

**North Yorkshire Council**  
**Community Development Services**  
**Strategic Planning Committee**

**09 SEPTEMBER 2025**

**ZG2025/0678/S73 – SECTION 73 APPLICATION TO VARY CONDITIONS 06 (APPROVED DRAWINGS), 09 (ARBORICULTURAL METHOD STATEMENT), 10 (LANDSCAPE DRAWINGS), 15 (CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN), 17 (ACCESS DRAWINGS) AND 21 (FENCING PLAN) OF APPROVAL 2023/0128/EIA GRANTED ON 17 APRIL 2024**

**Report of the Head of Development Management – Community Development Services**

**1.0 Purpose of the Report**

- 1.1 To determine a Section 73 application to vary conditions 06 (approved drawings), 09 (arboricultural method statement), 10 (landscape drawings), 15 (construction environmental management plan), 17 (access drawings) and 21 (fencing plan) of planning permission reference 2023/0128/EIA for the development of a ground-mounted solar farm including associated infrastructure at Land south of the A1645, Wade House Lane, Drax.
- 1.2 This application has been reported to Committee due to the application being a significant planning application relating to energy or physical infrastructure accompanied by an Environmental Impact Statement and where it is intended to recommend approval.

**2.0 SUMMARY**

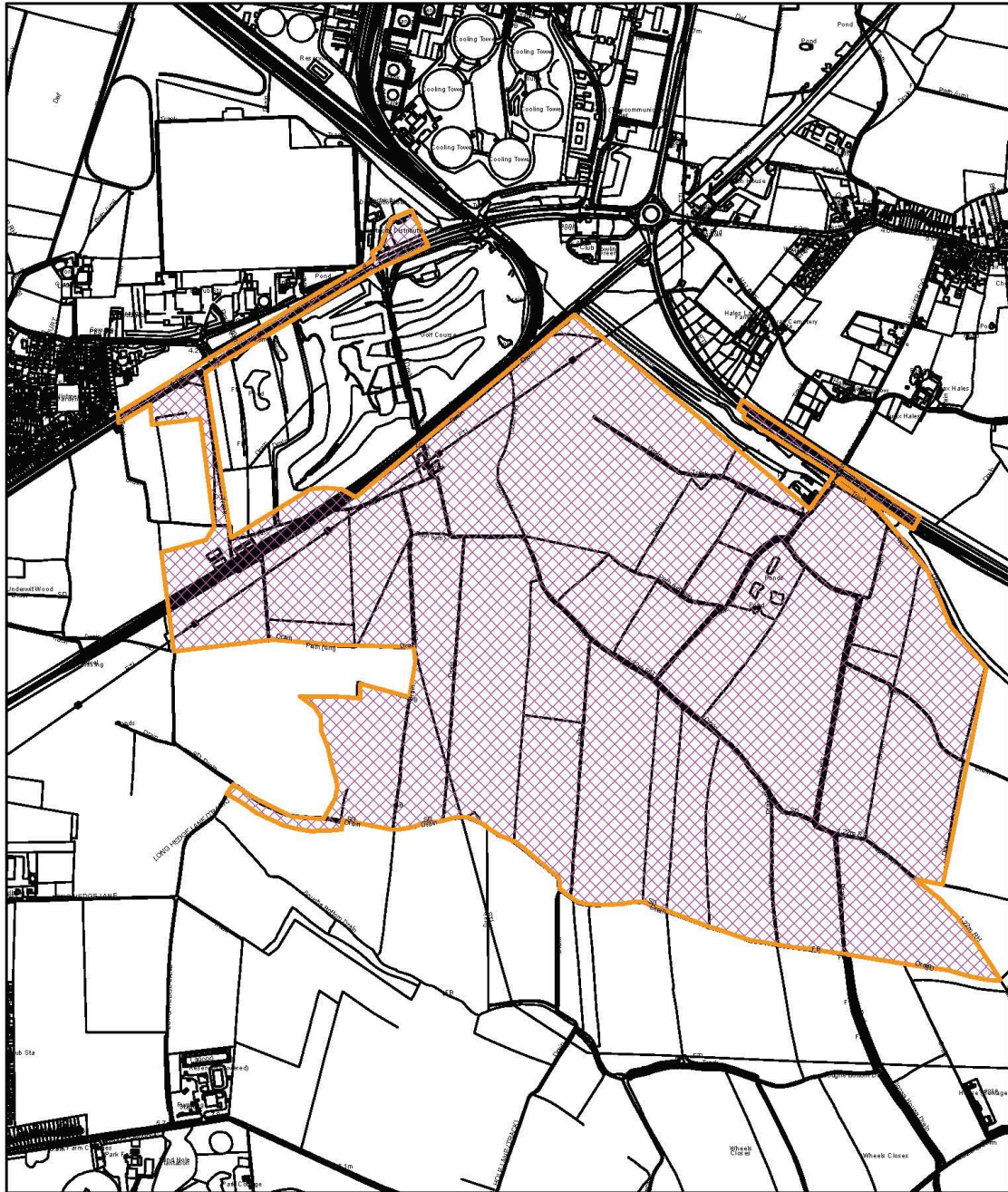
**RECOMMENDATION: That Planning Committee be MINDED TO GRANT planning permission subject to conditions and the section 106 legal agreement dated 05 April 2024, with authority delegated to the Officers at the end of the publicity period (11th September 2025) to issue the decision, subject to no new material considerations being raised.**

- 2.1 This application has been made under Section 73 of the Town and Country Planning Act 1990 and the proposal seeks to vary conditions 06 (approved drawings), 09 (arboricultural method statement), 10 (landscape drawings), 15 (construction environmental management plan), 17 (access drawings) and 21 (fencing plan) of planning permission reference 2023/0128/EIA for the development of a ground-mounted solar farm including associated infrastructure at Land south of the A1645, Wade House Lane, Drax.
- 2.2 The application seeks to make changes to the layout of the substation compound adjacent to the A645. The applicant advises that this is to meet updated requirements of Northern Power Grid, the Distribution Network Operator (DNO).
- 2.3 The proposed changes to the substation compound layout would result in a reduced compound area from 5821.7m<sup>2</sup> to 4949.2m<sup>2</sup>, served by one access point rather than two. Within the compound area, there would be three control rooms as opposed to the previous two. The size of the two DNO control rooms would be 17.6m wide by 5.4m

deep (max) by 5.8m high; by comparison to the previous 7.5m wide by 5.4m deep by 3.85m high. The new project control room would be 19m wide by 4.6m deep by 3.5m high, with a 0.15m high plinth. The 66kV substation itself would also have slightly different dimensions, being 50m in length by 25m wide by 6.8m high; by comparison to the previous 57.5m in length by 22m wide by 6.8m high.

- 2.4 An existing building would be retained to the south of the substation compound and additional landscaping would be provided surrounding the compound as a result of its reduced area.
- 2.5 Having had regard to the policy context and changes to the proposed scheme, it is considered that the proposed variations to conditions are acceptable in respect of landscape and visual impact, highway safety and all other matters. The proposed amendments do not have any adverse effects beyond those accepted under the original application.
- 2.6 Conditions attached to the previous planning permission can be carried over and updated where necessary. The Section 106 legal agreement subject of planning permission reference 2023/0128/EIA would apply to planning permission granted under this application.

ZG2025/0678/S73  
Land South of A645, Wase House Lane, Drax



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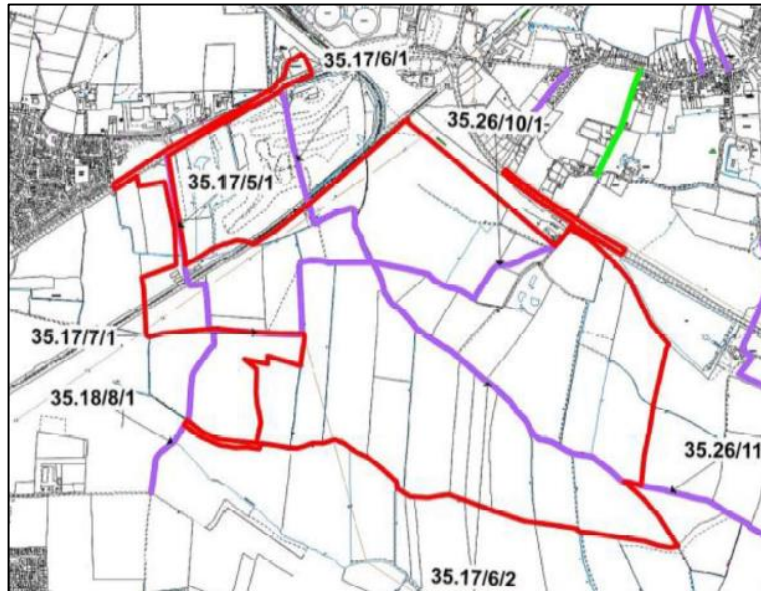
### **3.0 Preliminary Matters**

- 3.1 Access to the case file on Public Access can be found here:- [ZG2025/0678/S73 | Section 73 application to vary conditions 06 \(approved drawings\), 09 \(arboricultural method statement\), 10 \(landscape drawings\), 15 \(construction environmental management plan\), 17 \(access drawings\) and 21 \(fencing plan\) of approval 2023/0128/EIA granted on 17 April 2024 | Land South Of A645 Wade House Lane Drax North Yorkshire.](#)
- 3.2 Planning permission was granted for the development of a ground-mounted solar farm including associated infrastructure at Land south of the A1645, Wade House Lane, Drax on 17<sup>th</sup> April 2024 under application reference 20023/0128/EIA, subject to conditions and a Section 106 legal agreement. This followed a resolution from Members of Strategic Planning Committee at the 9<sup>th</sup> of January 2024 meeting.
- 3.3 Three applications for approval of details reserved by condition have subsequently been submitted and determined (references ZG2024/0712/DOC, ZG2024/0798/DOC and ZG2025/0020/DOC) covering conditions 09 (arboricultural method statement), 10 (landscape drawings), 13 (footpaths), 15 (construction environmental management plan), 16 (biodiversity management plan), 17 (access drawings), 21 (fencing plan), 23 (seed mixtures) and 25 (flood warning and evacuation plan).

### **4.0 Site and Surroundings**

- 4.1 The application site is irregular in shape and 166ha in area. It consists primarily of flat undeveloped arable agricultural land along with areas of highway, railway, tracks, farm buildings and the National Grid Camblesforth Substation. The site features mature field boundaries containing hedgerows and trees, and an area of pasture with three ponds near Wade House Lane.
- 4.2 The north eastern boundary of the site abuts the route of a dismantled railway with associated railway cutting, dwellings at 1 to 5 Wade House Lane and a large pond, Brocks Hole, which is a Site of Importance for Nature Conservation (SINC). The site incorporates parts of the tree lined A645 and Wade House Lane to accommodate visibility splays and road widening for associated HGV access into Wade House Lane. To the north east of the A645 lies further countryside and the village of Drax.
- 4.3 The north western boundary of the site mainly abuts the railway to Drax Power Station. Electricity pylons run parallel to the south of the railway line. The site incorporates a section of railway line and a collection of farm buildings appearing to house cattle. From there, it extends along a farm track and incorporates another part of the A645 and the National Grid Camblesforth Substation to accommodate the cable route and grid connection point. There are two pedestrian crossings on the railway line in this area. Drax Golf Club is to the north west of the railway line. Beyond the A645 is Drax Power Station, a commercial green house facility and the village of Camblesforth.
- 4.4 The south eastern and south western boundaries of the site are defined by field boundaries with further farmland beyond. The village of Carlton is to the south west of the site.

4.5 A network of Public Rights of Way cross the site as shown in the diagram below.



4.6 An existing high pressure gas main runs east to west through the southern end of the site. The site is within a sand and gravel, and brick clay minerals safeguarding area. The site is within flood zone 3 (high risk) for sea and river flooding and generally at low risk of surface water flooding.

## 5.0 Description of Proposal

- 5.1 This application has been made under Section 73 of the Town and Country Planning Act 1990 and the proposal seeks to vary conditions 06 (approved drawings), 09 (arboricultural method statement), 10 (landscape drawings), 15 (construction environmental management plan), 17 (access drawings) and 21 (fencing plan) of planning permission reference 2023/0128/EIA for the development of a ground-mounted solar farm including associated infrastructure at Land south of the A1645, Wade House Lane, Drax.
- 5.2 The application seeks to make changes to the layout of the substation compound adjacent to the A645. The applicant advises that this is to meet updated requirements of Northern Power Grid, the Distribution Network Operator (DNO) in terms of the size of the infrastructure and buildings required; and their requirement for separate DNO control rooms for the solar element and the BESS element of the proposals. The customer control room can remain combined.
- 5.3 The proposed changes to the substation compound layout would result in a reduced compound area from 5821.7m<sup>2</sup> to 4949.2m<sup>2</sup>, served by one access point rather than two. Within the compound area, there would be three control rooms as opposed to the previous two. The size of the two DNO control rooms would be 17.6m wide by 5.4m deep (max) by 5.8m high; by comparison to the previous 7.5m wide by 5.4m deep by 3.85m high. The new project control room would be 19m wide by 4.6m deep by 3.5m high, with a 0.15m high plinth. The 66kV substation itself would also have slightly different dimensions, being 50m in length by 25m wide by 6.8m high; by comparison to the previous 57.5m in length by 22m wide by 6.8m high.
- 5.5 An existing building would be retained to the south of the substation compound and additional landscaping would be provided surrounding the compound as a result of its reduced area.

- 5.6 Condition 06 (approved drawings) would be amended to reflect the revised plans submitted showing the aforementioned changes to the scheme. Conditions 09 (arboriculturally method statement), 10 (landscape drawings), 15 (construction environmental management plan), 17 (access drawings) and 21 (fencing plan) have previously had details approved through discharge of condition applications and would be amended to reflect those details, which have been updated in documents submitted as part of this application to reflect the amended layout of the substation compound.

## **6.0 Planning Policy and Guidance**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with the Development Plan so far as material to the application unless material considerations indicate otherwise.

### Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:
- Selby District Core Strategy Local Plan, adopted 22 October 2013
  - Those policies in the Selby District Local Plan, adopted on 8 February 2005, which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy
  - Minerals and Waste Joint Plan, adopted 16 February 2022

### Emerging Development Plan – Material Consideration

- 6.3. The Emerging Development Plan for this site is:

- Selby District Council Local Plan Publication Version 2022 (Reg 19)

On 17 September 2019, Selby District Council agreed to prepare a new Local Plan. Consultation on issues and options took place early in 2020 and further consultation took place on preferred options and additional sites in 2021. The Pre-submission Publication Local Plan (under Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2012, as amended), including supporting documents, associated evidence base and background papers, was subject to formal consultation that ended on 28th October 2022. A further round of consultation on a revised Regulation 19 Publication Local Plan was undertaken in March 2024.

On 17th January 2025, a report was taken to the Selby and Ainsty Area Committee and Development Plans Committee recommending that work on the emerging Selby District Council Local Plan is ceased. This recommendation was taken to North Yorkshire Council's Executive on 4 February and then North Yorkshire Council's Full Council on 26 February where it was resolved that work on this plan will now cease.

Having regard to the above, no weight is to be applied to the Selby District Council Local Plan publication version 2024 (Reg 19), but some weight may be able to given to the evidence base.

- The North Yorkshire Local Plan

No weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

### Guidance - Material Considerations

6.4. Relevant guidance for this application is:

- National Planning Policy Framework, December 2024 (as updated February 2025)
- National Planning Practice Guidance

### **7.0 Consultation Responses**

7.1. The following consultation responses have been received and are summarised below:

7.2. **Parish Council (Camblesforth):** No response.

7.3. **Parish Council (Carlton):** No response.

7.4. **Parish Council (Drax):** No response.

7.5. **Parish Council (Long Drax):** No response.

7.6. **Burn Gliding Club:** No response.

7.7. **Drax Power Station:** No response.

7.8. **Designing Out Crime Officer:** No response.

7.9. **East Riding of Yorkshire Council:** No response.

7.10. **Environment Agency:** No objection.

7.11. **Environmental Health:** No response.

7.12. **Historic England:** Not offering advice on this application, suggest seeking the views of specialist conservation and archaeological advisers.

7.13. **Landscape Architect:** No objections.

7.14. **Leeds Bradford Airport:** No response.

7.15. **Leeds East Airport:** No response.

7.16. **Local Highway Authority:** No objections.

7.17. **Local Internal Drainage Board (Selby Area):** No response.

7.18. **Ministry of Defence:** No response.

7.19. **National Gas:** No objection.

7.20. **National Highways:** No objection.

7.21. **Natural England:** No response.

7.22. **Network Rail:** No response.

7.23. **Northern Gas Networks:** No response.

- 7.24. **North Yorkshire Fire and Rescue:** No response.
- 7.25. **Public Rights of Way:** No objections.
- 7.26. **Secretary of State for Transport:** No response.
- 7.27. **Sherburn Aero Club:** No response.
- 7.28. **Tree Officer:** No response.

#### Local Representations

- 7.29. At the time of writing, there have been no local representations received.

### **8.0 Environment Impact Assessment (EIA)**

- 8.1 Applications for a screening and scoping opinion in relation to the proposed development were submitted to the former Selby District Council as the Local Planning Authority on 17 August 2022 and decisions issued on 17 and 21 November 2022 respectively.
- 8.2 The original planning application (reference 2023/0128/EIA) was accompanied by an Environmental Statement (ES) in respect of potentially significant landscape and visual effects. The ES was reviewed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and was found to be satisfactory in terms of Schedule 4.
- 8.3 The current amendment application has been accompanied by the original ES and an ES Addendum. This is considered adequate to assess the significant effects of the development on the environment. Consultation has been carried out in accordance with the EIA Regulations.

### **9.0 ASSESSMENT**

- 9.1 The Town and Country Planning Act 1990 allows for applications to be made to undertake development without complying with conditions attached to such an approval. Paragraph (2) of Section 73 states *"On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and —*

*(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*

*(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application."*

- 9.2 As such the only consideration of this application is in relation to the conditions of the approval and the impact the proposed variation would have. Therefore, key to the determination of this application is whether a new planning permission for the development with the proposed variation to conditions 06 (approved drawings), 09 (arboricultural method statement), 10 (landscape drawings), 15 (construction environmental management plan), 17 (access drawings) and 21 (fencing plan) of planning permission reference 2023/0128/EIA would be contrary to the provisions

within the development plan or whether there are reasonable grounds for refusal if these conditions were retained in their present form.

- 9.3 The previous planning permission was considered acceptable subject to conditions and in accordance with relevant policies contained within the Selby District Core Strategy Local Plan, Selby District Local Plan, Minerals and Waste Joint Plan and National Planning Policy Framework (December 2023). Since the previous planning permission was issued, the National Planning Policy Framework has been updated, with the most recent version being the National Planning Policy Framework, (December 2024, as updated February 2025). The policy context as it relates to this application remains unchanged.
- 9.4 The application seeks to make changes to the layout of the substation compound adjacent to the A645 as explained in detail in the 'Description of Development' section of this report.
- 9.5 In terms of landscape and visual impact, paragraph 10.43 of the officer's report for the original application (reference 2023/0128/EIA) sets out that the layout, scale, appearance, landscaping of the substation compound were considered acceptable.
- 9.6 The proposed amendments would result in the substation itself being slightly wider and longer, and the control rooms being slightly wider, deeper and higher, along with an additional control room being provided. However, the overall substation compound area would be reduced, with additional landscaping being provided, particularly to the north west corner where the site entrance meets the A645. Taking account of the aforementioned amendments, it is considered that the layout, scale, appearance, landscaping of the substation compound would be acceptable. The landscape and visual impact of the proposal would be comparable to that of the original application.
- 9.7 The Council's Landscape Architect has been consulted and advises raises no objections to the proposed amendments. He agrees with the summary of the ES Addendum that the landscape effects associated with the amended layout are consistent with those identified during the initial Landscape and Visual Impact Assessment (LVIA), and that visual effects associated with the amended layout are consistent with those identified during the initial LVIA. The Council's Landscape Architect is satisfied that the amended planting details provide sufficient information to reflect the changes.
- 9.8 In terms of highway safety, the secondary access from the A645 near Brigg Lane in Camblesforth would remain unchanged. However, there would be one access point to the substation compound area rather than the two previously proposed. A turning area would be provided within the compound area to enable vehicles to enter and leave in a forward gear.
- 9.9 The Local Highways Authority has been consulted and advise that there are no objections to the proposed amendments. Some plans have been updated during the course of the application to show tree and vegetation removal consistently, but tree and vegetation removal remains as previously agreed under the original application.
- 9.10 The revised sub-station remains in the same location as previously granted permission, being within the red line of the previous application site, and encroaches no closer to the residential properties that are situated to the north-west and would remain separated by the A645 and the existing and proposed landscaping.
- 9.11 The proposed amendments do not have any adverse effects on agricultural land, minerals, glint and glare, heritage assets, ecological considerations, flood risk and drainage, residential amenity and noise, public rights of way, contaminated land,

safety and crime, or railways impacts beyond those accepted under the original application.

#### Conditions

- 9.12 The conditions attached to planning permission 2023/0128/EIA could be carried over to any new consent granted but will need updating as follows.
- 9.13 Conditions 01, 02, 03, 04, 05, 07, 08, 11, 12, 18, 19, 22, 24, 26, 27, 28 and 29 remain relevant and can be carried over.
- 9.14 Condition 06 - the approved plans condition will need updating with the amended plan references.
- 9.15 Condition 09 and 15 – details have been submitted to and approved in writing by the Local Planning Authority under application reference ZG2024/0712/DOC. These details have been updated in documents submitted as part of this application to reflect the amended layout of the substation compound, therefore the wording of the condition will need amending accordingly to require compliance with the approved details.
- 9.16 Conditions 10, 13 and 16 – details have been submitted to and approved in writing by the Local Planning Authority under application reference ZG2024/0798/DOC. These details have been updated in documents submitted as part of this application to reflect the amended layout of the substation compound, therefore the wording of the condition will need amending accordingly to require compliance with the approved details.
- 9.17 Condition 14 – will need updating to refer to the updated site layout plan.
- 9.18 Condition 17 - details have been submitted to and approved in writing by the Local Planning Authority under application ZG2025/0020/DOC. These details have been updated in documents submitted as part of this application to reflect the amended layout of the substation compound, therefore the wording of the condition will need amending accordingly to require compliance with the approved details.
- 9.19 Condition 20 – will need updating to refer to the updated tree impact plan.
- 9.20 Conditions 21 - details have been submitted to and approved in writing by the Local Planning Authority under application reference ZG2024/0798/DOC. The updated plan can be listed in the approved plans condition therefore this condition is no longer required.
- 9.21 Condition 23 - details have been submitted to and approved in writing by the Local Planning Authority under application reference ZG2024/0798/DOC, therefore the wording of the condition will need amending accordingly to require compliance with the approved details.
- 9.22 Condition 25 - details have been submitted to and approved in writing by the Local Planning Authority under application reference ZG2024/0712/DOC, therefore the wording of the condition will need amending accordingly to require compliance with the approved details.

#### Section 106 Legal Agreement

- 9.23 Planning permission reference 2023/0128/EIA was subject to a Section 106 legal agreement to secure the management and maintenance of off-site landscaping  
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and sky lark plots.

9.24 Clause 6.10 of the Section 106 legal agreement states:

*“In the event that an application is made pursuant to Section 73 of the 1990 Act for an amendment to the Planning Permission and planning permission is granted (whether or not on appeal) in respect of the application (and the Council is satisfied that no revised planning obligations are required as a result of such amendment) references to Planning Permission in this Deed shall be to the new planning permission granted pursuant to Section 73 of the 1990 Act and this Deed shall apply to and remain in full force in respect of that new planning permission without the need for a further agreement to be entered into pursuant to Section 106 of the 1990 Act”.*

9.25 The Council is satisfied that no revised planning obligations would be required as a result of the amendments proposed under this application. Therefore, as the original legal agreement allows for future Section 73 applications in its wording, the Section 106 legal agreement subject of planning permission reference 2023/0128/EIA would apply to any planning permission granted under this application.

#### Other Matters

##### *Section 149 of The Equality Act 2010*

9.26 Under Section 149 of The Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment and victimisation; (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

9.27 The proposed development of the site would not result in a negative effect on any persons or on persons with The Equality Act 2010 protected characteristics.

##### *Human Rights Act 1998*

9.28 It is considered that the proposal would not contravene convention Rights contained within the Human Rights Act 1998.

## **10.0 PLANNING BALANCE AND CONCLUSION**

10.1 Having had regard to the policy context and changes to the proposed scheme, it is considered that the proposed variations to conditions 06 (approved drawings), 09 (arboricultural method statement), 10 (landscape drawings), 15 (construction environmental management plan), 17 (access drawings) and 21 (fencing plan) of planning permission reference 2023/0128/EIA for the development of a ground-mounted solar farm including associated infrastructure at Land south of the A1645, Wade House Lane, Drax are acceptable.

10.2 Conditions attached to the previous planning permission can be carried over and updated where necessary. The section 106 legal agreement subject of planning permission reference 2023/0128/EIA would apply to planning permission granted under this application.

## **11.0 RECOMMENDATION**

11.1 That Planning Committee be MINDED TO GRANT planning permission subject to conditions and the section 106 legal agreement dated 05 April 2024, with authority delegated to the Officers at the end of the publicity period (11<sup>th</sup> September 2025) to issue the decision, subject to no new material considerations being raised.

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. With the exception of access improvements to the A645, landscaping and the 66kV substation and control room compound, the permission hereby granted shall be for a temporary period only, to expire 40 years and 6 months after the first export date of the development. Written confirmation of the first export date shall be provided to the Local Planning Authority within one month after the event.

Reason: In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

03. If the development hereby permitted ceases to operate for a continuous period of 12 months (with the exception of for purposes of maintenance, repair or replacement of equipment), then a scheme for the decommissioning and removal of the temporary elements of the development, shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for its written approval. The scheme shall make provision for the removal of the temporary elements of the development approved under this permission. The scheme shall also include the management and timing of any works and a traffic management plan to address likely traffic impact issues during the decommissioning period, an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats, and details of site restoration measures.

Reason: In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

04. Within 6 months of the cessation of the export of electrical power from the site, or within a period of 39 years and 6 months following the first export date, a Scheme for the decommissioning of the temporary elements of the development, a traffic management plan and how the land is to be restored, to include a programme for the completion of the decommissioning and restoration works, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

05. The temporary elements of the development shall be dismantled and removed from the site and the land restored in accordance with the approved Scheme and, in any event shall be removed within a period of 40 years and 6 months following the first export date.

Reason: In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

06. The development hereby permitted shall be carried out in accordance with the information/drawings listed below:

- Site Layout 062025 v.2 (received 20/08/2025)
- Drawing no. 2 - Site Location Plan (received 23/02/2023)
- 5089 LAN XX XX DR L 3002 P07 Fencing Plan (received 03/07/2025)
- Drawing no. 4 - Temporary Construction Compound (received 23/2/2023)
- 66kV Substation Compound v.2 (received 20/08/2025)
- 66kV Substation v.1 (received 03/07/2025)
- Control Room v.2 (received 03/07/2025)
- Project Control Room v.1 (received 03/07/2025)
- Drawing no. 8 - 33kV Substation Compound (received 13/12/2023)
- Drawing no. 9 - Battery Energy Storage System Layout (received 23/02/2023)
- Drawing no. 10 - Mounting Structure (received 23/02/2023)
- Drawing no. 11 - Solar/Battery Inverter (received 23/2/2023)
- Drawing no. 12 - Battery Storage (received 23/02/2023)
- Drawing no. 13 - Indicative CCTV (received 23/02/2023)
- Drawing no. 14 - Skylark Plot Plan (received 23/02/2023)
- Typical 33kV Modular Substation (received 03/02/2023)
- 2108702 Rev H Proposed Substation Access (received 20/08/2025)
- Wade House Lane alterations (received 13/12/2023)
- 5089 LAN ZZ XX DR Y 7101 P05 Tree Impact Plan (received 21/07/2025)
- Trackers concrete feet/cross section (received 13/12/2023)
- 5089-LAN-XX-XX-DR-L-2001 P08 Soft Landscaping Plan (received 03/07/2025)
- 5089\_LAN\_XX-XX-DR\_L\_3001 P07 Hard Landscaping Plan (received 03/07/2025)
- Archaeological Management Plan and Written Scheme of Investigation (received 16/10/2023)

Reason: For the avoidance of doubt and in the interests of proper planning.

07. Prior to their installation, details of the colour and finish of the conversion units, substations, control rooms, battery storage containers, CCTV camera poles and fencing shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

08. Prior to their installation, details of the surfacing of the access tracks running through the site and associated drainage details shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

09. The development shall be carried out in strict accordance with the Arboricultural Method Statement & Tree Protection Plan dated June 2025 (received 21/07/2025).

Reason: To ensure protection during construction works of trees and hedgerows which are to be retained on or near the site in order to ensure that the character

and amenity of the area are not impaired, having had regard Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

10. The development shall be carried out in strict accordance with the detailed hard and soft landscaping scheme and landscape maintenance and management plan as shown on the following drawings/documents:

- 5089-LAN-XX-XX-DR-L-2001 P08 Soft Landscaping Plan (received 03/07/2025)
- 5089\_LAN\_XX-XX-DR\_L\_3001 P07 Hard Landscaping Plan (received 03/07/2025)
- 5089 LAN XX XX DR L 3002 P07 Fencing Plan (received 03/07/2025)
- Detailed Planting Plan 1 of 9 5089-LAN-XX-XX-DR-L-2010 P08 (received 03/07/2025)
- Detailed Planting Plan 2 of 9 5089-LAN-XX-XX-DR-L-2011-P04 (received 25/09/2024)
- Detailed Planting Plan 3 of 9 5089-LAN-XX-XX-DR-L-2012-P04 (received 25/09/2024)
- Detailed Planting Plan 4 of 9 5089 LAN XX XX DR L 2013 P03 (received 14/08/2024)
- Detailed Planting Plan 5 of 9 5089 LAN XX XX DR L 2014 P03 (received 14/08/2024)
- Detailed Planting Plan 6 of 9 5089-LAN-XX-XX-DR-L-2015-P04 (received 25/09/2024)
- Detailed Planting Plan 7 of 9 5089 LAN XX XX DR L 2016 P03 (received 14/08/2024)
- Detailed Planting Plan 8 of 9 5089 LAN XX XX DR L 2017 P03 (received 14/08/2024)
- Detailed Planting Plan 9 of 9 5089 LAN XX XX DR L 2018 P03 (received 14/08/2024)
- APPENDIX 5 Maintenance Tables and APPENDIX 6 Maintenance Calendars (received 15/08/2024)
- Landscape Management Plan V06\_1 (received 14/08/2024)

The landscaping scheme shall be implemented in its entirety within the first available planting season following the construction of the development hereby permitted. All trees, shrubs and bushes shall be maintained for the lifetime of the temporary planning permission and during that period any landscaping that is removed, dies, becomes seriously diseased or damaged, shall be replaced with the same or similar species in the first available planting season. The scheme shall be retained and managed in accordance with the approved landscape maintenance and management plan for the lifetime of the development.

Reason: In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking or re-enacting that Order), no gates, fences, walls or other means of enclosure (other than those granted by this permission) shall be erected within the application site without the appropriate grant of planning permission.

Reason: In the interests of the visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

12. No external lighting shall be installed within the application site without the Local Planning Authority having first granted planning permission.

Reason: In the interests of visual amenity and residential amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policies ENV1 and ENV3 of the Selby District Local Plan.

13. The permissive footpaths through the site and signage with details of the site including biodiversity information and wayfinding directions shall be provided in accordance with the details approved under discharge of condition application reference ZG2024/0798/DOC and shall be made available for use by the public prior to the first export date and remain as such for the lifetime of the temporary development.

Reason: To secure appropriate alternative walking routes in pursuance of Core Strategy Policy SP18, Selby District Local Plan Policy T8 and NPPF paragraph 104.

14. All solar panels within the 'Areas of Archaeology/Concrete fee' as shown on approved drawing 'Site Layout 062025 v.2' (received 20/08/2025) shall be in accordance with the design shown on the drawing entitled "Trackers Concrete Feet Cross-section" (i.e., using feet rather than piling).

Reason: In the interests of archaeological features and in order to comply with Policy ENV28 of the Selby District Local Plan.

15. The development shall be carried out in strict accordance with the Construction Environmental Management Plan dated June 2024 v 1.3 (received 08/08/2025).

Reason: To protect the residential amenity and minimise highway impacts in pursuance of Policies ENV1, ENV2, T1 and T2 of the Selby District Local Plan.

16. The development shall be carried out in strict accordance with the Biodiversity Management Plan approved under discharge of condition application reference ZG2024/0798/DOC, as updated by the details shown on the drawings listed in Condition 10.

Reason: In order to discourage construction staff and materials crossing operational railway land, in the interests of railway safety, and in pursuance of Policy ENV1 of the Selby District Local Plan.

17. The development shall be carried out in strict accordance with the details shown on drawing no's 2108710 Rev D Wade House Lane Alterations (received 07/01/2025) and 210879 Rev G A645 Substation Access (received 03/07/2025). The details shall be constructed as an initial part of the development and prior to the delivery of any solar panels or associated equipment to the application site.

Reason: To ensure safe access is provided at an appropriate phase of the development in pursuance of Policies ENV1, T1 and T2 of the Selby District Local Plan.

18. There must be no access or egress by any vehicles between the highway and the application site at the A645 until the visibility splays shown on ViaSolutions drawing figure 4 dated December 2022 and proposed substation visibility splays dated

November 2023 are provided giving clear visibility of 215 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To ensure safe access is provided at an appropriate phase of the development in pursuance of Policies ENV1, T1 and T2 of the Selby District Local Plan.

19. In the event of a complaint to the Local Planning Authority from Network Rail relating to signal sighting safety or driver distraction, upon notification to the Local Planning Authority, the applicant or operator of the solar farm shall not later than 28 days from the date the complaint is received, submit to the Local Planning Authority details of a scheme of remedial measures to address the concerns raised with details of a timescale for implementation of the works. The works shall be carried out in accordance with the approved details and timetable and thereafter retained for the lifetime of the development.

Reason: To ensure safety of the users of the railway.

20. Tree and vegetation removal and trimming shall take place in accordance with the details shown on drawing 5089 LAN ZZ XX DR Y 7101 P05 Tree Impact Plan (received 21/07/2025). Any additional removal or trimming of existing trees or hedgerows during the lifetime of the temporary permission must first be agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

21. Development shall not commence until a construction methodology in relation to operation railway land has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology.

Reason: In the interests of railway safety, and in pursuance of Policy ENV1 of the Selby District Local Plan.

22. The development shall be carried out in strict accordance with the details of seed mixtures agreed under discharge of condition application reference ZG2024/0798/DOC. Only the approved seed mixtures shall be used.

Reason: To ensure the seeds mix is compatible with and does not harm the nearby SSSI in pursuance of Policy SP18 of the Core Strategy and the provisions of the NPPF.

23. Development shall be carried out in accordance with the mitigation measures set out within section 4.7 and residual risk management measures in section 4.8, and the recommendations in section 7.2 of the submitted flood risk assessment.

Reason: To minimise the risks and impacts of flooding in Policy SP15 of the Core Strategy and the provisions of the NPPF.

24. The development shall be carried out in strict accordance with the Flood Warning and Evacuation Plan approved under discharge of condition application reference ZG2024/0712/DOC. The approved plan shall be implemented throughout the lifetime of the temporary planning permission.

Reason: To minimise the risks and impacts of flooding in pursuance of Policy SP15 of the Core Strategy and the provisions of the NPPF.

25. No development shall take place until details of a method of de-compacting soil compacted by the construction phase have been submitted to and approved in writing by the Local Planning Authority. The soil de-compaction shall take place after installation of the development and prior to landscaping being planted on the relevant areas.

Reason: To ensure that water can infiltrate on the site in the interests of flood prevention in pursuance of Policy SP15 of the Core Strategy and the provisions of the NPPF.

26. Prior to the installation of the control rooms, details of the means of foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

Reason: This information has not been provided and is required to secure appropriate site drainage in pursuance of Policy ENV1 of the Selby District Local Plan.

27. In the event that unexpected land contamination is found at any time when carrying out the development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination, in pursuance of Policy ENV2 of the Selby District Local Plan.

28. Prior to commencement of development of the battery energy storage facility, an Operational Safety Management Plan shall be submitted to and approved in writing by the local planning authority in consultation with the local fire and rescue service. The approved plan shall include:
- Details of a continuously operating battery management system (BMS) and observation arrangements.
  - Details of a sensitive fire and gas detection system and further fire, heat and gas detectors.
  - Details of an automatically operated fire suppression system.
  - Details of the battery container design and separation distances including access arrangements for vehicles.

The development must therefore be carried out in accordance with the approved plan.

Reason: To ensure BESS operates in a manner that minimises the risks and harm to sensitive receptors in pursuance of Policy ENV1 of the Selby District Local Plan.

## INFORMATIVES

1. The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

**Target Determination Date:** 10.11.2025

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**Appendix A – Proposed Layout Plan**