CASE OFFICER'S REPORT

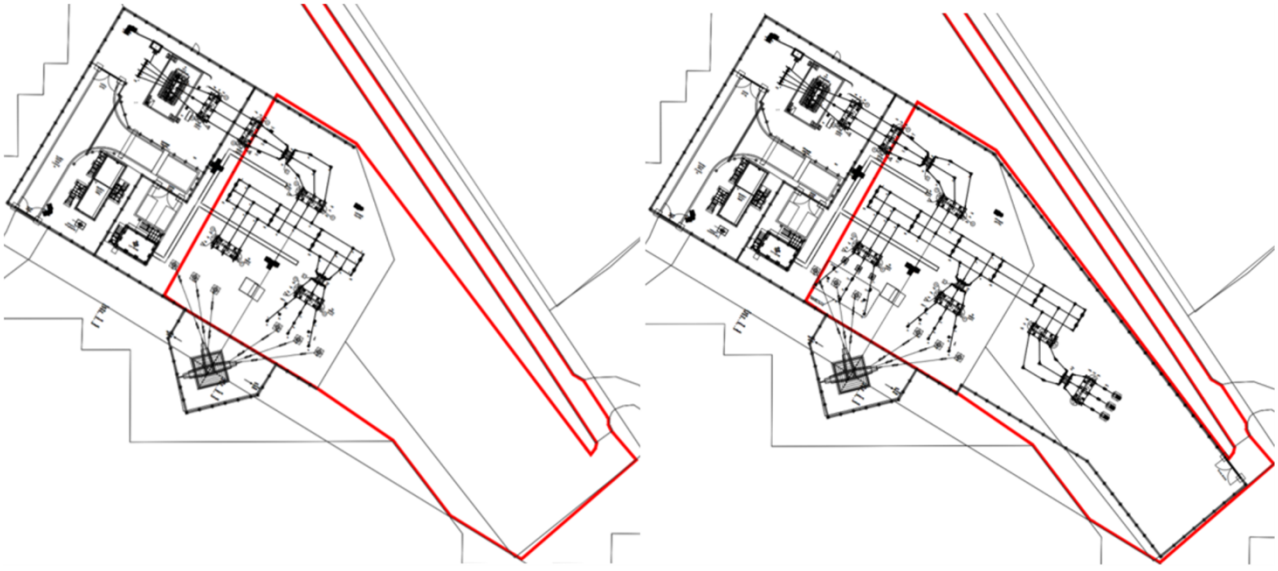
Application Reference:	PL/2023/08347
Application Type:	Full planning permission
Site Inspection:	19 October 2023
Consultation ends:	09 November 2023
Case officer:	Verity Giles-Franklin

Site Address:	Land adjacent to existing substation, east of Sandridge Solar Farm, Snarlton Lane, Melksham, Wiltshire, SN12 7QP
Proposal:	Extension of existing substation, including installation of new plant and machinery, fencing and hardstanding.
Recommendation:	Approve with Conditions

Proposal and Site Description: This application is seeking planning permission for the extension to an existing substation at Sandridge Hill solar farm. The existing substation is located to the west of the Eighteen Acre plantation (a Priority Habitat of Deciduous Woodland, as designated by the National Forest Inventory 2020) and is located within the existing confines of the established solar farm and is accessed via an existing track to the north of the existing solar farm. The submitted Arboricultural Survey (produced by Dalcour Maclaren, dated September 2023) confirms that no trees within this established plantation would be removed as part of this application.

The proposed development comprises the installation of a 132kV circuit breaker with cable connections and an extension to the existing compound area and fencing to enclose the proposed infrastructure.

The extracts provided below show the existing and proposed site plans, which illustrate the proposed extension to the existing substation:



Existing site plan left and proposed site plan right

The proposal seeks to increase the capacity of the existing substation which with reference to the submitted Planning Statement (produced by Dalcour Maclaren, dated September 2023) "*is necessary due to the battery storage proposed to the north of the solar farm. This will, in turn, aid in driving the governments net zero target by 2050*". The Planning Statement also argues that the proposed development would benefit the local community "*by bolstering the electricity network within its semi-rural location, allowing for and supporting any future settlement expansion or increase in demand*".

Revised elevation drawings were submitted on 29 November 2023 to update the the plan view inset on these plans, as they showed the existing fence line rather than the proposed fence line as illustrated on the separately submitted proposed site plan. Given the minor revisions to the drawings, it was not considered necessary to reconsult on this change.

Policies

National Context: National Planning Policy Framework (NPPF); Planning Practice Guidance (PPG)

Local Context: The 2015 adopted Wiltshire Core Strategy (WCS), namely core policies (CP): CP1 - Settlement Strategy; CP2 - Delivery Strategy; CP3 - Infrastructure Requirements; CP15 - Spatial Strategy for the Melksham Community Area; CP42 - Standalone Renewable Energy Installations; CP50 - Biodiversity and Geodiversity, CP51 - Landscape; CP57 - Ensuring High Quality Design and Place Shaping; CP60 - Sustainable Transport; CP61 - Transport and New Development; CP62 - Development Impacts on the Transport Network; CP64 - Demand Management

Wiltshire Council's Local Transport Plan 2011-2026 and Car Parking Strategy

Key Issues: Principle of the development; visual/landscape impacts and impact on trees; highway matters; impact on neighbouring amenity

Relevant Planning History

The following planning application is of relevance to this proposal:

13/06140/FUL - Development of 80.5ha solar photovoltaic farm with attendance equipment and infrastructure - Refused by members of the Strategic Planning Committee on 16 April 2014, against the officer's recommendation to approve subject to conditions, on the following ground:

The proposed development, by reason of its size and scale, would have an unacceptable visual impact on the landscape. This would conflict with policies C34 (a) and C1 of the West Wiltshire District plan (1st alteration) and with policies CP42 (i) and CP51 (iv and vi) of the emerging Core Strategy (April 2014 tracked changes version) and with the Government's Planning Policy Guidance that recognises that large scale solar farms can have a damaging effect on the landscape. Furthermore, when taken together with the existing solar farm at nearby Craysmarsh, the development would have an unacceptable cumulative impact on the landscape of the area

and an unacceptable cumulative visual impact when viewed from nearby public rights of way; from the A3102 at Sandridge and from Seend Ridge to the south. This would conflict with Government's Planning Policy guidance

The council's decision to refuse planning permission was appealed by the applicant and the appeal was allowed and thus planning permission was granted (under PINS reference: APP/Y3940/A/14/2221012), with the appointed Inspector concluding in paragraph 53 of the Appeal Decision that:

Given the extent of the benefits and limited effects on landscape character and visual amenity of the wider area beyond the appeal site I conclude that overall the impacts would be acceptable and the proposal accords with the aims of the
development plan and is also sustainable development for the purposes of the Framework.

Consultation Responses

Melksham Without Parish Council: No objection

Wiltshire Council Arboricultural Officer: No comments received

Wiltshire Council Archaeology: No objection

Wiltshire Council Ecology: No comments received

Wiltshire Council Highways: No objection subject to a condition being imposed requesting an updated Construction Management Plan, to include the survey of the existing access track and details of any remedial works post-construction.

Wiltshire Council Public Rights of Way: No comments received

Representations

Third-party Representations: No letters of objection received

Planning Considerations and Assessment

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

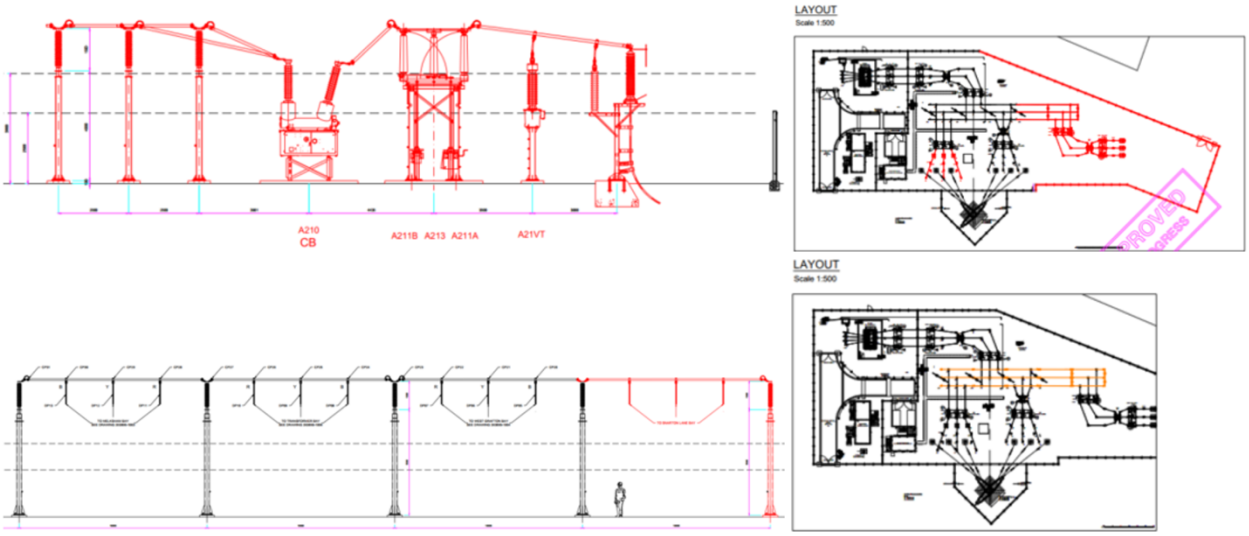
Principle of Development: The principle of a solar farm on this particular site was established following the grant of planning permission at appeal under PINs reference APP/Y3940/A/14/2221012 and as this application seeks an extension to the existing substation within the confines of the existing solar farm site, the principle of development is established.

Landscape Impacts and Trees: The application site is located within the Melksham Open Clay Vale Landscape Character area and Avon Vale Countryside Character Area. To the west is the MELW40 public right of way (PRoW) bridleway and to the east is the Eighteen Acre Plantation. It is appreciated that the wider solar farm site was fully appraised as part of the determination of 13/06140/FUL and in the subsequent appeal APP/Y3940/A/14/2221012 and therefore this application solely assesses the extension of the existing substation which this application is seeking permission for.

Policy CP51 of the adopted WCS states that "*Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures*". In addition, criterion i of CP42 requires standalone renewable energy schemes to demonstrate how impacts on the landscape have been satisfactorily assessed and taken into account.

Paragraph 174 of the Framework requires planning policies and decisions to contribute to and enhance the natural and local environment by "*protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils*" in criterion a and through "*recognising the intrinsic character and beauty of the countryside*" in criterion b.

With regards to landscape impacts and the impact of the proposal on the wider character and appearance of the area, the proposed circuit breaker and extension to the existing substation would be of the height and design to match the existing substation infrastructure, as illustrated by the below extracts taken from the submitted elevations drawings:



It is noted that the proposed extension to the existing substation would be close to an existing plantation to the east. This application has been accompanied by an arboricultural survey, which confirms that no trees would be removed to accommodate the proposed extension to the substation.

The arboricultural survey does acknowledge that the proposed works would be located close to an existing access road to the west of the planation and the use of this by heavy vehicles and

machinery during the construction phase and maintenance of the site thereafter could impact root protection areas (RPA), including that of a veteran oak tree through ground compaction. The arboricultural survey has identified a number of mitigation measures on the Tree Protection Plan (page 28 of the arboricultural survey, drawing no. 23007928_PLN_TPP_6.1_A) including the introduction of permanent ground protection and temporary protection fencing along the western edge of the Eighteen Acre Plantation. It is therefore considered that a suitability worded planning condition should be opposed on any consent granted ensuring compliance to the arboricultural survey.

It is also considered necessary to impose a pre-commencement condition requesting the submission of a Arboricultural Method Statement (AMS) as the Tree Protection Plan (extract of which is provided below) submitted with the Arboricultural Survey illustrates that the red line for this application site would now be encroaching into the RPA of the neighbouring trees associated with the Eighteen Acre Planation and as mentioned above the access track between the site and planation is located within many RPAs. Therefore, protection must be afforded to these trees, especially over the course of the construction phase of the development.



Based on the above assessment, it is not consdiered that the proposed extension to the existing substation would introduce any additional landscape or visual harm. The substation would be viewed in the context of the existing solar farm and would not be near a public right of way. It is therefore considered that the proposal would comply with CP51 and CP57 of the adopted WCS and the provisions of the Framework.

Ecology: Policy CP50 of the adopted WCS requires development proposals to "*demonstrate how they protect features of nature conservation and geological value as part of the design rationale*" and requires all proposals to "*incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development*".

Improving biodiversity has been enshrined within the environmental objective contained within paragraph 8 of the Framework for achieving sustainable development. The Framework also

requires net gains for biodiversity to be provided including by "*establishing coherent ecological networks that are more resilient to current and future pressures*" as set out within paragraph 174d.

As discussed above, this application relates to an established solar farm and is seeking planning permission for an extension to the existing substation and associated fencing. The application has been submitted with a Preliminary Ecology Appraisal Report (PEA) (produced by Dalcour Maclaren, dated September 2023) which confirms that there are a number of protected and notable species records following a data search but the site itself provides few ecological constraints and therefore no further species surveys were required to support this application. In order to accommodate the proposed extension to the existing substation and fencing, no existing hedgerows or trees are to be removed. The PEA does put forward some general mitigation measures in section 7.5 which should be adhered to and a planning condition shall be imposed on any consent granted requiring compliance to these measures. As such, the proposal complies with the aforementioned policies.

It is however considered necessary to impose a planning condition requesting details of any external lighting to be provided to the local planning authority for their prior agreement to safeguard habitats and light sensitive or nocturnal species.

Highways: The access to the site would remain as existing via Sandridge Hill and this application does not seek any alterations to this. It is appreciated that during the construction phase of the development, there would be a minor increase in traffic movements, however this would be for a temporary period only until the development is complete.

It is noted that the council's highways engineer has requested an updated to the Construction Management Plan to include a survey of the existing access track to identity any need for reinforcement of the track to enable construction vehicle access along it and for consideration to be given to remedial works of the track post-construction. As this access track does not form part of the public highway and with due regard to the scale of the proposed development, it is not considered necessary to request such detail in this instance.

Impact on Neighbouring Amenity: Policy CP57 of the adopted WCS requires new developments to have "r*egard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)*" in criteria vii.

Criterion f) of paragraph 130 of the Framework meanwhile requires the creation of "places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users".

It is considered due to the nature ands scale of the proposed development and the separation distances between the proposed development and nearby residential properties (for context, the closest residential dwelling (Sandridge Park House) is located 670m to the north of the development site), the proposed development would not have an adverse impact on neighbouring amenity.

Conclusion: Approve subject to conditions

Conditions: (5)

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 and documents:

Drawing nos: 23007928_PLN_LOC_2.1_A, Location Plan, received 5 October 2023; 23007928_PLN_SI_3.1, Existing Site Location Plan, received 28 September 2023; 23007928_PLN_SI_4.1, Proposed Site Location Plan, received 28 September 2023; SAPV/21/0114, Existing Elevation A-A and Plan View, received 28 September 2023; SAPV/21/0116 Rev 01, Proposed Elevation C-C and Plan View, as received on 29 November 2023; SAPV/21/0153 Rev 00, Proposed Elevation G-G and Plan View, as received on 29 November 2023; SAPV/21/0114 Rev 01, Proposed Elevation A-A and Plan View, as received on 29 November 2023

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

3 No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2013;
- A schedule of tree works conforming to British Standard 3998: 2010;
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and

sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;

- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- Details of all other activities, which have implications for trees on or adjacent to the site.
- In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

4 The development hereby approved shall be carried out in strict accordance with the following documents and plans:

- Preliminary Ecology Appraisal Report, produced by Dalcour Maclaren, dated September 2023, including the mitigation and enhancement measures detailed in sections 7.5 and 7.6
- Arboricultural Survey, produced by Dalcour Maclaren, dated September 2023 and drawing no. 23007928_PLN_TPP_6.1_A, Tree Protection Plan on page 30

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

5 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 in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication "The Reduction of Obtrusive Light" Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be 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 and ecology interests, and to minimise unnecessary light spillage above and outside the development site and of nearby habitats.

Informatives: (1)

1 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.