



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2021/10592

Decision Date: 12 October 2023

Applicant: NextPower SPV 15 Limited
5th Floor North Side, 7-10 Chandos Street, Cavendish
Square, London, W1G 9DQ

Particulars of Development: 29MW Solar farm (over 43ha) and associated
development

At: Land on the west side of Storridge Road, Westbury

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 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:

Site Design drg no. 178-06-PV Rev F1 dated 30/08/2023

Location Plan dated 30/08/2023

15m SLP2 TOWER drg no. WPD-10238 Rev A dated 25/10/2012

Switchgear Housing Rev A1 dated 01/10/2021

Substation Housing Rev A1 dated 01/10/2021

Racking Detail Rev A1 dated 01/10/2021

Battery Transformer Rev A1 dated 01/10/2021

Battery Container Rev A1 dated 01/10/2021
Inverter/Transformer detail Rev A1 dated 01/10/2021
Fence Detail Rev A1 dated 01/10/2021
CCTV Detail Rev A1 dated 01/10/2021
Proposed Culvert Section Rev A2 dated 28/08/2023
Typical Boundary Section Rev A1 dated 11/07/2023
Biodiversity Management Plan by Wychwood Biodiversity dated April 2023

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

- 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 45 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 12 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, shall be submitted to the local planning authority not less than six months before the removal of the installation. The plan must be supported by an impact assessment based on up to date baseline survey and carried out according to the current guidelines. It must set out clear aims of restoration to benefit key habitats and species.

REASON: In the interests of amenity and the circumstances of the use and to ensure the long-term management of landscape and ecological features retained and created by the development and in the interests of the significance of the heritage assets and their setting.

- 4 No development shall commence on site until full details of the access works, including carriageway formation, kerbing, drainage and bridge/culvert specifications, have been submitted to and approved in writing by the Local Planning Authority. The said works shall be completed in full, including the provision of the necessary visibility splays and agreement of traffic management measures, prior to any deliveries related to the solar farm development commencing.

REASON: In the interests of highway safety.

- 5 No part of the development shall be first brought into use, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety.

- 6 The gradient of the access way shall not at any point be no steeper than 1 metre in 12 metres from its junction with the public highway.

REASON: In the interests of highway safety.

- 7 No development shall commence on site (including any works of demolition), until a Full Construction Traffic Management Plan, together with a site plan, which shall include the following:

1. traffic management plan, including signage, closures, signals, banksmen etc
2. details of permanent/temporary Traffic Regulation Orders
3. number and size of daily vehicles
4. routing of vehicles
5. the parking of vehicles of site operatives and visitors
6. loading and unloading of plant and materials
7. storage of plant and materials used in constructing the development
8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
9. wheel washing facilities
10. measures to control the emission of dust and dirt during construction
11. a scheme for recycling/disposing of waste resulting from demolition and construction works
12. measures for the protection of the natural environment
13. hours of construction, including deliveries
14. pre-condition photo survey – any damage related to the development will be put right (to the satisfaction of the LHA) within 6 months of the development completion has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to neighbouring amenities, the amenities of the area in general and the natural environment through the risks of pollution and

dangers to highway safety, during the construction phase.

- 8 No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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 and to ensure that the development can be adequately drained.

- 9 No part of the development shall be first brought into use until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- A detailed planting specification and plan showing all plant species, supply and planting sizes and planting densities.

REASON: In order that the development is undertaken in an acceptable manner and in the interests of visual amenity and the character and appearance of the area.

- 10 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first operation of the development or the completion of the development whichever is the sooner, or in accordance with a schedule and timetable to be agreed in writing by the Local Planning Authority. 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.

- 11 Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions in accordance with the submitted Biodiversity Management Plan (Wychwood

Biodiversity, April 2023).

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

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.

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Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase in accordance with measures detailed in the Biodiversity Management Plan (Wychwood Biodiversity, April 2023). Measures will include, but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b) Working method statements for protected/priority species, such as nesting birds (including ground nesting species), amphibians (including great crested newts), reptiles, dormice, otter and bats.
- c) Working method statements for works affecting water courses including the River Biss.
- d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- f) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.
- g) Submission of a River Biss Protection and Enhancement Scheme to include details of proposed measures that will be taken to avoid harm to wildlife during construction of the access road over the river Biss and details of mitigation and enhancement provision including a plan showing the location(s) and type(s) of feature(s) to be provided.

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, for the benefit of biodiversity for the lifetime of the scheme.

- 13 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats.

- 14 No development shall commence within the area indicated by application PL/2021/10592 until:

- a) A written programme of archaeological monitoring of two areas within the site known to contain sub-surface deposits of post-medieval date, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved 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 enable the recording of any matters of archaeological interest.

- 15 No development shall commence within the area indicated by application PL/2021/10592 until:

- a) An Archaeological Management Plan (AMP), setting out a methodology for the protection of the Romano-British and medieval sub-surface archaeological activity that has been identified within the site, has been submitted to and approved by the Local Planning Authority; and
- b) The approved AMP has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

Informatives: (4)

- 16 No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way whilst development takes place.

- 17 The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.
- 18 The applicant is advised that if it is proposed to drain this development directly into the river or carry out any work within 8 metres of the watercourse then Land Drainage Consent is required from the Environment Agency. For further information see www.environment-agency.gov.uk
- 19 With regards the discharge of condition 8 the applicant is advised to refer to the comments of the council's drainage team dated 14 September 2023.

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