

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Pegasus Planning Group Ltd
Pavilion Court
Green Lane
Garforth
Leeds
LS25 2AF
FAO: Naomi Warrenberg

APPLICATION No: 4/22/2335/0F1

**EXTENSION TO BATTERY STORAGE FACILITY
LAND AT WOODEND, CLEATOR**

Cleator Battery Storage Ltd

The above application dated 15/08/2022 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

Standard Conditions

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

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Documents

Covering Letter by Naomi Warrenberg, Planner, Pegasus Group, ref. P22-882.L001v1-

NW, dated 2 August 2022

Planning, Heritage and Design and Access Statement – Pegasus Group, ref. P22-0882.
dated August 2022,

Landscape and Visual Note – Pegasus Group, ref. P22-0882.EN.001A, dated
27.07.2022.

Acoustic Impact Assessment – RES, ref. 04989-3775755, dated 20 June 2022.

Preliminary Ecological Appraisal - Neo-Environmental, dated 18.07.2022.

Biodiversity Net Gain Metric Assessment Report– Neo-Environmental. Dated
2.08.2022.

Plans

Location Plan, drwg no. 04989-RES-MAP- DR-XX-101 Rev 1, scales 1:750 & 1:2,000

Infrastructure Layout ref. 04989-RES-PRO-DR-PT-101 Rev. 3, scale 1:500.

Battery Enclosure ref. 04989-RES-BAT-DR-PT-101 Rev. 1, scale 1:100.

Power Conversion System & Transformer ref. 04989-RES-PCS-DR-PT-101 Rev. 1, scale
1:75

Fire Wall ref. 04989-RES-SDP-DR-PT-101 Rev. 1, scale 1:50.

Typical Security Fence Details ref. 04989-RES-SEC-DR-PT-101 Rev. 2, scale 1:35

Typical Acoustic Fence Detail ref. 04989-RES-SEC-DR-PT-102 Rev. 1, scale 1:50

Typical Lighting & CCTV Column ref. 04989-RES-SEC-DR-PT-103 Rev. 1, scale 1:25

Control Enclosure ref. 04989-RES-SUB-DR-PT-101 Rev. 2, scale 1:75.

Auxiliary Transformer ref. 04989-RES-SUB-DR-PT-102 Rev. 1, scale 1:50.

Grid Compliance Equipment ref. 04989-RES-SUB-DR-PT-103 Rev. 1, scale 1:50.

Emergency Diesel Generator ref. 04989-RES-SUB-DR-PT-104 Rev. 1, scale 1:50

Detailed Planting Plan ref. P22-0882_EN_001__Sht-1, scale 1:250, dated 25.07.2022

Reason

To conform with the requirement of Section 91 of the Town and Country Planning
Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Pre-commencement – Drainage

3. Before development commences full details of the proposed surface water drainage system, including any attenuation measures, shall be submitted to and approved by the Local Planning Authority in writing. The drainage system shall be implemented as approved, be fully operational before the development is brought into use and be so maintained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory scheme of surface water disposal from the site.

Pre-commencement - Bund Design

4. Before development commences full details of the design of the landscape bund shall be submitted to and approved in writing by the Local Planning Authority. The landscape bund shall be constructed as approved and maintained as such for the lifetime of the development.

Reason

To retain control over the design of the bund in the interests of landscape and visual amenity.

Pre-commencement – CEMP

5. No development shall commence, until a Construction Environmental Management Plan (CEMP) *detailed proposed pollution control measures, transport routes, signage, working hours, wheel cleaning facilities, and site compound location* etc. shall be submitted to and approved in writing by the local planning authority. The CEMP shall be implemented as approved.

Reason

In order to ensure the implementation of adequate pollution control measures during construction of the development in the interests of environmental amenity.

External Materials

6. Before any plant and machinery is installed on the site or firewall constructed full details of the external materials and finishes to be used on them shall be submitted to and approved by the Local Planning Authority in writing. The plant and machinery and firewall shall be installed or constructed as approved and maintained as such for the lifetime of the development.

Reason

To retain control over the design of the plant and equipment and firewall in the interests of visual amenity.

Fencing

7. Before any new fencing is erected on site full details of the design, external materials and finish to be used shall be submitted to and approved in writing by the Local Planning Authority. The fence shall be erected as approved and maintained as such for the lifetime of the development.

Reason

To retain control over the design of the new fence in the interests of visual amenity.

Landscaping

8. The landscaping details as approved in the Detailed Planting Plan ref. P22-0882_EN_001__Sht-1, scale 1:250, dated 25.07.2022 shall be implemented in full in the first growing season following completion of the groundworks of the development.

Reason

In order to ensure the implementation of a satisfactory landscaping scheme

9. Should any plants be found to be dead, diseased or dying within 5 years following completion of the planting scheme, these shall be replanted with a similar species within the first available planting scheme.

Reason

In order to ensure that the planting scheme becomes appropriately established.

CCTV

10. Prior to installation, full details including siting, make, model and colour of the CCTV system to be installed shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

In order to ensure that the impacts of the cameras are acceptable given the open countryside nature of the site.

Restoration

11. Should the installation not be required or unused for a period of 12 months, the plant, machinery and associated structures shall be removed from the site and the land reinstated in accordance with a scheme of restoration to be agreed in writing with the Local Planning Authority before any such work is undertaken.

Reason

In order to ensure that the land is satisfactorily restored should the installation no longer be required.

Hours of Working

13. The hours of working on site during the construction of the development and any lorry or heavy transport movements to or from the site associated with the development shall be limited to 0800 to 1800 hours on Mondays to Fridays and 0800 to 1400 hours on Saturdays. No work shall take place outside these days and hours unless agreed in writing by the Local Planning Authority.

Reason

In order to protect the amenities of the locality and the occupiers of any nearby properties

Informatives

Coal Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com <<http://www.groundstability.com>>

Electricity NW

The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets.

Where the development is adjacent to operational land the developer must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Land Rights & Consents, Frederick Road, Salford, Manchester M6 6QH.

Great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The developer is referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

Should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the developer. They should be aware of Electricity North West requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and could require works at any time of day or night. The Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

Electricity North West offers a fully supported mapping service, at a modest cost, for their electricity assets. This is a service which is constantly updated by their Data Management Team who can be contacted by telephone on 0800 195 4141 or access the website

<http://www.enwl.co.uk/our-services/know-before-you-dig>

Early consideration in project design to the above is recommended as it is better value than traditional methods of data gathering. It is, however, the developer's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Artificial Lighting (external)

Artificial lighting to the development shall conform to requirements of the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E2 within the Institute of Light Engineers Guidance Notes For the Reduction of Obtrusive Lighting GN01 dated 2005.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice

A handwritten signature in black ink, appearing to read 'N. J. Hayhurst'.

Nick Hayhurst
Head of Planning and Place

15th December 2022

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- 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.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

Purchase Notices

- 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 V1 of the Town and Country Planning Act 1990.