

The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2026/02752
Decision Date: 21/09/2026

Applicant:	JBM Solar Projects 13 Ltd C/O Agent
Particulars of Development:	Variation of Conditions 3, 4, 5, 8, 10, 11, 12, 15, 16, 17, 18, 20 of 20/06840/FUL - Construction of a solar farm and battery storage facility together with all associated works, equipment and necessary infrastructure.
At:	Land North of Melksham Substation, Near Melksham, Wiltshire

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 policy DM3 (1)(a) 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 date that electricity from the development is first exported to the electricity distribution network ('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 that 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 details shown in the following approved documents and plans:

- Drawing no. J115-06 Rev.F. Title. Proposed Drainage Arrangements Plan.
- Drawing title. Phase 1 Habitat Plan Rev.00 (dated 19/10/2021) by Avian Ecology.
- Drawing no. P20-0137 13A. Title. Site Location Plan.
- Drawing no. JBM-WICKFA-SD-01. Title. Typical PV Table Details.
- Drawing Title. Typical Fence, Track & CCTV Details, Rev A dated 14 May 2020.
- Drawing Title. Typical Trench Section Details, Rev A dated 14 May 2020.
- Drawing Title. Typical Inverter Substation Details, Rev A dated 14 May 2020.
- Drawing Title. Typical Spares Container Details, Rev A dated 14 May 2020.
- Drawing Title. Typical Battery Storage System Details 1, Rev A dated 14 May 2020.
- Drawing Title. Typical Battery Storage System Details 2, Rev A dated 14 May 2020.
- Drawing Title. Typical Customer Switchgear Details, Rev A dated 14 May 2020.
- Document. Noise Assessment (December 2021 / Rev.3.2) by LF Acoustics;
- Document. Landscape and Visual Statement Addendum (18th January 2021) by Pegasus.
- Document. Glint Glare Study (January 2021) by PagerPower Urban & Renewables.
- Document. Arboricultural Impact Assessment (July 2020) by Barton Hyett Associates.
- Document. Flood Risk Assessment (October 2021 / Issue 3.1) by PFA Consulting.
- Document. Third Response to LLFA (October 2021) by PFA Consulting.
- Document. Ecological Assessment Report (August 2020), including Wintering Bird Survey Report, Breeding Bird Survey Report, and Great Crested Newt Survey Report, by Avian Ecology.
- Document. Badger Survey (July 2020) by Avian Ecology.
- Document. Biodiversity Management Plan (July 2020) by Avian Ecology.
- Document. Ecology Information Note (dated 31/01/21) by Avian Ecology.

- Document. Bat Activity Survey Report (dated 08/12/20) by Avian Ecology.
- Document. Updated Biodiversity Net Gain Calculation Spreadsheet.
- Document. Archaeological Mitigation and Management Plan (Ref: P20-0137 17/04/2026).
- Drawing no. P20-0137_09 Rev M. Title. Site Layout and Planting Plan.
- Drawing no. P20-0137_19 Rev F. Title. Biodiversity Mitigation and Enhancement Plan.
- Drawing no. P20-0137_EN_20B. Title. Landscape and Ecological Management Plan.
- Drawing no. NI03-0001 Rev 2 Title. Typical 3P Fixed Table Ballasted.
- Drawing no. NG03-0405 Rev 1 Title. Typical Above Ground Cabling.

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

- 3** The development shall be carried out in accordance with the Surface Water Drainage Scheme details approved under discharge of condition approval LPA reference PL/2023/00556.

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

- 4** The development shall be carried out throughout the construction period in accordance with the Construction Method Statement (CMS) details approved under discharge of condition approval LPA reference PL/2023/06596. The development shall not be carried out otherwise than in accordance with the approved CMS.

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

- 5** The mitigation measures detailed in the approved Noise Assessment (December 2021 / Rev.3.2) by LF Acoustics shall be carried out in full prior to the first bringing into use of the development hereby permitted.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 6** The development shall be carried out in accordance with the Construction Traffic Management Plan (CTMP) details approved under discharge of condition approval LPA reference PL/2023/06596.

All traffic travelling to and from the site shall comply with the approved strategy and the development shall be carried out in accordance with the approved details. Any

departures from the agreed CTMP will need to be agreed in writing by the Local Planning Authority prior to actions or works being carried out on site.

REASON: In the interests of highway safety and to ensure that the condition of the highways is maintained, and any damage to highways be remedied.

- 7** Notwithstanding the details shown within the preliminary Construction Traffic Management Plan (August 2020) by Pegasus, the first ten metres of the accesses from Westlands Lane and Folly Lane West, measured from the edge of the carriageway, shall be consolidated and surfaced (not loose stone or gravel) and maintained as such for the lifetime of the development. The access onto Westlands Lane shall have visibility splays provided between the edge of the carriageway and a line extending from a point 2.4m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 160m to the east and 160m to the west from the centre of the access. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

- 8** The development shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) details approved under discharge of condition approval LPA reference PL/2023/06978.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 9** The development shall be carried out in accordance with the Landscape and Environmental Management Plan (LEMP) details approved under discharge of condition approval LPA reference PL/2023/08039. The LEMP shall be implemented in full in accordance with the approved details.

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

- 10** The development shall be carried out in accordance with the Monitoring Strategy (focused on the key aspects of the Biodiversity Mitigation and Enhancement Plan and Biodiversity Management Plan / Landscape and Ecological Management Plan) details approved under discharge of condition approval LPA reference PL/2023/06978.

The Monitoring Strategy shall be implemented in full in accordance with the approved details for the entire operational lifetime of the installation and the 5 year aftercare plan following completion of restoration.

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

- 11** No operational lighting shall be installed on site.

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

- 12** The works and mitigation measures detailed in the approved Document. Archaeological Mitigation and Management Plan (Ref: P20-0137 17/04/2026) shall be carried out in full for each phase of development as identified within the document.

REASON: In order that the development is undertaken in an acceptable manner, to protect areas of the site which are of archaeological interest, and to enable the recording of any matters of archaeological interest.

- 13** The development shall be carried out in accordance with:

Archaeological Mitigation and Management Plan (AMMP) Updated (Ref: P20-0137 17/04/2026); and

Written Scheme of Investigation for a Programme of Archaeological Monitoring and Recording (Ref: CR1588, Rev E) – March 2026

REASON: To ensure that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

- 14** The development shall be carried out in accordance with the analysis of the geotechnical stability and foundations of the railway line that crosses the site and the land stability or slope stability risk assessment report details approved under discharge of condition approval LPA reference PL/2023/10438.

The development shall be carried out in full accordance with the recommendations and mitigation measures detailed within the approved details.

REASON: To make sure that the development does not affect the safety and continued running of the neighbouring railway.

- 15** The development shall be carried out in accordance with the build details of the location, manufacturer, size and designs for the proposed batteries, and details showing the final location, construction method and flood risk impact of the cable trenches approved under discharge of condition approval LPA reference PL/2023/10889.

REASON: To ensure the development does not affect the stability of the cutting slope adjacent to the railway.

- 16** All soft landscaping comprised in the approved details of landscaping, as shown on Drawing no. P20-0137_09 Rev M. Title. Site Layout and Planting Plan, 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.

- 17** The development shall be carried out in accordance with the finish and colour details of all structures, equipment, fencing and support frames for the solar panels approved under discharge of condition approval LPA reference PL/2023/10889.

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

- 18** The tree protective fencing shall remain in place for the entire construction phase and until all equipment, machinery and surplus materials have been removed from the site in accordance with the details within the Arboricultural Impact Assessment (July 2020) by Barton Hyett Associates. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work –Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first operation or the completion of the development, whichever is the later].

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

Informative

- 1 The applicant's attention is drawn to the following advice and requirements from Network Rail to ensure the safe operation of the railway and the protection of Network Rail's adjoining land.

SAFETY

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk.

SOLAR PANELS

We would advise that the provision of any reflective material used in the solar collecting equipment should not interfere with the line of sight of train drivers and the potential for glare or reflection of light from the panels that may impact upon signalling must be eliminated. In the event of any complaint to the Council from Network Rail relating to Signal Sighting safety, upon notification by the local planning authority, the applicant or operator of the solar farm shall within 28 days submit for approval to the Council details of a scheme of remedial measures to address the concerns raised. Other matters that need to be taken into consideration is the distance between panels and the railway boundary; construction traffic; and any requirements for edge landscaping requested by the planning authority.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail.

DRAINAGE

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage is not to show up on Buried service checks.

Informative

- 2** 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 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.

Informative

- 3** 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