Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/09559

Decision Date: 05 March 2024

Applicant:	Mrs Camilla Woodward c/o Agent
Particulars of Development:	Ground mounted solar array and ancillary works including electrical connection to the Old Mill.
At:	Land north of Teffont Mill, Teffont Evias, SP3 5RP

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: (7)

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:
Document Reference: Landscape Environment Management Plan Revision A (Indigo, dated 06/02/2024), received by this office 06/02/2024
Drawing Reference: 1088-SW-01 Rev B, Detailed Landscape Proposals (Indigo, dated 06/02/2024), received by this office 06/02/2024
Document Reference: 01/042/007/08_EcIA Ecological Impact Assessment (HalpinRobbins Ecology & Environmental Service, dated 29/06/2023, received by this office 19/01/2024
Drawing Reference: 0002 Rev C Site Layout, dated 06/07/2023, received by this office 23/11/2023
Drawing Reference: MH-EX-EX-DR-E600 SSEN and PV Site Services Layout, dated 22/11/2023, received by this office 23/11/2023

Document Reference: Solar Panel Technical Details (Sunfixing), received by this office 06/11/2023 (amended by condition 3 of this planning consent requiring the framework to have a black finish)
Document Reference: Planning and Design and Heritage Statement, received by this office 06/11/2023
Drawing Reference: 1088-A-01 Rev A Viewpoint Plan dated 21/09/2023, received by this office 06/11/2023
Drawing Reference: Site Location Plan, received by this office 06/11/2023
REASON: For the avoidance of doubt and in the interests of proper planning.

3 The Solar Panels and any associated supporting metal framework shall have a black finish. The black finish shall be maintained for the lifetime of the development hereby approved.
REASON: In order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner,
• All shrubs, trees and hedge planting shall be maintained in accordance with the Landscape Plan for a period of no less than 30 years from the commencement of the scheme and shall be protected from damage by vermin and stock.
• Any trees or plants which, 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.

5 Any new external artificial lighting should be for the purposes for safe access and security and shall comply with at least Environmental Lighting Zone E1 in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, ‘Guidance for the Reduction of Obtrusive Light’ (ILP, 2021), Guidance note GN08-18 “Bats and artificial lighting in the UK”, issued by the Bat Conservation Trust and Institution of Lighting Professionals
REASON: In the interests of protected species, conserving biodiversity and the Conservation of Habitats and Species Regulations (as amended) to avoid illumination of habitat used by bats and the visual amenity and the character and appearance of the area and protecting the intrinsic value of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty Dark Sky Reserve.

6 No night-time significant disturbance
No construction works shall be permitted (night-time being 30 minutes before dusk to 30 minutes after dawn) and no artificial light shall be permitted at night that creates light spill on the adjacent former substation structure or conflicts with Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid disturbance of habitat used by bats.

7 Compliance with submitted documents
The development will be carried out in strict accordance with the following documents: Section 4 of the report: Ecological Impact Assessment, Ref: 01/042/007/08_EcIA Date: 29/06/2023 by Halpin Robbins Ltd, received by this office 19/01/2024
REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

Informatives: (3)

Protected species
The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) as amended it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Artificial Lighting
The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Use of the substation
The use of the substation building for incidental storage (S/2001/0550) is subject to a personal condition restricting use to Dr G Miller (the applicant and owner at that time): (4) The use hereby permitted shall be carried on only by Dr G Miller.

The applicant is therefore advised that use of the substation for storage would therefore be in breach of this condition and planning consent will be required for the use of the substation for incidental storage.

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

4 **CIL.** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy