



**The Town and Country Planning Act 1990**  
**Approval of Variation of Conditions**  
**Application Reference Number: PL/2025/07349**  
**Decision Date: 24/07/2026**

|                                    |                                                                                                                                                                                                                                                |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant:</b>                  | Melksham Calne Green Limited<br>C/O Verdant Energy, Unit 18 Riversway Business,<br>Village, Navigation Way, Preston, Lancashire, PR2<br>2YP                                                                                                    |
| <b>Particulars of Development:</b> | Removal of condition 1, variation of condition 3 (Layout changes), condition 14 (Changes to noise condition) and Conditions 4, 5, 6 and 7 with variation to remaining conditions on approved application PL/2021/08690 to change to compliance |
| <b>At:</b>                         | Land at Studley Farm, Atworth, Melksham                                                                                                                                                                                                        |

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:

- 1 The permission hereby granted shall be for a temporary period and shall expire 40 years from the first commercial export of electricity ('First Export Date') or no later than 44 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 the First Export Date.

Within 6 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 that takes

account of a recent ecological survey, shall be submitted to the Local Planning Authority not less than six months before the removal of the installation.

REASON: In the interests of amenity and the circumstances of the use.

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

- Figure A1 – The Preliminary Works
- Annex A: Proposed Scope of the Preliminary Works
- Site Location Plan. Drawing No. SF1.0 REV 02 (Overview). Dated 28 September 2021
- Site Location Plan. Drawing No. SF1.0 REV 02 (Sheet 1 of 2). Dated 28 September 2021
- Site Location Plan. Drawing No. SF1.0 REV 02 (Sheet 1 of 2). Dated 28 September 2021
- Proposed Site Plan, Drawing No. GB-MEL01&CLD104\_R10\_OVERALL SITE LAYOUT Dated March 2025
- Inverter Transformer Stations. AC Twinskid Elevations - BELUK1002-255 AC TwinSkid Rev00 Dated October 2024
- Internal Access Road Detail. Drawing No. BELUK1002-230 Access Track Section Details Rev01 Dated November 2024
- Fence and Gate Elevations. Drawing No. SF6.0 REV 01. Dated 21 May 2021
- Weather Station Detail. Drawing No. SF7.0 REV 01. Dated 21 May 2021
- Substation Elevations. Drawing No. BELUK1002-221 Rev00 Dated October 2024
- Control Room Elevations. Drawing No. BELUK1002-225 Control Room Rev00 Dated October 2024
- Auxiliary Transformer. Drawing No. BELUK1002-226 Auxiliary Transformer Details Rev00 Dated October 2024
- CCTV Elevations. BELUK1002-232 CCTV Pole Mounting Details Rev00 Dated October 2024
- Battery Container Elevations. Drawing No. BELUK1002-250 Rev00 Dated October 2024
- Storage Container Elevations. Drawing No. BELUK1002-222 Spare Parts Container Details Rev00 Dated October 2024
- Battery Fence and Gate Elevations. Drawing No. BELUK1002-231 Fence & Gates Details Rev00 Dated October 2024
- Planting Plan. Drawing No. B:A 034-02 Rev G Dated 6th February 2025
- Development Proposals. Drawing No. BLA 034 03 Rev C. Dated 24 March 2022.
- Environmental Statement (March 2022) by Savills
- Construction Method Statement (May 2025) by TPA
- Ecological Assessment (August 2021), including Breeding Bird Survey Report and Great Crested Newt Presence or Absence (eDNA) Survey Report and by Avian Ecology
- Water Vole and Otter Survey Report (September 2021) by Avian Ecology
- Bat Activity Survey Report (December 2021) by Avian Ecology
- Biodiversity Net Gain (BNG) Calculator (September 2025) by Antea Group
- Ecology Constraints Report (August 2025) by Antea Group
- Arboricultural Method Statement and Tree Protection Plan (June 2025) by Antea Group
- Glint and Glare Study (January 2025) by Pager Power
- Flood Risk Assessment (August 2021) by RMA Environmental
- Flood Risk Assessment Addendum Letter (09 November 2021) by RMA Environmental
- Geophysical Survey (September 2021) by Archaeological Services WYAS
- Archaeological Evaluation (December 2021) by Cotswold Archaeology

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

- 3** All soft landscaping comprised in the approved details of landscaping set out in the approved Planting Plan (Drawing No. B:A 034-02 Rev G Dated 06/02/2025) shall be carried out in the first planting and seeding season following the First Export Date of the development or the completion of the development, whichever is the sooner; 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the First Export Date of the development or the completion of the development, whichever is the sooner'.

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

- 4** The development shall commence in accordance with the approved Landscape and Ecological Management Plan (LEMP) Reference MEL\_ANT\_2024-07-546400\_REP\_Studley\_LEMP\_170625 and the development shall thereafter be carried out and managed in accordance with these approved details.

REASON: In order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 5** The development will be carried out in strict accordance with the following documents:
- Landscaping Layout BLA 034 Rev G 06/02/2025
  - Landscape and Ecology Monitoring Scheme, Antea Group, June 2025
  - Landscape and Ecological Management Plan, Antea Group, June 2025
  - Ecological Constraints Report, Antea Group, August 2025

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.

- 6** The development will be carried out in strict accordance with the following documents:
- Construction Ecology Management Plan, Antea Group, June 2025
  - Briefing Note - CEMP dated 14 April 2026

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.

- 7** The development shall be carried out in accordance with the approved Public Right of Way Improvement Plan Reference: 2408-013 Public Rights of Way Improvement Plan-260219 and technical note Reference: TECHNICAL NOTE 1 (January 2026) by Entran.

REASON: To ensure that the development is undertaken in an acceptable manner and to ensure the protection and mitigation of the Public Right of Way network.

- 8 The development shall be carried out in accordance with the following plans confirming the finish details of the development approved by the Local Authority:
- BELUK1002-221 Customer Substation Details Rev00
  - BELUK1002-222 Spare Parts Container Details Rev00
  - BELUK1002-225 Control Room Rev00
  - BELUK1002-226 Auxiliary Transformer Details Rev00
  - BELUK1002-230 Access Track Section Details Rev01
  - BELUK1002-231 Fence\_Gates Details Rev00
  - BELUK1002-232 CCTV Pole Mounting Details Rev00
  - BELUK1002-250 Battery Container Details Rev00
  - BELUK1002-255 AC TwinSkid Rev00

REASON: In the interest of amenity, landscape and the appearance of the site.

- 9 The development shall be carried out in accordance with the approved scheme for discharge of surface water Reference: Flood Risk Assessment and Drainage Strategy (March 2025) by RMA Environmental; Construction Phase Surface Water Management Plan (April 2026) by PFA; Overland Flow Routes (April 2026) by PFA; and the Fire Water Drainage Strategy (December 2025) by Antea.

REASON: In order that the development is undertaken in an acceptable manner and to ensure that the development can be adequately drained.

- 10 The maintenance of SuDS for the lifetime of development shall be in accordance with the approved documentation Reference: SuDS Maintenance Plan (May 2025) by Pitman Associates.

REASON: In order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 11 The development shall be carried out in accordance with the approved Construction Management Statement Reference: 2408-013\_Melksham\_Construction Management Statement\_261128 and Factual Pre-Condition Report (ref: ICE0603/LD03/260520 dated 20/05/2026 by IBEX Ltd).

Any damage caused by the construction or operation of the development will be put right, back to its former state, (to the satisfaction of the LHA) within 3 months of the development completion or the First Export Date, whichever is the soonest.

REASON: In order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, drainage, the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 12 The development shall be carried out in accordance with the approved Construction Method Statement (May 2025) by TPA.

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.

- 13** The development shall be carried out in accordance with the Environmental Noise Impact Assessment (April 2025) by Sol Acoustic.

A post installation noise assessment shall be carried out within 3 months of completion of the development to confirm compliance with the noise criteria and additional steps required to achieve compliance shall be taken, as necessary. The details as approved shall be submitted to and agreed in writing by the LPA. The approved details will be implemented and thereafter be permanently retained.

REASON: In order that the development is undertaken in an acceptable manner, such that appropriate levels of amenity are achievable.

- 14** The development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan (June 2025) by Antea Group

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 15** The development shall be carried out in accordance with the Archaeological Management Plan ref: P20-3422 (dated August 2022 by Pegasus) previously discharged under application ref: PL/2022/06260.

REASON: In order that the development is undertaken in an acceptable manner, to enable the preservation and protection of any areas of archaeological interest.

- 16** No operational external lighting shall be installed on site.

REASON: In the interests of the amenities of the area.

- 17** No construction or demolition work (including site deliveries) shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity and highway safety.

- 18** Prior to installation of battery energy storage system units on the site a scheme to dispose of surface water for the battery storage areas in the event of a fire has been submitted to, and approved in writing by, the local planning authority. The scheme should include but not necessarily be limited to the following pollution protection measures:

- The final drainage designs should demonstrate that in the event of a battery fire, the drainage system can be automatically sealed to prevent any discharge of surface water to the environment and that all firefighting effluent can be retained on site.
- The drainage system should have sufficient capacity to manage the firefighting effluent volumes expected as well as any surface water generated from an extreme rainfall event.
- The drainage system should be designed to be resilient to the potential impacts from a sustained battery fire.
- The scheme shall be implemented and maintained as approved.

REASON: To ensure that any potentially contaminated effluent in the event of a pollution incident does not pose an unacceptable risk to the water environment in line with the National Planning Policy Framework.

- 19** Prior to installation of battery energy storage system units on the site a detailed remediation plan following a battery fire incident has been submitted to and approved in writing by the local planning authority. The scheme shall include, but not necessarily be limited to:
- How and where contaminated surface water, materials and drainage infrastructure will be sampled, managed and remediated/replaced following a potential battery fire incident to ensure no contamination enters the environment if/when normal operation resumes.
  - A verification plan providing details of the information that will be collected and provided to the local planning authority, to demonstrate that the works set out in the remediation strategy are complete. The scheme shall be implemented as approved in the event of a fire incident and any subsequent amendments shall be agreed in writing with the local planning authority.

**REASON**

To ensure that the any potentially contaminated effluent does not pose an unacceptable risk to the water environment in line with paragraph 180 of the National Planning Policy Framework.

- 20** The proposed Battery Storage compound layout shall be undertaken and implemented in accordance with the plans contained in the Emergency Response Plan ref: ARC-1234-007-R3 Melksham Verdant Battery Energy Storage System (BESS) – Emergency Response Plan (ERP) Issue 1 – July 2026 at sections 5.5 figures 5.1 and 5.2 contained therein at pages 8 and 9 respectively.

**REASON:** In the interests of proper planning and to ensure safe access can be achieved to the BESS

- 21** The Battery Energy Storage System (BESS) shall not be installed until an Emergency Pollution Method Control Statement has been submitted and approved in writing by the LPA. The development shall be undertaken in accordance with the approved details.

**REASON:** To ensure pollution is adequately controlled in the event of an emergency

- 22** The development shall be undertaken and shall be operated in accordance with Battery Energy Storage System (BESS) – Emergency Response Plan (ERP) Issue 1 – July 2026. The operator shall maintain an Emergency Response Plan throughout the operational lifetime of the development. The ERP shall be reviewed at intervals not exceeding 12 months and following any significant incident and shall provide the LPA with a copy within 3months of each review/incident.

**REASON:** To ensure the safe operation of the development and protection of water environment and natural resources and amenity of nearby occupiers.

**Informatives**

The applicant's attention is drawn to the following advice and requirements from the Highway Authority:

The Highway Authority will pursue rectification of any defects identified by the highway condition survey which can be attributed to the site construction traffic under the provision of Section 59 of the Highways Act.

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](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

The applicant should note that under the terms of The Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. 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.

***Nic Thomas*** - Director of Planning, Economy and Climate

## 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](mailto:climate@wiltshire.gov.uk)