Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2021/03061

Decision Date: 06 April 2022

Applicant:	INRG Solar (Whaddon) Ltd C/O Agent, C/O Agent, C/O Agent, C/O Agent
Particulars of Development:	Construction and operation of a renewable energy scheme comprising ground mounted solar photovoltaic (pv) arrays together with ancillary battery storage and other associated infrastructure including inverters, external switchgear, dno substation, customer substation, security cameras, perimeter fencing, access tracks and landscaping.
At:	Agricultural fields west of Whaddon Farm, Whaddon Lane, Hilperton , Trowbridge , BA14 6NR

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (20)

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawings No: INR001-SP-01, Rev 05, Whaddon Farm Site Location Plan, as received on 22 March 2021; INR001-PL-01, Rev 10, Whaddon Farm Site Layout, as received on 28 September 2021; INR001-PL-02, Rev 03, Whaddon Farm Panel Elevations, as received on 22 March 2021; INR001-PL-04, Rev 02, Whaddon Farm DNO Substation Elevations, as received

on 22 March 2021; INR001-PL-05, Rev 01, Whaddon Farm Customer Substation Elevations and Floor Plan, as received on 11 May 2021; INR001-PL-06, Rev 01, Whaddon Farm Cross Section of Internal Access Track, as received on 22 March 2021; INR001-PL-07, Rev 01, Whaddon Farm Fence and Gate Elevations, as received on 22 March 2021; INR001-PL-08, Rev 01, Whaddon Farm CCTV Pole Elevation, as received on 22 March 2021; INR001-PL-09, Rev 02, Whaddon Farm Inverter Elevations and Floor Plan, as received on 11 May 2021; INR001-PL-11, Rev 01, Whaddon Farm External Switchgear Elevations and Floor Plan, as received on 11 May 2021; INR001-PL-12, Rev 01, Whaddon Farm Battery Elevations and Floor Plan, as received on 11 May 2021; INR001-PL-13, Rev 01, Whaddon Farm Battery Inverter Elevations and Floor Plan, as received on 11 May 2021; P19-1958.100, Rev A, Indicative Landscape Sections, as received on 24 September 2021; CR0613, Figure 1, Archaeological Survey Update Plan, as received on 24 September 2021.

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

INFORMATIVE: Drawing no. P19-1958_11, Rev B, Detailed Planting Plan, as received on 24 September 2021, is not approved - see condition 18.

3 The permission hereby granted shall be for a temporary period and shall expire 40 years from the date that electricity from the development is first exported to the electricity distribution network ('First Export Date') or no later than 44 years from the date of this decision, whichever is the soonest. Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than 1 calendar month after that First Export Date. Within 6 months of the date of expiry of this planning permission, or, if sooner, the cessation of the use of the solar panels for electricity generation purposes for a continuous period of 6 months, the solar panels together with any supporting/associated infrastructure including the inverter stations, security equipment, poles and fencing shall be removed from the land and the land restored to its former agricultural condition in accordance with a scheme of work to be submitted to, and approved in writing by, the local planning authority. The scheme of work, including a restoration plan and a decommissioning scheme that takes account of a recent ecological survey, shall be submitted to the local planning authority not less than six months before the removal of the installation.

REASON: In the interests of amenity and the circumstances of the use.

4 The temporary construction compound hereby approved shall be used solely during the construction phase of the solar farm, and within three months following the completion of the solar farm, the compound shall be fully removed with all materials, plant and debris to be cleared from the site. If a temporary compound is required as part of the decommissioning phase of the solar farm, details of this shall be submitted to and agreed in writing by the local planning authority no less than six months before the decommissioning of the site commences.

REASON: In the interests of visual amenity and to ensure the land is fully restored to its former use and condition.

5 No development shall commence on site until full details (including the RAL colour) of the

finish and colour of all structures, equipment, fencing and CCTV poles, and support frames for the solar panels hereby approved have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of amenity and the appearance of the site.

6 No development shall commence on site until an Archaeological Management Plan, setting out how the two areas identified as being areas of archaeological interest on drawing reference INR001-PL-01, Rev 10 (Whaddon Farm Site Layout) shall be protected from harm during both the construction and operational phases of the solar farm, have been submitted to and approved in writing by the Local Planning Authority.

REASON: To enable the preservation of sites of archaeological interest.

NOTE: The Archaeological Management Plan is to be prepared by qualified archaeologists and the costs of the work are to be borne by the applicant.

7 No development hereby permitted shall commence until a road condition survey of the roads leading from Hilperton Village Hall to the main site access along Whaddon Lane has been submitted to and approved in writing by the local planning authority. The condition survey shall detail a programme of measures to be employed to ensure the highway remains free from damage and measures of how any damage would be remediated. Should any damage be caused to the public highway as a result of the construction, operational or decommissioning phases of the development, all damage shall be remediated in accordance with the approved details within three months.

REASON: In the interests of highway safety and to ensure that the condition of the highway is maintained.

8 No development hereby permitted shall commence until exact routing details have been submitted for all vehicles to and from the main development site and temporary construction compound and details of all route signage (including advanced warning signs at both site accesses) have been submitted to and approved in writing by the local planning authority. All agreed signage must be installed prior to the commencement of any construction operations and deliveries to either site.

REASON: To ensure that clear routing is provided for construction vehicles and adequate warning of the accesses are provided in the interests of highway safety.

9 No development hereby permitted shall commence until details of all ground works/excavation, site clearance, vegetation clearance, boundary treatment works, and a Construction Environmental Management Plan (CEMP) have been submitted to and approved in writing by the local planning authority. The CEMP shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

The CEMP shall explain how the construction works will be managed to avoid impacts and how compliance will be achieved on site. A marked-up plan must be included showing all protection measures and highlighting sensitive zones.

The CEMP must identify a suitably qualified Ecological Clerk of Works (ECoW) who will oversee the construction works in relation to ecology with particular emphasis on:

• Update of surveys as required prior to start of works where relevant, e.g. otter, reptiles, breeding birds
• Erection of the perimeter fence
• Location of the site compound to avoid all sensitive retained habitat areas
• Root Protection Zones for trees
• Protection zones around trees and hedgerows and a plan showing that all trees and hedgerows will be fenced off and protected before construction starts
• Regular, documented inspections of all buffer zones to check protective fencing and that these areas are kept clear of all construction vehicles, machinery and materials

The CEMP shall make provision for the protection of all wildlife identified as present or likely to be present within a zone of influence and will implement the precautionary principle at all times.

The development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

10 No development hereby permitted shall commence until details of the bat monitoring scheme has been submitted to and approved in writing by the local planning authority. The submitted details must include the objectives and methods of reporting and the monitoring shall include:

1. An appropriate off-site control; and
2. A comparison between panelled and non-panelled solar farm areas.

Locations of statics within the site shall include the locations identified as core bat habitat in the baseline surveys. Results of the bat monitoring (once in spring and another autumn) shall be submitted to the local planning authority within 6 months of the surveys being completed in years 1, 3, 5, and 10.

REASON: The information submitted within the Biodiversity Management Plan for bat monitoring did not provide sufficient detail and this information is necessary in the interests of protecting bat species

11 Within three months of the end of the construction phase of the development hereby permitted, a compliance report shall be submitted to the local planning authority. The report shall detail all works overseen by the ecologist/EcoW and all compliance checks undertaken

as detailed in the CEMP by the aforementioned competent person prior to, during and post-completion of construction works. Associated dates of visits to the development site shall be stipulated in the compliance report and photographic evidence shall be provided.

REASON: To ensure works are undertaken in strict accordance with an approved CEMP prior to and during construction, and that works are conducted in line with current best practice and are supervised by a suitably licensed and competent professional ecological consultant/ECoW where necessary.

12 No lighting shall be installed during the construction phase of the development hereby permitted unless a detailed lighting plan including exact details of any proposed lighting and their locations have been submitted to and approved inviting by the local planning authority.

REASON: To ensure wildlife corridors are not illuminated.

13 No later than 12 months before the planned decommissioning of the solar farm, a scheme for decommissioning and the restoration of the site must be submitted to and approved in writing by the local planning authority. The scheme shall be based on updated ecological surveys and must make provision for the removal of the solar arrays and the associated above-ground structures, equipment, fencing and foundations, to a depth of at least one metre below ground level.

The scheme must include the management and timing of any works; a traffic management plan; and an environmental management plan including measures for the protection of wildlife.

REASON: To ensure adequate protection and mitigation for ecological receptors during the decommissioning phase and to ensure compliance with legislation in respect of protected habitats and species, planning policy and best practice

14 The development hereby approved shall be carried out in strict accordance with the Biodiversity Management Plan (produced by Clarkson & Woods, dated October 2021) and all of the mitigation and enhancement measures detailed in Appendix B: Figures; Figure 1: Locations of Ecological Mitigation and Enhancement Features; and Figure 2: Hibernaculum Specification.

REASON: To ensure compliance with planning policy and secure the protection and mitigation for the habitats and species recorded.

15 The development hereby approved shall be carried out in strict accordance with the management and maintenance details set out in the Landscape and Ecology Management Plan (produced by Pegasus Design, dated February 2022).

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

16 The development hereby approved shall be carried out in accordance with the surface water drainage scheme detailed from Section 8 of the Flood Risk Assessment and Drainage Strategy produced by Clive Onions Consulting Civil Engineer (reference P19-1958, V1, dated February 2021).

REASON: To ensure that the development can be adequately drained.

17 The development hereby approved shall be carried out in strict accordance with the Construction Traffic Management Plan (reference P19-1958, produced by Traffic Planning Associates, dated February 2021).

REASON: In the interests of highway safety.

18 Notwithstanding the details set out in the Detailed Planting Plan accompanying the application, no development shall commence on site until a scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

• location and current canopy spread of all existing trees and hedgerows on the land;
• full details of any to be retained, together with measures for their protection in the course of development;
• a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
• finished levels and contours;

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

INFORMATIVE: The applicant is advised to incorporate native varieties that are fast-growing. This should include both deciduous and evergreen varieties.

19 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the date on which any part of the development becomes first operational or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

20 No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The plans shall be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication GN01:21, 'Guidance Note 1 for the reduction of obtrusive light 2021' (ILP, 2021), and Guidance Note GN08-18 'Bats and artificial lighting in the UK', produced by the Bat Conservation Trust and Institution of Lighting Professionals.

The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area in order to minimise unnecessary light spillage above and outside the development site and to ensure lighting does not adversely impact wildlife.

Informatives: (2)

21 During the construction, operational and decommissioning phases of the development, all adjacent public rights of way shall remain open and accessible at all times for members of the public.

22 As detailed within the written representation provided by the Canal and River Trust dated 3 August 2021, the applicant is advised to contact Carl Ashman, Works Engineer by email at Carl.Ashman@canalrivertrust.org.uk to ensure that the proposed works comply with the Canal and River Trust's code of practice.

Parvis Khansari **- Corporate Director, Place**

NOTES

1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**

1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);

1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;

1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - http://www.planningportal.gov.uk/planning/appeals).