



Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**NOTICE OF DECISION ON PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990**

PLANNING PERMISSION

Name and Address of Applicant

Miss Kirsty Cassie
239 High Street
Kensington
London
W8 6SA

Name and Address of Agent

Part -1 Particulars of Application

Date of Application 13 October 2017

Application No. **17/1223/FUL**

Particulars and Location of Development

Development of a 49.99MW Battery Storage Facility and associated infrastructure and landscaping

Land Opposite Redcomb Farm Desford Road Lubbethorpe Leicester

Part -2 Particulars of Decision


In pursuance of its powers under the Town and Country Planning Act 1990, the Blaby District Council **GRANTS** planning permission for the carrying out of the development referred to in PART -1 hereto in accordance with the application and plans submitted, subject to the following conditions;

Conditions attached to the planning permission and reasons for those conditions are :-

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The Development hereby approved shall be built in strict accordance with the following approved plans;
 - Location Plan - Stratera Energy - 207_MP_500_Rev A - received by the Local Planning Authority on 22 November 2017.
 - Block Plan/ Masterplan - Stratera Energy - 207_MP_01_Rev C - received by the Local Planning Authority on 28 November 2017.


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- Contractors' temporary construction compound - Stratera Energy - GP_CC_01_Rev A - received by the Local Planning Authority on 28 November 2017.
 - Cross Sections - Stratera Energy - 207_CS_02 - received by the Local Planning Authority on 21 November 2017.
 - E-House Plan and Elevation - Stratera Energy - GP_EH_01 - received by the Local Planning Authority on 15 September 2017.
 - MV Block Plan and Elevation - Stratera Energy - GP_MV_01 - received by the Local Planning Authority on 15 September 2017.
 - DNO Control Room and Switchgear Building Plan and Elevation - Stratera Energy - GP_DNO_01 - received by the Local Planning Authority on 10 October 2017.
 - Substation Plan and Elevation - Stratera Energy - GP_LSS_01 - received by the Local Planning Authority on 10 October 2017.
 - Local Supply Transformer Plan and Elevation - Stratera Energy - GP_LST_01 - received by the Local Planning Authority on 10 October 2017.
 - Spare Parts Container - Stratera Energy - GP_SPC_01 - received by the Local Planning Authority on 13 October 2017.
 - Timber Acoustic Fence Detail - GP_AF_01 - received by the Local Planning Authority on 15 September 2017.
 - Palisade Security Fence Detail - Stratera Energy - GP_SF_01 - received by the Local Planning Authority on 15 September 2017.
- 3 The development hereby approved is granted for a period of 32 years from the date the development commences (the date of which the applicant shall notify the District Planning Authority in writing).
- 4 Within 6 months of the end of the 32 year period, the plant shall be decommissioned, all items, structures, hardcore and any underground apparatus or concrete shall be removed from the site within the red line application site identified on drawing number 207_MP_01_Rev C and the land shall be subsequently restored to its undeveloped state in accordance with a scheme which shall have previously been submitted to and approved in writing by the District Planning Authority.
- 5 No above ground development shall take place until details of the materials (including colours) to be used for the development have been submitted to and agreed in writing by the District Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the District Planning Authority.
- 6 Notwithstanding the submitted plans, full details of the acoustic fencing and security fencing, including materials, specifications and colours, shall be submitted to and agreed in writing by the District Planning Authority prior to installation. The acoustic fencing and security fencing shall be installed in accordance with the details agreed before the facility is first brought into use and shall thereafter be retained at all times for the lifetime of the development.

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- 7 Within one month of the commencement of works on site, a plan showing a detailed soft and hard landscaping scheme shall be submitted to and agreed in writing by the District Planning Authority. This scheme shall include details of:
- (a) any existing trees, shrubs, hedges, water bodies to be retained;
 - (b) new tree and shrub planting. Including plant type, size, quantities and locations;
 - (c) other surface treatments;
 - (d) any changes in levels or contours;
 - (e) the position of service and/or drainage runs (which may affect tree roots).
- 8 The approved landscaping scheme shall be carried out within one year of completion of the development and any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
- 9 The earth bund shown on the approved plans is to be provided at a height of 2.25 metres above current ground levels before the development is first brought into use and thereafter shall be retained for the lifetime of the development.
- 10 Notwithstanding the requirements of condition 8, the landscaping planting on the raised bund shall be provided within 3 months of the completion of the development in accordance with the details shown on drawing no.207_CS_02 and shall be allowed to grow to and thereafter be maintained at a minimum height of 2.25 metres for the lifetime of the development. Any trees, hedges, shrubs or plants within the raised bund planting which, during the lifetime of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
- 11 The existing hedge along Desford Road shall be retained for the lifetime of the development and shall be allowed to grow to and thereafter be maintained at a minimum height of 2.5 metres. If any trees hedges, shrubs or plants forming part of the hedge die, are removed or become seriously damaged or diseased, they shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
- 12 All existing trees, shrubs or hedges to be retained on the site shall, whilst the development hereby permitted is being carried out, be protected by suitable fences at a distance equivalent to not less than the spread of the branches from the trunk or



such other distance to be agreed by the District Planning Authority in writing. No materials shall be stored, rubbish dumped, fires lit or buildings erected within these fences. Within the areas so fenced off the existing ground level shall be neither raised or lowered, (except as may be agreed in writing by the District Planning Authority as part of this development). If any trenches or services are required in the fenced off areas, they shall be excavated and back filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

- 13 No permanent lighting shall be installed on site unless otherwise agreed in writing by the District Planning Authority. Details of any temporary lighting scheme required during the construction period shall be submitted to and agreed in writing by the District Planning Authority prior to the commencement of the development, and the development shall be carried out in accordance with the approved details.
- 14 Notwithstanding any proposals submitted as part of this application, no development shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the District Planning Authority.
- 15 No development shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the District Planning Authority.
- 16 No development shall take place until such time as details in relation to the long term maintenance of any sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the District Planning Authority.
- 17 The recommendations set out in the submitted Ecological Impact Assessment Report prepared by 'Naturally Wild', dated July 2017, shall be implemented and adhered to throughout the construction phase, operational phase and decommissioning phase of the development.
- 18 Prior to the commencement of the development, full details of the proposed site access (to include width, radii, surfacing, visibility and drainage) shall be submitted and agreed in writing by the District Planning Authority.
- 19 The approved access scheme shall be provided and hard surfaced prior to the commencement of any site clearance or site preparation works.
- 20 If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 10 metres behind the highway boundary and shall be hung so as not to open outwards.
- 21 Before the construction phase of the development commences, the temporary construction compound (which shall include parking for contractors and HGVs) shall



be provided in accordance with the details shown on drawing no.GP_CC_01. The temporary construction compound shall be retained for the duration of the construction phase and shall be made available at all times during that period for its intended purpose.

- 22 Prior to the commencement of development, wheel cleansing facilities shall be made available on site.
- 23 The approved Construction Traffic Management Plan (dated September 2017) is to be adhered to during the construction phase.
- 24 Prior to any works being undertaken to install the electric cables, details of the cable routing, housing and connections shall be submitted to and agreed in writing by the District Planning Authority and the works shall be carried out in accordance with the agreed details.
- 25 Within one month of the commencement of the operation of the facility, further acoustic monitoring shall be undertaken by a competent acoustician and the report submitted to the District Planning Authority. The acoustic verification assessment shall include noise assessments undertaken at various locations first to be agreed with the District Planning Authority, and shall demonstrate that the sound levels due to the operational facility do not exceed those predicted in the Noise Assessment 'JAT9473-REPT-14-R0, dated 14 September 2017. In the event that the operational noise levels, (based on worst case scenario conditions) exceed the predicted noise levels, the report shall include recommendations for remedial mitigation measures to reduce noise emissions at the affected receptor locations. The identified mitigation works shall be implemented within one month of the District Planning Authority's approval for such works.


REASONS

- 1 To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and to enable the District Planning Authority to review the consent if a further application is made.
- 2 For the avoidance of doubt.
- 3 To safeguard the long term character and appearance of the landscape.
- 4 To safeguard the long term character and appearance of the landscape.
- 5 To ensure that the District Planning Authority can exercise proper control over the materials used and the appearance of the development when completed, in the interest of visual amenity.



- 6 In order to allow the District Planning Authority to control the visual appearance and the noise mitigation details of the development.
- 7 To ensure that the District Planning Authority can exercise proper control over the visual appearance of the area and in the interests of visual amenity.
- 8 In the interests of visual amenity.
- 9 In the interests of visual amenity and to protect the character and appearance of the surrounding landscape.
- 10 In the interests of visual amenity and to protect the character and appearance of the surrounding landscape.
- 11 In the interests of visual amenity and to protect the character and appearance of the surrounding landscape.
- 12 To ensure that all trees, shrubs and hedges to be retained are adequately protected during the construction of the development.
- 13 In the interests of the overall appearance of the development and to ensure that the level of illumination is kept to the minimum necessary in the interests of protecting amenity and ecology.
- 14 To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
- 15 To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.
- 16 To establish a suitable maintenance regime, that may be monitored over time, that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.
- 17 In order to protect and enhance the natural environment in mitigation against the development in the countryside location.
- 18 In the interests of highway safety and in accordance with paragraph 32 of the National Planning Policy Framework.
- 19 In the interests of highway safety and in accordance with paragraph 32 of the National Planning Policy Framework.
- 20 To enable a vehicle to stand clear of the highway whilst the gates are opened/closed

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and protect the free and safe passage of traffic in the public highway.

- 21 To ensure that adequate off-street parking provision is made available during construction to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.
- 22 To reduce the possibility of deleterious material (mud, stones, etc.) being deposited in the highway and becoming a hazard to road users.
- 23 To reduce the impacts of the development associated with the construction phase on the amenity of nearby residents and on highway safety.
- 24 To enable the District Planning Authority to formally assess them to determine whether any separate planning permissions are required for these works given that these details were not submitted as part of the application.
- 25 In order to allow the District Planning Authority to ensure that the modelled levels of noise reduction are achieved.

NOTES TO APPLICANT

1. This grant of planning permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
2. The following conditions must be complied with before or during development:
5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 25
3. The development hereby permitted must be carried out in complete accordance with the approved plans. If changes are made to the approved scheme, whether INTERNALLY or EXTERNALLY, the development will not be in accordance with this grant of planning permission, it therefore would not benefit from planning permission and may result in enforcement action.
4. The following conditions require further details to be submitted to and approved by the Local Planning Authority, as part of a discharge of condition request:
4, 5, 6, 7, 13, 14, 15, 16, 18, 24 and 25

There is a fee to be paid for the discharge of conditions attached to the permission. The fee is currently £97.00 and is payable in respect of each request to discharge conditions. I would therefore suggest that if there are a number of conditions which need to be discharged at the same time, they are grouped into one request.



You should keep the decision of the Council in respect of discharged conditions as a fee is now also paid for each request confirming that conditions have been discharged.

5. With regards to condition 14, the surface water drainage scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features. Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenarios for the 1 in 1, 1 in 30 and 1 in 100 year plus climate change.
6. With regards to condition 15, the details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
7. With regards to condition 16, details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system, and should also include procedures that must be implemented in the event of pollution incidents within the development site.
8. Planning permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/ permits/ agreements are in place. For further information, please telephone 0116 3050001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

SUMMARY OF REASONS FOR RECOMMENDATION

- 1 The District Planning Authority has reached its decision taking into account the advice contained within paragraphs 186-187 of the National Planning Policy Framework and, where possible, has worked proactively with the applicants to seek solutions to problems arising in relation to dealing with the planning application.

Miss Kirsty Cassie

Date: 20 December 2017
My Ref: Development Monitoring
Contact: Jonathan Hodge
Tel No: 0116 272 7528
Email: planning.enforcement@blaby.gov.uk

Dear Sir/Madam

Development Monitoring

The enclosed planning permission has been granted and is subject to all the planning conditions attached to and forming part of the planning permission. Failure to comply with these conditions will be a breach of planning control which may result in your development being unauthorised and subject to enforcement and/or legal action.

Therefore you should ensure that you notify the Planning Enforcement Section at least 4 weeks prior to commencement of the development to ensure that all pre-commencement conditions have been discharged and complied with. Please contact me using the details at the top of this communication.

It should also be noted that the site will be monitored to ensure:-

- (a) compliance with all conditions attached to the planning permission and;
- (b) the development is carried out in accordance with the approved plans.

I look forward to your co-operation with this matter however, if you require any further information or assistance please do not hesitate to contact me.

Yours faithfully

Jonathan Hodge

Jonathan Hodge
Planning Enforcement Compliance Officer