

APPLICATION FOR DISCHARGE OF PLANNING CONDITION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02778
APPLICATION TYPE:	Approval of details reserved by condition
SITE ADDRESS:	Land at Red Barn, East of Kington St Michael and west and east of the A350 and south of St Modwen Park, Chippenham
DEVELOPMENT DESCRIPTION:	Discharge of conditions 15, 19, 20, 21, 22, 29 relating to PL/2023/08481
RECOMMENDATION:	Details APPROVED in connection with conditions 15, 20, and 21 Details REFUSED in connection with conditions 19, 22, and 29

REASON FOR APPLICATION

Application PL/2023/08481, *Development of a solar farm of up to 40MW ac of export capacity, comprising the installation of solar photovoltaic panels, associated infrastructure and associated works including grid connection*, was granted consent on 27.01.2025 subject to 30 conditions.

Conditions 4, 5, 7, 8, 10, 12, 14, 15, 19, 24, 29 and 30 require submission and approval of detail prior to commencement of development.

Conditions 11, 21, 22, and 23 require submission and approval of detail at other triggers points.

This application seeks to discharge Conditions 15, 19, 20, 21, 22, and 29

Conditions 4, 7, and 8 are requesting discharge under application PL/2026/02834

At the time of writing, no application has been made to discharge conditions 5, 10, 12, 14, 23, or 24.

CONDITION OF PL/2026/02834 REQUESTING DISCHARGE

Condition 15 states:

No development shall commence on site until full engineering details of the site accesses from the A350 and the improvements to the Allington Lane/Tor Hill crossroads, together with appropriate details for traffic management, have been submitted to and approved in writing by the Local Planning Authority. The

improvements to the accesses shall be constructed and laid out in accordance with the approved details prior to any development commencing on the sites. REASON: To ensure that the access junctions are laid out and constructed in a satisfactory manner.

Condition 19 states:

No development shall commence on site until details of the proposed width of the access tracks, including any passing bays, between the public highway and the site compound, have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

Condition 20 states:

The development hereby permitted shall not be first commenced until the access tracks between the public highway and the site compounds have been consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

Condition 21 states:

The development hereby permitted shall not be first brought into operation until the Day's Lane access for a distance of 10 metres from the Day's Lane carriageway edge has been consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

Condition 22 states:

The development hereby permitted shall not be first brought into operation until parking and turning arrangements for maintenance vehicles at the Day's Lane access have been constructed within the site to the satisfaction of the Local Planning Authority, in accordance with details which shall have been submitted to and approved by the Local Planning Authority. Such parking and turning space shall thereafter be maintained free of obstruction at all times and shall not be used for any other purpose.

REASON: In the interests of highway safety.

Condition 29 states:

No development shall commence on site until a Construction Management Statement, together with an explanatory site plan, which shall include the following:

- a) Traffic routeing plan;*
- b) Traffic routeing signs and HGV turning warning signs (including signage drawing(s));*
- c) Details for off-site and on-site traffic management ensuring that the arrivals and departures of HGVs are controlled to avoid any conflict;*
- d) Traffic Management Plan (including signage drawing(s)), and the use of banksmen;*
- e) Details of temporary/permanent Traffic Regulation Orders;*
- f) Phasing plan;*
- g) Number (daily/weekly) and size of delivery vehicles;*
- h) Number of construction staff vehicle movements;*
- i) Parking and turning of delivery vehicles, site operatives and visitors;*
- j) Loading and unloading of plant and materials;*
- k) Hours of construction, including delivery schedules;*
- l) Storage of plant and materials used in constructing the development;*
- m) Location and type of wheel washing facilities;*
- n) Confirmation that the passing bays on Allington Lane (as demonstrated on drawing reference SK15 rev.A, dated 18/03/24) are to be provided and are fit for purpose, in terms of construction/surfacing and dimensions;*
- o) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;*
- p) Measures to control the emission of dust and dirt during construction;*
- q) A scheme for recycling/disposing of waste resulting from demolition and construction works; and*
- r) Measures for the protection of the natural environment. has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction management plan without the prior written permission of the Local Planning Authority.*

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.

RELEVANT LEGISLATION, POLICY AND GUIDANCE

[Planning Policy Guidance \(PPG\)](#)

[Town and Country Planning Act 1990 \(TCPA\)](#)

REPRESENTATIONS

Councils Highways Team: Concluding comment:

*[...] **Condition 15:** I have no Highway objection to the discharge of Conditions 15.*

Condition 19: Some more information is needed on the width of the access tracks beyond the local junction widening at the A350 accesses, which on GA plans are shown to be 6.0m, so neither 4.5m or 6.5m. Which parts of the access tracks are 4.5m and which parts are to be widened is not clear from review of **Drawing 2508-038-SK01 Rev D**. It is suggested discharge of Condition 19 is withheld until this additional information is provided and this made clear.

Condition 20: Whilst a detail of the bound asphalt construction proposed is included on Drawing **2508-038-SK01 Rev D**, this Condition also refers to no commencement of development 'until' the bound access track lengths between all access points (Public Highway) and the internal compounds have effectively been completed. It is thus hard to see how this Condition can be deemed fully discharged until these parts of the access track works are completed in the first instance

Condition 21: Drawing 2508-038-SP02 Rev E shows a construction detail for a 10m length of the access from the Day's Lane carriageway edge. What is proposed is full depth carriageway construction with a bound asphalt pavement which is acceptable. However, as with Condition 20, this Condition also refers to no commencement of development 'until' this part of the Days Lane access has effectively been completed. It is thus hard to see how this Condition can be deemed fully discharged until this 10m length of the access has been completed in the first instance.

Condition 22: It is unclear where the parking/turning details for this location are located as it is noted that some drawings referred to in the CMS are not appended. The CMS advises in Table 1.2 that Condition 22 is addressed in paragraph numbers 6.25-6.26. However, nothing stated in these paragraphs addresses the requirements of the Condition or makes crossreference to any drawing which does.

Condition 29: The content of the CMS is generally comprehensive and in keeping with the particulars listing in the Condition where relevant. However, certain referenced drawings are excluded as noted in the comment on Condition 22, whilst what is shown on a separately submitted Drawing 2508-038-SP02, but a Rev E version, does not show any swept path analysis for the Days Lane access as title. It is suggested the discharge of this Condition is held in abeyance until missing drawings are added, and changes made to Drawing 2508-038-SK01 Rev D to address comments made under Condition 19.

INFORMATION PROVIDED WITH THIS APPLICATION

The following summarised information has been provided to/assessed by the Local Planning Authority (LPA):

Application form	Indicating that the requested conditions for discharge are 15, 19, 20, 21, 22, and 29 of PL/2023/08481	Signed and dated on 29.04.2026	Sufficient to clarify the reason for application and to provide additional supporting information.
Covering Letter	Prepared by Eden Renewables, reiterating the conditions which form the request for discharge etc.	Dated 29.04.2026	

Copy of Decision Notice	Confirming condition wording associated with PL/2023/08481	Dated 27.01.2025	
Location Plan	TOR_XX_XX_P_L_002 Rev C, Showing the extent of the site associated with PL/2023/08481	Dated 09/2023	
Plan H11 Rev A	Site Access General Arrangement	Dated 22.10.2025	Representation from the Councils Highways team confirms that: Submitted detail satisfies the pre-commencement requirements for approval of details associated with conditions 15 and 20 Submitted detail satisfies the pre-operation requirements for approval of details associated with condition 21 Insufficient information has been provided to meet the pre-commencement or pre-occupation aims of conditions 19, 22 and 29
Plan H14 Rev C	Site Access Sections, Surface Contours and Setting out	Dated 22.10.2025	
Plan H12 Rev A	Site Access Surfacing, Kerbs and Utilities	Dated 22.10.2025	
Plan H13 Rev B	Site Access Sections, Surface Contours and Setting Out	Dated 22.10.2025	
Plan H03 Rev A	Site Access Sections, Surface Contours and Setting Out	Dated 22.10.2025	
Plan H02 Rev B	Site Access Surfacing, Kerbs and Utilities	Dated 22.10.2025	
Plan H04 Rev B	Typical Construction Details	Dated 22.10.2025	
Plan H01	Site Access General Arrangement	Dated 22.10.2025	
Plan LA02	Land Ownership Plan	Dated 01.04.2026	
Plan LA01	Land Ownership Plan	Dated 01.04.2026	
Plan H21	General Arrangement	Dated 14.04.2026	
Plan EDR1008-101 Rev AD	PV Layout	Dated 03.02.2026	
Indicative Plans (appendix A)	- SK02 Rev B - SK03 Rev B - SP02 Rev E	Dated April 2026	
Construction Management Statement	Prepared by TPA	Dated April 2026	

ASSESSMENT

The following technical assessment has been carried out by the Councils highways team:

Condition 15

[...] Since application PL/2023/08481 was approved the s278 Agreement highways submission has been made and technically approved. This includes the following drawings relating to the western and eastern land parcel accesses to the A350.

Drawing/Doc Number	Drawing Title	Rev
2508-038-H01	A350 Western Land Parcel - Site Access General Arrangement	-
2508-038-H02	A350 Western Land Parcel - Site Access Surfacing, Kerbs and Utilities	A
2508-038-H03	A350 Western Land Parcel - Site Access Sections -, Surface Contours and Setting Out	A
2508-038-H04	A350 Western Land Parcel - Typical Construction Details	B
2508-038-H11	A350 Eastern Land Parcel - Site Access General Arrangement	-
2508-038-H12	A350 Eastern Land Parcel- Site Access Surfacing, Kerbs and Utilities	A
2508-038-H13	A350 Eastern Land Parcel - Site Access Sections - Surface Contours and Setting Out	A
2508-038-H14	A350 Eastern Land Parcel - Typical Construction Details	C
2508-038-LA01	Proposed Site Access to Western Land Parcel - Land Ownership Plan	-
2508-038-LA02	Proposed Site Access to Eastern Land Parcel - Land Ownership Plan	-

The GA for the Allington Lane/Tor Hill crossroads is shown on Drawing No **2508-038-H21**. This shows that the right turn swept path for a 16.5m articulated HGV into Allington Lane is just accommodated without any wheel over-run to the verges. On this basis I am satisfied that no pre-emptive highway works to widen the carriageway is needed in the SE corner of the junction.

Indicative temporary traffic management arrangements on the A350 and Allington Lane are described in Section 7 of the CMS, together with proposed signage drawings **2201-050-SK13 Rev A** (A350) and **2201-050-SK15** (Allington Lane). It should be noted that full details of the temporary signage to be installed on the highway will be subject to subsequent approval by the WC Network Management team as part of the necessary street works licence and will be expected to fully comply with Chapter 8 of the DMRB (especially on the A350). As such, indicative signage shown on these drawings should not be regarded as 'cast in stone', However, the broad routing strategy for HGV access to the western and eastern access points off the A350 is acceptable (CMS Sub-Section 7.1), in that right turns into and out of these accesses via the existing opening in the central reverse will be prevented during construction. This will, however, require a TTRO to temporarily close the opening through

the central reserve to duly enforce the restriction on movements possible now. This again is a Network Management matter.

Mindful of the above documentation, I am content that matters relating to Condition 15 are duly discharged.

Condition 19

[...] As noted in the covering letter Drawing **2508-038-SK01 Rev D** in the CMS includes details of the proposed width of the general access tracks (4.5m) and the increased width proposed at passing points (6.5m) and the length of the widening treatment (20.0m). This drawing also shows the intended construction detail of the access track where this incorporates a bound asphalt (Road-Base) surface and the proposed lengths of this bound construction indicated with a yellow crosshatch in the vicinity of the two A350 accesses (Inset 1).

However, one query with the details shown is the apparent anomaly with the GA drawing for the Western Access (**2508-038-H01**), where the width of the access track beyond the local junction widening is shown to be 6.0m, so neither 4.5m or 6.5m. In the case of the western area the proposed compound is close to the A350 access (Inset 1), so the entirety of the track between the two points is indicated as having a bound surface. This would also be expected to be 6-6.5m in width throughout to allow two HGVs to pass. However, which parts of the access tracks are 4.5m and which parts are to be widened is not clear from review of Drawing **2508-038-SK01 Rev D**. The same query applies to the eastern area, where the width of the length of access track immediately east of the A350 access indicated as 'bound' is unclear. This notation also appears to extend beyond the track and not follow it. Whilst the construction make-up of the access tracks away from the A350 accesses and beyond the wheel wash points is of less concern, it would be helpful to know what make-up is proposed if not a bound surface. Finally, with regards to Inset 2, it would be helpful to indicate what length of the existing access past the eastern side of the farm building is a bound asphalt or concrete surface, and so at what point the new track construction (presumably unbound) will tie-in

It is suggested discharge of Condition 19 is withheld until this additional information is made clear.

Condition 20

[...] As noted above in discussing Condition 19, Drawing **2508-038-SK01 Rev D** in the CMS includes the intended construction detail of the access track where this incorporates a bound asphalt (Road-Base) surface. Reference is also made to Drawings H02 and H12, so the 'Site Access Surfacing, Kerbs and Utilities' details relating to the western and eastern accesses to the A350. It is thus clear that the intent is to 'tie-in' this bound surface to the asphalt surfacing approved within highway at the access points This is acceptable, so details deemed to be both approved and accepted. In terms of extents, what is shown at the western A350 access would meet the Condition as the compound is close to the access point. However, the position of the construction compound within in the eastern land parcel is quite far from the A350 access point so, as worded, the extent of bound access track indicated would not satisfy the Condition. The same situation may arise with the southern access to Allington Lane, and the position of the construction compound indicated in Inset 2.

From the Highways perspective the concern will be the risk of detritus and loose stones being carried onto the Highway so, provided the interim lengths of bound access track are sufficient and wheel-wash facilities in place as proposed, I would see no need to extend a fully bound surface to the eastern and southern compound points.

Notwithstanding the above, this Condition also refers to no commencement of development 'until' the bound access track lengths between all access points (Public Highway) and the internal compounds have effectively been completed. It is thus hard to see how this Condition can be deemed fully discharged until these parts of the access track works are completed in the first instance.

Condition 21

[...] Drawing 2508-038-SP02 Rev E shows a construction detail for a 10m length of the access from the Day's Lane carriageway edge. What is proposed is full depth carriageway construction with a bound asphalt pavement which is acceptable. However, as with Condition 20, this Condition also refers to no commencement of development 'until' this part of the Days Lane access has effectively been completed. It is thus hard to see how this Condition can be deemed fully discharged until this 10m length of the access has been completed in the first instance.

The said drawing contains a 'mishmash' of information and, whilst entitled 'Swept Path Analysis of a Pannel Van Along Days Lane', it in fact shows no such swept path analysis at this existing junction but some others internally. It is also assumed 'Pannel' should read 'Panel'. I would ask the applicant to review and so confine information on this plan to the Days Lane junction.

Condition 22

[...] It is unclear where the parking/turning details for this location are located as it is noted that the following drawings referred to in the CMS are not appended:

- Drawing SK02-B-2508-038 - Compound Layout
- Drawing SK03-B-2508-038 - Compound Layout Insets
- Drawing SP02-C-2508-038 - Swept Path Analysis of a Pannel Van Along Day's Lane and A350

The CMS advises in Table 1.2 that Condition 22 is addressed in paragraph numbers 6.25-6.26. However, nothing stated in these paragraphs addresses the requirements of the Condition or makes cross-reference to any drawing which does.

Condition 29

[...] The content of the CMS is generally comprehensive and in keeping with the particulars listing in the Condition where relevant. However, certain referenced drawings are excluded as noted in the comment on Condition 22, whilst what is shown on a separately submitted Drawing 2508-038-SP02, but a Rev E version, does not show any swept path analysis for the Days Lane access as titled, whilst there is a lot of other information on this plan which is not linked in any way to the Days Lane location which could usefully be omitted. In summary:

Section 3: Site Access Arrangements

This is all acceptable, plus the details of the accesses onto the A350 have been duly approved as part of a s278 submission.

Section 4: Construction Vehicle Routing

This is all acceptable, noting the need to close the gap in the central reservation to ensure the A350 accesses act on a 'left-in/left-out principle. It is noted paragraph 4.13 states in respect of TTROs that *"As part of the traffic management strategy, a Temporary Traffic Regulation Order (TTRO) will be agreed with Wiltshire Council to reduce the speed of the A350 to 50mph within the vicinity of the access points. A TTRO will also be agreed to temporarily close a short section of the inside lane of the A350 whilst the access is being constructed. This traffic management plan is shown in Drawing SK13-A-2201050"*

Section 5: Construction Compounds and Internal Routing

Paragraph 5.1 states that *"Three construction compounds are proposed across the Site all of which will contain laydown areas with four additional laydown areas throughout the Site, as shown on Drawing SK02-B-2508-038 and Drawing SK03-B-2508-038"*. As noted, the referenced drawings are not included in the submitted CMS, so this document needs updating.

Paragraph 5.11 states that *"The development hereby permitted shall not be first commenced until the access tracks between the public highway and the site compounds have been consolidated and surfaced with new full depth hot rolled asphalt carriageway construction within the first 10m of each access track, and asphalt concrete for the internal access tracks leading to Compounds 1, 2 and 3"*. As noted in commentary on Drawing 2508-038-SK01 Rev D, the extents of bound construction do not appear to extend as far as this statement suggests.

Paragraph 5.12 relating to site parking states that *"Car parking spaces will be provided on Site within the construction compound. No parking by contractors, visitors or delivery vehicles will be permitted on the local highway at any time during the construction phase, and visitors will be advised of the parking arrangements in advance of traveling to the Site. The Site Manager will monitor that parking is taking place in the designated area on a regular basis"*. This is all fine in principle, but nowhere does it indicate the quantum of operative parking achievable within the compound areas and whether this will meet anticipated workforce parking demand.

Section 6: Construction Vehicle Trip Generation

No specific comments. This would have been agreed in the Transport Assessment as well as the mode split associated with construction workers.

Section 7: Construction Traffic Management Measures and Community Engagement

No specific comments, although the inclusion of the pre-construction and post-construction Road Condition Survey along Allington Lane is welcomed (paragraph 7.2).

CONCLUSION:

Details should be APPROVED in connection with conditions 15, 20, and 21

Details should be REFUSED in connection with conditions 19, 22, and 29

RECOMMENDATION:

Condition 15: be APPROVED

- This Local Planning Authority is satisfied that the following details submitted under this application are consistent with the pre-commencement aims of condition 15:
 - o Plan H01 Site Access General Arrangement;
 - o Plan H02 Rev B Site Access Surfacing, Kerbs and Utilities;
 - o Plan H03 Rev A Site Access Sections, Surface Contours and Setting Out;
 - o Plan H04 Rev B Typical Construction Details;
 - o Plan H11 Rev A Site Access General Arrangement;
 - o Plan H12 Rev A Site Access Surfacing, Kerbs and Utilities;
 - o Plan H13 Rev B Site Access Sections, Surface Contours and Setting Out;
 - o Plan H14 Rev C Typical Construction Details;
 - o Plan LA01 Land Ownership Plan;
 - o Plan LA02 Land Ownership Plan; and
 - o Plan H21 General Arrangement.
- The requirement of condition 15 for the improvements to the accesses to be constructed and laid out in accordance with the approved details prior to any development commencing on the site remains

Condition 19: be REFUSED

- There are inconsistencies regarding the proposed widths of the access tracks and passing bays, and it is unclear which sections of the tracks are proposed to be 4.5m wide and which sections are to be widened.
- Insufficient information has been provided to meet the pre-commencement aims of condition 19

Condition 20: be APPROVED

- This Local Planning Authority is satisfied that the following details submitted under this application are consistent with the pre-commencement aims of condition 20:
 - o Drawing 2508-038-SK01 Rev D insofar as it relates to the proposed construction and surfacing of the access tracks;
 - o Plan H02 Rev B Site Access Surfacing, Kerbs and Utilities; and
 - o Plan H12 Rev A Site Access Surfacing, Kerbs and Utilities
- The requirement of condition 20 for development not to be commenced until the access tracks between the public highway and the site compounds have been consolidated and surfaced (not loose stone or gravel) in accordance with the approved detail remains.

Condition 21: be APPROVED

- This Local Planning Authority is satisfied that the following details submitted under this application are consistent with the pre-operation aims of condition 21:
 - o Drawing 2508-038-SP02 Rev E insofar as it relates to the proposed construction and surfacing of the first 10 metres of the Day's Lane access from the carriageway edge
- The requirement of condition 21 for the Day's Lane access for a distance of 10 metres from the Day's Lane carriageway edge to be consolidated and surfaced (not loose stone or gravel) in accordance with the approved details prior to the development hereby permitted first being brought into operation remains

Condition 22: be REFUSED

- The submitted information does not adequately identify or provide details of the parking and turning arrangements for maintenance vehicles at the Day's Lane access and no submitted drawing has been identified to demonstrate compliance with the requirements of the condition.
- Insufficient information has been provided to meet the pre-operation aims of condition 22

Condition 29: be REFUSED

- Whilst the submitted CMS is generally comprehensive and several aspects are acceptable in principle, referenced drawings have not been provided and inconsistencies remain regarding access track arrangements and compound parking provision.
- Insufficient information has been provided to meet the pre-commencement aims of condition 29
- This decision should be read in conjunction with PL/2023/08481