

## **10.0 Conditions**

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The planning permission hereby granted shall be for a temporary period only, to expire 40 years after the date of the first commercial import of electricity to the development (“the first import date”). Written confirmation shall be provided to the Local Planning Authority within one month after the first import date.

Reason: To comply with the requirements of the submitted application.

03

No later than 12 months prior to the expiry of the planning permission, or within 18 months of the permanent cessation of electricity storage in the site, whichever is the sooner, a decommissioning scheme shall be submitted to and approved by the Local Planning Authority in writing. The decommissioning scheme shall include a programme and a scheme of work and shall be implemented in accordance with the approved details.

The operator shall notify the Local Planning Authority in writing within five working days following the cessation of electricity storage.

All buildings, structures and associated infrastructure shall be removed within 12 months of the approval of the decommissioning scheme, and the land restored, in accordance with the approved details.

Reason: In the interests of highway safety, visual and residential amenity, landscape character and environmental protection.

04

The battery containers, substation, fencing and associated structures shall not be installed until details of the external materials have been submitted to and approved in writing by the Local Planning Authority. The details shall include an updated site layout plan that shall be in accordance with Site Layout Plan (Drawing No: 60687996-ACM-XX-LAY-GEN-1001 Rev C) and at a scale of not less than 1:500. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

05

No development shall be commenced until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall be prepared in accordance with the Construction Traffic Management Plan Rev C by Pegasus Group and shall confirm the following details:

- i) With the exception of AIL's, deliveries shall not take place outside 08:00 to 18:00 hours Monday to Fridays and 08:00 to 14:00 hours on Saturdays,
- ii) an indicative programme for the number of HGV and Articulated Indivisible Load (AIL) movements;
- iii) approved access and egress routes for HGV and AIL movements;
- iv) Traffic Safety Management Plan showing the location and type of traffic management signage and the location of any traffic marshals required to oversee the access and egress of HGVs and AILs;
- v) Parking details of vehicles of site operatives and visitors;
- vi) Wheel washing facilities to prevent mud and debris from migrating on to the adjacent highway; and
- vii) A timetable for the implementation of each constructional element of the plan.

The construction of the site shall be carried out only in accordance with the approved CTMP.

Reason: In the interests of highway safety and residential amenity.

06

No development 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 contain the following details:

- i) A scheme to control noise and dust;
- ii) Construction working hours, which shall be limited to 08:00 to 18:00 hours Mondays to Fridays and 08:00 to 14:00 hours on Saturdays;
- iii) Loading and unloading of plant and materials;
- iv) Storage of plant and metal used in constructing the development;
- v) Details of the temporary compounds area, including fencing;
- vi) Full details of any temporary external lighting;
- vii) A construction stage flood incident plan;
- viii) Measures for the protection of habitats and species before and during construction and a timetable for provision in accordance with the submitted Ecological Impact Assessment by Brindle and Green dated September 2023;
- ix) Construction stage emergency response plan and incident response system(s), including responsible persons and lines of communications.

The construction of the site shall be carried out only in accordance with the approved CEMP.

Reason: In the interests of residential amenity, highway safety and biodiversity.

07

Prior to commencement of development, a detailed hard and soft landscaping scheme for the site has been submitted in writing to the Local Planning Authority for approval. The submitted landscape scheme shall be in accordance with the details set out in the Landscape Master

Plan (Drawing No: P22-1211-EN.0003 Rev E) and shall include details of proposed landscape and ecology works, including:

- i) Soft landscape details (to include the western boundary);
- ii) Hardening surfacing materials;
- iii) Proposed finished ground levels;
- iv) Species, type, size and planting density;
- v) Vehicular and pedestrian access;
- vi) Soil management measures;
- vii) Tree protection measures set out in an Arboricultural Method Statement and a Tree Protection Plan prepared in accordance with BS5837;
- viii) How a biodiversity net gain of at least +23.86% net gain for habitat units and +40.9% net gain for hedgerow units calculated using Metric 4.0 published by the Department for Environment, Food & Rural Affairs will be achieved;
- ix) A landscape and ecological mitigation, management and maintenance plan in accordance with the submitted Ecological Impact Assessment by Brindle and Green dated September 2023; and
- x) An implementation timetable.

The planting proposed adjacent to Staythorpe Road shall be implemented in the first available planting season following the approval of the landscaping scheme, and the remainder of the approved landscaping scheme shall be implemented in its entirety no later than the first available planting season following completion of the development. The approved landscaping scheme shall be retained and managed in accordance with the approved landscaping scheme for the lifetime of the development.

Reason: In the interests of landscape character, rural visual and residential amenities and biodiversity.

08

No development shall be commenced until a statement of Reasonable Avoidance Measures Statement (RAMS) and timetable has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify appropriate measures for the safeguarding of protected and locally important species and their habitats and shall include:

- a) an appropriate scale plan showing protection zones where construction activities are restricted and where protective measures will be installed or implemented; b) details of protective measures (both physical measures and sensitive working practices) to avoid impact during construction;
- c) a timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as the bird nesting season);
- d) details of a person responsible for the management of the protection zones.

The content of the Statement should be guided by BS42020:2013: Biodiversity - Code of Practice for Planning and Development. Development shall be carried out in accordance with the approved details and timetable.

Reason: In the interests of maintaining and enhancing biodiversity and ecological assets.

09

The proposed new access to Main Road shall not be commenced until details of the Hedge Translocation (shown on Drawing No: P22-1211\_EN\_0004 Rev F) including a translocation method statement and timetable for the works, which shall be prepared in compliance with BS5837, has been submitted to and approved in writing by the Local Planning Authority. The translocation of the hedgerow shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the biodiversity, landscape character and visual amenities.

10

No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in substantial accordance with the principles set out in the Surface Water Management Strategy Rev P02 (dated February 2023), as amended by the Technical Note Staythorpe SWMS Addendum dated 18 September 2023.

The scheme to be submitted shall:

- Demonstrate that the development will use Sustainable Drainage Systems throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 175.
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.
- Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
  - No surcharge shown in a 1 in 1 year.
  - No flooding shown in a 1 in 30 year.
  - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.

- Evidence of how the on-site surface water drainage systems, including the open drainage ditch along the western boundary of the site, shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

The approved surface water drainage scheme shall be implemented and maintain for the lifetime of the development.

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

011

No development shall be occupied until details of the means of foul drainage disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out thereafter in accordance with the approved details.

Reason: To ensure the provision of satisfactory means of foul sewage/surface water disposal.

012

No development shall take place until a flood risk mitigation strategy (the 'FRMS') has been submitted to and agreed in writing by the Local Planning Authority. The FRMS shall include the following flood risk mitigation measures:

i) finished floor levels for all battery containers located on land indicated to flood during the design flood event (1 in 100 AEP event plus an allowance for climate change) shall be 300mm above peak flood level during the design flood event;

ii) level-for-level compensatory flood storage shall be provided in accordance with Appendix A and B of the Level 2 Flood Risk Assessment (dated February 2023, or any update);

the FRMS shall be fully implemented and subsequently maintained for the duration of the development hereby permitted.

Reason: In the interests of mitigating against flood risk.

013

The development shall not be brought into use until an operational stage incident plan has been submitted to and approved by the Local Planning Authority in writing. The plan shall be prepared in accordance with the Level 2 Flood Risk Assessment (dated February 2023 or any update). The development shall be implemented in accordance with the approved operational stage flood incident plan.

Reason: To provide appropriate mitigation in a flood event.

014

No development shall be commenced until details of the site access have been submitted to and approved by the Local Planning Authority. The details shall be in accordance with the details shown on Main Road Access (Drawing No: P22-1211 TR-SK01 Rev B) and Staythorpe Road Access Geometric Parameters (Drawing No: P22-1211TR-SK05 Rev C) and include details of necessary vegetation clearance, culverts and a programme for the delivery of the site access works, of which the access on Main Road shall comprise the first part of the development to be implemented. All works shall be carried out in accordance with the approved details.

Reason: In the interests of general highway safety.

015

The visibility splays shown on drawing P22-1211 TR-SK01 Rev B shall be provided prior to the Main Road access being brought into use. For clarity, any hedging within 1 metre to the rear of the splay shall be removed and the splays then kept clear of all obstructions of 0.26 metres above carriageway level for the lifetime of the development.

Reason: In the interests of highway safety.

016

The Staythorpe Road access shall be used only by Abnormal Load vehicles, any associated escort vehicles, emergency services and agricultural vehicles associated with the existing farming use. No other vehicles are permitted to use it for access or egress related to the construction of development and the gates must be closed at all times other than to allow passage of aforementioned vehicles.

Reason: For the avoidance of doubt, and general interests of highway safety.

017

The Staythorpe Road access shall not be used for abnormal load deliveries until a comprehensive abnormal loading delivery plan, including temporary signing, construction traffic routing and structural assessments for any highway structures affected by delivery has been submitted to and approved in writing by the Local Planning Authority. Any abnormal load deliveries shall then be implemented in accordance with the approved plan.

Reason: In the interests of highway safety.

018

Part 1

Except for archaeological works, no development shall take place until an archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority in writing. The Mitigation Strategy shall include appropriate Written Schemes of Investigation for each phase of archaeological work as necessary. These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (ie preservation by record, preservation in situ or a mix of these elements);
2. A methodology and timetable of site investigation and recording;
3. Provision of site analysis;
4. Provision for publication and dissemination of analysis and records;
5. Provision for archive deposition;
6. Nomination of a competent person/organisation to undertake the work.

The scheme of archaeological investigation shall only be undertaken in accordance with the approved details.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.

019

#### Part 2

The archaeological site work shall be undertaken only in full accordance with the approved Mitigation Strategy and written schemes referred to in the above Condition. The developer shall notify the Local Planning Authority of the intention to commence at least 14 days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without the prior consent of the Local Planning Authority.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework.

020

#### Part 3

A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the archaeological works hereby approved being commenced. The post-investigation assessment shall be completed in accordance with the programme set out in the approved Written Scheme of Investigation and shall include provision for analysis, publication and dissemination of results and deposition of the archive being secured.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.

021

No development shall take place until a Fire Safety Management Plan has been submitted to and approved by the Local Planning Authority in writing. The Plan shall include expected gas concentrations at ground level during a fire event; design details justifying BESS unit spacing and fire suppression systems selected and shall be prepared in accordance with the Fire Strategy Management Plan Rev (2) dated September 2023 by AECOM and the operational stage flood incident plan (Condition 12). The development shall be implemented in accordance with the approved updated Fire Safety Management Plan.

Reason: In the interests of fire safety and flood risk.

022

The development hereby approved shall be implemented in full accordance with all the noise mitigation measures and the rating levels of noise due to the operation of the development on the three identified noise sensitive receptors set out within the submitted Noise Impact Assessment Issue 3 dated 8 February 2024 by Environmental Noise Solutions Ltd (or as updated and approved by the Local Planning Authority). The operational noise mitigation measures shall be maintained for the lifetime of the development.

Reason: In the interests of residential amenity.

023

No permanent external lighting shall be installed on the site until details have been submitted to and approved in writing by the Local Planning Authority. Lighting shall be designed to prevent light spillage and be directed away from sensitive receptors and habitat, such as woodland. Any external lighting shall be installed in accordance with the approved details for the lifetime of the development.

Reason: In the interests of residential amenity, the character of the open countryside and biodiversity.

024

The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans/drawings:

General Plans:

Site Location Plan (Drawing No: 60687996-ACM-XX-LAY-GEN-1004 Rev A)

Site Layout Plan (Drawing No: 60687996-ACM-XX-LAY-GEN-1001 Rev C)

400kV BESS Substation Layout Plan (Drawing No: 60687996-ACM-XX-LAY-EL-1015 Rev A)

400kV BESS Substation Elevation (Drawing No: 60687996-ACM-XX-LAY-EL-1016 Rev A)

132kV BESS Substation Layout Plan (Drawing No: 60687996-ACM-XX-LAY-EL-1005 Rev C)

132kV BESS Substation Elevation (Drawing No: 60687996-ACM-XX-LAY-EL-1006 Rev B)

Battery and PCS Unit Indicative Elevations (Drawing No: 60687996-ACM-XX-LAY-GEN-1002 Rev B)

Control Building and Storage Building Indicative Floor Plan (Drawing No: 60687996-ACM-XX-LAY-GEN-1007 Rev A)



Control Building, Storage Building and Water Tank Indicative Elevations (Drawing No: 60687996-ACM-XX-LAY-GEN-1003 Rev B)

Typical Details – Fencing, CCTV, Intercom, Auxiliary Transformer and Fire Hydrant (Drawing No: 60687996-ACM-XX-LAY-GEN-1005 Rev A)

Typical Details – Typical Access Track (Drawing No: 60687996-ACM-XX-LAY-GEN-1005 Rev C)

Indicative Acoustic Barrier and Bund Elevation (Drawing No: 60687996-ACM-XX-LAY-GEN-1008 Rev B)

Construction Compound Indicative only (Drawing No: 60687996-ACM-XX-LAY-GEN-1006 Rev A)

#### Proposed Landscape Plans:

Landscape Masterplan (Drawing No: P22-1211-EN.0003 Rev E)

Landscape Boundary Sections – Year 1 and 15 (Drawing No: P22-1211-EN.0002 – Sheets 1 and 2 Rev A)

Landscape Masterplan – Main Road Access (Drawing No: P22-1211-EN0004 Rev E)

#### Proposed Highway Plans:

Main Road Access (Drawing No: P22-1211TR-SK01 B) attached at the end of the Construction Traffic Management Plan Rev C by Pegasus Group

Main Road Access HGV Swept Path Analysis (Drawing No: P22-1211TR-SK02 A)

Staythorpe Road Access Geometric Parameters (Drawing No: P22-1211TR-SK05 Rev C)

Staythorpe Road Access Fire Tender Swept Path Analysis (Drawing No: P22-1211TR-SK06 Rev C)

Staythorpe Road Access Abnormal Load Swept Path Analysis (Drawing No: P22-1211TR-SK10 A)

Reason: So as to define this permission.