



Appeal Decision

Site visit made on 11 September 2023

by Jonathan Bore MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2023

Appeal Ref: APP/T3725/W/23/3317247

Land to the west of the A46, Sherbourne, Warwick, CV35 8AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by PD412WAR Limited against the decision of Warwick District Council.
 - The application Ref W/22/0548, dated 30 May 2022, was refused by notice dated 26 August 2022.
 - The development proposed is a solar farm and associated development.
-

Decision

1. The appeal is allowed and planning permission is granted for a solar farm and associated development on land to the west of the A46, Warwick, CV35 8AH in accordance with the terms of the application, ref W/22/0548, dated 30 May 2022, and the plans referred to in Condition 2, subject to the conditions set out in the schedule to this decision.

Main Issues

2. The main issues in this case are:
 1. the effect of the proposal on the West Midlands Green Belt and on the landscape character;
 2. the effect on archaeological remains;
 3. the impact on highway safety and the highway network;
 4. the impact on biodiversity and nature conservation;
 5. the impact on flood risk; and
 6. whether there are very special circumstances to allow this development in the Green Belt.

Reasons

Issue 1: the effect of the proposals on the West Midlands Green Belt and on landscape character

3. The proposal is for a solar farm of about 20MW. It would occupy two parcels of arable land totalling about 29.8 hectares near the junction of the M40 and the A46, within the Green Belt. It is common ground that the proposal amounts to

- inappropriate development in the Green Belt. There is a presumption against such development, and permission should not be granted other than in very special circumstances.
4. The scheme would have a spatial and visual impact on the openness of the Green Belt; it would be seen from bridges over the M40, from the A46, from the B4463 and from parts of the public footpath network. From these viewpoints it would appear as an encroachment of manmade structures into the countryside. However, views of the installation would not be widespread, and even the northernmost part of the site, which would be expected to be more prominent because it is on a slight rise, would not have a wide visual impact. Parts of the site offer the opportunity of additional boundary screening. Moreover, the development would be seen in the context of the major road infrastructure around the junction of the M40, A46, A4298 and B4463, which itself has a significant effect on the openness, rural character and the tranquillity of its surroundings. In this context the additional visual impact of the scheme on the openness of the Green Belt would be relatively limited.
 5. Similar points apply to the scheme's landscape impact. The Warwickshire Landscapes Guidelines SPG places the site within the Avon Terrace Farmlands and the Wooded Estatelands. Local Plan policies BE1 and NE4 seek good design and the protection and enhancement of landscape character. The landscape on and around the site consists of pleasant countryside of low relief with fields bordered with hedges, mature trees and minor watercourses, but it does not carry any special local or national designation. It is inescapable that there would be a degree of conflict with policies BE1 and NE4 because the solar farm would change the character of the landscape on which it is sited. However, it would be seen in close association with the major road infrastructure, and with its impermanent, relatively low panels, slender 15m lattice tower, and modest-sized ancillary cabins and other equipment, would have a limited additional impact on the character of the landscape. Its impact would be mitigated through landscaping including boundary planting as required by Conditions 4 and 5. To control the appearance of the scheme, Condition 17 requires the approval of the details of the materials and layout.
 6. The above conclusions relate to the scheme on its own. Planning permission has recently been granted under reference W/23/150 for another solar farm, again in two parts, close to the appeal scheme. Both parts of scheme W/23/150 would extend further westwards than the corresponding parts of the appeal scheme, pushing further into open countryside away from the major highway junction. The southern part of that scheme would have a considerably wider spread than the appeal scheme when seen from the direction of the A46 and would have a notably greater impact on the public rights of way north of the A46. In my assessment scheme W/23/150, which was granted planning permission in the Green Belt on the basis of very special circumstances, would have a greater visual effect on the countryside and the Green Belt than the appeal scheme.
 7. Should the appeal scheme and the permitted scheme both go ahead, a more extensive area would be covered by solar panels. However, the appeal scheme would not extend further westward into open countryside than the scheme that has already been permitted; rather, both the northern and southern parts of the appeal site would largely be contained between the corresponding parts of scheme W/23/150 and the highway infrastructure. As a result, the appeal

scheme would have a relatively small additional impact on the Green Belt and landscape compared with that which has already been permitted.

8. The scheme would have a 40 year life. To enable the site to be returned to open land, Conditions 18 and 19 limit the permission to 40 years from the date on which electricity is first exported and contain requirements for the decommissioning and removal of the solar farm.
9. Overall, therefore, both alone and in conjunction with permitted scheme W/23/150, and subject to the conditions discussed above, the appeal proposal in practical terms would cause limited harm to the openness of the Green Belt, and to landscape character. The question of very special circumstances is dealt with as the final issue in this decision.

Issue 2: the effect on archaeological remains

10. The historic environment desk-based assessment dated February 2022 refers to the existence of a number of archaeological finds and features of different periods in the locality. The geophysical survey carried out on behalf of the appellants has not conclusively identified significant features on the sites themselves; much of the northern part of the site has been subject to excavation in connection with nearby highway works, and deep ploughing is likely to have had an adverse impact on the preservation of archaeological features. Nevertheless, the assessment concludes that the potential for undiscovered remains at the site is high, particularly of the prehistoric, Romano-British and medieval periods, with potential for finds, features and sites of greater than local significance. When Junction 15 of the M40 was constructed in 2008 and 2009, an area of buried remains comprising an Iron Age D-shaped enclosure was preserved in situ within the northern part of the site.
11. The proposed development therefore has the potential to disturb buried archaeological features. However, a solar farm has a more limited subsurface impact than a permanent building, and the layout is adaptable. In the circumstances, therefore, permission can be granted subject to a condition requiring further archaeological investigative work prior to the commencement of development. The final form of the development may need to be tailored to take into account any feature of archaeological interest that should remain in situ and should be submitted to and approved by the local planning authority subsequent to the investigation. The investigation should also inform the final construction management plan. This variation is allowed for in conditions 2, 3, 13 and 17. Compliance with these conditions will ensure that any important remains are capable of being retained in situ and will enable the scheme to comply with the objectives of Local Plan policy HE4 Policy which resists development which would cause substantial harm to archaeological remains of national importance and their settings.

Issue 3: the impact on highway safety and the highway network

12. The scheme would have a noticeable transport impact only during the 40 week construction period, when there would be between 23 and 30 average daily HGV trips for deliveries to the site, with an overall average of 13 trips in and 13 out split between the two northern accesses. The Indicative Revised Traffic Management Plan (Rev A, February 2023) provides further explanation of the access arrangements. This version was produced after the Council issued its

- decision notice, but as it takes into account comments made by the Council, the Highway Authority and other representations, and does not involve any substantive physical changes, no-one's interest is prejudiced. There would be three access points from the B4463 and no direct access from the A46. All HGV deliveries would be made to the northern part of the site and then transported to the southern part using lighter vehicles, making use of an existing concrete access track. This track is in part a public right of way and its use would be affected during the construction period, but HGVs would not use this route and given the temporary impact this aspect of the proposal is acceptable.
13. Appended to the Indicative Revised Traffic Management Plan is an independent road safety audit (February 2023). The appellants propose to undertake a number of measures in response to the recommendations of the audit. These include controlling vehicle movements through an agreed construction traffic management plan, amending the access designs to avoid over-running or over-sailing kerb lines or encroachment into opposing lanes, creating a level dwell area at one of the accesses, providing construction phase signage to reduce the likelihood of sudden vehicle manoeuvres, providing longer visibility splays and cutting back and raising the canopies of trees at the northern access point, and creating an additional vehicle waiting bay on the track leading to the southern access point. In response to the Highway Authority's comments, junction visibility and vehicular swept paths are analysed in the technical Transport Note of February 2023 and demonstrate that there is scope to provide adequate junction geometry. All the arrangements discussed in this paragraph and paragraph 11 above are taken into account by conditions 13 to 16.
 14. A glint and glare study has identified no significant impacts on road safety or aviation activity.
 15. Access from the highway network for construction traffic would be good because the sites are very close to the M40/A46/B4463 junction. Construction traffic would therefore have a limited impact on the road network and on local communities. The Indicative Revised Traffic Management Plan sets out acceptable measures for construction traffic management.
 16. After construction, the scheme would generate very little traffic: the Indicative Traffic Management Plan (March 2022, revised February 2023) anticipates two van movements per month (in other words one visit) for maintenance. No cycling or pedestrian visits are envisaged. This level of movement does not require a transport assessment or travel plan.
 17. Subject to the conditions discussed above, the scheme would not cause significant harm to highway safety, and traffic from the scheme would not add significantly to congestion on the highway network or have any significant effect on local living conditions. The scheme would accord with Policy TR1 of the Local Plan which seeks safe access and would not conflict with the objectives of Policy TR2 which seeks to control and reduce the impact of vehicular movements on the environment.

Issue 4: the impact on biodiversity and nature conservation

18. The site does not have any national or local nature conservation designation. However, it supports breeding birds and badgers and has the potential to support a range of other species including great crested newts. Initial survey work did not find great crested newts on the site, and their environmental DNA

was not detected by scientific survey, but there is potential for newts to inhabit the ditches and ponds, so Condition 8 is attached requiring further survey work.

19. The scheme would not require any trees to be removed. All the hedgerows would be retained except for two short sections, and the best use would be made of existing entranceways. The Preliminary Ecological Appraisal recommends that the mature trees and hedgerows should be protected during the construction work, and that if this is carried out, further surveys for bats are not required. However, the road safety audit refers to the potential need to trim trees in connection with vehicle access arrangements. Conditions 4, 6, 7 and 9 are therefore attached requiring the trees to be protected; details of any trimming necessary; and a further bat survey to be submitted should it be necessary to carry out works to any trees.
20. The ecological appraisal recommends that precautionary methods of working and reasonable avoidance methods should be adopted in respect of great crested newts, hedgehogs, reptiles, otters and water voles. Condition 11 is attached requiring the submission of a detailed landscape and ecological management plan which will include such measures.
21. The scheme would take the site out of arable use and, with the enhancement of the hedgerows, would provide the opportunity for creating biodiversity gain. The preliminary biodiversity net gain metric indicated on site net percentage change of about 76% in habitat units and 15% in hedgerow units. To ensure that biodiversity is adequately taken into account and that opportunities for enhancement are taken, Condition 10 is attached which requires a biodiversity impact assessment together with the submission of biodiversity enhancement measures.
22. Subject to the conditions referred to above, the scheme would improve the biodiversity of the site and would not harm any protected or priority species. It would be in accordance with Local Plan policy NE2 which seeks to protect such species, and with policy NE3 which aims to protect and enhance biodiversity.

Issue 5: the impact on flood risk

23. The submitted flood risk assessment indicates that the southern part of the site is situated within Flood Zone 1, but some of the northern part of the site is at risk from fluvial flooding and falls within Flood Zones 2 and 3. This is associated with the Horse Brook, which is culverted beneath the M40 and mostly runs on the opposite side of the motorway but also weirs into part of the site. Producing a full hydraulic model would require extensive data on topography and the surface network around the M40 which would be a disproportionate task given the nature of the scheme and the limited risks involved, as discussed below. However, using Environment Agency JFLOW data and LIDAR mapping, the submitted flood risk assessment estimates that the identified area is at risk of between 200mm and 100mm of flooding for the 1 in 100 year plus 40% of fluvial flooding. There is one area at risk of around 670 mm of flooding for a 1 in 100 year flood event including an allowance for climate change and this is used as a conservative figure for future mitigation.
24. The National Planning Policy Framework seeks to avoid inappropriate development in areas at risk from flooding by directing development away from the areas of highest risk, and Local Plan policy FW1 shares the same objective.

The NPPF states that if it is not possible for development to be located in areas with a lower risk of flooding, an exception test is applied, informed by a flood risk assessment, and it should be demonstrated that the development would provide wider sustainability benefits to the community that would outweigh the risk, and that it will be safe for its lifetime taking account the vulnerability of its users, without increasing flood risk elsewhere. Where possible, flood risk overall should be reduced. In this instance the scheme would pass the exception test for a number of reasons.

25. Firstly, the risk to users would be low: the site would attract one visit per month for maintenance when the development is operational, and all essential infrastructure for the scheme would be located in Flood Zone 1.
26. Secondly, the scheme would have a negligible effect on flooding on the site. The proposed panels would be a minimum of 800 mm above the ground which in practical terms would raise them out of the flood risk zone. The panels would be held on racking supported by a steel pile system on support posts of around 0.1m diameter, spaced to allow for the free flow of water and the design would only introduce a small area of impermeable surface. There would be a minimum of 10mm gap between the modules; rain falling on each module would run off the surface and flow into in the sheltered rain shadow area beneath.
27. Thirdly, the scheme would not increase flooding or give rise to detrimental effects elsewhere, and would be likely to be beneficial in this respect. Vegetation would grow below the panels, which would prevent and reduce the erosion of sediment from the site. A swale system would provide surface water runoff storage. Access and maintenance roads would be constructed from permeable materials. The existing grass covered areas, which are likely to provide infiltration, would only be marginally reduced. There would be significant benefits in comparison with typical farming activity because the fields would not be ploughed, would retain vegetation throughout the year and would not be regularly traversed by heavy machinery. The likelihood therefore is that runoff rates from the site would be reduced, and ground infiltration would be improved.
28. Fourthly, the scheme has a specific reason to be located here, which is to make use of a power line with spare capacity, and it would have wider environmental and sustainability benefits, as discussed below.
29. Taking all these matters into account, and subject to Condition 12 requiring the implementation of an approved surface water drainage scheme, the proposal would not give rise to additional flood risk on or off site and would accord with national policy in the NPPF and with the aims of Local Plan Policy FW1.

Issue 6: whether there are very special circumstances to allow this development in the Green Belt

30. The National Planning Policy Framework states that the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure. It adds that when such projects are located in the Green Belt, very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. The appeal scheme would power the equivalent of about

6,600 local homes annually for 40 years, or the equivalent of one tenth of the dwellings in the district per year. This is a significant environmental benefit.

31. The appellants have conducted an extensive, reasonable and proportionate site search, and the assessment report demonstrates the difficulty of finding suitable sites outside the Green Belt or on brownfield land. The site has locational advantages in that it would make use of spare capacity in the 33kV power line which runs through the site; the site is large enough to be economically viable, is available, is not required for another purpose, is not in a position where residential living conditions would be adversely affected and is not best and most versatile agricultural land.
32. Warwick Local Plan policy CC2 "Planning for Renewable Energy and Low Carbon Generation" supports proposals for renewable energy projects where they minimise impacts on adjacent land uses and local residential amenity, minimise the impact on landscape, ecology and visual impact, conserve heritage assets and maximise appropriate opportunities to address the energy needs of neighbouring uses. The effects of the scheme are discussed in connection with the preceding issues, and the scheme meets these policy criteria.
33. The Council have argued in respect of a number of the issues that insufficient information was submitted with the application. I do not find that to be the case, and where additional information has subsequently been submitted – a normal feature of the preparation for a planning appeal – it has enabled certain matters to be clarified without introducing significant changes and without prejudicing the interests of any party in the locality. The National Planning Policy Framework states that, when determining applications for renewable and low carbon development, local planning authorities should approve the application if its impacts are (or can be made) acceptable. In this case the development can be made acceptable through the imposition of planning conditions. Suitable conditions would ensure that the impacts on landscape, archaeological remains, highway safety, ecology and biodiversity and flood risk are minimised. As national planning practice guidance states, conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects.
34. Given the national targets for a transition towards a low carbon future, the importance attached to the objective by the Council in declaring a climate emergency, the clear support given to renewable energy development in the NPPF, and the support for renewable energy within Local Plan policy CC2, it is evident that the proposal would provide a very significant environmental benefit. The impact on the openness of the Green Belt and the effect on the landscape would be limited, whether this site is considered on its own or in conjunction with the nearby permitted scheme. The environmental benefits would significantly outweigh the harm to the Green Belt and the impact on the landscape. Subject to the conditions discussed in this decision, there would be no harm in respect of any of the other issues. There are therefore very special circumstances in this case to allow this appeal.

Conditions

35. Conditions are set out in the attached schedule. The need for these conditions is discussed above under the relevant issues and is not repeated here. The Council's suggested conditions have been taken into account, but adjustments

have been made to avoid overlapping or over-prescription, or to respond to submitted evidence. There is no substantive evidence to support the Council's suggested noise condition and given the location of the site next to major highways such a condition is not necessary.

Conclusion

36. For all the reasons given I conclude that the appeal should be allowed.

Jonathan Bore MRTPI

INSPECTOR

APP/T3725/W/23/3317247

SCHEDULE OF PLANNING CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans and conditions listed on this decision notice, subject to any variations required in connection with Condition 3(c) and 17:
 - a) Red line boundary Scale 1:10000 Date 7/3/2022
 - b) Existing Site Plan Rev. A1 dated 07/03/2022
 - c) Switchgear Housing Rev. A1 dated 13/01/2022
 - d) Substation Housing Rev. A1 dated 13/01/2022
 - e) Racking Detail Rev. A1 dated 13/01/2022
 - f) Inverter/ Transformer detail Rev. A1 dated 18/01/2022
 - g) Storage/ Comms/ Switch Room Rev. A1 dated 13/01/2022
 - h) WPD-10238 Rev. A (15m SLP2 Tower (C50-B50-B48) c/w Anti-climb, Feeders, Latchways)
 - i) Solar Farm Layout Rev. No. D1 dated 16/08/2022
 - j) CCTV Detail Rev. A1 dated 13/01/2022
 - k) Fence detail Rev. A1 dated 13/01/2022
- 3) No development shall take place until:
 - a) a written scheme of investigation for a programme of archaeological evaluative work has been submitted to and approved in writing by the local planning authority;
 - b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved scheme has been undertaken, and a report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority;
 - c) a mitigation strategy, informed by the results of the archaeological evaluation, has been submitted to and approved in writing by the local planning authority, to include any archaeological mitigation measures, including any necessary adjustment to the layout and details of the scheme and any requirement to be included in the construction management plan. Any such adjustment shall be incorporated into the details submitted under conditions 2, 13 and 17.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition, shall be undertaken in accordance with the approved archaeological mitigation strategy.

- 4) The development hereby permitted shall not commence until a landscaping scheme containing details of hard and soft landscape works has been submitted to and approved in writing by the local planning authority. The details to be submitted shall include:
- a) the treatment proposed for all ground surfaces, including hard surfaced areas;
 - b) existing trees, hedges or other soft features to be retained;
 - c) all existing trees, hedges and other landscape features, indicating clearly any to be removed;
 - d) details of the trimming and cutting back of any tree and hedgerow in connection with access arrangements for the construction phase;
 - e) planting schedules across the site, noting the species, sizes, numbers and densities of plants and trees;
 - f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;
 - g) compliance with the biodiversity net gain metric;
 - h) the continuation of unobstructed movement of species within the site;
 - i) finished levels or contours within any landscaped areas;
 - j) any structures to be erected or constructed within any landscaped areas means of enclosure;
 - k) functional services above and below ground within landscaped areas.

The works shall be carried out as approved prior to the first exportation to the National Grid, or in the first available planting season following such exportation and retained and maintained in accordance with the agreed lifetime of the development.

- 5) Any tree or shrub which within a period of five years from the completion of the development dies, is removed or becomes seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, trees and shrubs shall be planted in accordance with British Standard BS4043 Transplanting Root-balled Trees and BS4428 Code of Practice for General Landscape Operations.
- 6) No site clearance, preparatory work or development shall take place until a scheme for the protection of the trees on the site (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the trees shall be carried out as approved.
- 7) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner, other than in accordance with the approved

plans and details, without the prior written approval of the local planning authority. "Retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

- 8) No development shall take place until a detailed survey to establish the presence or absence of great crested newts in and around the ponds, ditches and water bodies, to include details of any necessary mitigation and protection measures, has been carried out by a qualified ecologist and has been submitted to and approved in writing by the local planning authority. The protection and mitigation measures shall be implemented in accordance with approved details.
- 9) In the event that it is necessary to carry out any works to the trees on the site, no development shall take place until a bat survey has been carried out by a suitably qualified surveyor, and a report of findings submitted to and approved in writing by the Local Planning Authority. The report should include, where the presence of bat or bat roost is established, appropriate measures to safeguard the protected species. Such measures shall be carried out in accordance with a programme to be incorporated in the report and agreed in writing by the local planning authority.
- 10) No development shall commence until:
 - a) a biodiversity impact assessment has been submitted to and approved in writing by the local planning authority to ensure that the scheme does not lead to the net loss of biodiversity, and where possible provides a net gain; and
 - b) the biodiversity enhancement measures approved under (a) have been completed in accordance with the approved details, with the exception of any planting, which must be completed within the first planting season following first occupation.

The biodiversity enhancement measures shall thereafter be retained and maintained in accordance with the approved details for the lifetime of the development.

- 11) The development hereby permitted shall not commence until a landscape and ecological management plan has been submitted to and approved in writing by the local planning authority, to include details of precautionary methods of working and reasonable avoidance methods in respect of great crested newts, hedgehogs, reptiles, otters, water voles and breeding birds, together with habitat enhancement and creation measures and their management. The measures shall thereafter be implemented in full in accordance with the approved plan.
- 12) The solar farm shall not be brought into operation until surface water drainage works based on sustainable drainage principles have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The submitted details shall:
 - a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

- b) include a timetable for its implementation; and,
 - c) provide a management and maintenance plan for the lifetime of the development which shall include arrangements to secure the operation of the scheme throughout its lifetime.
- 13) The development hereby permitted shall not commence until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall provide for: highway safety management of vehicular traffic entering and exiting the access, including signage and the creation of any necessary dwell area; the parking of vehicles of site operatives and visitors; site working hours and delivery times; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of any security hoarding; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction, together with any details in relation to noise and vibration; and a scheme for recycling or disposing of any waste resulting from construction works. The development shall be carried out in accordance with the approved construction management plan.
- 14) Prior to the commencement of development, full details of the proposed accesses shall be submitted to and approved in writing by the local planning authority. The submitted details shall include suitable visibility splays, swept path analysis, construction specifications and a Stage 1 Road Safety Audit. The approved details shall be implemented in accordance with approved plans and constructed ready for use prior to first export to the National Grid and shall be retained for the lifetime of the development.
- 15) No vehicle shall enter the site directly from the A46.
- 16) No HGVs shall access the southern part of the site.
- 17) Prior to their installation, full details of the final location, design and materials to be used for the panel arrays, transformers/inverter cabins, storage/communication/switch room cabins, substation, switchgear unit, CCTV cameras, feeder tower, fencing and gates, external lighting and any other auxiliary buildings or structures 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 maintained in the agreed form for the lifetime of the development unless otherwise agreed in writing with the local planning authority.
- 18) Within one month of the first commercial export of electricity from the site, the developer shall submit to the local planning authority a notice stating the date on which the first commercial export of electricity commenced. The planning permission hereby granted shall be limited to a period of 40 years commencing from the date electricity generated by the solar panels is first exported to the National Grid. At the end of the 40-year period, or prior to that date if the solar farm ceases to export electricity to the grid for a continuous period of 12 months, the development shall be removed, and the land restored to its previous

agricultural use in accordance with details that shall have been previously submitted to and approved in writing by the local planning authority.

- 19) The details required by Condition 18 shall be submitted to the local planning authority no later than 6 months prior to the expiry of the planning permission or no later than 10 working days after the continuous period of 12 months referred to in Condition 3, and shall include the following:
- a) a programme of works;
 - b) a method statement for the decommissioning, dismantling and removal of the solar farm and all associated above ground works/surfacing and foundations below ground;
 - c) details of any items to be retained on site;
 - d) a method statement for restoring the land to agriculture;
 - e) the timescale for the decommissioning, removal and reinstatement of the land;
 - f) a method statement for the disposal/recycling of redundant equipment/structures and any associated infrastructure.