

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

N.A.
NextPower Bosworth Limited
5th Floor North Side
7/10 Chandos Street
Cavendish Square
London
W1G 9DQ

Name and Address of Agent (if any)

Mr James Jamieson
Intelligent Alternatives
100 Brand Street
Glasgow
G51 1DG

Part I - Particulars of Application

Date of Application

27 April 2023

Application No.

23/00410/CONDIT

Particulars and location of development :

Variation of condition 1 and 12 of Planning Application 18/01243/CONDIT. Amendments to approved layout and substation plan to include customer substation, spare parts container, transformer and inverter station units.

Photovoltaic Installation Hall Farm Main Street Newbold Verdon Leicester

Part II - Particulars of decision

In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application form and plans submitted, subject to the following conditions :-

1. The development hereby permitted shall not be carried out otherwise than in accordance with the submitted applications details, as follows and received by the local planning authority on the given dates:-

Site Location Plan Dwg No. JT04/PA001D received 11 February 2015

Phase I: Site Layout Plan Dwg No. JT04/PA002P received 12 December 2018 Phase II: General Layout, HLF-GL-01 (Revision 3 dated 15/04/20)

Proposed PV Layout Dwg No. JT04/PA003A received 11 February 2015

Phase I: Proposed Mounting System Details Dwg No. JT04/PA004A received 11 February 2015

Phase I: Substation Plan and Elevations Dwg No. JT04/PA005D received 5 October 2015

Phase II: Customer Substation (Revision A1, dated 05/04/2023)

Phase I: Inverter/Transformer Plan and Elevations Dwg No. JT04/PA006E 5 February 2016

Phase II: Transformer and Inverter Sled (Revision A1, dated 05/04/2023) Proposed Grid Connection

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

Cabinet Dwg No. JT04/PA007B received 11 February 2015

Phase I: Proposed Fencing and Gate Elevations Dwg No. JT04/PA008 received 11 February 2015

Proposed Noise Pattern Plan Dwg No. JT04/PA009B received 11 February 2015

Proposed Comms Cabinet Dwg No. JT04/PA011A received 11 February 2015 11Kv Pad Mount Plan and Elevations Dwg No. JT04/PA012A received on 12 October 2017

Construction Traffic Access Dwg No. JT04/PA013B received on 10 November 2015

Appendix 2 Traffic Management received on 27 August 2015 Archaeology - Final report & Archive received on 26 October 2015.

Phase II: Spare Parts Container Layout, HLF-D-10 (Dated 15/04/20)

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. The planning permission hereby granted is temporary for a period of 45 years from the 9th December 2015 (the confirmed date of the first export of electricity to the National Grid from the solar farm hereby approved). After such time the use shall cease and the solar farm and associated equipment shall be removed from site in accordance with Condition 3.

Reason: This permission is temporary for a period of 45 years following first export to the National Grid.

3. Not less than 12 months prior to the expiry of this permission a decommissioning Method Statement & Site Restoration Scheme shall be submitted to and in agreed in writing by the local planning authority. This shall include details of:-
 - a. The works for the removal of the solar panels, ancillary equipment and structures;
 - b. works for the restoration of the site;
 - c. the management and timing of any works;
 - d. a Traffic Management Plan;
 - e. an Environmental Management Plan to include measures to be taking during decommissioning to protect wildlife and habitats;
 - f. identification of access routes; and
 - g. a programme of implementation.

The decommissioning works shall then be carried out in accordance with the agreed Decommissioning Method Statement & Site Restoration Scheme during the 12 months of the expiry of this permission.

Reason: In the interests of visual amenity and to order to ensure the site is restored to a satisfactory appearance following decommission of the solar farm in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Should the solar farm hereby approved no longer be required for the purposes of electricity generation or cease to operate for a continuous period of 6 months, a Decommissioning Method Statement & Site Restoration Scheme as per the requirements of Condition 5 shall be submitted to and agreed in writing by the local planning authority within 3 months after the end of the 6 months cessation period. The decommissioning works shall then be carried out in accordance with the agreed Decommissioning Method Statement & Site Restoration Scheme.

Reason: To ensure the development is used for sustainable renewable energy generation in accordance with Policy DM2 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The development shall be fully implemented in accordance with the details and recommendations contained within the Revised Ecology Report SLR reference: 424.04990.00031 Version 1 dated February 2019.

Reason: To protect, conserve and enhance biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Notwithstanding the landscaping details as shown on the site layout plan, the development shall be carried out in complete accordance with the approved Landscaping Plan Drg. No. JT04/SK001 submitted to the Council on 3 May 2016 under reference 14/00660/FUL. The development shall thereafter be maintained in accordance with the approved details.

Reason: To ensure adequate landscape screening is in place in accordance with Policies DM2 and DM4 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. The approved landscaping scheme shall be fully implemented in accordance with the approved details in the first available planting season after the commencement of development. The landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the local planning authority.

Reason: To ensure adequate landscape screening is in place in accordance with Policies DM2 and DM4 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. No development shall commence other than in complete accordance with the Traffic Management (Appendix 2) submitted to the Council on the 27th August 2015 and Construction Traffic Access Plan JT04/PA013 B submitted to the Council on the 10th November 2015 under reference 14/00660/FUL. The development shall be fully implemented and maintained in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. If any gates, bollards or other obstructions are to be erected at the vehicular access to the site they shall be set back a minimum of 15 metres from the highway.

Reason: In the interests of highway safety in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be fully implemented in accordance with the agreed details.

Reason: To protect the water environment in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. No development shall take place other than in complete accordance with the approved archaeological Written Scheme of Investigation submitted to the Council on 14th September 2015. The scheme must be fully implemented and maintained in accordance with the approved details.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policies DM11 and DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. The development shall be implemented and thereafter maintained in accordance with the latest approved Site Layout Plan Drawing No. JT04/PA002P; CCTV Poles and Camera Details Drawing No. 33/PA305 submitted 4 October 2018 under planning reference 18/00980/FUL and Fencing and Gate Details Drawing No. JT04/PA008 submitted 11 February 2015 under the original planning reference 14/00660/FUL.

Phase II of the development shall be implemented with the plans approved to date other than where they are updated by the following: General Layout, HLF-GL-01 (Revision 3 dated 15/04/20), Spare Parts Container Layout, HLF-D-10 (Dated 15/04/20), Customer Substation (Revision A1, dated 05/04/2023), Transformer and Inverter Sled (Revision A1, dated 05/04/2023)

Reason: To ensure the rural nature and visual amenity of the site and its surroundings is preserved in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

NOTES TO APPLICANT :-

1. The approved development may require Building Regulations Approval, for further information please

contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.

A handwritten signature in grey ink that reads "C. Brown." with a period at the end.

Christopher Brown MRTPI
Planning Manager (Development Management)

Date : 17 July 2023

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months (see para 2a below) of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that the permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to the directions given under the order. He does not in practice refuse to entertain appeals solely because the decision by the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 5th September 2003 must be made within six months of the date of this notice.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice>.
5. If permission to develop land is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. This permission covers only consent under the Town and Country Planning Acts and does not give permission to demolish a Listed Building, for which separate consent is required. Amongst other things the consent of the Council of the district in which the land is situated may be required under the Building Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences or hedges) the separate consent of the Highway Authority may also be required. Steps to obtain the necessary further consents should be taken before proceeding with the development.

SHOPS, OFFICES, FACTORIES, EDUCATIONAL BUILDINGS & BUILDINGS TO WHICH THE PUBLIC ARE TO BE ADMITTED : ACCESS AND PROVISION FOR THE DISABLED PERSONS

- 1 The Local Planning Authority is required to bring to your attention the requirements of the Disabled Persons 1981, Building Regulations 1991 "Access and facilities for Disabled People" document M and the Chronically Sick & Disabled Act 1970 (as amended 1976) (Sections 4.7.8 and 8A) requiring the provision of access facilities, car parking and toilets for the disabled and the provision of signing indicating what provision has been made for disabled persons within the building. Your attention is also drawn to the Code of Practice B.S 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, B.S. 5810 : 1979, "Access for the Disabled to buildings" available from the British Standards Institution, 2 Park Street, London W1A 2BS. (Tel 071-629-9000) and (in so far as educational buildings are concerned), to Design Note 18 "Access for the Physically Disabled to Educational Buildings."
- 2 The buildings to which these requirements apply are :-
 - a) Buildings to which the public are to be admitted to which Section 4 of the Chronically Sick & Disabled Act 1970 (as amended 1976) applies.
 - b) Offices, Shops & Railway Premises as defined in the Offices, Shops & Railway Premises Act 1963 or premises deemed to fall within the Act.
 - c) Factories as defined by Section 175 of the Factories Act 1961.
Educational Buildings as defined by Section 29B of the Disabled Persons Act 1981.

PPNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

Start Notice

Important Information – Please keep this with your decision notice

Please read the above decision notice carefully and ensure that you understand and comply with the requirements of any planning conditions imposed.

If you require any further information about why a particular planning condition has been imposed or in respect of what information is needed to discharge your condition please contact the case officer who will be happy to advise of the requirements and information required.

We carry out a programme of site monitoring to check compliance with conditions in order to proactively manage the development and to ensure development is carried out in accordance with the planning permission granted.

Please ensure that any application for the discharge of pre-commencement conditions are carried out in a timely manner as this may take up to 8 weeks depending on the requirements of the condition. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple planning conditions. The fee for discharging these pre-commencement conditions, can be found on the [planning portal](#).

We would be grateful if you could email the development address and application reference number with your contact details and the intended start date by email to planning@hinckley-bosworth.gov.uk or complete the form on the reverse.

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk



Hinckley & Bosworth
Borough Council

Development Details

Planning application ref:	23/00410/CONDIT
Proposal:	Variation of conditon 1 and 12 of Planning Application 18/01243/CONDIT. Amendments to approved layout and substation plan to include customer substation, spare parts container, transformer and inverter station units.
Site Location:	Photovoltaic Installation Hall Farm Main Street Newbold Verdon Leicester

Date when work is intended to start:	
Have all pre-commencement conditions been discharged?	
Signed:	Print Name:

Your contact details (or attach letterhead/business card):

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
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