

ELWY SOLAR ENERGY FARM

P19-2023

DRAFT PLANNING CONDITIONS

1. The development permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be implemented in accordance with the following submitted plans and documents:
 - Site Layout (P19-2023_15J)
 - Permanent Access Track Section Details (SCUKX-GWERN-001-200A)
 - Fencing Gate Elevation (2m) (SCUKX-GWERN-001-203.1A)
 - Deer Fencing Elevation (SCUKX-GWERN-001-203B)
 - Acoustic Screening (SCUKX-GWERN-001-203.3A)
 - Weld Mesh Fencing Elevation (SCUX-GWERN-001-203B)
 - Ballast Framework Elevations (SCUKX-GWERN-001-213.2A)
 - Fixed Tilt Framework Elevations (SCUKX-GWERN-001-213)
 - CCTV Elevations (SCUKX-GWERN-001-250A)
 - 40ft Substation and External Transformer Elevations and Plan (SCUKX-GWERN-001-282B)
 - 40ft Battery Storage Container Elevations and Plan with Aerials (SCUKX-GWERN-001-283B)
 - Customer Switchgear Building at POC (SCUKX-GWERN-001-284B)
3. Within 1 month following the first export of electricity, the developer shall notify the local planning authority (LPA) of the date on which such export commenced. Before 37 years have elapsed following the date of the first export of electricity, all development shall be dismantled and removed from the site. Should the solar PV facility cease to generate electricity for a continuous period of six months in advance of this date, the solar PV panels, frames, foundations, inverter housings and all associated structures and fencing approved shall be dismantled and removed from the site. The developer shall notify the LPA in writing no later than five working days following cessation of power production for this period. Should the solar PV facility cease to operate for a period of six months prior to 37 operational years elapsing and the battery storage facility continue to operate, then the battery storage facility shall be excluded from requirement to be dismantled and removed from the site. The site shall be restored (in accordance with a scheme the details of which shall have been previously submitted to and

approved in writing by the LPA) no later than six months following the cessation of power production.

4. Notwithstanding the submitted details, development shall not begin until a surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
5. The development shall be carried out in accordance with the details submitted for the temporary protective fences to safeguard the trees and / or hedges as detailed in Tree Protection Plan (Drawing no. BHA_682_02 Rev B, contained within the submitted Arboricultural Impact Assessment dated December 2020) which are to be retained on the site and erected in accordance with the current BSI 5837 and maintained to that standard until the development has been completed.
6. Notwithstanding the submitted details, the development hereby permitted shall not be implemented until a Construction & Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Welsh Government.
7. Deliveries to the construction compound shall only be made between 0700-1900 Monday to Friday, with Saturday deliveries between 0830-1600. There shall be no such deliveries outside these times, on Sundays, Public or Bank Holidays without the prior written consent of the Local Planning Authority, or in the event of an emergency. No deliveries will be undertaken during Trunk Road embargo dates or during any Local Authority restrictions/seasonal events (which shall be agreed in the CTMP).
8. During the operation of the Proposed Development no form of external lighting shall be installed within the development unless in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
9. All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following the first export of electricity where ground conditions are conducive to the successful planting. All planting must be completed no later than the second season following the first export. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously

damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority.

10. Prior to the commencement of development a Soil Management Plan (SMP) shall be submitted to and approved by the Local Planning Authority. The SMP will set out principles and procedures for general good practice mitigation tailored to specific soil types, for the handling, storage and reinstatement of soil to minimise adverse effects on the nature and quality of the soil resource.
11. Notwithstanding the submitted details, no development shall commence until a Biodiversity Management Plan (BMP) has been submitted to and approved in writing by the determining authority. The BMP shall be implemented as approved during the construction and operational phases of the development.
12. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the determining authority. The CEMP should include:
 - i. Detailed RAMS that address potential impacts of construction (and maintenance) works on protected species (GCNs, bats, otters)
 - ii. Details of appropriate measures to control any Invasive Non-Native Species (INNS) on site; and measures that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme.
 - iii. Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.The CEMP shall be implemented as approved during the construction and operational (maintenance) phases of the development.
13. The rating level of noise emitted from any plant/machinery shall not exceed the noise levels outlined in the Noise Assessment dated July 2020 (Appendix 8.1 of the Environmental Statement) during night-time hours. The noise levels shall be determined at the nearest noise sensitive residential premises – listed in the Noise Assessment, and in accordance with British Standard 4142:2014 'Methods for rating and assessing industrial and commercial sound' (or any Standard replacing that Standard in part or whole, and with or without modification).

14. In the event of any reasonable noise complaint being received by the Local Planning Authority, the Developer or their successors in Title, shall be required to undertake a full noise assessment to demonstrate compliance with the above noise limit and submit this within 28 days of notice issued by the Local Planning Authority. Should such an assessment fail to demonstrate compliance, further mitigation measures shall be submitted alongside the noise assessment and implemented in accordance with the submitted details within 28 days of approval by the Local Planning Authority.
15. Prior to the commencement of development a detailed archaeological mitigation strategy covering works affecting the Non Intrusive Works Areas shall be submitted to and approved by the Local Planning Authority.
16. Prior to the commencement of the development, a Public Rights of Way Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Public Rights of Way Management Plan will cover all the public rights of way affected by the development and will include the following:
 - Details of how access will be maintained during construction and operation
 - Details of timetable for the provision of the re-routed footpath path network on site
 - Details of surfacing
 - Details of ongoing management and maintenance
 - Details of waymarking and signage provision
17. Prior to the commencement of development, a DMRB CD 377 compliant Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Welsh Government. The DMRB CD 377 compliant Risk Assessment shall be undertaken as described under DMRB CD 377, Chapter 2. General requirements: Risk assessment and hazard mitigation as modified for Wales by CD 377 WNAA, W/2 General requirements: Risk assessment and hazard mitigation (CD 377, 2.2). The DMRB CD 377 compliant Risk Assessment shall cover the full length of the southern boundary of the Application Site where it interfaces with the A55.