Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/08449

Decision Date: 23 January 2024

Applicant:	Foresight Group The Shard, 32 London Bridge Street, London, SE1 9SG
Particulars of Development:	Variation of condition 2 of 13/06140/FUL to extend the expiration period from 25 years to 40 years (thus extending the operation timeframe from 31 March 2041 to 31 March 2056)
At:	Snarlton Farm, Snarlton Lane, Melksham, SN12 7QP

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

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 compliance with the following conditions:

Conditions:

1 The permission hereby granted shall be for a temporary period and shall expire on 31 March 2056. Within 6 months of the date of expiry of this 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 the supporting/associated infrastructure including the inverter stations, security equipment poles and fencing, shall be removed from the land and the land shall be restored to its former 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 decommissioning scheme that takes account of a contemporaneous ecological survey, shall be submitted to the local planning authority not less than six months before the removal of the installation.

REASON: To define the terms of this application and to secure the appropriate restoration of the land.

2 The development hereby approved is made subject to the following appropved plans

Appeal Drawing Reference 001 - Site Layout and Construction superseded by NMA approved on 29.09.2015
(Figure 3.1 within Environmental Report)
Appeal Drawing Reference 002 - PV Array Detail superseded by NMA approved 29.09.2015
(Figure 3.2 within Environmental Report)
Appeal Drawing Reference 003 - Typical Cable Trenching
(Figure 3.7 within Environmental Report)
Appeal Drawing Reference 004 - On Site Track Design
(Figure 3.8 within Environmental Report)
Appeal Drawing Reference 005 - Access Route to Site
(Figure 3.9 within Environmental Report)
Appeal Drawing Reference 006 Rev D - Vision Splays for Site Access Junction with A3102
(Figure 3.10 within Environmental Report)
Appeal Drawing Reference 007 - Existing and Proposed Floor Plan superseded by NMA approved on 29.09.2015
Appeal Drawing Reference 008 - Indicative Security Camera superseded by GBSG Standard Detail 4 – Master and Salve Pole Details (With Dead Zone Camera) Dwg No 18822 dated 08.02.2016
Appeal Drawing Reference 009 - Cross Section of Track & Temporary Fencing
Appeal Drawing Reference 010 - Existing and proposed elevations
Appeal Drawing Reference 011 - Block Plan superseded by NMA approved on 29.09.2015 which in turn is hereby superseded by Drawing Site Layout as Built Dwg No V1PE10777 Rev 04 dated 23/01/2017
Appeal Drawing Reference 012 - 132kv Substation Details superseded by Sandridge 132/33kv Substation Layout Plan Dwg No 393890_1001 Rev B dated 16.08.2016
Appeal Drawing Reference 013 - Digital Terrain Model (Topographical Plan)
Inverter Station Plan Dwg AB030485-HY dated 09.03.2016 and AB030477-Ri dated 09.03.2016
Container Plan and Elevation Dwg No PE10777_V1 dated 23.01.2017

Reason: To define the terms of this permission

3 As confirmed by the Council's letter dated 26 October 2015, the requirements of condition 3 as imposed upon application 13/06140/FUL (allowed on appeal) have been discharged. The development shall continue to be maintained in accordance with the discharge of condition details.

For completeness sake, the content of the condition was as follows:

No development hereby permitted shall commence until a detailed surface water run off limitation scheme together with supporting calculations and a programme for implementation have been submitted to and approved in writing by the local planning

authority. The submitted details shall include the details of future ownership and maintenance for all drainage works serving the site. The approved scheme shall be implemented and maintained in accordance with the approved programme and details.

4 As confirmed by the Council's letter dated 26 October 2015, the requirements of condition 4 as imposed upon application 13/06140/FUL (allowed on appeal) have been discharged.

For completeness sake, the content of the condition was as follows:

No development hereby permitted shall commence until a construction traffic management plan (CTMP) has been submitted to and approved in writing by the local planning authority and the construction shall be undertaken in accordance with the approved details. The CTMP shall include:
• A condition survey of the site access onto the A3102 and Prater's Lane bridleway, along with a detailed programme of measures to be employed to maintain the highway/PRoW from damage. Should any damage accrue attributable to the development, all damage shall be remedied in accord with details submitted to the local planning authority within 3 months and approved in writing;
• Exact details of the numbers, types and timing of delivery lorries to the site (which should avoid school departure / collection times);
• A scheme of signing and lining relating to the school and construction access, which should make drivers aware of the construction access and school arrangements;
• The procedures in place to ensure that lorry wheels are free of mud before returning to the highway;
• Details of all deliveries entering and exiting the site involving large HGV and other large vehicles to ensure safe access and egress at the site;
• Details of the site management co-ordinator who will ensure compliance with the CTMP;
• How users of public rights of way on and near the A3102 access shall be protected during the works; and
• Details of how construction workers' traffic and lorry traffic shall be accommodated (including turning provision) on the site.
Any departures from the agreed Construction Traffic Management Plan shall be agreed in writing by the local planning authority prior to such actions or works being carried out on site.

5 As confirmed by the Council's letter dated 26 October 2015, the requirements of condition 5 as imposed upon application 13/06140/FUL (allowed on appeal) have been discharged.

For completeness sake, the content of the condition was as follows:

No development shall commence on site until visibility splays, based on the drawing titled 'Sandridge Solar Farm Vision Splays for Site Access Plan' have been provided at the access point and have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43metres in the west direction and 160 metres in the east direction from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to enable clear vision above the height of 1m above the level of the adjacent carriageway. Full details shall be submitted detailing the extent of hedge and tree removal and the protection of the school boundary and hedge re-instatement",

6 There shall be no external lighting/illumination at or on the site unless otherwise approved by the planning authority following the submission of a separate planning application.

REASON: To define the terms of this permission.

7 In addition to the provisions of condition 8 imposed at appeal, a managed 5m buffer strip shall be provided on site to allow for the growth of a longer sward to improve habitat potential adjacent to all ditches, water bodies and watercourses.

REASON: To continue the imposition of the condition imposed at appeal

8 As confirmed by the Council's letter dated 26 October 2015, the requirements of condition 13 as imposed upon application 13/06140/FUL (allowed on appeal) have been discharged.

For completeness sake, the content of the condition was as follows: Notwithstanding details submitted as part of the application and in addition to the provisions of condition 8 no development hereby permitted shall commence until a landscaping scheme and landscape management plan has been submitted to and approved in writing by the local planning authority which shall cover tree, hedge and root protection measures, the on-site management of the existing hedgerows (which shall be allowed to develop to a minimum 3 m winter height), as well as producing exact tree and hedgerow planting details (including location, species, height at planting and spacing), permanent fencing details, hedgerow planting as described in this Appeal Decision and a programme for the infill and proposed new planting and its on-going management and monitoring which shall cover the lifetime of the development.

Informatives:

The applicant's attention is drawn to the consultation comments provided by the Melksham Without Parish Council pursuant to this application.

In full, the Parish Council request that "*the payment to Melksham Without Parish (from the developer) continue[s] for 40 years and does not end at 25 years, given the applicant has extended the operational life of the solar farm.*

For context, during discussion, it was highlighted the original agreement between the developer and the Parish Council stated 'to pay the Council for each year for 25 years (operational life of the solar farm).

Therefore, as the operational life of the solar farm has been extended, the applicant should therefore extend the agreement with the Parish Council as per the agreement to 40 years".

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).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk