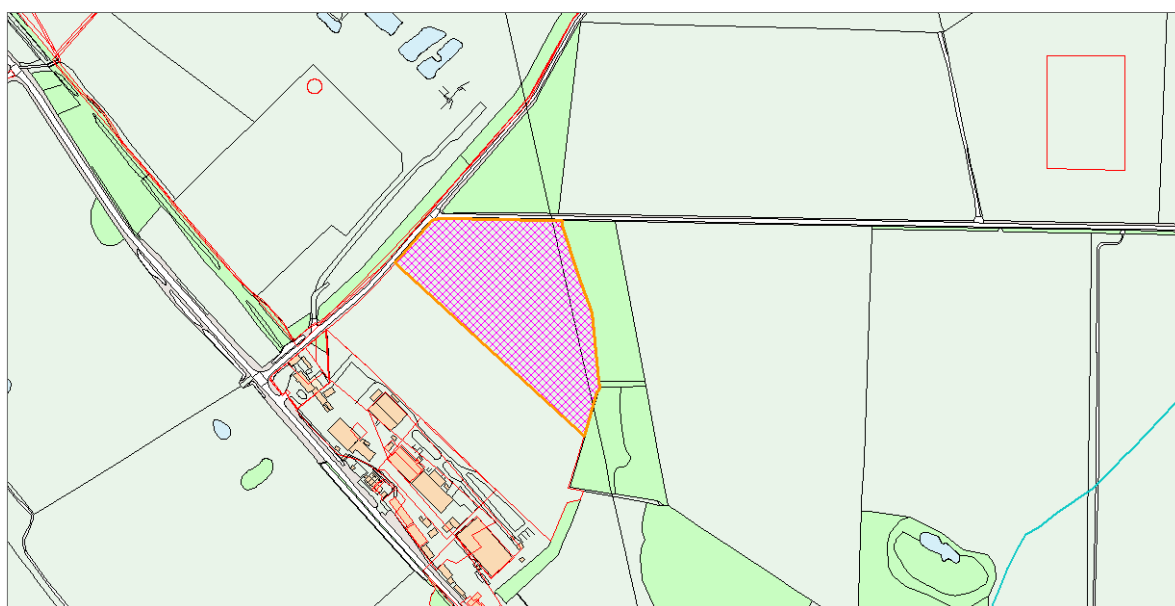


# Northumberland County Council

## Strategic Planning Committee 3<sup>rd</sup> October 2023

<b>Application No:</b>	23/00545/RENE		
<b>Proposal:</b>	Erection of ground-mounted solar farm with associated ancillary equipment		
<b>Site Address</b>	Land North East Of Wooperton Station, Wooperton, Northumberland,		
<b>Applicant:</b>	A&J Scott C/O Agent	<b>Agent:</b>	Miss Claire Pegg 1 Marsden Street, Manchester, M2 1HW,
<b>Ward</b>	Wooler	<b>Parish</b>	Bewick
<b>Valid Date:</b>	16 February 2023	<b>Expiry Date:</b>	12 September 2023
<b>Case Officer Details:</b>	Name: Mr David Love Job Title: Specialist Senior Officer Tel No: 07517553360 Email: David.love@northumberland.gov.uk		

**Recommendation:** It is recommended that this application is approved as a departure to policy MIN 8 subject to the conditions appended below.



### 1. Introduction

1.1. This planning application represents a major development and therefore is to be considered by the Strategic Planning Committee.

1.2. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out that Environmental Impact Assessments (EIAs) are required for certain developments where the proposal is to have a likely significant effect on the environment. The development proposal was screened by the Local Planning Authority during the determination process which

deemed that the proposed development is not likely to have significant effects on the environment and as such is not considered to be EIA development.

## 2. Description of the Proposals

2.1 This application is for the erection of a 2.5MW ground mounted solar farm with associated ancillary equipment. This will include a transformer and container housing the solar distribution panel as well as cabling to the existing substation at the site and fencing surrounding the panels. All energy generated will be used by the existing sawmill adjacent to the site and no power is proposed to be exported to the grid.

2.2 Planning permission is sought for a temporary period of 40 years from the date of first exportation of electricity from the site. At the end of this period, the solar panels and associated equipment would be removed

### Application Site

2.3 The application site is located approximately 200m north-east of the sawmill business located at Wooperton Station. The site is undeveloped and an application for change of use from agricultural to industrial was permitted in July 2021. It is bounded by plantation woodland to the east, the sawmill to the south and the B6346 road to the north and west.

2.4 The application site is located within an area allocated for sand and gravel extraction under Policy MIN 8 of the Northumberland Local Plan.

## 3. Planning History

**Reference Number:** 20/04250/FUL

**Description:** Change of use: agricultural to general Industrial (B2) including replacement grading line and creation of additional storage

**Status:** PER

**Reference Number:** 22/02249/SCREEN

**Description:** EIA screening request for proposed ground-mounted solar farm with associated ancillary equipment

**Status:** EIANR

**Reference Number:** 22/04359/FUL

**Description:** Erection of ground-mounted solar farm with associated ancillary equipment

**Status:** APPRET

**Reference Number:** 23/01360/VARYCO

**Description:** Variation of condition 5 (Biodiversity Mitigation and Enhancement) on approved application 20/04250/FUL to align the ecological mitigation works to new development proposals.

**Status:** PER

## 4. Consultee Responses

Architectural Liaison Officer - Police	Concerns can be addressed by a planning condition.
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Climate Change Team	No response received.
County Ecologist	No objection subject to a planning condition securing the management of grassland habitat beneath the solar panels.
Lead Local Flood Authority (LLFA)	The LLFA have no objection to 23/00545/RENE subject to the following conditions, drawings, and documents, being listed as approved.  Wooperton Sawmill Solar Panel Farm Flood Risk Assessment Issue Date: 23 JANUARY 2023 Report Number: 23001-FRA Produced by Coast Consulting Ltd Proposed Drainage Strategy Drawing 01 Rev P1 Produced by Coast Consulting dated 09/03/2023
Public Protection	No objection
Northumbrian Water Ltd	No objection but should the drainage arrangements change then we request re-consultation.
Highways	No objection subject to conditions.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	0
Number of Support	1
Number of General Comments	0

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee

### Notices

General site notice, 22nd February 2023

Berwick Advertiser 23rd February 2023

### Summary of Responses:

A single letter of support has been submitted.

The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=RQ10MNQSFH300>

## 6. Planning Policy

### 6.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)  
STP 2 - Presumption in favour of sustainable development (Strategic Policy)  
STP 3 - Principles of sustainable development (Strategic Policy)  
STP 4 - Climate change mitigation and adaptation (Strategic Policy)  
STP 5 - Health and wellbeing (Strategic Policy)  
STP 6 - Green infrastructure (Strategic Policy)  
ECN 1 - Planning strategy for the economy (Strategic Policy)  
ECN 12 - A strategy for rural economic growth (Strategic Policy)  
ECN 13 - Meeting rural employment needs (Strategic Policy)  
QOP 1 - Design principles (Strategic Policy)  
QOP 4 - Landscaping and trees  
TRA 1 - Promoting sustainable connections (Strategic Policy)  
TRA 2 - The effects of development on the transport network  
ENV 1 - Approaches to assessing the impact of development on the natural, historic, and built environment (Strategic Policy)  
ENV 2 - Biodiversity and geodiversity  
ENV 3 - Landscape  
ENV 4 - Tranquillity, dark skies, and a sense of rurality  
POL 2 - Pollution and air, soil, and water quality  
MIN 4 - Safeguarding mineral resources (Strategic Policy)  
MIN 5 - Prior extraction of minerals  
MIN 6 - Safeguarding minerals related infrastructure (Strategic Policy)  
MIN 7 - Aggregate minerals (Strategic Policy)  
MIN 8 - Aggregate mineral site allocations - Sand and gravel (Strategic Policy)  
REN 1 - Renewable and low carbon energy and associated energy storage

## 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - National Planning Practice Guidance (2021, as updated)

## **7. Appraisal**

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is the Northumberland Local Plan (NLP) adopted by Northumberland County Council on 31 March 2022. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 In relation to the principle of this development in policy terms, it is considered that the following main matters are relevant and need to be considered:

- Principle of renewable energy development
- Spatial strategy
- Conflict with the Local Plan site allocation for mineral extraction
- Mineral safeguarding and prior extraction
- Climate Change
- Economic benefits
- Ecology

## Renewable energy policy and spatial strategy

7.3 Policy STP 1 sets the spatial strategy for Northumberland and directs development towards existing settlements. The site of the proposed development is in the open countryside and outside of an existing settlement. For development in the open countryside to be supported it must align with one of the exceptions listed in the policy. This includes if the proposal provides for essential energy infrastructure in accordance with other policies in the plan.

7.4 Policy REN 1 of the Northumberland Local Plan concerns renewable energy development, including solar photovoltaic developments. Policy REN 1 is supportive of this type of development provided that the environmental, social, and economic effects of the proposal are acceptable or can be made acceptable when considered against the criteria in this policy and the other policies in the development plan. Policy REN 1 does not restrict renewable energy development to the settlements.

7.5 The NPPF is also supportive of new renewable energy development. Paragraph 152 states the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure. Paragraph 158 (b) goes on to state that when determining planning applications for renewable energy development, local planning authorities should approve the application if the impacts are (or can be made) acceptable. The NPPF also does not provide specific locational requirements for solar photovoltaic developments.

7.6 It is therefore considered that the proposed development is supported in principle by Policy REN 1 of the Northumberland Local Plan provided that the impacts are acceptable or can be made so when assessed against the relevant policies in the development plan. Policy REN 1 supports renewable energy proposals in principle throughout the plan area and does not restrict the location of development. Whilst the proposed development would not fully align with Policy STP 1, when the Northumberland Local Plan is read it does not restrict development of this nature to the settlements. It is also recognised that this proposed development has locational requirements and that proposals of this size and nature are unlikely to come forward within settlement boundaries.

## Conflict with the Local Plan site allocation for sand and gravel extraction

7.7 The proposed development would be located within an area that is allocated for the extraction of sand and gravel for aggregate uses under Policy MIN 8 of the Northumberland Local Plan (identified as Wooperton Quarry east extension). In accordance with Policy MIN 7 this site allocation seeks to contribute to the forecast demand for this mineral from Northumberland over the plan period, provide a landbank of at least seven years at the end of the plan period and provide production capacity to meet the annual rate of demand over the plan period. Policy MIN 7 aims to facilitate a steady and adequate supply of aggregates to meet local and wider needs. This is done through making land available to meet the needs for sand and gravel for aggregate uses as well as maintaining a landbank of permitted reserves of at least seven years. Policy MIN 8 then allocates three sites for sand and gravel extraction, the third of which - Wooperton Quarry east extension - includes the application site.

7.8 The proposed development would therefore conflict with Policy MIN 8 of the Northumberland Local Plan by preventing the extraction of the sand and gravel resource in part of an allocated site from being developed during the plan period. It is

recognised that the proposed development would not sterilise the entirety of the allocated site (the proposed solar development would cover around 25% of the allocated site) with the larger proportion of the allocated site which consists of separate land parcels remaining developable. The allocated site could provide the same annual production capacity but any overall contribution to the future landbank would be reduced.

7.9 The most recent Local Aggregates Assessment covering Northumberland identifies that remaining permitted reserves of sand and gravel in Northumberland and the productive capacity of the remaining sites will not be sufficient to maintain supply over the local plan period. The allocation of sites within the Northumberland Local Plan seeks to address this shortfall. The site allocations could potentially provide approximately 6.8 million tonnes of additional reserves. The Wooperton site allocation is estimated to comprise 1 million tonnes of sand and gravel, with the area that would be sterilised by this proposal constituting approximately 25% of the allocated site by area.

7.10 The supporting statement for the planning application indicates that the quality of the sand and gravel resource present in the part of the allocated site is not economically viable for extraction and there is no commercial interest in extraction (despite the site allocation being promoted by an operator through the Local Plan process). The supporting statement also indicates that the application site is now under the ownership of the applicant and would not be available for a mineral operator to develop.

7.11 The conflict with Policy MIN 7 and MIN 8 will therefore need to be weighed against the benefits of the solar development in the planning balance. The land ownership situation as well as the quality of the resource and information about the lack of commercial interest in extraction within this part of the site are relevant material considerations that impact on the practicalities around the deliverability of part of the allocated site.

#### Mineral safeguarding and prior extraction

7.12 The issue of mineral safeguarding and prior extraction is linked to the matters associated with the site allocation for sand and gravel extraction discussed above. The Northumberland Local Plan identifies Mineral Safeguarding Areas to protect mineral resources from unnecessary sterilisation by non-mineral development and Policy MIN 4 sets out policy criteria to assess proposals within these areas. The NPPF (Paragraph 212) states that Local Planning Authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working. In addition, where a proposed non-mineral development would lead to the sterilisation of an identified mineral resource Policy MIN 5 supports the prior extraction of this mineral resource where this would be practicable and environmentally acceptable. A small portion of the site at the southern edge sits within a Mineral Safeguarding Area for sand and gravel.

7.13 The applicant has provided information in support of the application to justify why it would not be practical or feasible to extract the mineral resource prior to the proposed development taking place and why the proposed development would accord with Policy MIN 4 and MIN 5.

7.14 The justification provided by the applicant can be summarised as follows:

- The development is temporary in nature;

- The amount of material sterilised is minor and not significant in the context of the reserves for Northumberland which are ample;
- The viability of the development will be affected due to the time taken for extraction;
- There are no reasonable alternative options for the proposed development that would avoid potential mineral sterilisation; and
- The mineral concerned is not of sufficient quality for there to be economic value in it being extracted, and discussions with local mineral extraction firms have confirmed this.

7.15 Taking these points in turn, whilst the development is indeed temporary in nature, the anticipated operational lifespan of the proposed development would be forty years plus additional periods of time required for construction and decommissioning. This is longer than the period covered in the Northumberland Local Plan within which the Wooperton East extension is identified to contribute to the supply of sand and gravel for aggregate uses from Northumberland. Policy MIN 4 does support non-mineral development if it is temporary in nature, but it must also be demonstrated that the proposal would not impact on the potential for mineral extraction within a timescale in which the mineral is likely to be needed. This criterion would not be applicable to the proposed development in isolation given the conflict the identification of the site for extraction in the Northumberland Local Plan, although it is accepted that the resource would not be permanently sterilised and would be available following the cessation of the proposed development.

7.16 In terms of the level of reserves in Northumberland, the most recent Local Aggregates Assessment covering Northumberland identifies that remaining permitted reserves and the productive capacity of the remaining sites will not be sufficient to maintain supply over the plan period for the Northumberland Local Plan. The allocation of sites within the Northumberland Local Plan seeks to address this gap with approximately 6.8 million tonnes of potential additional reserves identified. The Wooperton East extension site allocation comprises 1 million tonnes of potential reserves, with the area that would be sterilised by this proposal constituting approximately 25% of this allocated site by area. This would therefore impact on the quantum of resource available to meet supply over the Local Plan period.

7.17 The applicant states that there is a pressing need for the proposal as there is a need to reduce energy costs in the short term to ensure the viability of the sawmill business. Prior extraction would therefore not be feasible due to the timescales involved for implementing the proposed development. This is relevant in the context of the requirements of Policy MIN 5, although conflict with Policy MIN 8 would remain.

7.18 In terms of other options for the proposed development that would avoid the sterilisation of the mineral resource at the site, the supporting statement for the application states that there are no reasonable alternative options for the proposed development as the application site is the only adjacent land to the sawmill that is in the applicant's ownership and hence the development cannot be sited elsewhere. Given the scale of the proposed development this matter is a relevant consideration.

7.19 Finally, the applicant has submitted that there is no operator interest in extracting the resource from within the application site due to its quality and suitability for market. This contradicts the Northumberland Local Plan where the allocated site was promoted through the Local Plan preparation process by a mineral operator. The applicant has however provided evidence from three potential operators, including the

operator of the adjacent existing Wooperton Quarry site who also promoted the site allocation, who have confirmed they are not interested in extraction. This is a relevant consideration, subject to confirmation that there is not a viable resource within the application site.

7.20 Notwithstanding these points, consideration should also be given to whether the overall benefits of the proposal would outweigh the potential sterilisation of the mineral resource for the duration of development in the planning balance (Policy MIN 4, Part 3, e). In addition to the above, Part 4 of Policy MIN 4 requires proposals in the vicinity of current and/or proposed sites to demonstrate that no unreasonable restrictions on operations will occur because of the proposal being permitted. In the context of this application consideration needs to be given to the current Wooperton Quarry to the north west of the application site and the remainder of the site allocated under Policy MIN 8 of the Northumberland Local Plan to the north and to the east. Given the nature of the development proposed, the existing plantation woodland and the screening mounds that have now been constructed along the northern and western boundaries of the application site it is considered that the proposed development would not place any unreasonable restrictions on the operation of the existing site, or the remainder of the area allocated under Policy MIN 8. It is therefore unlikely that the proposed development would need to include any additional mitigation as could be required by Part 4 (b) of Policy MIN 4.

#### Climate change

7.21 Policy STP 4 (climate change mitigation and adaptation) supports proposals that mitigate climate change and contribute to meeting nationally binding targets to reduce greenhouse gas emissions.

7.22 The proposed development has a capacity of 2.5MW and would generate electricity from a renewable source to supply the adjacent sawmill. This would enable the existing sawmill business to reduce its reliance on electricity from the grid and from fossil fuel-based sources.

7.23 This would offset existing financial costs associated with use of energy within the business and reduce greenhouse gas emissions. The scheme would support renewable energy generation and could therefore make an important contribution to the objective of achieving the statutory Net Zero target set for 2050 and the commitment to reducing emissions by 78% compared with 1990 levels by 2035. This should be given positive weight in the planning balance.

7.24 It is also considered that the proposed development accords with Part 1 of Policy STP 4 of the Northumberland Local Plan regarding contributing to meeting binding targets to reduce greenhouse gas emissions and contributing to mitigating climate change through the provision of decentralised, renewable energy. The proposed development is also supported by Paragraph 158 (a) of the NPPF which states when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

#### Economic benefits

7.25 Policy ECN 1 of the Northumberland Local Plan seeks to deliver economic growth while safeguarding the environment and community well-being. Amongst other matters Part 2 of Policy ECN 1 states that development proposals will support existing



businesses and support rural enterprise. Policy ECN 12 states that the growth of the rural economy will be encouraged through (within constraints) facilitating the growth and up-scaling of businesses in rural locations. Paragraph 81 of the NPPF states that planning decisions should help create the conditions in which businesses can expand, invest, and adapt whilst paragraph 84 states that planning decisions should enable the sustainable growth and expansion of all businesses in rural areas.

7.26 The applicant has indicated that the proposed development would support the existing sawmill business in reducing its reliance on electricity from the national grid. The businesses energy costs are significant in terms of the overall costs of the business. The applicant states that further increases in energy costs are a threat to the future viability of the business. The proposed development would help the business to control energy costs, helping to safeguard the existing business and the associated employment. These economic benefits associated with the proposed development should be given positive weight in the planning balance, in accordance with Policies REN 1, ECN 1, ECN 12 and ECN 13 of the Northumberland Local Plan.

#### Ecology

7.27 Policy ENV 1 and ENV 2 requires proposals to fully consider the ecological impacts of a proposal. This application is supported by an Ecological Impact Assessment which seeks to update the previous work undertaken at the site and assess the impacts of the proposal. A full version of the Defra Biodiversity Metric has been provided separately. There are no significant ecological constraints to the development of the site.

7.28 There is a native hedgerow along the northern boundary of the site. Native species hedgerows are a Habitat of Principal Importance under s41 of the Natural Environment and Rural Communities (NERC) Act 2006, making them a priority for conservation. I note NCC Highways request for details of access and visibility splay which could impact this, but the applicant's confirmation that this is currently achieved.

7.29 The requirement for a 10% net gain does not become mandatory until November 2023 however we welcome the early use of the Defra Biodiversity Metric to quantify losses and gains on site. To achieve a 10%+ net gain it is proposed to improve the ecological condition of the grassland habitat from poor to moderate. This has been complicated by the temporary habitats on site at the time of the ecology survey but the proposed intention to restore it to grassland (as per the 2020 baseline). Justification has been provided as to why it would not be feasible to create a more species-rich grassland, and this is accepted (email from Cushman & Wakefield to planning case officer 11/04/23) and is proportionate to the predicted impact on biodiversity.

#### Off-site impacts

7.30 The site falls within a Natural England Impact Risk Zone for statutory nature conservation sites; it is located c.1.4km south-west of the River Tweed Special Area of Conservation (SAC) and the Tweed Catchment Rivers – England Till Catchment Site of Special Scientific Interest (SSSI). The nearest tributary to the SSSI/SAC, the Randy Burn, is located 630m to the south of the site, beyond a field of marshy pasture. The EclA has assessed potential impacts and concluded that given the type and location of the development, and the natural topography, there are no perceivable pathways by which activities within the site could potentially impact upon the SSSI or overarching SAC, either during construction or by operation.

Appropriate Assessment / Habitat Regulations Appraisal

7.31 Planning application 23/00545/RENE 'Land North East of Wooperton Station' was considered in light of the assessment requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) by Northumberland County Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. Having considered the nature, scale, timing, duration, and location of the project it was concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site.

7.32 Considering the above the proposal is consistent with the provisions of ENV 1 and ENV 2 and the AA / HRA has been signed off by Natural England.

#### Decommissioning

7.33 Part 5 of Policy REN 1 in the Northumberland Local Plan requires, where relevant, applications to make appropriate provision for the decommissioning and removal of temporary operations once they have ceased.

7.34 The application proposed that, except for the DNO sub-station, all equipment and below ground connections would be removed at the end of the 40-year operational lifespan of the solar farm. The landscape enhancement measures would remain.

7.35 In order to meet the requirements of Policy REN 1, it is recommended that a planning condition is imposed to require the submission of a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site to be submitted for approval by the Local Planning Authority no later than 39 years and six months from the date electricity is first exported from the site. It is also recommended a planning condition be imposed to require the submission of such a scheme for approval by the Local Planning Authority if the development ceases to operate for a continuous period of 12 months. A further condition would be imposed to require the solar farm and its ancillary equipment to be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.

7.36 Subject to the imposition of conditions covering the matters outlined above, it is considered that the proposal accords with Part 5 of Policy REN 1 of the Northumberland Local Plan.

#### Equality Duty

7.37 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

#### Crime and Disorder Act Implications

7.38 These proposals have no implications in relation to crime and disorder.

#### Human Rights Act Implications

7.39 The Human Rights Act requires the County Council to consider the rights of the public under the European Convention on Human Rights and prevents the Council

from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.40 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.41 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision-making process, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

8.1 While the principle of this solar photovoltaic development is supported by Policy REN 1 of the Northumberland Local Plan, there is policy conflict with Policy MIN 8 due to the application site overlapping with part of a site allocated for sand and gravel extraction.

8.2 The appraisal indicates that it would be possible to demonstrate that the benefits of the proposed development outweigh the conflict with the Northumberland Local Plan on balance. The relevant benefits to include those associated with renewable energy generation (including the contribution to reducing greenhouse gas emissions and the reliance on fossil fuel derived energy) as well as the benefits from supporting the viability of an existing rural business (through controlling energy costs that would help to safeguard the viability of the existing business). Other relevant material considerations in relation to the conflict with the minerals relate to the deliverability of this part of the sand and gravel site allocation given the current land ownership (the land is owned by the applicant and is not now under the control of a mineral operator) and the information provided by the applicant on the quality of the sand and gravel within the application site and its suitability for extraction and the market.

8.3 It is considered that the proposal can be supported and is recommended for approval but as a departure from policy MIN 8.

## **9. Recommendation**

9.1 It is recommended that this application is approved as a departure to policy MIN 8 subject to the conditions appended below.

### Conditions/Reason

#### Timescale

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

#### Approved Plans and Documents

02. The development to which this permission relates shall be carried out in accordance with the approved plan(s) referenced.

#### Plans

Location Plan NES217-SL2-R01

Existing Site Plan NES217-SL3-R02

Proposed Site Plan NES217-SL1-R05

Site Schematic NES217-ES2-R00

Proposed Site Plan Array Layout NES217-DD4-R02

Proposed Plans Transformer and Solar DB Enclosure Detail NES217-DD2-R03

Proposed Elevations Ground Mounted Array NES217-DD1-R02

Construction Site Deliveries Access Plan NES217-SL5-00

#### Documents

Wooperton Sawmill Solar Panel Farm Flood Risk Assessment Issue Date: 23 JANUARY 2023 Report Number: 23001-FRA Produced by Coast Consulting Ltd  
Proposed Drainage Strategy Drawing 01 Rev P1 Produced by Coast Consulting dated 09/03/2023

Reason: For the avoidance of doubt and in the interests of proper planning, and to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and the Local Plan.

#### Boundary Treatment

03. The development shall not be occupied until details of the proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied.

Reason: In the interests of visual amenity, security, and highway safety, in accordance with the National Planning Policy Framework and saved Policies of the Local Plan.

#### Landscape Maintenance

04. Maintenance of grass filter strips, infiltration trenches and bunding shall be undertaken throughout the lifetime of development.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime.

#### Vegetation Cover

05. Vegetation cover under the solar panels shall be present and maintained throughout the lifetime of development. Any erosion shall be rectified and made right.

To minimise the risk of soil erosion and reduce runoff rates.

#### Construction and Delivery Management

06. The development to which this permission relates shall be carried out in accordance with the approved plan(s) referenced 'Construction Traffic Management Plan and Delivery Management Plan' and 'Proposed Site Plan' received on 04 September 2023.

Reason: For the avoidance of doubt and in the interests of proper planning, and to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and Policies TRA1, TRA2 and TRA4 of the Northumberland Local Plan.

#### Implementation of car parking area

07. The development shall not be brought into use until the car parking area indicated on the approved plans has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.

#### Expiry of Permission

08. The development hereby permitted shall be for a temporary period only to expire 40 years and 6 months after the first export date of the development. Written confirmation of the first export date shall be provided to the local planning authority within one month after the event.

Reason: The development is not considered suitable for permanent retention and to enable the impacts to be assessed as to the impacts on the landscape character and visual amenity in accordance with Policy ENV 3 and Policy REN 1 of the Northumberland Local Plan

#### Decommissioning Due to Inoperation

09. If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm and ancillary equipment together with the restoration of the site shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for written approval. The scheme shall make provision for:

- a. the removal of the solar panels and associated above ground works approved under this permission;
- b. the management and timing of any works;
- c. a traffic management plan to address traffic impact issues during the decommissioning period;
- d. an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats;
- e. details of site restoration; and
- f. an implementation timetable.

The decommissioning of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built, and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.

#### Decommissioning Scheme

10. Within a period of 39 years and 6 months following the first export date, a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site, shall be submitted to written approval by the Local Planning Authority (except if Condition 4 has been triggered and decommissioning has been completed). The scheme shall incorporate the criteria set out within Condition 4 as a minimum. The decommissioning of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built, and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.

#### Decommissioning and restoration time

11. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.

Reason: In the interests of natural, built, and historic environment in accordance with the National Planning Policy Framework and Policy REN 1 of the Northumberland Local Plan.

#### Artificial Lighting

12. No external lighting (other than low level lighting required on ancillary buildings during occasional maintenance and inspection visits), or Floodlighting is permitted to be installed, used, or modified as part of the hereby approved development without the prior written consent of the Local Planning Authority. To apply for consent the operator must provide a detailed report of the proposed lighting which details:

- a. The specific location of all external lighting units;
- b. Design of all lighting units;
- c. Details of beam orientation and lux levels; and

Any proposed measures such as motion sensors and timers that will be used on lighting units

Reason: To protect residential amenity and provide a commensurate level of protection against artificial light, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.

#### Biodiversity Mitigation

13. From first use of the development hereby approved, the grassland habitat beneath the solar panels shall be enhanced through a less intensive

management regime as set out in Section 6.2 and Appendix 3 of the Ecological Impact Assessment (Update) Land Northeast of Wooperton Station (StationSawmill\_UEcIA\_v1.3) by Durham Dakes Ecology including:

- a. Reduced levels of grazing to allow for a varied sward height (at least 20% of the sward height will be <7cm and at least 20% of the sward will be >7cm in height).
- b. Control of invasive non-native species, such as Himalayan balsam (*Impatiens glandulifera*).

The grassland shall be maintained in this manner for the lifetime of the development.

Reason: To provide mitigate impacts on biodiversity in line with the NPPF and Local Plan Policy ENV2.

#### Access Gates

14. Access gates to the site from the B6346 shall not at any time open to obstruct the public road.

Reason: In the interests of highway safety and in accordance with policy TRA 2.

#### Informative

##### Highway condition survey

You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site.

To arrange a survey, contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).

##### Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the StreetWorks team on 0345 600 6400 for Skips and Containers licences.

##### Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

##### Biodiversity and Solar Developments

With appropriate land management, solar farms have the potential to support wildlife and enhance local biodiversity. Published guidance from the BRE providing high level guidance on solar farms and biodiversity is available online <https://www.bre.co.uk/filelibrary/pdf/Brochures/NSC-Biodiversity-Guidance.pdf>

#### Date of Report:

**Background Papers:** Planning application file(s) 23/00545/RENE