



Appeal Decision

Site visit made on 8 October 2025

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/R2330/W/25/3367069

Knuzden Moss Farm, Stanhill Road, Oswaldtwistle BB5 3RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Root Power (North) Limited against the decision of Hyndburn Borough Council.
 - The application Ref is 11/24/0389.
 - The development proposed is a Battery Energy Storage System (BESS) and associated infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for a Battery Energy Storage System (BESS) and associated infrastructure, at Knuzden Moss Farm, Stanhill Road, Oswaldtwistle BB5 3RE, in accordance with the terms of the application, Ref 11/24/0389, subject to the conditions in the attached Schedule.

Preliminary Matters

2. The emerging Hyndburn 2040 Local Plan (Strategic Policies and Site Allocations) was submitted in March 2025, with public hearing sessions in September 2025. Its emerging policies are not cited in the reason for refusal, may still be subject to change, and are not relied upon by the main parties. On this basis, the adopted development plan holds more weight in my determination.

Main Issue

3. The main issue is whether the proposed development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework ('the Framework') (2024) and any relevant development plan policies.

Reasons

Inappropriate Development in the Green Belt

4. The appeal site lies within the Green Belt. It comprises a parcel of agricultural land and woodland to the south of Stanhill Road and to the east of the M65, with a new access off Stanhill Road to join the site's existing access track. The dwellings of White Ash Farm and Stanhill Barn lie to the north, adjacent to Knuzden Moss Farm. The proposal is for a fenced Battery Energy Storage System (BESS) compound containing 14 battery clusters, 7 BESS transformers, 2 sub-stations, other associated buildings and infrastructure, and landscaping and a drainage pond. It would be for a period of 40 years with a 60MW capacity.
5. The Framework paragraph 142 identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

6. The Framework Paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions. Policy DM34 of the Hyndburn Development Management DPD ('the DPD') broadly reiterates this guidance, alongside additional criteria. However, DM34 does not precisely reflect the Green Belt approach of the Framework, having been adopted before the Framework introduced the concept of grey belt. In determining whether the proposal would be inappropriate development in the Green Belt, I therefore place more weight on the Framework than on Policy DM34.

Grey Belt - 155(a)

7. Firstly, I must consider the Framework paragraph 155(a) as to whether the proposal would utilise grey belt land. The Framework Glossary defines grey belt as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of its purposes (a), (b), or (d) in paragraph 143.
8. The paragraph 143(a) purpose is to check the unrestricted sprawl of large built-up areas. The Planning Practice Guidance (PPG)¹ identifies illustrative features which would likely demonstrate a strong contribution to this purpose. These include being free of existing development, and lacking physical features in reasonable proximity that could restrict and contain development. Areas are also likely to be adjacent or near to a large built up area, and if developed, result in an incongruous pattern of development such as an extended 'finger' of development into the Green Belt.
9. Assessment areas that contribute moderately to this purpose are also likely to be adjacent or near to a large built up area. However, they would include one or more features that weaken the land's contribution. These include having physical features in reasonable proximity that could restrict and contain development; being partially enclosed by existing development, such that new development would not result in an incongruous pattern of development; containing existing development; and/or being subject to other urbanising influences.
10. The appeal site lies near to the outskirts of Blackburn to the west, and to Stanhill/Oswaltdtwistle to the east, which form the outskirts of Accrington. The site is therefore near to these large built up areas, including the ribbon of development along Stanhill Road, but is physically and visually discrete from them. The M65 provides a major definitive physical feature to Blackburn in reasonable proximity, and the site is subject to other urbanising influences of the tall electricity pylons, and the dwellings and equestrian buildings to the north. It would not form an incongruous pattern of development in conjunction with this existing built form, beyond development on the site itself. I therefore find the land does not strongly contribute to Green Belt purpose 143(a).
11. The Paragraph 143(b) purpose is to prevent neighbouring towns merging into one another. The PPG identifies that a strong contribution to this purpose would include an area forming a substantial part of a gap between towns, the development of which would be likely to result in the loss of visual separation of towns. Areas that contribute moderately are likely to form only a small part of the gap between towns, and/or be able to be developed without the loss of visual

¹ Paragraph: 005 Reference ID: 64-005-20250225

separation between towns, for example due to the presence or proximity of structures or natural landscape elements that preserve visual separation.

12. Again, although the site lies in between urban areas at relatively close range, the narrowest section of this Green Belt gap lies to the north of Stanhill Road. The gap around the proposed BESS compound part of the appeal site is much wider. The appeal site forms a small part of this. Although individual developments must be considered while being mindful of the context of incremental loss, the existing woodlands and proposed planting would assist in maintaining the visual separation and perception of the gap. In combination, I find that this gap would not be significantly eroded or result in visual coalescence of the towns as a result of the BESS, and therefore the appeal site does not strongly contribute to Green Belt purpose 143(b).
13. The main parties agree that the site does not form part of the setting and special character of a historic town under the Framework paragraph 143 purpose (d), and I make the same conclusion.
14. Overall, in having regard to the definition of the grey belt in the Framework, and the purposes of the Green Belt as explained within the PPG, I am satisfied that the appeal site does not contribute strongly to those purposes (a), (b), or (d) as set out in paragraph 143. The proposal would therefore be sited on grey belt land.

Purposes of the Remaining Green Belt - 155(a)

15. In order to determine further whether the development would constitute inappropriate development, I am directed to consider the remaining paragraph 155 requirements. Of note, the Golden Rules specified in paragraph 155(d) only relate to major housing developments, and so are not relevant to this appeal.
16. The second part of 155(a) is that the development would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the area of the plan. The PPG advises that this should consider whether, or the extent to which, the release or development of Green Belt land would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way.
17. In making this judgement I am conscious that although a 40 year operational period would have a generational impact, this lack of permanence would, to a limited extent, temper the extent of any effect on the Green Belt.
18. The Council refers to its 2019 Green Belt boundary assessment, produced for the emerging Hyndburn Local Plan. The appeal site falls within 'General Area 6', assessed as making a moderate contribution to Green Belt purposes overall, but which specifically assessed smaller parcels of nearby land as making a strong contribution. However, the appeal site was not individually assessed.
19. I have addressed the paragraph 143 purposes (a), (b) and (d) above, and for the same reasons, find that the appeal development would not conflict with the ability of the remaining Green Belt from serving those purposes.
20. The paragraph 143(c) purpose is to assist in safeguarding the countryside from encroachment. The Council argues encroachment because the proposal is located in the Green Belt open countryside and currently contains no built form. However, I do not find encroachment inevitable in this manner presented. If all such new built

form were to comprise encroachment under 143(c), only sites already containing buildings would be able to meet paragraph 155(a), whereas the grey belt guidance specifically identifies that it does not only relate to such previously developed land.

21. Given the relative scale of the proposed BESS, and its limited visibility and clear separation from the main urban form, I find that it would not fundamentally undermine the purposes of the remaining Green Belt land with regard to safeguarding the countryside from encroachment.
22. The Green Belt purpose 143(e) is to assist in urban regeneration, by virtue of the limitation Green Belt places upon development in non-urban areas. The main parties agree the proposal would not prevent the remaining Green Belt from achieving this purpose due to its relative scale, and I make the same finding.
23. In combination therefore, the proposal would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the area of the plan.

Demonstrable Unmet Need - 155(b)

24. BESS facilities store excess renewable energy, and discharge it to the grid when required. They also enhance the efficiency of decentralised energy systems by reducing transmission losses and alleviating strain on the national grid, as renewable energy can be stored and used closer to where it is generated. As such they help to address the impacts of climate change, and help to ensure a stable and reliable energy supply.
25. The Framework Paragraph 168(a) identifies that applicants should not be required to demonstrate the overall need for renewable or low carbon energy, and that local planning authorities should give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future. The Government's vision is to transition to a net zero economy and to ensure a secure, reliable and affordable energy supply, with a legally binding target to reduce the UK's greenhouse gas emissions by 100% by 2050, compared with 1990 levels. The Framework paragraph 161 specifically identifies that the planning system should support this transition to net zero by 2050. The Hyndburn Core Strategy (CS) Policy Env5 also supports the development of new sources of renewable energy, subject to a range of considerations.
26. Consequential to these and other well publicised national and local ambitions to achieve net zero, which includes supporting the essential national need for BESS facilities, I find it highly evident that there is a demonstrable unmet need for the appeal proposal. Local residents and business will benefit from such provision generally for the reasons outlined above, even though specific local benefits may not be precisely tangible. The BESS proposal therefore complies with the Framework paragraph 155(b).

Sustainable Location - 155(c)

27. The Framework paragraph 155(c) requires that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 within the 'Promoting sustainable transport' chapter. Relevant Paragraph 110 sustainable transport aspects include limiting the need to travel, ensuring parking and other transport considerations are integral to the design, understanding and addressing its potential impacts on transport networks, and identifying appropriate

opportunities for avoiding and mitigating any adverse effects. Paragraph 115 provides similar design criteria, including safe and suitable access.

28. I find that for the function and purpose of the BESS, all these elements have been addressed. Paragraph 110 recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and Paragraph 115(a) requires sustainable transport modes to be prioritised taking account of the vision for the site, the type of development, and its location. There are no technical objections on highways matters, with no significant impacts on the transport network. There would be relatively few vehicle movements associated with the scheme once operational. Overall therefore, I find the proposed BESS would be in a sustainable location, and so it meets the requirements of paragraph 155(c).

Inappropriate Development Conclusion

29. Overall, I find that the BESS proposal would satisfy the Framework paragraph 155 requirements, such that the proposal would not constitute inappropriate development in the Green Belt. The Courts have determined that where a development is found not to be inappropriate development, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land within it. Accordingly, no Green Belt harm would arise, and there would be no development plan conflict in this regard. There is no need to consider any very special circumstances.

Other Matters

30. Although not a reason for refusal, the Council submits that the proposal's industrial appearance would fundamentally change the character of the open countryside. As such, it would have an adverse impact on the visual amenity of the site and its immediate locality, and so would conflict with other aspects of the DPD Policy DM34. Specifically, this is in requiring the design of any buildings to be sensitive to the local area and to respect the rural setting, and that schemes should not have an urbanising impact on a site and the surrounding area. Taking guidance from the CS Policy Env5, as this directly relates to renewable energy proposals, I find the key matters with regard to visual impact (criterion b) are that new sources of renewable energy will be supported provided that the visual impact can be accommodated within the landscape, and the development would not give rise to an unacceptable adverse cumulative impact.
31. The proposal would be well contained by existing landscape features, particularly the existing and proposed enclosing woodland. This would be subject to seasonal leaf drop and would take time to mature, and the tallest structures of the BESS would be apparent from some viewpoints, but the visual envelope of the site would be relatively limited overall. As such, it would only have a minor impact in the context of existing development, including the existing pylon network and the motorway. It would not have an urbanising impact on the surrounding area. I find no development plan conflict in this regard.
32. Numerous interested party objections relate to an impact on the 'Brookside Project', a large area of natural land to the east and south of the appeal site. This was also a Committee Member concern. The project is a partnership between the Council and several other organisations to transform the land into a new country park. It has existing public access and is well used. Concerns relate to its aims being undermined, fire safety, and the impact on its ecology, amenity, and tranquillity. Similar concerns were raised by the residents of Stanhill Barn to the

north, as their land adjoins where the BESS compound would be sited. There were also interested party objections based on potential effects from fire incidents on the surrounding neighbourhood, including schools.

33. The Lancashire Fire and Rescue Service (LFRS) consultation response raised no objections based on the Outline Battery Safety Management Plan, and the Council was also satisfied on fire safety matters. As is widespread for BESS schemes, this is subject to further conditions to require a Detailed Battery Safety Management Plan and an Emergency Response Plan once the final equipment specification is confirmed. The National Fire Chiefs Council guidance on the scheme design has been predominantly followed, such as water tanks on site, and two access points into the compound. The unit spacing is acceptable to the LFRS. Typical control measures for unit specification, maintenance and monitoring, and fire prevention have been identified. The drainage system would ensure that any potentially contaminated runoff would not enter the water environment and affect the ecology, with no objections raised from formal ecology or drainage consultees.
34. I have paid regard to interested parties' significant fears of fire incidents occurring, including a generalised concern based on past incidences of historic BESS fires. However, the LFRS response was also provided in the context of informed awareness of such matters. The appellant's evidence acknowledges these previous incidents, and explains how the BESS design has built on best practice and lessons learnt as a result. Moreover, other legislative regimes would provide further control, including the requirement for further LFRS approval. I therefore find matters of fire safety to have been satisfactorily addressed, subject to the imposition of relevant conditions.
35. I am also satisfied that the appellant's noise assessment evidence indicates that recreational visitors to Brookside would not be unduly affected. This takes into account the existing dominant noise source of the M65, and that the modelling effectively uses a worst case scenario. Although Brookside has open access and contains existing pathways, its Concept Masterplan proposes no future specific features or key pathways adjacent to the BESS. The representations received highlight that it is clearly a very valuable and well-loved resource for the local community, and the Council references a package of ongoing grant bids expected to secure further investment, but this indicates no specific impact from the BESS.
36. There would also be bands of existing/new vegetation and tree screening, such that any unfiltered views would only be possible for a very short adjacent extent of the Brookside land. Brookside is also set within the context of the existing power line running through it, and the prominence of the electricity pylons. As such, the BESS would have no dominating physical effect. In cumulation, I find there would be no harmful effect on Brookside visitors.
37. For very similar reasons, I find no impact on the Stanhill Barn land. The BESS would be approximately 200m from the house and main garden, and as above, the recreational use of the owners' wider land would not be precluded by any potential fire risk, noise impact, or visual impact. I also find no harmful impact on the equestrian business in the same land ownership as the appeal site.
38. Interested parties have referenced harm to heritage assets. I have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of listed

buildings, and Section 16 of the Framework also requires that great weight should be given to the conservation of designated heritage assets.

39. Peel Fold Farmhouse is a Grade II 17th-century farmhouse. Its significance arises from its architecture, and its historic interest as the home of Robert 'Parsley' Peel and his impact on the calico printing industry, and as the birthplace of Sir Robert Peel. The Grade II Stanhill Hall dates from 1748, subject to remodelling in 1840 in the Gothic style. The Grade II Knuzden Hall dates from 1784, but incorporates parts of the earlier 17th-century separate Knuzden Hall Farmhouse, also Grade II listed. The appeal proposal would be sited on the opposite side of Stanhill Lane with no direct intervisibility, and would not affect their significance as historic dwellings, or how they are understood or experienced. The 1921 Knuzden War Memorial is Grade II listed. It has an ornate and striking architectural interest, and historic interest as a memorial for those who died in the First and Second World War. The BESS would not cause harm, due to its separation distance.
40. The Stanhill Conservation Area (CA) is focused on the key historic buildings in the village, which has historic significance as the home of James Hargreaves and his revolutionary invention of the Spinning Jenny in the 1760s. This association has been widely recognised by its inclusion on a national postage stamp, and a local heritage trail. The built form of Stanhill continues along Stanhill Road beyond the CA in the direction of the appeal site, with intervening vegetation and buildings such that the BESS would have no direct impact upon the setting of the CA. Interested parties reference that Brooklands holds heritage value, from its proximity to and industrial associations with Stanhill, and with Peel and Hargreaves. Nonetheless, and notwithstanding that no specific heritage designation for Brooklands has been put before me, I have already addressed that I find there would be no undue harm in this regard.
41. There are no archaeology objections, subject to appropriate conditions for evaluation and monitoring. Overall, I find no harm would be caused to any designated or non-designated heritage assets. The Council similarly concluded no adverse effect on the significance of any heritage assets, as none have any evident association, or intervisibility.
42. I acknowledge that the Council and other interested parties have cited alternative preferential locations, both broadly and specifically, but I have to assess the proposal before me on its own merits. The Bramley court judgement² confirmed that the Framework and the PPG do not mandate the consideration of alternatives for renewable energy scheme site selection. I have found no harm, such that there is no requirement to demonstrate very special circumstances by evidencing a lack of available other sites.
43. The proposal would provide an on-site Biodiversity Net Gain (BNG) of 10.31% habitat units, 0.79 hedgerow units, and 14.94% watercourse units. These habitat units would not satisfy the trading rules due to a loss of higher distinctiveness habitat to lower distinctiveness habitat, such that off-site compensation for 3.75 units of broadleaved woodland would be required. This could be achieved by creating 0.84ha of moderate condition broadleaved woodland from poor condition modified grassland, through a conservation offset payment. The Council's Ecology

² Bramley Solar Farm Residents Group v Secretary of State for Levelling Up, Housing and Communities, Bramley Solar Limited & Basingstoke and Deane Borough Council & Others [2023] EWHC 2842 [Admin]

Officer was satisfied with this approach, subject to the imposition of suitable conditions including to confirm a 30 year management and monitoring period.

Conditions

44. There are several conditions required pre-commencement, in order to provide essential protection or mitigation from the effects of construction. I have imposed the Council's suggested conditions, subject to various amendments to reflect the tests in the Framework paragraph 57 and the PPG. The proposed condition requiring the Biodiversity Gain Plan to be prepared in accordance with various approved assessments would unnecessarily duplicate the standard biodiversity gain condition. I have rationalised the proposed conditions for habitat works and their monitoring, landscaping, and tree protection, to avoid unnecessary duplication. Similarly, I have merged the site access requirements.
45. The statutory condition will limit the lifespan of the planning permission (1), and specifying approved plans will provide clarity for the terms of the permission (2). Limiting the operational period to 40 years (3) will bind the proposal to that on which my determination was based, and requiring decommissioning and site restoration (18) will protect the Green Belt from permanent incursion, and reinforce the 40 year timeframe or an earlier timeframe if the development ceases to export electricity for more than 12 months. A Construction Method Statement (4) is necessary to limit the potential for noise, nuisance, and disturbance for surrounding occupiers, and to avoid undue disruption to the function of the highway network.
46. A range of biodiversity protection and enhancement measures will be achieved through conditions requiring a Construction Environmental Management Plan (5), a 30 year Habitat Monitoring and Management Plan (6), soft landscape works and implementation programme (7), an Arboricultural Method Statement and Tree Protection Plan (8), a ditch Construction Exclusion Zone (9), hedgehog routes (10), log piles and hibernacula (11), bat and bird boxes (12), and bat sensitive lighting (15).
47. A condition requiring final details of the design and construction of the site access, visibility splays, and temporary and permanent gating (13) is necessary for highway safety. A sustainable drainage condition will ensure adequate control of drainage (14). A Detailed Battery Safety Management Plan (16) and Emergency Response Plan (17) are required prior to installation of the battery equipment and then its first use, to ensure that safety matters are fully considered for the lifetime of the permission once the final equipment specification is confirmed.

Conclusion

48. The proposal would not be inappropriate development in the Green Belt, and subject to the imposition of appropriate conditions, no undue harm would be caused for any other reason.
49. For the reasons given above, and having regard to all other matters raised, I conclude the development accords with the development plan and the Framework taken as a whole, and therefore the appeal is allowed.

L N Hughes

INSPECTOR

***** SCHEDULE OF CONDITIONS *****

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following plans;
 - KNZ-BESS-001.4 Rev.1 Location Plan
 - KNZ-BESS.001.5 Rev.3 Layout Plan
 - KNZ-BESS-001.6 Rev.3 Elevation Plan
 - YLEM1488-11 Rev. C Soft Landscape Proposals
 - YLM-BESS-GEN-001.1a Rev.A 33kV DNO Substation
 - YLM-BESS-GEN-001.2 Rev.A 33kV Switchroom
 - YLM-BESS-GEN-001.3 Rev.A Site Cabin/LV Switchroom
 - YLM-BESS-GEN-001.4 Rev.A Site Supply Transformer
 - YLM-BESS-GEN-001.5 Rev.A BESS Transformers c/w Inverters
 - YLM-BESS-GEN-001.6a Rev.A BESS Battery Cluster
 - YLM-BESS-GEN-001.7 Rev.A V-Mesh Fence
 - YLM-BESS-GEN-001.8 Rev.A Wooden Fence
 - YLM-BESS-GEN-001.10 Rev.A 132/33kV Substation Transformer
 - YLM-BESS-GEN-001.10a Rev.A 132/33kV Substation Switchrooms
 - YLM-BESS-GEN-001.11 Rev.A Water Tanks
 - LTP/5979/P1/01.01 Rev.B Proposed Access Preliminary Design
 - LTP/5979/P1/02.01 Rev.B Proposed Access Visibility Splays
 - LTP/5979/P1/03.01 Rev.A Proposed Western Internal Access Route Preliminary Design
 - LTP/5979/P1/04.01 Rev.B Proposed Eastern Internal Access Route Preliminary Design
- 3) The development hereby permitted shall be limited to a period of 40 years from the date of the first export of electricity to the Grid. This date is referred to hereinafter as 'the First Export Date'. Written notification of the First Export Date shall be given to the Local Planning Authority within 1 month of the First Export Date.
- 4) No development including site clearance shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include the following details:
 - (a) That no removal of or works to any hedgerows, trees, shrubs or brambles shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.
 - (b) Details of working hours.
 - (c) Measures to control the emission of dust and dirt during construction, including arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways;

- (d) Methods to control and monitor nearby highways and routing and timing of delivery vehicles to/from site for construction traffic, material deliveries, loading, and storage, and vehicle parking of site operatives and visitors;
- (e) The storage of plant and materials used in constructing the development;
- (f) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (g) The erection and maintenance of security hoarding.

The development hereby permitted shall be implemented in accordance with the approved CMS for the entirety of the construction period.

- 5) No development including site clearance shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
- (a) A risk assessment of potentially damaging construction-type activities;
 - (b) Details of practical measures to include physical measures and sensitive working practices to avoid or reduce biodiversity impacts during construction, including action to be taken if any protected species are found during construction works;
 - (c) The location and timing of sensitive works to avoid harm to biodiversity features;
 - (d) Use of protective fences, exclusion barriers and warning signs.

The construction of the development hereby permitted shall be carried out in accordance with the approved CEMP.

- 6) No development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include details of:
- (a) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (b) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (c) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
 - (d) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.

The development hereby permitted shall be implemented, monitored, and maintained in accordance with the approved HMMP.

- 7) Notwithstanding condition 2, no development shall commence until full details of both hard and soft landscape works and implementation programme have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
- (a) Means of enclosure;

- (b) Planting plans and written specifications of species, plant sizes and proposed numbers and densities, and cultivation and other operations associated with plant and grassland establishment;
- (c) Details of landscaping maintenance.

The landscaping works shall be carried out in accordance with the approved details and the agreed implementation programme. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or shrub, or plant of the same species and size as that originally planted, shall be planted at the same place.

- 8) No development shall commence including site clearance and any other preparatory works, until an Arboricultural Method Statement and Tree Protection Plan has been submitted and approved in writing by the Local Planning Authority, and any duly approved protection measures have been put in place. Any duly approved protection measures shall be maintained during the entirety of the construction period insofar as it relates to the affected area of the site.
- 9) No development shall commence, including enabling works, until a Construction Exclusion Zone (CEZ) has been formed at a 3.0m minimum distance from the bank edge of the ditch identified in the Preliminary Ecological Appraisal Report (E3P, Reference 81-840-R1-3 Revision R1-4, 13/03/2025). The CEZ shall be provided in the form of protective fencing of a height and design which accords with the specification in BS 5837: 2012. Within the CEZ there shall be no construction or other operations, parking or passage of vehicles, or storage of building or other materials or any other object. The CEZ shall be maintained in the duly installed positions during the entirety of the construction period insofar as it relates to the affected area of the site.
- 10) No development shall commence until a scheme to ensure that all external boundary structures will be fully permeable to hedgehogs through the provision of 13 x 13cm gaps at regular 30 - 40m intervals, has been submitted to and approved in writing by the Local Planning Authority. The boundary structures must be installed in accordance with the specified details, and retained thereafter for the lifetime of the permission.
- 11) No development shall commence until details including location and construction methodology for the installation of 3 log piles and 3 hibernacula, have been submitted and approved in writing by the Local Planning Authority. The log piles and hibernacula must be installed in accordance with the specified details, and retained thereafter.
- 12) No development shall commence until details for the installation and type of 20 bat roost boxes of which at least 10 shall be pole mounted, and 20 bird nesting boxes of which at least 10 shall be pole mounted, have been submitted to and approved in writing by the Local Planning Authority. The boxes must be installed in accordance with the specified details, and retained thereafter.
- 13) Notwithstanding condition 2, no development shall commence until a scheme for the detailed design and construction of the site access and new embankments on Stanhill Road including the detailed extent of visibility splays, and a scheme for the temporary and permanent gating arrangements for the site access, have been

submitted to, and approved in writing by, the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details in accordance with the timescales identified in the schemes, and the relevant visibility splays shall be made free of any obstruction above the height as specified in those details, and shall be retained as such thereafter for the lifetime of the permission.

- 14) No development shall commence until a scheme for the disposal of foul and surface water from the development, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage details shall include:
- (a) Separate systems for the disposal of foul and surface water;
 - (b) Demonstration of the investigation of the hierarchy of drainage options in the Planning Practice Guidance (or any subsequent amendment thereof), to include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (c) If agreed with the Local Planning Authority that infiltration is discounted by the investigations, a restricted rate of discharge of surface water;
 - (d) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (e) Incorporation of mitigation measures to manage the risk of sewer surcharge where applicable;
 - (f) Information about the measures taken to prevent pollution of the receiving groundwater and/or surface waters, including from water used for fire-fighting;
 - (g) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker, and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development hereby permitted shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

- 15) Prior to the installation of any external lighting, full details including height, design, location, intensity, hours of use, and details of how it would minimise impact on bat commuting and foraging routes, shall be submitted to and approved in writing by the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details and maintained for the duration of the permission.
- 16) Prior to the installation of any Battery Energy Storage Equipment, a Detailed Battery Safety Management Plan (DBSMP) shall be submitted to and approved in writing by the Local Planning Authority. The DBSMP shall align with the general principles set out within the Outline Battery Safety Management Plan (Abbott Risk Consulting Limited, ARC-1223-005-R4 Issue 2 October 2024), and shall include details of safety measures and risk mitigation across the construction, operational, and decommissioning phases of the development. The development shall be carried out and maintained for the duration of the permission in accordance with the approved DBSMP.

- 17) Prior to the First Export Date, a detailed Emergency Response Plan (ERP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained for the duration of the permission in accordance with the approved details.
- 18) Within a period of 39 years and 6 months following the First Export Date, or in the event of the development hereby permitted ceasing to export electricity to the Grid for a continuous period of more than 12 months then within 3 months from the end of that 12 month non-electricity storing period, a Decommissioning Scheme to include details of the removal of all structures, equipment, and infrastructure relating to the development hereby permitted shall be submitted to the Local Planning Authority. Additional details or a revised Decommissioning Scheme must be submitted if requested by the Local Planning Authority, within its stated timescale. Once the Decommissioning Scheme is approved in writing, the development hereby permitted shall be decommissioned in accordance with the approved details.

***** END OF SCHEDULE*****