

MR IAN MC LEAN
LOCOGEN

Application	F/23/96527
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Friday 26 July 2024

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015

Application No. F/23/96527

In pursuance of their powers under the above Act and in accordance with your application received on Thursday 21 December 2023 the Council, as Local Planning Authority hereby **Permit** the following :

Description:	Development of Solar Farm with maximum grid export capacity of 27 MW, including solar panels, security fencing, CCTV cameras, internal access tracks, underground cabling, inverters, substations, grid connection, environmental enhancement measures and other ancillary development.
Site:	land between Allington Manor Farm, Roddington Forge & Chalcroft Farm, Allington Lane, West End, SO30 2HU

Subject to due compliance with the following conditions:

- 1 The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be implemented in all respects in accordance with the following plans/drawings: 8121-DRW-PLN-0006-Layout Plan with PRow-v1.0 ; 8121-DRW-DES-0026- Location Plan -v1.0; 8121-DRW-DES-0029 CCTV Pole-v1.0; 8121-DRW-DES-0028 PV Panels-v1.0; 8121-DRW-DES-0030 Customer Substation-v1.0; 8121-DRW-DES-0031 DNO Building-v1.0; 8121-DRW-DES-0032-Gate-v1.0; 8121-DRW-DES-0033 Communication Building-v1.0; 8121-DRW-DES-0034 Storage Building-v1.0; 8121-DRW-DES-0035 Road Section-v1.0; 8121-DRW-DES-0036 Perimeter Fence v.10; 8121-DRW-DES-0037 Switch Gear Kiosk-v1.0; 8121-DRW-DES-0038 Transformer-v1.0; 8121-DRW-DES-0039-Inverter Enclosure-v1.0; 8121-

DRW-DES-0040-Storage Container-v1.0 ; 8121-DRW-DES-0018-Transformer Switch Gear Unit-v1; 8121-DRW-DES-0019 PCSK-v1.0; 8121-DRW-DES-0020 HV Switch Gear and Control Room-v1.0; 8121-DRW-DES-0021 Auxiliary Transformer-v1.0; 8121-DRW-DES-0022 Meter Box-v1.0; 8121-DRW-DES-0024 Ecological Buffers v 2.0; 8121-DRW-PLN-0005 PROW landscaping
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The planning permission hereby granted is for a period of 35 years from the date of first export of electricity from the development to the grid (First Export Date), after which the development hereby permitted shall be removed and the site returned to agricultural use. Written notification of the First Export Date shall be given to the Local Planning Authority no later than 14 days after the event. Reason: the application is for a temporary use which is required to cease.
- 4 The approved development, once operational, shall have an export capacity of not more than 27MW. Reason: to ensure proper planning consideration of the development.
- 5 Prior to their erection on site, details of the proposed layout, orientation, height, materials and finish, including colour, of all solar panels, frames, ancillary buildings, equipment, fencing/enclosures and CCTV shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and be retained as such for the lifetime of the proposed development. Reason: in order to ensure a suitable development is achieved accordance with Policy DM1 of the Eastleigh Borough Local Plan.
- 6 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 likely 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 including landscaping; 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 environment and highway safety in accordance with Policies DM1, DM4 and DM11 of the Eastleigh Borough Local Plan.

- 7 Within a period of 34 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 in the event that Condition 6 has been triggered and decommissioning has been completed). The scheme shall incorporate the criteria set out within Condition 6 as a minimum. The decommissioning and restoration of the site shall be carried out in accordance with the approved scheme and shall be completed within a period of 36 years and 6 months following the first export date.

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 environment and highway safety in accordance with Policies DM1, DM4 and DM11 of the Eastleigh Borough Local Plan.

- 8 Development shall not commence until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based upon the Technical Appendix 4: Flood Risk and Drainage Scheme prepared by Neo Environmental dated 18/4/24 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall demonstrate (with reference to published guidance); i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; ii) appropriate operational, maintenance and access provisions for each drainage feature or SuDS component, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be fully implemented, maintained and managed in accordance with the approved details.

Reason: To ensure satisfactory provision of foul and surface water drainage in accordance with Policy DM6 of the Eastleigh Borough Local Plan.

- 9 All existing trees and hedges on, and immediately adjoining, the site, shall be retained, unless identified on the approved plans and documents as being removed. All retained trees and hedges shall be protected from damage in accordance with the current edition of BS5837. Any trees or hedges removed, damaged or pruned such that their long-term amenity value has been adversely affected shall be replaced not later than the end of the first available planting

season, with plants of such size and species and in such positions to mitigate the loss as agreed in writing with the Local Planning Authority. Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents in accordance with Policy DM1 of the Eastleigh Borough Local Plan.

- 10 The development shall accord with the arboricultural report reference CBA11754v1B and the revised Arboricultural Development Statement 754_2024-06-11 v1 A . No development related works shall commence until the tree protection measures have been installed as per the tree protection plans contained within the report. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work and may only be modified subject to written agreement from the Local Planning Authority. Reason: To retain and protect the existing trees which form an important part of the amenity of the locality in accordance with Policy DM1 of the Eastleigh Borough Local Plan.
- 11 No construction or demolition works shall commence until a final Construction Environment Management Plan (CEMP), has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction shall only take place in accordance with the approved CEMP details which shall include:
 - a) a programme and phasing of the demolition, construction and development works;
 - b) the location and height of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
 - c) safeguards to be used within the construction process to ensure surface water contains no pollutants on leaving the site;
 - d) safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site;
 - e) a Construction Traffic Management Plan (CTMP) including the arrangements for the routing / turning of lorries and details for construction traffic access to the site;
 - f) the arrangements for deliveries associated with all construction works, loading / unloading of plant & materials and restoration of any damage to the highway [including any vehicle crossovers where applicable];
 - g) the parking of vehicles of site operatives and visitors;
 - h) the protection of pedestrian routes during construction;
 - i) management measures to control the emission of dust generated by demolition and construction works;
 - j) a scheme, following assessment, for controlling noise and vibration impacts on noise sensitive properties and ecology from site preparation and construction activities (to include details of any piling if proposed);

- k) Prior to commencement of the development and prior to the First Export Date, highway condition surveys for highway access routes should be undertaken and submitted to the Local Planning and Highway Authorities.
- l) measures to prevent mud and dust on the highway during construction;
- m) measures to protect wildlife, including reptiles, hedgehogs, barn owls and badgers during the construction process, including pre-construction checks;
- n) an invasive species eradication programme;
- o) Mammal ramps for open excavations; and
- p) Lighting measures to ensure boundary habitats are not luminated.
- q) No burning of material on site for any reason The CEMP shall be implemented in accordance with the approved details.

Reason: To limit the impact the development has on the amenity of the locality, neighbouring residents, and biodiversity and hydrology during the demolition and construction process in accordance with Policy DM11 of the Eastleigh Borough Local Plan.

- 12 Unless otherwise agreed in writing by the Local Planning Authority, no construction, site maintenance or demolition works or vehicle movements to/from the site shall take place during the construction and/or decommissioning periods except between the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays and not at all on Sundays or Public or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings in accordance with Policy DM1 of the Eastleigh Borough Local Plan.
- 13 Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Bird Hazard Management Plan shall comply with advice note 3: <https://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3- Wildlife-Hazards-2016.pdf> And Microsoft Word - AN 05 Renewable Energy and Impact on Aviation - 2016.docx (aoa.org.uk). The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority. Reason: to minimise the development's attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport.
- 14 No development shall commence at the site until a fully detailed scheme of landscaping proposals including a specification, ground preparation details, a timetable for the implementation of all landscaping works, works in accordance with plan 8121-DRW-PLN-0005, and a programme for its management and maintenance have been submitted to and approved in writing by the Local Planning Authority. The timetable shall include advance planting and phased planting as part of the scheme to be agreed. Reason: In the interests of the

visual amenity of the locality and to safeguard the amenities of neighbouring residents

- 15 The landscaping scheme approved under condition 14 shall be implemented in accordance with the approved details within the first available planting season following implementation of the development and completed in accordance with the approved timetable. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of ten years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. Reason: In the interests of the biodiversity and visual amenity of the locality and to safeguard the amenities of neighbouring residents having regard to policies DM1 and DM11 of the Eastleigh Borough Local Plan (2022).
- 16 No development shall take place (including any ground works, site or vegetation clearance) until a final Method Statement for ecological mitigation and enhancement has been submitted to and approved in writing by the local planning authority which shall accord with verification/updated ecological surveys carried out within 3 years prior to commencement of development. The content of the Method Statement shall set out the following:
- a. Purpose and objectives for the proposed works;
 - b. Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
 - c. Extent and location of proposed works, shown on appropriate scale maps and plans;
 - d. Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - e. Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake/oversee works;
 - f. Use of protective fences, exclusion barriers and warning signs;
 - g. Initial aftercare and long-term maintenance (where relevant);
 - h. Disposal of any wastes for implementing works;
 - i. Enhancement measures shall include the installation of log piles, bug hotels, bat boxes and bird nesting boxes, wildlife friendly gullies, fencing designed to enable wildlife movement, along with provision of generous native planting including suitable pollinators.
- The Statement shall be implemented as approved and its provisions thereafter retained.
- Reason: To protect and enhance biodiversity in accordance with Policy DM11 of the Eastleigh Borough Local Plan.

- 17 Within 4 weeks of development commencing a 'Landscape Ecological Management & Monitoring Plan' (LEMMP) for habitat mitigation and landscaping shall be submitted to and approved in writing by the Local Planning Authority. The LEMMP shall be in accordance with the details set out within the updated and approved Biodiversity Management Plan (Neo Environmental, 19/12/23) and Biodiversity Net Gain Metric and detailed Landscape Plan and shall be implemented on completion of works for a minimum period of 40 years. The LEMMP shall be a long-term management strategy and shall set out details for the creation, enhancement, management and monitoring of landscaping and ecological habitats within the site for a minimum period of 35 years. The LEMMP shall also include details of regular Net Gain Assessment updates at agreed timescales that include habitat condition assessments to evidence the success of the scheme and net gain delivery. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority. Reason: In the interests of biodiversity and to ensure a satisfactory standard of landscaping having regard to policies DM1 and DM11 of the Eastleigh Borough Local Plan (2022).
- 18 Prior to the First Export Date, an appropriately qualified and experienced ecologist shall provide a report to the local planning authority demonstrating implementation of the recommendations made in the submitted LEMMP and Biodiversity Management Plan and Biodiversity Net Gain Assessment Report (Neo Environmental, 19/12/23) . Reason: In the interests of biodiversity having regard to policies DM1 and DM11 of the Eastleigh Borough Local Plan (2022).
- 19 No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WMLOR134, or a 'Further Licence') and with the proposals detailed on plan "Land between Allington Manor Farm, Roddington Forge & Chalcroft Farm: Impact plan for great crested newt District Licensing (Version 2)", dated 11th July 2024.
Reason: In Order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR134-1, or a 'Further Licence'), section 15 of the NPPF, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.
- 20 No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR134, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning

authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the NPPF, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 21 No development hereby permitted shall take place unless except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR134, or a 'Further Licence') and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (ie hand/destructive / night searches), which may include the use of temporary amphibian fencing, to prevent newts from moving onto the development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

The recommendations in report "Land between Allington Manor Farm, Roddington Forge & Chalcroft Farm District Licence HMMP (Version 3)", dated 10th July 2024, and on Amended condition to secure great crested newt mitigation as requested by Naturespace/Ecologist map "Land between Allington Manor Farm, Roddington Forge & Chalcroft Farm: HMMP Map for great crested newt District Licensing (Version 2)", dated 17 th July 2024, provided as part of the planning application must be complied with.

Reason: In Order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR134-1, or a 'Further Licence'), section 15 of the NPPF, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 22 No development shall take place until a scheme for the provision and management of a river buffer zone of at least 10m width alongside the ditches/watercourses has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Buffer zones must be free from built development including formal landscaping and community orchards. The scheme shall include: i) plans showing the extent and layout of the buffer zone ii) details of any proposed native planting scheme; iii) details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of a detailed management plan; iv) details of

any proposed footpaths, fencing, lighting, and any other infrastructure; v) details of the timings of any proposed works within the buffer zone, including the development of the footpaths and any future landscaping/management; vi) details of how any of the identified sensitive ecological features will be protected during and after works. Reason: In the interests of biodiversity and flood risk prevention having regard to policies DM1, DM6 and DM11 of the Eastleigh Borough Local Plan (2022).

- 23 No vegetation clearance shall occur on site during the bird nesting season [between 1st March & 31st August] unless supervised by an appropriately qualified ecologist. Reason: To prevent harm to breeding birds.
- 24 A 3m wide permissive bridleway path for use by the public between Allington Lane Railway Bridge and Hogwood Lane (as shown as Route 2 in document 8121 Allington Lane PRoW Response v1 dated 8/4/24) shall be provided on the site within 12 months of the implementation of this permission and shall be retained and maintained for public use thereafter. Full details of its location, design, signage, gates, specifications and maintenance provisions shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development hereby approved. Reason: to provide public benefit and to comply with Policy S11 of the Eastleigh Borough Local Plan (2022).
- 25 Land shall be safeguarded for a public bridleway between Allington Lane and the western edge of the site (as shown as Route 1 in document 8121 Allington Lane PRoW Response v1 dated 8/4/24) at all times unless otherwise agreed in writing by the Local Planning Authority. Reason: to enable enhancements to bridleways, cycleways and footways and comply with Policies S11 and S12 of the Eastleigh Borough Local Plan (2022).
- 26 Prior to installation of any floodlighting or other form of external lighting , a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following information:
 - i) a statement of frequency of use, and the hours of illumination;
 - ii) a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
 - iii) details of the number, location and height of the proposed lighting columns or other fixtures; - the type, number, mounting height and alignment of the luminaires;
 - iv) the beam angles and upward waste light ratio for each light;
 - v) an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of

lighting engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ;
and vi) where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

The lighting shall be installed and maintained in accordance with the approved scheme.

Reason: In the interest of visual amenity and wildlife protection having regard to policies DM1 and DM11 of the Eastleigh Borough Local Plan (2022).

- 27 The Rating Level of noise from the operation of the development shall not exceed the representative measured Background Sound Level at Noise Sensitive Receptor 6 (NSR6 located at the end of Hogwood Lane), as identified in the submitted Allington Solar Farm Noise Impact Assessment, Version 5.0, Metrica Environmental Consulting, June 2024. At all other NSRs, the rating level shall not exceed more than 3 dB above the lowest representative background noise level. Measurements will accord with BS 4142:2014 (as amended) "Method for rating and assessing industrial and commercial sound". Reason: To prevent adverse noise disturbance and to ensure the protection of the amenity of the occupiers of the nearest residential properties in accordance with Policy DM8 (Pollution) of the Eastleigh Borough Local Plan (2022)
- 28 Prior to first operation, a revised Noise Impact Assessment (NIA) shall be submitted to and agreed in writing by the Local Planning Authority. The NIA report shall include details of the specified plant to be installed and a detailed Noise Mitigation Scheme (if required) to demonstrate that the noise limits specified in Condition 27 will not be exceeded. The approved Noise Mitigation Scheme shall be implemented as approved throughout the duration of the development. At the reasonable request of the Local Planning Authority, the approved Noise Mitigation Scheme shall be reviewed and updated to maintain compliance with the development noise Rating Level limit. Reason: To prevent adverse noise disturbance and to ensure the protection of the amenity of the occupiers of the nearest residential properties in accordance with Policy DM8 (Pollution) of the Eastleigh Borough Local Plan (2022).
- 29 Not later than six months following the development hereby permitted being brought into use a post-occupation, a Noise Impact Assessment shall be submitted to and approved in writing to the Local Planning Authority. The Noise Impact Assessment shall ensure that the closest noise-sensitive receptors (particularly NSR6 located at the end of Hogwood Lane) are not being subjected to noise levels and limits emanating from the development beyond those set in Conditions 27 and 28 above. If the Noise Impact Assessment shows that the noise levels do not comply with the agreed criteria, a scheme of noise mitigation shall be commissioned and included with the noise assessment, specifying timescales for the implementation of the scheme, and

shall be submitted to the Planning Authority within 21 days of the assessment's completion for approval in writing. Once approved, any mitigation measures shall thereafter be implemented in full and in accordance with timescales for an agreed and appropriate period of time. Reason: To prevent adverse noise disturbance and to ensure the protection of the amenity of the occupiers of the nearest residential properties in accordance with Policy DM8 (Pollution) of the Eastleigh Borough Local Plan (2022).

- 30 A contaminated land watching brief shall be followed at all times during construction works and confirmation of this shall be submitted to by the Local Planning Authority (LPA) prior to completion. In the event that previously unidentified contamination is found during the watching brief it must be immediately reported to the Local Planning Authority. Work shall then cease until an investigation and risk assessment, and where required a remediation scheme, has been submitted to and approved in writing by the LPA. Where a remediation scheme is required by the LPA, the development shall not be brought into use until a verification report for the remediation work has been submitted to and approved in writing by the LPA. All works shall be undertaken by a competent person in accordance with best practice as outlined in BS10175:2011+A2:2017 and LCRM. Reason: To minimize the risk from land contamination in accordance with Policy DM9 of the Eastleigh Borough Local Plan.
- 31 No development shall commence until a detailed method statement for either the removal or the long-term management / control of Japanese Knotweed on the site has been submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese Knotweed during any operations e.g. spraying and/or injection or soil movement. Development shall proceed in accordance with the approved method statement. Reason: To prevent the spread of Japanese Knotweed which is an invasive species in accordance with Policy DM9 of the Eastleigh Borough Local Plan.
- 32 No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority. The assessment should take the form of trial trenches located across the whole of the proposed development area to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded. Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.

- 33 No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the archaeological assessment, in accordance with a Written Scheme of Investigation that has been first submitted to and approved in writing by the Local Planning Authority. Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

Notes to Applicant:

- a) In accordance with paragraph 38 of the National Planning Policy Framework (December 2023), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.
- b) This planning permission does not convey the right for the development to encroach over, under or on land which is not within your ownership, without the consent of the landowner.
- c) It is recommended that a condition survey of the Hogwood Lane junction with Allington Lane is undertaken prior to the commencement of any site preparation or construction works related to the development hereby permitted, so that a baseline can be established and agreed to establish what if any remedial/repair works may be required.
- d) In relation to the Public Right Of Way - The PROW should be kept clear and unobstructed at all times throughout the construction and operational phases of the development, and a useable width of 2-3 metres shall be available at all times for lawful footpath users. The Applicant must make good any damage or undertake any remediation necessary to the PROW. Perimeter fencing of the site alongside the PROW must not encroach the width of the PROW. Any side and overhead vegetation should be regularly cut back to ensure that encroachment does not occur with summer growth.
- e) - It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate. - It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site. It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR134, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow. - It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works /

Addition: note to advise on great crested newt mitigation as requested by Naturespace/Ecologist activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mitigation principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mitigation Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority.)

Yours faithfully

A handwritten signature in black ink that reads "N Parker". The signature is written in a cursive, slightly stylized font.

Nicholas Parker
Planning Manager

N.B. See Attached Notes