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Mr James Steynor
The Solar Building Company
Wystone Business Park
Monmouth
NP25 3SR

Application no: SMD/2015/0220

Determined on: 22/07/2015

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

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Location of Development:

Moneystone Quarry, Cheadle Road, Oakamoor, Staffordshire Moorlands ST10 2DZ

Description of Development:

Re-submission of application (SMD/2014/0432) for construction and operation of solar photovoltaic farm including provision of internal service roads, fencing, CCTV, below ground cabling and electrical ancillary equipment

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby permitted shall be carried out strictly in accordance with the application forms and details submitted including the following approved plans:

SBC1049/17/01; SBC1049/17/02; SBC1049/17/03; SBC1049/17/04; SBC1049/17/05;
SBC1049/17/06; SBC1049/17/08; SBC1049/17/09; SBC1049/17/10; SBC1049/17/11;
SBC1049/17/12; SBC1049/17/13

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning.

3. No development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site have each been submitted to, and approved in writing by, the local planning authority:

a) a preliminary risk assessment which has identified:

i) all previous uses;

ii) potential contaminants associated with those uses;

iii) a conceptual model of the site indicating sources, pathways and receptors;

iv) potentially unacceptable risks arising from contamination at the site;

b) a site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

c) the results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

Reason: To prevent pollution of the natural environment.

4. The development hereby permitted shall not become operational in the generation of electricity until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remedial works required as an outcome of the site investigation and risk assessment are completed to a satisfactory standard.

5. No development shall take place until a scheme to control and dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure there is no detrimental impact on water quality in the River Churnet as a result of surface water run-off from this site; to ensure the site is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem.

6. No development shall take place until the details and timing of the "reasonable avoidance measures for protected species" contained in the submitted Grassland Restoration and Management Framework document have been submitted to and approved in writing by the Local Planning Authority. The measures shall then be implemented in strict accordance with the approved details.

Reason: To ensure appropriate safeguard for protected species during the course of the

development.

7. No development shall take place until the details of the method and phasing of the grassland habitat creation works as contained in the submitted Grassland Restoration and Management Framework document and summarised at page 15 of that document have been submitted to and agreed in writing by the Local Planning Authority. The method and timing of the habitat creation work shall then be implemented strictly in accordance with the approved details.

Reason: To ensure the successful establishment of species-rich grassland of a target National Vegetation Classification habitat type within site areas D and E of the approved plans.

8. No development shall take place until the submitted habitat management work programme for the identified habitat enhancement areas, Area 1: woodland, and Area 2: grassland, (figures 1a, 1b and 1c of the 'fpcr' Method Statement and Management Strategy, September 2014) has been submitted to and agreed in writing by the Local Planning Authority including details of timings for the start of habitat enhancement work and future phasing beginning with the start of the approved development. The habitat enhancement and management work shall then be implemented strictly in accordance with the approved details.

Reason: To ensure the delivery of the habitat enhancement measures for Areas 1 and 2 as proposed in the application from the outset of the development.

9. No development shall take place until the details of the timing of work to establish species-rich grassland in area B the most northerly of the three site areas within the application red edge have been submitted to and approved in writing by the Local Planning Authority. The approved work shall be implemented strictly in accordance with the approved details and to the timetable agreed.

Reason: To ensure the delivery of habitat restoration in this area consistent with the required restoration objectives for the former quarry site.

10. No development shall take place until monitoring and reporting arrangements for the progress of establishing and maintaining the habitats in the areas covered by conditions 7, 8 and 9 have been submitted to and approved by the Local Planning Authority and monitoring and reporting shall then take place strictly in accordance with the approved details.

Reason: To ensure the satisfactory continuance of the agreed habitat work for the life of the development.

11. No development shall take place until the proposed temporary construction road and set down area have been constructed and made available for use in accordance with the approved plan SBC1049/17/06.

Reason: To comply with the policies contained within the National Planning Policy Framework and to comply with Staffordshire Moorlands Core Strategy Development Plan 2014 Policy T1.

12. No development shall take place until wheel cleaning facilities have been installed on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facility shall thereafter be utilised by all heavy goods

vehicles for the full period of construction works.

Reason: To comply with the policies contained within the National Planning Policy Framework and to comply with Staffordshire Moorlands Core Strategy Development Plan 2014 Policy T1.

13. The development hereby permitted shall be undertaken in accordance with the construction traffic plan detailed in the construction method statement for the full period of construction works.

Reason: To comply with the policies contained within the National Planning Policy Framework and to comply with Staffordshire Moorlands Core Strategy Development Plan 2014 Policy T1.

14. All noisy activities shall be restricted to the following times of operations:

08:00 - 18:00 hours (Monday to Friday);

08:00 - 13:00 hours (Saturday).

No working is permitted on Sundays or Bank Holidays. A noisy activity is here defined as any activity (for instance, but not restricted to, building construction /demolition operations, vehicle movements, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

15. The machinery, plant or equipment ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. All plant and machinery shall be so enclosed with soundproofing materials in accordance with a scheme to be submitted to and agreed by the Local Planning Authority in writing, and the plant and machinery shall not be used until the soundproofing has been implemented.

Reason: To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.

16. During any demolition and construction activities (including landscaping) the contractor shall pay due regard to the Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456), and take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

Reason: To ensure that the reasonable residential amenities of adjoining properties are adequately protected from dust pollution.

17. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not continue further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority

to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not continue until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18. With the exception of security lighting in the proposed temporary set down areas as part of the construction phase nothing in this permission shall be construed as authorising any artificial lighting, including flood lighting and security lighting.

Reason: For the avoidance of doubt and in the interests of the environment and amenity.

19. The operational life of the development shall be for a maximum period of 25 years from the date construction is complete and the site is formally accredited by the relevant authority. Written notification of this date shall be provided to the Local Planning Authority no later than 1 calendar month after that event. No energy production shall take place beyond 25 years from the date of that event.

Reason: To ensure that the period of existence of the approved development is limited to an appropriate time frame.

20. Within 6 months of the permanent cessation of energy production, a scheme for the decommissioning and removal of the development including panels, support structures and any other ancillary equipment, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details for the restoration of the site. Unless otherwise agreed, the scheme of decommissioning and site restoration shall be implemented within 12 months of the date of its agreement by the Local Planning Authority.

Reason: In the interests of the amenity of the area.

21. Upon reasonable request the site operator will allow an officer of the Local Planning Authority access to records of the energy generation from the development.

Reason: in order to ascertain the operating status of the development.

22. If the solar farm hereby permitted ceases to operate for a continuous period of 18 months, then no further energy production shall take place. Thereafter, a scheme for the decommissioning and removal of the development including panels and any other ancillary equipment, shall be submitted to and agreed in writing by the Local Planning Authority within 9 months of the end of the 18 month period in which no energy production has taken place. The scheme shall include details for the restoration of the site. The scheme of decommissioning and site restoration shall be implemented strictly in accordance with the approved details within 12 months of the date of its agreement by the Local Planning Authority.

Reason: In the interests of the amenity of the area.

Informatives

1. In respect of condition 3: The request for this condition is based on the potential for contamination to be present on the site as indicated by the preliminary risk assessment included within the report 'Environmental Assessment Desk Study Report - Moneystone Quarry, Oakamoor, Staffordshire' (Abbeydale Building Environment Consultants, March 2011) discussed above. Any contamination present has the potential to impact on the 'Controlled Waters' receptors of groundwater in the underlying Secondary Aquifers and the tributaries of the River Churnet. Consequently the extent and significance of any contamination to these receptors should be assessed to determine the need for remedial actions. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

2. It is recommended that developers should:

- a. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- b. Refer to the Environment Agency document 'Guiding principles for land contamination' for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
- c. Refer to our website at www.gov.uk/environment-agency for more information.

3. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces. The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Signed on behalf of Staffordshire Moorlands District Council

NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.
3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
 - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.
4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.
5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
 - (b) Variation to the approved plans will require the submission of a new planning application.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority’s decision then you must do so within 12 weeks of the date of this notice. All other types of development

have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.