



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

Application Reference Number: PL/2022/03914

Decision Date: 05 January 2023

Applicant: ADV 004 Limited
70 Jermyn Street , London , SW1Y 6NY

Particulars of Development: Development of the construction of 150MW battery energy storage facility.

At: Norrington Gate Farm, Norrington Gate, Broughton
Gifford, Melksham, Wilts, SN12 8LW

In pursuance of its powers under the above Act, the Council hereby GRANTPLANNING 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: (11)

- 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:

Site Location Plan scale 1:1250 drg no. SHF.349.014.PL.D.001

Layout plan scale 1:500 drg no. SBC00319-2000 rev P7 received 21 December 2022

Landscape Strategy Plan scale 1:500 drg no. SHF.349.014.ENZ.XX.XX.DR.L.00.001
rev PL03

Site Section A scale 1:250 drg no. 23743-9101 rev P2

Site Section B scale 1:250 drg no. 23743-9102 rev P2

Site Section C scale 1:250 drg no. 23743-9103 rev P2

Site Section D scale 1:250 drg no. 23743-9104 rev P2

Site Section E scale 1:300 drg no. 23743-9105 rev P2

Surface Water Drainage Strategy scale 1:500 drg no. SHF.349.014-ENZ-XX-D-DR-

0001 rev P01

Visibility Splay Assessment at Melksham Lane/Bradford Road Junction scale 1:500
drg no. 550.0002.005

Switchroom plans and elevations scale 1:50 drg no. 31915-9004 rev P2

DNO Switchroom scale 1:50 drg no. 31915-9005 rev P1

Battery Container plans and elevations scale 1:50 drg no. 31915-9006 rev P2

Inverter Unit plans and elevations scale 1:50 drg no. 31915-9007 rev P2

Transformer & RMU scale 1:50 drg no. 31915-9008 rev P2

Palisade Fence elevations scale 1:25 drg no. 31915-9009 rev P1

Construction Traffic Management Plan by Arlington Energy Ltd dated March 2022

Archaeological Trenched Evaluation by Archaeology England dated November 2022

Archaeological Field Evaluation by Archaeology England dated September 2022

Archaeological magnetometer survey by Substrata Ltd dated August 2022

Flood Risk and Drainage Statement by Enzygo Ltd dated October 2022

Noise Impact Assessment by Arlington Energy Ltd dated March 2022

Design and Access Statement by Enzygo Ltd dated May 2022

Agricultural Land Classification Report by Patrick Stephenson Limited dated
December 2021

Historic Environment Assessment by Heritage Archaeology dated January 2022

Landscape and Visual Impact Assessment by Enzygo Ltd dated March 2022

Ecological Impact Assessment by Enzygo Ltd dated January 2022

Preliminary Land Contamination Assessment by Enzygo Ltd dated March 2022

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

- 3 Within 12 months of the cessation of their use for electricity storage purposes the energy storage modules together with any supporting apparatus and associated switchrooms, control rooms, fencing, means of access and other associated equipment shall be permanently removed from the land fully in accordance with a decommissioning statement that has first been approved in writing by the Local Planning Authority.

REASON: To ensure that the landscape is restored to a condition appropriate for its location in the open countryside.

- 4 No development shall commence on site above ground floor slab level 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 showing all plant species, supply and planting sizes and planting densities;
 - Details of the acoustic fencing
 - All hard and soft surfacing materials

REASON: In order that the development is undertaken in an acceptable manner and to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following completion of the development; 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 occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

- 6 The development will be carried out in strict accordance with the approved Ecological Impact Assessment by Enzygo Ltd dated January 2022, the Landscape Strategy Plan drg no. SHF.349.014.ENZ.XX.XX.DR.L.00.001 rev PL03 and Biodiversity Metric dated 10/10/2022.

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

- 7 Prior to the development being first brought into use, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will cover how the conditions stated in the submitted biodiversity net gain assessment will be achieved and maintained for a minimum of 30 years for both the onsite and offsite areas. 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, incorporating review and necessary adaptive management in order to attain targets. 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.

- 8 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The plans shall be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication GN01:21, 'Guidance Note 1 for the reduction of obtrusive light 2021' (ILP, 2021), produced by the Institution of Lighting Professionals. The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and in order to minimise unnecessary light spillage above and outside the development site.

- 9 The proposed works shall be carried out in strict accordance with the approved Construction Traffic Management Plan by Arlington Energy Ltd dated March 2022 dated June 2022.

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, detriment to the natural environment through the risks of pollution and dangers to highway safety during the construction phase of the development.

- 10 Within 6 months of the completion of construction works the construction access road that links the development site with the existing industrial use (Broughton Transport Solutions Ltd) to the south shall be decommissioned and the land restored to a condition appropriate to its location in the open countryside

REASON: To ensure that the landscape is restored to a condition appropriate for its location in the open countryside.

- 11 Notwithstanding the submitted Flood Risk and Drainage Statement by Enzygo Ltd dated October 2022 no development hereby approved shall commence above ground floor slab level until a detailed scheme for the discharge of surface water from the site (including surface water from the access), incorporating sustainable drainage details together with permeability test results to BRE365 and including all necessary permits, consents and permissions, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

Informatives: (5)

- 12 **INFORMATIVE:** The applicant is advised to take note of comments from the council's drainage team dated 3/11/22. Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse. An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.
- 13 **INFORMATIVE:** Wessex Water
Foul drainage
We understand there are no proposals to connect to the public foul sewer.
Surface water drainage
Surface water must be disposed of via the SuDS Hierarchy which is subject to Building Regulations. Land drainage run-off shall not be permitted to discharge to the public sewerage system. Wessex Water do not permit new surface water connections into the foul sewer network either directly or indirectly.
Existing apparatus
According to our records there is an existing 90mm public water main in close proximity to the proposals. The public water main must be accurately located and marked on site and on drawings. There must be no building or structures within 3 metres either side of the outer pipe or a diversion will be required. Further information can be found on our website.
- 14 **INFORMATIVE:** The applicant should note that it is a criminal offence to obstruct a public right of way under section 130 of the highways Act 1980 and therefore 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, without prior consultation with, and the further permission of, the highways authority at Wiltshire council. If a temporary closure is required during the works this must be applied for 3 months before any work is carried out. The applicant should contact the Countryside Access Officer or email rightsofway@wiltshire.gov.uk.

- 15 INFORMATIVE: The scheme will be operating under a District Level Licence (DLL) for Great Crested Newts. Great Crested Newts are protected under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation.
- 16 INFORMATIVE: The applicant is advised to contact the Dorset & Wiltshire Fire and Rescue Service with regards obtaining specialist technical advice on the layout of the site and provision of a suitable water supply in case of an emergency.

Parvis Khansari - Corporate Director, Place

