Wiltshire Council

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2023/08472
Decision Date: 12th March 2024

Applicant:	Mr Louis Cherrill c/o Agent
Particulars of Development:	Battery Energy Storage System for up to 8.5MW including 6 no. battery units, 3 no. Power Conversion System (PCS) units, a dedicated High Voltage (HV) sub-station, with supporting infrastructure including fencing, security cameras, safety lighting and dedicated access with landscape screening and biodiversity mitigation
At:	Land Adj Goldens, Teffont, 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: (15)

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

REASON: In accordance with the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004; and to account for the particular circumstances of this type of development and long lead in times for connection to the grid.

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

Application Form & Certificate

Ref: Location Plan. Received – 17.11.2023
Ref: 1606 PEP XX ZZ DR W 0003 S0 Rev P02 – Proposed Site Elevations. Received – 27.10.2023
Ref: 1606 PEP XX ZZ DR W 0003 S0 Rev P00 – Typical Equipment Elevations. Received – 03.10.2023
Ref: 1606 PEP XX ZZ DR W 0001 S0 Rev P05 – Proposed Site Layout. Received – 17.11.2023
Ref: 1024-MP-01 Rev D – Landscape Masterplan. Received – 05.02.2024
Ref: 1024-SE-02 Rev A – Sectional-Elevation Through Site. Received – 05.02.2024
REASON: For the avoidance of doubt and in the interests of proper planning.

3 The development hereby approved shall be implemented in the materials and finish set out in the approved plans/documentation. The Battery Storage Containers, HV Substation; and DNO buildings will all be painted in Moorland Green' (BS 12B21) before the site is first operational.

REASON: in the interests of visual amenity and the character and appearance of the area and setting of the National Landscape.

4 No development hereby permitted shall commence on site until a detailed landscape and planting plan has been submitted to and approved in writing by the Local Planning Authority. The planting will consist of screen planting that comprises hedge planting using 3 rows of plants an average of 1.2m in height (minimum 3 year old plants (1+2 transplants); woodland planting consisting of 80% of whips planted between 900mm and 1.5m in height (minimum 3 year old plants (1+2 transplants)) with 10% of the mix specified as feathered trees of between 1.75 and 2.5m in height and a further 10% of the mix specified as standard trees of between 2.5m and 3.0m in height.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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, quick landscaped setting for the development and the protection of existing important landscape features and the setting of the National Landscape.

5 All on and off site soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of the development. All shrubs, trees and hedge planting shall be maintained free from weeds in accordance with the Landscape Plan and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of thirty 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the development hereby approved being first brought into use.

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

6 No development hereby approved shall be commenced on site until a detailed levels plan has been submitted to and approved in writing by the Local Planning Authority. Any material excavated from the site will be retained on the site and will form part of the approved planted screening of the development. the development shall be implemented in accordance with the agreed details.

REASON: In the interests of the visual amenities of the area and highway safety.

7 The development hereby permitted shall not be first brought into use until the first 5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

8 Notwithstanding the submitted details, the proposed development shall not be first brought into use until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

9 No development shall commence on site (including any works of demolition), until a Construction Traffic Management Plan, together with a site plan, have been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of the following:

1. the parking of vehicles of site operatives and visitors;
2. a routing plan
3. a Traffic Management Plan (including signage drawing(s))
4. the number of (daily/weekly) and size of delivery vehicles expected to visit the site
5. the number of staff vehicle movements.
6. the temporary/permanent Traffic Regulation Orders
7. a phases plan
8. the loading and unloading of plant and materials;
9. the storage of plant and materials used in constructing the development;

10. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
11. wheel washing facilities;
12. the measures to control the emission of dust and dirt during construction;
13. a scheme for recycling/disposing of waste resulting from demolition and construction works;
14. the measures for the protection of the natural environment.
15. the hours of construction, including deliveries; and
16. a pre-condition photo survey.

Any damage caused to the local highway, related to the development will be put right within 6 months of the development completion. The approved Statement shall be adhered to in full, throughout the construction period.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

10 The noise emitting plant hereby approved, namely the 33 kV inverters, shall be so sited, designed and enclosed so that the Specific Sound Level (as defined in BS 4142:2014+A1:2019 'Method for rating and assessing industrial and commercial sound') shall not exceed 30dBA during the day or night as measured or calculated at the nearest noise sensitive property and in accordance with BS4142:2014+A1:2019.

Before the development hereby approved is first brought into use, a post installation assessment of the acoustic impact arising from any such plant shall be submitted to the Local Planning Authority to demonstrate compliance with the above requirement. Any new mitigation measures required to achieve compliance shall be installed or carried out prior to the first use of the plant and thereafter be permanently maintained and retained as such for the life time of the development.

REASON: In the interests of the neighbouring residential amenities of the area

11 Any external lighting installed on the site shall be installed to conform with the recommendations for Environmental Zone E0 (as identified in the ILP document "guidance notes for the reduction of obtrusive lighting – guidance note 01:20), and shall be maintained and retained as such for the lifetime of the development.

REASON: In the interests of the residential amenities of the area; protected species; and to protect the Dark Skies status of the National Landscape

12 The development hereby approved shall be carried out in strict accordance with the

following documents:
- Section 6.2 of the report: Preliminary Ecological Appraisal, Date: July 2022 by enims Ltd
- Drawing: Landscape Masterplan, 1024-MP-01, Rev: C, Date: 12.05.2023 by Indigo Landscape Architects Limited

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

13 No development hereby approved shall commence on site, until:
a) A written programme of archaeological investigation, which should include on-site work and off-site work, including the assessment, analysis, reporting, publication and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and
b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To record and advance understanding of the significance of the heritage assets to be lost in a manner proportionate to their importance and to make this evidence and any archive generated publicly accessible.

14 The development hereby approved shall not commence on site until the details of the gravelled areas have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the following:
• Details on the material specification.
• Details on the level of compaction required, and
• Cross sections through the proposed gravelled area

The development shall be implemented in accordance with the approved details.

REASON: To ensure the gravelled area will be able to accommodate the runoff from the battery storage units for the 1 in 100 year plus climate change (40%) rainfall event.

15 The development hereby approved shall not commence on site until a Drainage Plan showing the exceedance routes for flows in excess of the 1 in 100 year plus climate change (40%) rainfall event have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To minimise the risk to people and property during high return period storm events

Informatives: (4)

1 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. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website: www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

2 The applicant’s attention is drawn to the advice provided by the Dorset & Wiltshire Fire & Rescue Service regarding the safe layout, construction and operation of this facility to prevent and in the event of a fire, which was received 09.02.2024. If any alterations are required to the approved plans, brought about by compliance with this advice or Building Regulations or for any other reason must first be agreed in writing with the Local Planning Authority before commencement of work and may require the submission of a new planning application.

3 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) 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.

4 Please note that 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.

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