



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0322

To Energy Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

DESCRIPTION Energy storage facility
LOCATION Land off Tofts Lane, Hunshelf, Sheffield, S36 8YR

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 17/04/2023 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (HS_LP_RevG, HS_PPP_RevE, UG_1636_LAN_GA_DRW_01 Rev P07, HS_PSP_RevM, HHS_PSP_RevM, Biodiversity Metric Report, Construction Traffic Management Plan, Flood Risk and Drainage Assessment Report, Landscape and Visual Appraisal, Noise Impact Assessment, Preliminary Ecological Appraisal, Transport Statement, Planning Statement, Design and Access Statement) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1.
- 3 The batteries and associated infrastructure hereby approved shall be removed from the site and the land restored to agricultural use on the expiration of 40 years from the date the batteries are first brought into use.
Reason: To minimise visual impact and to protect the openness of the Green Belt in accordance with Policy GS1 of the Local Plan.

- 4 No development shall take place until full details of the battery units, proposed colour of the containers and security fencing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1.
- 5 All planting, seeding or turfing comprised in the approved landscaping scheme as shown on the approved Layout Plan shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1.
- 6 The parking facilities as indicated on the submitted plan shall be surfaced in a solid bound permeable material (i.e. not loose chippings) and adequate measures shall be so designed into the proposed access to avoid the discharge of surface water from the site on to the highway.
Reason: To ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway and to prevent the migration of loose material on to the public highway to the detriment of road safety in accordance with policy T4 of the Local Plan.
- 7 The development shall not commence until a survey of the existing condition of the highway on Tofts Lane has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway on Tofts Lane shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before any part of the development is first brought into use.
Reason: In the interests of highway safety and to ensure the maintenance of the highway in accordance with policy T4 of the Local Plan.
- 8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-
- The parking of vehicles of site operatives and visitors;
- Means of access for construction traffic;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Measures to prevent mud/debris being deposited on the public highway.
Reason: In the interests of highway safety in accordance with policy T4 of the Local Plan.

- 9 No development shall take place (including vegetation/site clearance) until a Biodiversity Mitigation and Enhancement Scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full according unless otherwise agreed in writing by the local planning authority. The scheme shall include, but not limited to, the following details:
Precautionary measures to be adopted during construction works in the interest of nesting birds, badger, brown hare and hedgehogs;
- A recent landscape plan detailing the location of mitigation works and each habitat area to be enhanced and/or created;
 - Management aims and prescriptions detailing the methods required to create and/or enhance each habitat;
 - A timetable of delivery for habitats created and/or enhanced;
 - A schedule of ecological monitoring for a minimum 5 year period, identifying when key indicators of habitat maturity should be achieved;
 - Details on the monitoring of habitats and the provision of a report, which shall be provided to the LPA on the 1st November of each year of monitoring.
 - A schedule of actions to be undertaken in case signs of failing are identified; the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.
- Reason: In the interests of Biodiversity in accordance with policy BIO1 of the Local Plan.**
- 10 Upon commencement of the development, a Risk Management Plan and Emergency Response Plan shall be submitted to and approved in writing by the Local Planning Authority. These plans shall be developed using the best practice guidance as detailed and required in the published Grid Scale Battery Energy Storage System planning - Guidance for FRS published by NFCC National Fire Chiefs Council. Where the aforementioned guidance cannot be adhered to in full, an explanation of why should be provided within the Risk Management Plan and Emergency Response Plan. Once approved, these plans shall be implemented thereafter and for the duration of the developments lifetime.
- Reason: In the interests of public safety and ensuring any risks associated with the proposed development are suitably identified and mitigated in accordance with Local Plan Policy POLL1.**
- 11 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
- Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 1 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 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

- 2 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 13 November 2023



Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

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 it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions 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 can he 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 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.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.