

AGENDA

Meeting: Northern Area Planning Committee

Place: Council Chamber - Council Offices, Monkton Park, Chippenham,
SN15 1ER

Date: Wednesday 22 May 2024

Time: 2.00 pm

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Membership

Cllr Chuck Berry (Chairman)
Cllr Howard Greenman (Vice-Chairman)
Cllr David Bowler
Cllr Steve Bucknell
Cllr Gavin Grant
Cllr Jacqui Lay

Cllr Dr Brian Mathew
Cllr Nic Puntis
Cllr Mike Sankey
Cllr Martin Smith
Cllr Elizabeth Threlfall

Substitutes

Cllr Clare Cape
Cllr Ruth Hopkinson
Cllr Peter Hutton

Cllr Dr Nick Murry
Cllr Ashley O'Neill
Cllr Tom Rounds

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

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AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 7 - 14*)

To approve as a true and correct record the minutes of the previous meeting held on 16 April 2024.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register **no later than 10 minutes before the start of the meeting**. If it is on the day of the meeting registration should be done in person.

The rules on public participation in respect of planning applications are linked to in the Council's Planning Code of Good Practice. The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application, and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered.

Members of the public and others will have had the opportunity to make representations on planning applications and other items on the agenda, and to contact and lobby their local elected member and any other members of the planning committee, prior to the meeting.

Those circulating such information prior to the meeting, written or photographic, are advised to also provide a copy to the case officer for the application or item, in order to officially log the material as a representation, which will be verbally summarised at the meeting by the relevant officer, not included within any officer slide presentation if one is made. Circulation of new information which has not been verified by planning officers or case officers is also not permitted during the

meetings.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Wednesday 15 May 2024** in order to be guaranteed of a written response. In order to receive a verbal response, questions must be submitted no later than 5pm on **Friday 17 May 2024**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Appeals and Updates** (*Pages 15 - 16*)

To receive details of completed and pending appeals and other updates as appropriate.

Planning Applications

To consider and determine the following planning applications:

7 **PL/2023/06533: Sheelin Lodge, Ashley, Box, SN13 8AN** (*Pages 17 - 32*)

Single story front extension, replacement garage, and single story rear extension with sustainability improvements to whole house.

8 **PL/2023/08516: Heleigh Cottage, Middlehill, Box, Corsham, SN13 8QB** (*Pages 33 - 50*)

Replacement and alteration of existing extensions to the main house. Internal and external alterations and addition of an air source heat pump and photovoltaic panels to the main house, replacement and enlargement of existing garage, together with driveway and landscape enhancement works.

9 **PL202400649: 19 The Beeches, Lydiard Millicent, Swindon, SN5 3LT** (*Pages 51 - 60*)

Proposed Side and Rear extension and new roof over accommodate rooms in the roof.

10 **PL/2022/05412: Land off Dog Trap Lane, Minety (Pages 61 - 100)**

Proposed Development is for a battery storage facility and ancillary infrastructure (Revision of PL/2022/00404).

11 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency.

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed.

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Northern Area Planning Committee

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 APRIL 2024 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Chuck Berry (Chairman), Cllr Howard Greenman (Vice-Chairman), Cllr David Bowler, Cllr Steve Bucknell, Cllr Gavin Grant, Cllr Jacqui Lay, Cllr Dr Brian Mathew, Cllr Mike Sankey, Cllr Elizabeth Threlfall, Cllr Clare Cape (Substitute) and Cllr Ashley O'Neill (Substitute)

22 **Apologies**

Apologies were received from:

- Cllr Nic Puntis – substituted by Cllr Ashley O'Neill
- Cllr Martin Smith – Substituted by Cllr Clare Cape

23 **Minutes of the Previous Meeting**

On the proposal of the Chairman, Cllr Chuck Berry, seconded by Cllr Gavin Grant, it was:

Resolved

To approve the minutes of the previous meeting held on 28 February 2024 as a true and correct record.

24 **Declarations of Interest**

There were no declarations of interest.

25 **Chairman's Announcements**

There were no Chairman's announcements.

26 **Public Participation**

The Committee noted the rules on public participation.

27 **Planning Appeals and Updates**

The Committee considered the contents of the appeals update for the period between 16 February and 5 April 2024.

Cllr Gavin Grant raised concerns about the decision of the Inspector to overturn the refusal of PL/2021/09852, Land to the East of Waitrose, A429, Malmsbury, a proposed self-build residential development. It was noted that Wiltshire Council's Highways Team had raised safety concerns, that the proposed development would breach the existing settlement boundary and that it would be contrary to the Malmsbury Neighbourhood Plan and Wiltshire Core Policy. There had been several road safety incidents at the supermarket entrance on the opposite side of the road to the proposed development and it was in close proximity to a roundabout. The Inspector had been critical of Wiltshire Council for their failure to respond to the need of self-builders.

In response to questions, the Development Management Team Leader, Adrian Walker, explained that there was a policy requirement for authorities to give suitable development permission for enough serviced plots of land to meet the demand identified for self-build housing. The Inspector had found that Wiltshire Council had not demonstrated that it has granted enough permissions to meet the demand for self-build development in its area, so had given significant weight to this factor in their decision making. The Development Management Team Leader shared the Committee's disappointment at the Inspector's findings. He explained that he would discuss with the Head of Development Management the cost implications and likely success of challenging the Inspector's decision. He also noted that Spatial Planning would be able to provide up to date figures of demand data for self-build housing to update the Committee.

The Committee discussed the possible wider implications of the Inspector's findings about self-builds in relation to Neighbourhood Plans and the emerging Local Plan.

On the proposal of Cllr Grant, seconded by Cllr Dr Brian Mathew, it was:

Resolved

To recommend that Development Management appeal the decision of the Inspector to overturn Wiltshire Council's decision to refuse the application for PL/2021/09852, Land to the East of Waitrose, A429, Malmsbury. The delegate the Development Management Team Leader to make further enquiries.

The Committee noted that they would like to receive the letter to the Inspector if Wiltshire Council did challenge the decision.

In response to a query about the costs awarded in relation to PL/2022/09773, Land adjacent to Rockwell Cottage, the Development Management Team Leader

explained that the awarding of costs at an appeal was not dependent on whether a decision was overturned but could be awarded in cases where there were unnecessary delays. The Vice-Chairman, Cllr Howard Greenman, noted that there had been changes to policy since the application was submitted including around the five-year land supply.

Cllr Steve Bucknell sought further information about his request for the Committee to be provided with an analysis of planning appeals, showing how many had been allowed and dismissed. Development Management Team Leader explained that he had made enquiries and passed the request on to the administrative team.

The Committee discussed the period about which they would like to receive information and felt that a rolling four-year timescale would be the most beneficial. They were also keen to see how the number decisions overturned compared those of the other Area Planning Committees.

On the proposal of Cllr Bucknell, seconded by Cllr Grant, it was:

Resolved

For the Committee to be updated on the success rate of appeals made against its decisions over a rolling four-year period.

At the conclusion of the discussion, on the proposal of Cllr Grant, seconded by the Vice-Chairman, it was:

Resolved

To note the appeals report for the period 16 February to 5 April 2024.

28 **PL/2022/05412: Land off Dog Trap Lane, Minety**

Public Participation

- Mr Ian Anderson spoke in objection to the application.
- Mr Martin Pollard spoke in support of the application.

The Development Management Team Leader, Adrian Walker, introduced a report which recommended that the application for a battery storage facility and ancillary infrastructure be approved. It was noted that the application was a revision of PL/2022/00404. Key details were stated to include the principle of development, as well as its impact upon agricultural land, heritage assets, the landscape and residential amenity.

Attention was drawn to a late representation regarding potential archaeological finds. The Development Management Team Leader confirmed that this

representation would not change his recommendation and that Wiltshire Council's archaeologist was satisfied that sufficient information had been provided.

The Development Management Team Leader noted that the proposed development would introduce an uncharacteristic industrial form of development to the site. However, he explained that the planning balance was in favour of the development, as it would bring clear public benefits by improving energy security, through storing excess energy, and saving carbon emissions. The proposed development was in a suitable location, not being in a protected landscape or on the best agricultural land. It would benefit from access to a National Grid point of connection as well as the highway network. The Development Management Team Leader highlighted that the site was bounded by woodland to the north and east as well as an area of scrubland to the south. Acoustic fences and additional planting would be also installed to further screen the development and enhance biodiversity. Given the existing woodland and mitigation measures to be put in place, he felt that there would be no unacceptable noise or visual impacts. Changes to the landscape character would be localised.

Members of the Committee then had the opportunity to ask technical questions of the Development Management Team Leader.

A large number of questions were asked about the environmental impact of the proposed development.

It was noted that in 2019 Wiltshire Council had resolved to seek to make the county of Wiltshire carbon neutral by 2030 and had committed to become carbon neutral as an organisation by 2030. Details were sought about the weight that should be given to these goals in the Committee's decision making when they sat alongside the Council's planning policies, adopted in 2015, and the National Planning Policy Framework (NPPF).

In response, the Development Management Team Leader explained that Core Policy 42 (Standalone Renewable Energy Installations) supported the principle of development. However, he explained that as the 2030 pledges were a policy of the Council, they did influence the weight that was given to certain planning policies. Wiltshire Council's Climate Strategy 2022-27 set out a clear commitment to increase the uptake of renewable electricity generation and storage. These goals also aligned with the government's commitment to enable energy to be used more flexibly and advice in the NPPF that Local Planning Authorities should help to increase the use and supply of renewable and low carbon energy.

The Development Management Team Leader confirmed that the Jubilee Woodland, planned to be planted as part of the scheme, would be in addition to the mitigation measures proposed by Wiltshire Council's landscape officer. The woodland was due to be funded by Mintey Parish Council on the applicant's land.

For these reasons, it would not be possible for the Committee to condition that the wood was planted.

Several questions were asked about the cumulative impact of existing and proposed renewable energy projects, including battery energy storage facilities, in the local area. Given that Wiltshire Council's landscape officer had identified that there would be a slight adverse impact, the Committee were keen to gain further insight into the demand for these projects both locally and nationally. The following points of clarification were provided by the Development Management Team Leader:

- A screening opinion was submitted to the Secretary of State for Environment, Food and Rural Affairs to consider whether the cumulative impact of the recent renewable energy applications would trigger the need for an environmental impact assessment.
- The Secretary of State had concluded that given the lack of intervisibility to other sites, and relatively small and heavily screened nature of the proposal, an environmental impact assessment was not required.
- Each application in the area should be judged on its own merits; however, the Committee could consider the cumulative impacts.
- He did not have statistics about the contribution that renewable energy and battery storage schemes in Wiltshire would have towards national or local environmental targets.
- The applicant was not required to prove the demand for renewable energy battery storage, so that could not be a reason for refusal. Information from the National Grid showed that there was clear demand to increase capacity.
- The UK Net Zero Strategy projected that there would be a 40 to 60 percent increase in demand for electricity by 2035.
- The purpose of the proposed development was to store power from the National Grid at times of excess supply. It would feed this power back into the grid at times of high demand or reduced generation capacity.
- It would be difficult to confirm whether the proposed development would be recommended for approval if the Council's and government's carbon goals were not in place. However, Core Policy 42 did support the principle of development.

Some members of the Committee stated that they would welcome an audit of the lifetime carbon-costs and projected savings of the proposed development to establish how much weight to put on this factor in the planning balance.

Details were sought on why batteries were stored in shipping containers and why solar panels had not been incorporated into the design of the battery storage facility. The Development Management Team Leader explained that the aesthetics of the project were dictated by it being a temporary storage facility, with a maximum operation of 40 years. It was clarified that battery storage facilities could be incorporated into solar farms, as well as being located further away.

However, he was unable to confirm why the proposed development did not contain solar panels.

Members of the public then had the opportunity to present their views to the committee as detailed above.

The Unitary Division Member, the Chairman, then spoke about the application. He recognised the usefulness of battery storage but questioned the cumulative impact of a large number of local projects. He reported objections raised by the local community and raised concerns about the location of the proposed development given the elevated position of Dog Trap Lane in relation to the site.

The Development Management Team Leader then had the opportunity to comment on the points raised by the public and Unitary Division Member.

So that the Committee had something to debate, Cllr Elizabeth Threlfall, seconded by Cllr Clare Cape, proposed that the development be granted for the reasons outlined in the report.

A debate followed where the cumulative impact of large scale proposed renewable energy projects on the area, such as Lime Down Solar Park, were discussed. Other issues raised included the screening of the proposed development, its contribution to Net Zero targets and loss of greenfield land.

Following a vote, the motion was lost. A motion to defer the application, pending further information about the carbon emissions that would be saved and caused by the proposed development over its lifetime, was moved by Cllr Steve Bucknell and seconded by Cllr Gavin Grant.

At the conclusion of the debate, it was:

Resolved

To DEFER the application for the battery storage facility and ancillary infrastructure.

Reasons

So that the Committee could receive an audit showing the projected carbon savings over the lifetime of the project (not just in Wiltshire but overall) compared to the carbon costs, including the construction of the concrete bases, containers and batteries, as well as the running and disposal costs.

29 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 3.57 pm)

The Officer who has produced these minutes is Matt Hitch of Democratic Services,
direct line , e-mail committee@wiltshire.gov.uk

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communications@wiltshire.gov.uk

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Wiltshire Council
Northern Area Planning Committee
22nd May 2024

Planning Appeals Received between 05/04/2024 and 10/05/2024

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
PL/2022/05359	Orchard Paddock, Main Road, Christian Malford, SN15 4BA	Christian Malford	Erection of replacement dwelling and garage	DEL	Written Representations	Refuse	07/05/2024	No
PL/2023/07377	Land At The Haven, Webbs Hill, Minety, Malmesbury, Wilts, SN16 9QG	Minety	Permission in principle for erection of 1 no. dwelling	DEL	Written Representations	Refuse	08/05/2024	No
PL/2023/08406	The Long Barn, Lower Stanton St Quintin, Chippenham, Wilts,, SN14 6DB	Stanton St Quintin	Permission in Principle for the Erection of 2.Dwellings	DEL	Written Representations	Refuse	07/05/2024	No
PL/2023/08462	The Long Barn, Lower Stanton St Quintin, Chippenham, Wilts, SN14 6DB	Stanton St Quintin	Subdivision of existing dwelling to 4no. separate dwellinghouses with associated works to provide associated curtilages and parking. Erection of Car Port.	DEL	Written Representations	Refuse	15/04/2024	No
PL/2023/09361	Field Farm House, Eastcourt, Malmesbury, Wilts, SN16 9HP	Crudwell	Removal of Section 106 Agreement in relation to N/05/03043/COU	DEL	Written Representations	Refuse	07/05/2024	No
PL/2024/00588	33 Park Lane, Chippenham, SN15 1LN	Chippenham	Solar Panel installation to the front elevation of the main house with an additional 3 rows of solar panels mounted at a 20 degree angle on the flat roof extension.	DEL	Written Representations	Refuse	24/04/2024	No

Planning Appeals Decided between 05/04/2024 and 10/05/2024

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
PL/2022/03356	Oaksey Park Golf & Leisure, Wick Road, Oaksey, Malmesbury, SN16 9SB	Oaksey	Removal of conditions 9, 11 & 12 on N/10/01773/S73 and replace with a condition restricting permanent occupancy to over 55's only.	DEL	Hearing	Refuse	Dismissed	11/04/2024	Appellant applied for Costs - REFUSED
PL/2022/05118	9 Esmead, Chippenham, SN15 3PR	Chippenham	Two Storey Side Extension	DEL	Householder Appeal	Refuse	Dismissed	10/04/2024	None
PL/2022/09773	Land adj Rockwell Cottage, 8 Sutton Lane, Sutton Benger, SN15 4RU	Sutton Benger	Erection of 2 No. dwellings with detached garages and associated ancillary development	DEL	Written Reps	Refuse	Dismissed	05/04/2024	Appellant applied for Costs - APPROVED
PL/2023/00249	Land North of M4 Motorway, Littleton Drew, Chippenham, Wiltshire, SN14 7LZ	Grittleton	Change of use of land to private family Traveller site and associated development	DEL	Hearing	Refuse	Dismissed	16/04/2024	None
PL/2023/00382	The Mount, School Hill, Brinkworth, Chippenham, SN15 5AX	Brinkworth	Outline application for the sub-division of a residential plot and the construction of a self-build dwelling with associated infrastructure (All matters reserved except for access).	DEL	Written Reps	Refuse	Dismissed	24/04/2024	None
PL/2023/01007	Land south of Abberd Lane and east of Spitfire Road, Calne	Calne/Calne Witout	Development of a new Local Centre comprising a Class E(f) day nursery and Class E(a) convenience store, with associated parking, access and landscaping.	NAPC	Written Reps	Approve with Conditions	Dismissed	29/04/2024	None
PL/2023/01515	The Old Post Office, Hankerton, SN16 9JZ	Hankerton	Outline application for a single dwelling	DEL	Written Reps	Refuse	Dismissed	03/05/2024	None
PL/2023/06970	34 Tugela Road, Chippenham, SN15 1JF	Chippenham	Single story rear extension to replace existing single story rear extension (Part Retrospective).	DEL	Householder Appeal	Refuse	Dismissed	05/04/2024	None

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	22 nd May 2024
Application Number	PL/2023/06533
Site Address	Sheelin Lodge, Ashley, Box, SN13 8AN
Proposal	Single story front extension, replacement garage and single story rear extension with sustainability improvements to whole house
Applicant	Mr and Mrs Drake
Town/Parish Council	Box
Electoral Division	Councillor Brian Mathew
Type of application	Householder Planning Permission
Case Officer	Claire Pratt

Reason for the application being considered by Committee

The application has been called to the Northern Area Planning Committee by Councillor Brian Mathew so as to allow consideration of the proposal being recommended for REFUSAL. This is to consider the efforts which have been made by the applicant to make the proposal fit in sympathy with the existing building and to meet environmentally friendly building regulations.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the recommendation for planning permission is refusal due to the Scale design and impacts to the Green Belt which are considered due to the mass, bulk, design and materials to be inappropriate development which is found to be harmful to the Green Belt in accordance with Section 13 to the NPPF and should be refused.

2. Report Summary

This report will examine the proposed extensions and new garage workshop building and explore the process by which the appropriate conclusion has been reached. It will set out the public benefits which will be obtained as a result of the application and the various impacts which may occur.

The key issues in considering the applications are as follows:

- Principle of development
- Design and scale
- Impact on residential amenity
- Appropriateness of the development in Greenbelt and harm to the openness.
- Landscape impact to Cotswold National Landscape formerly Area of Outstanding Natural Beauty.
- Highways Parking and Access
- Listed Building

- Trees

3. Site Description

The application site is located at Ashley approximately 1 mile south west of the village of Box. Box is a village within the Corsham Community Area and Ashley is a hamlet of properties approximately half a mile to the south west of Box village. Sheelin Lodge is further west of Ashley by approximately half a mile and is very close to the Wiltshire County boundary. The property sits to the east of the C Class road from the main A4 towards Box from Bath. The railway line is parallel to both the A4 and the highway where Sheelin Lodge is located. The land is at lower level than the surrounding countryside. The land to the south side of the C-road rises up steeply behind the property to the east towards the area known as Kingsdown. Across the road to the west are several detached dwellings before the raised land of the railway embankment which screens the area from views of the A4 which runs parallel with highway for approximately two miles. Beyond to the West the Countryside rises up steeply to Bannerdown and Shockerwick which are within the neighbouring County. The area is open Countryside and at the start of the Bybrook Valley. Sheelin Lodge is located in the valley between Batheaston and Box and before the landscape known as the Bybrook Valley. The property is remote from the hamlet of properties comprising Ashley and is located in open Countryside.

The property is a detached single storey dwelling set to the east side of the road, the house is set slightly higher than the highway. To the front of the house is the shared entrance to the shared driveway with Ashley House and three other dwellings. The gate piers to the front of Sheelin Lodge are of the shared driveway for Sheelin Lodge and Ashley House and mark the access from the highway. Sheelin Lodge was formerly known as Ashley Lodge. The vehicle access to the parking and garage of Sheelin Lodge is over the driveway to Ashley House, the driveway is shared with three other properties known as Cederhurst, Lawnwood and Ashley Mews. The front driveway access is to the west of the garden with parking to the front of the existing detached garage/carport building. The garage and parking area is approximately 30 metres along the private driveway to the south-west side of the frontage, the driveway runs to the front of Sheelin Lodge parallel with the highway and stone walling of the boundary.

The property has evolved over time, with a single-storey extension was added to the south Circa 1970 as well as a rear conservatory. A further single-storey rear extension was added in approximately 1990 to the north east side elevation of the lodge.

Sheelin Lodge is single storey and has bath stone elevations and double roman tiled roof to the original part. Extended by the single storey additions to side in 1970's to form two bedrooms and a rear conservatory. The property has also the addition of a single detached garage which is located to the side of the house within the plot to the south boundary. The gardens extend to the sides with a relatively shallow front and rear garden, with the boundaries of established hedges and planting and mature trees to the south side garden areas the site of the parking and garage building.

Sheelin Lodge has neighbouring properties to the east known as West Ashley House, Lawnwood, and Ashley Mews which are formed from a grade II listed building set approximately 70 metres to the south east. The driveway access is to the front of Sheelin Lodge, the garage

and parking of Sheelin Lodge are along the private driveway which leads to the neighbouring properties of West Ashley House, Lawnwood and Ashley Mews. Sheelin Lodge does not appear as a listed building, Ashley House, Lawnwood and Ashley Mews were listed in 1960 when Sheelin Lodge would appear to have been separated from the main house.

The area is covered by the Western Wiltshire Green Belt, the Cotswold National Landscape (formerly the Cotswold Area of Outstanding Natural Beauty).

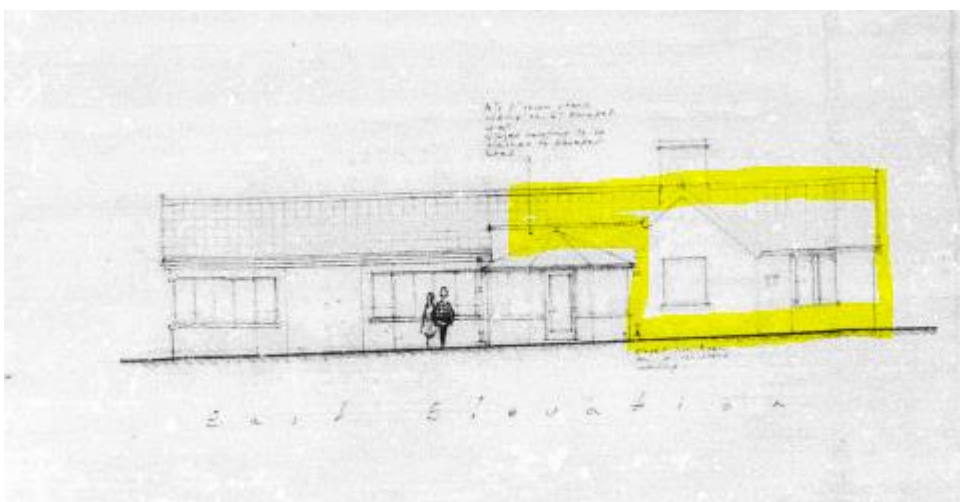
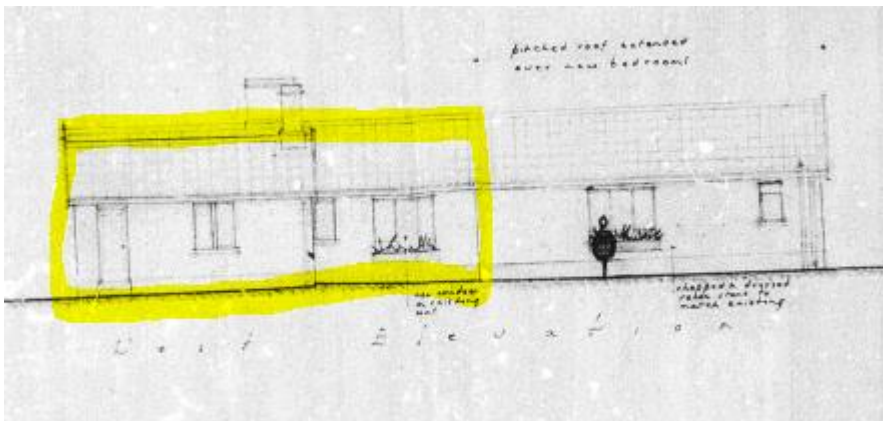
4. Planning History

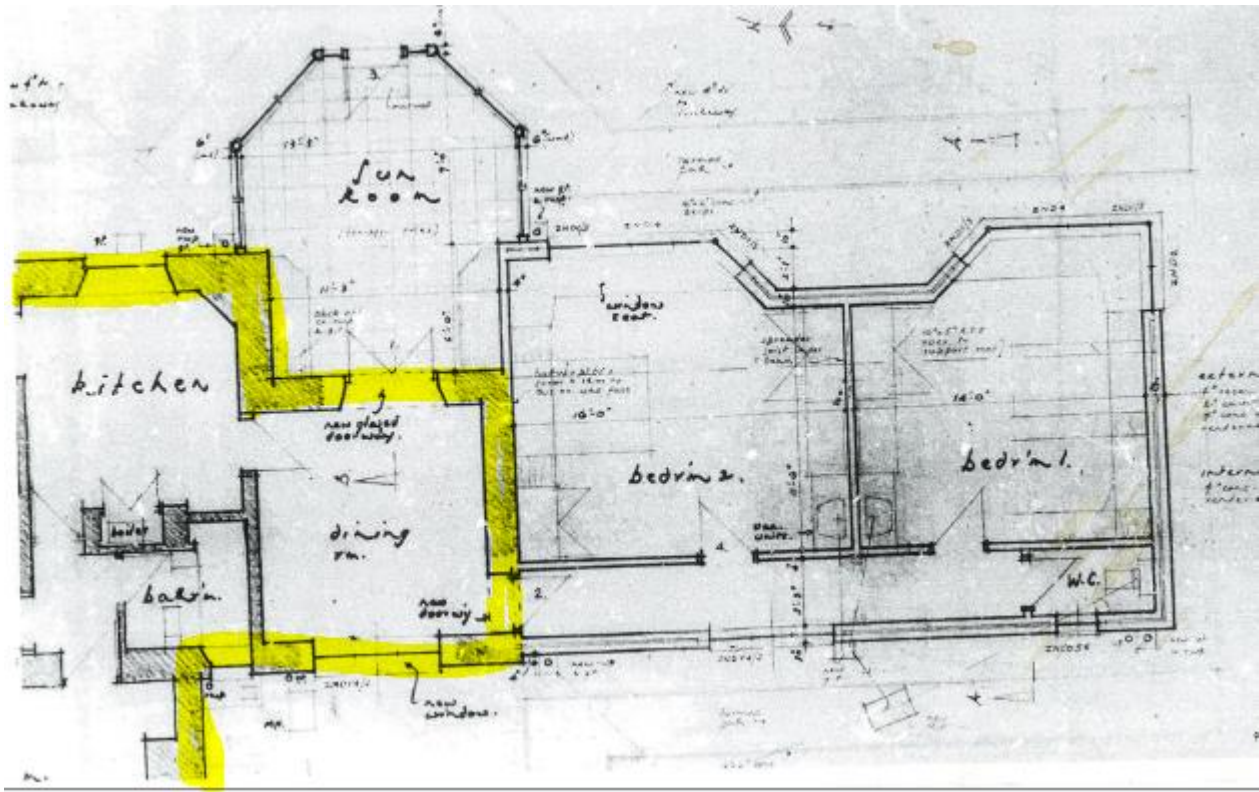
72 QB – 76- single storey bedrooms extension and conservatory – Approved

90.00027.F – single storey extension – Approved

01/02937/FUL – utility room extension – Approved

Below are extracts from the 1972 permission which clearly identify the original building which existed at that time. The yellow identifying the original building in contrast to the proposed extension granted planning permission in 1972.





5. The Proposal

Planning permission is sought for a single-storey extension to the southwest side of the property which faces the front gardens and private driveway. The single-storey side extension is attached to the length of the side of the single storey 1970's extension.

The extension is single-storey and attaches to the remaining south elevation of the original lodge building and to the side of the 1970's extension. It reaches the full length of the 1970's extension, approximately 14 metres and is approximately 4 metres in width. The proposal is for a section of flat roof proposed in a sedum blanket for approximately the first 2.4 metres of the extension, the extension continues with a gable pitched roof to run parallel with the existing 1970's single-storey extension gable roof. The extension is of similar span to the 1970's extension. The eaves height is approximately 2.4 metres the ridge height is approximately 4.4 metres. The roof is proposed in single roman clay tiles, the elevations are proposed of timber cladding and a range of French doors to the side elevation of timber frames. The end section is open forming a canopy which is supported at the corner by a single post formed from a branch or tree trunk. The extension is for an entrance area, living room and dining room area with covered patio to the south.

The various elements of the proposals are described below:

Rear extension

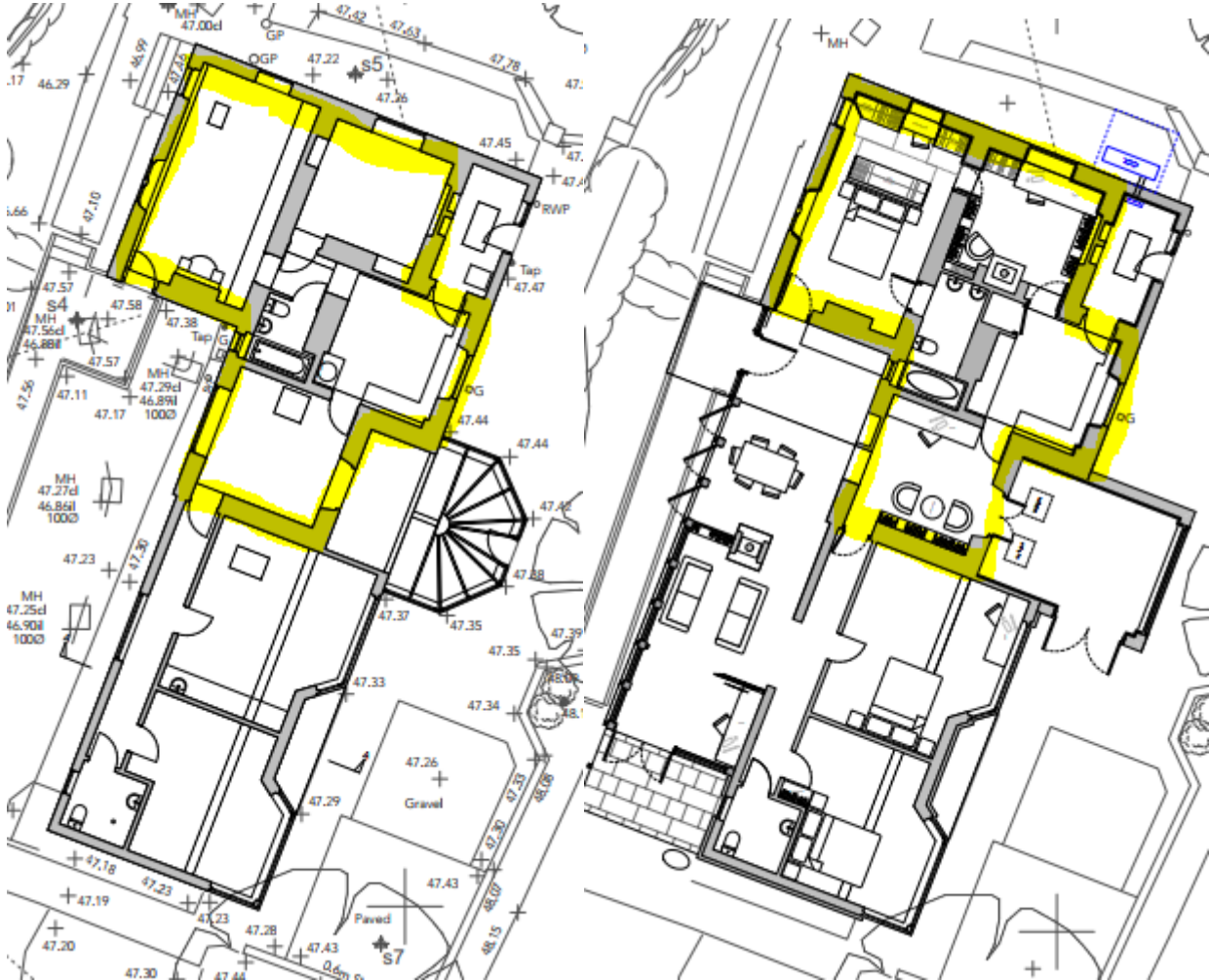
The rear extension is described as a garden room and is proposed in the location of the existing conservatory, it has a gable pitched roof projecting to the rear by approximately 2.7 metres and

is approximately 4 metres in width. The height to the ridge is 4.2 and of 2.7 metres to the eaves. The gable roof is formed projecting out of the rear roof slope of the gable of the 1970's extension, with two roof lights to either side in place of the existing single-storey lean to roof.

Below are a comparison of the floor plan of the property as existing and as it would be after the proposed extensions are added. The extent of the original, pre-1970 property, is shown highlighted in yellow in each case.

Existing floor plan

Proposed floorplan

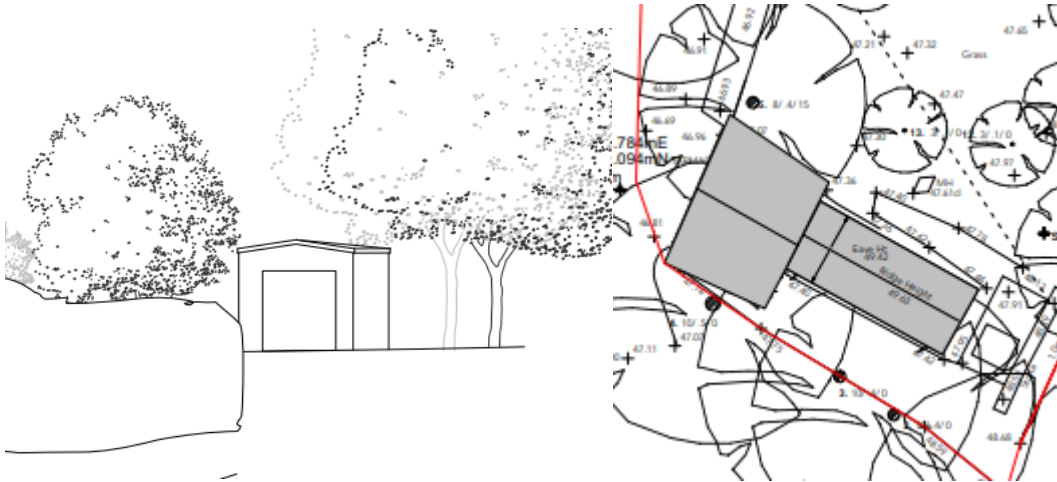


New garage and workshop outbuilding

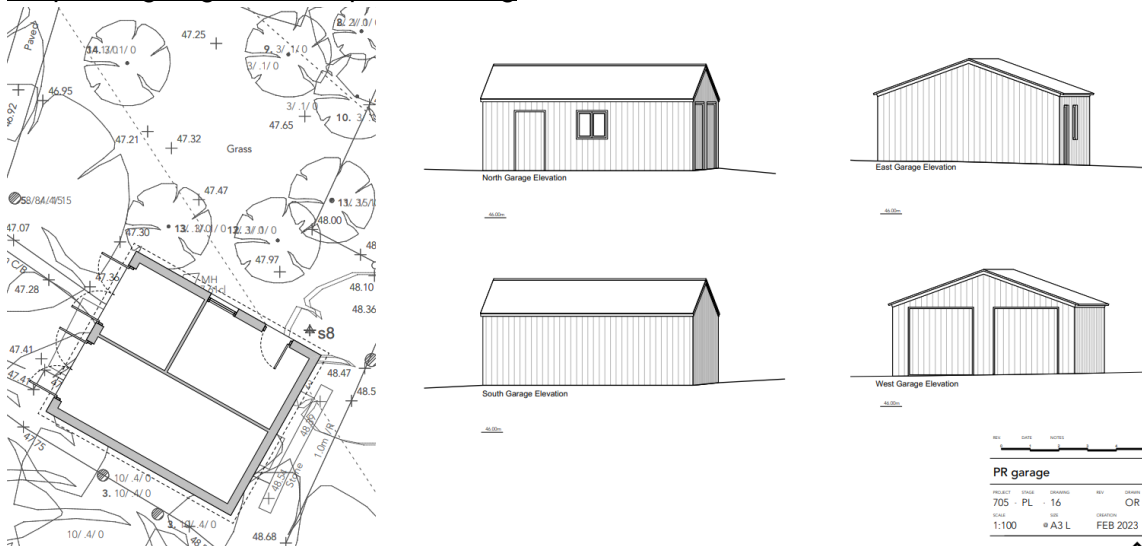
The proposal also includes the replacement of the existing single garage and carport. The existing garage is of a single garage with car port structure to the front, compared with the replacement being of a double width design approximately 6.5 metres in width and 7.5 metres in length. The height to the eaves is approximately 2.5 metres with a ridge height of approximately 3.5 metres. The elevations are clad in vertical timber. Half the outbuilding will be a single garage with the other half compartmentalized into two rooms, albeit with the front elevation still having two garage doors. The proposed garage is set further back into the site than the existing garage, with driveway parking to the front for two vehicles.

Below is a comparison between the existing single and proposed double garage/workshop buildings.

Existing single garage:



Proposed garage/workshop outbuilding:



6. Planning Policy

Wiltshire Core Strategy 2015 (WCS)

Core Policy 51: Landscape

Core Policy 57: Ensuring High Quality Design and Place Shaping

Core Policy 58: Ensuring the conservation of the Historic Environment

National Planning Policy Framework 2023 (NPPF)

Section 2: Achieving sustainable development

Section 12: Achieving well designed and beautiful places

Section 13: Protecting Green Belt land

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

7. Consultation responses

Box Parish Council - No objection but make following comment:

No objections in principle provided it is within the 30 % permitted development and does not cause loss of amenity area or habitat.

Council Highway Engineer – No objection:

I refer to the above planning application dated 01/08/2023 seeking permission for a single storey front and rear extension, and replacement garage, with sustainability improvements to the whole house.

The site is located in Ashley, on a C classified section of public highway subject to a speed limit of 60mph.

There are no proposals to alter the access with the public highway, the proposals would not be considered of detriment to highway safety or capacity, the provision of a new double garage as a replacement to the previous substandard garage space would provide the required 2 spaces for a 3-bedroom dwelling with access off a private driveway.

Therefore I would not wish to raise an objection with regard to highways.

Council Arboricultualist – Require further information:

To enable me to give an informed response, can we request a plan to show all trees to be removed and retained along with all trees to be retained with the root protection areas shown on the proposed layout. Details of how the garage will be constructed without having a negative impact on trees on site.

8. Representations

No third-party representations have been received.

9. Planning Considerations

Principle of development

The extensions and outbuilding to be erected relates to an existing residential property, the principle of which is established as acceptable. However, since the application site is located within the Western Wiltshire Green Belt, an assessment must also be undertaken as to whether the proposals constitute “inappropriate development” for the purposes of section 13 to the NPPF. For convenience, that assessment is undertaken in the sub-section immediately below.

The detail of the proposals must also be assessed against all other relevant policies. That assessment is undertaken in the relevant sub-sections below.

Green Belt

Great importance is attached to Green Belts and new development within the Green Belt is highly restricted by national planning policy. Paragraph 152 to the NPPF is unequivocal in stating that *inappropriate* development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraphs 152 and 153 of the NPPF state:

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 goes on to explain that:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt

Before then going on to identify exceptions to that policy, setting out forms of development which may be *not inappropriate* in the Green Belt (known as exceptions (a) through to (g)). Of most relevance in this instance is exception (c), which states:

The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

And also exception (d) which states:

The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces

Extensions to original building

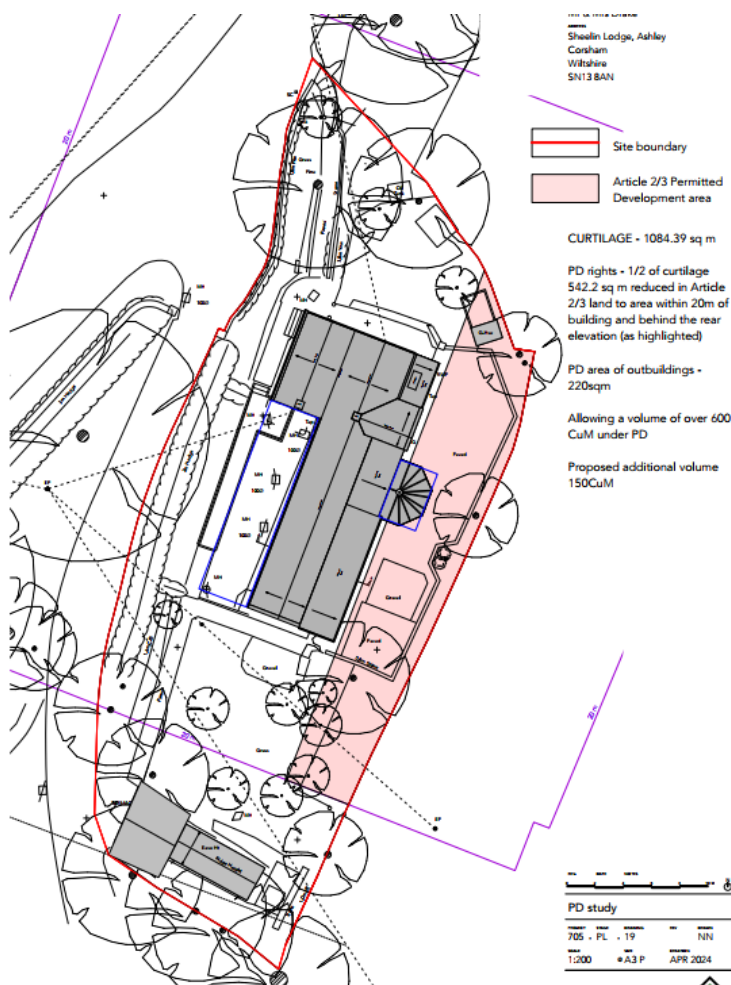
With reference to exception (c), "original building" is defined within the Annex 2: Glossary to the NPPF as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. It is very clear from the planning history and from observations on site that when having regard to the NPPF's definition, the "original building" amounts to a modest single-storey "lodge" type building constructed at some point prior to 1972.

Subsequent to the original building being constructed, several substantial single-storey extensions have been added. Firstly, in 1972 and later in 1990. A further permission was granted in 2001 for a utility room, but there is no evidence that it was built in accordance with the approved plans. There appears to be no dispute with the applicant that significant extensions have been added to the original building from before 1972.

The submitted proposal incorporates a single storey extension approximately 14 metres in length and 4 metres in width of similar footprint to a previous extension to the original building. As can be seen from the embedded extracts, the footprint of the original building will be disproportionately added to, amounting to well over 100% increase over and above the size of the original lodge building.

Section 13 to the NPPF does not define what constitutes “disproportionate” and the Wiltshire Core Strategy does not contain any policy which prescribes a floorspace or % increase what or what is not regarded as acceptable in the Green Belt. However, whilst the additions remain at single storey level, it remains unambiguous that the proposed extensions are demonstrably disproportionate additions over and above the size of the original pre 1970s building and thereby failing the test set by exception 154(c).

There is no provision within the NPPF to somehow “net” or trade-off” the development that may be permitted development, but the applicant has nonetheless provided a drawing seeking to demonstrate an area of the rear garden that could be developed with outbuildings under permitted development (an excerpt of that submitted plan is included below). However, as a “so-called “fallback” position, the assertions being made is considered to be of only limited weight. Extensions to the rear of the building would not be permitted development due to previous extensions being built and therefore only outbuildings detached from the property would be possible. There is considered to be a quantitative and qualitative difference between the two types of development in terms of its impact on the Green Belt (and given the nature of the accommodation being proposed, requiring occupants to walk outside to access a separate outbuilding does rather suggest the fallback is not a realistic proposition in any event). Accordingly, the exercise undertaken by the applicant is not considered to represent very special circumstances or otherwise justify inappropriate development in the Green Belt.



In other respects, the applicant does refer to what they regard as an improvement to the insulation of the property if the development were to take place. Cedar shingles are proposed to the elevations of

the 1970's extension. The proposed rear extension in place of the conservatory will provide an improved extension to the existing in terms of new insulation. The single storey front extension will attach to the side of the 1970's extension which will provide insulation of that elevation as a result of the extension. However, the proposed elevation will largely be of glazing due to the proposed timber framed range of glazed doors, the details of the glazing in energy performance terms is not provided. The remainder of the 1970's extension is to be clad to improve insulation. However, there is no reason to believe any of the improvements to insulation and energy efficiencies could not be achieved without the need for the proposed development to take place. None of the matters raised are considered to constitute very special circumstances which would justify development that is harmful to the Green Belt.

New garage/workshop

As referenced above, for the purposes of Green Belt policy within the NPPF, the new garage/workshop building is also a new, separate building. Exception (d) to paragraph 154 to the NPPF confirms:

the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces

In this case, it can be agreed that the new garage/workshop would replace an existing garage on the same footprint and would be in the same use. However, it is also clear that the existing single garage is modest in scale and size, being some 6 metres long by 2.6 metres wide and has a ridge height of 2.6 metres. In comparison, the new building would be some 7.3 metres long by 6.5 metres wide, the height to the ridge of the roof is proposed at approximately 3.7 metres. This is considerably larger than the building it replaces.

The garage and workshop building is considered to be demonstrably materially larger than the existing building. In terms of para 154 d.) the building will fail to be considered as an exception and is therefore regarded as inappropriate development in the Green Belt. There are no very special circumstances which would justify such harmful development.

Conclusions

All elements of the proposal are considered to constitute inappropriate development in the West Wiltshire Green Belt. Since such development is by definition harmful to the Green Belt, and in the absence of any very special circumstances, that harm must be given great weight in the determination of this planning application.

Scale and Design

Paragraph 131 to the NPPF states:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Core Policy 57 (CP57) requires that development be of a suitable design and quality for the site and immediate area and sets out fourteen separate criteria which development proposals are

required to meet in order to be considered acceptable. CP57 states that:

...Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

Criterion (iii) of CP57 requires that proposals:

... respond(ing) positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

Both national and local policy requires new development to be of a high-quality and well-designed and where they are not, planning permission should be refused.

The proposal for the east side extension is of timber framed glazing to appear as a distinct addition, with a flat roofed feature to the proposed new entrance to the dwelling. The elevations are of timber cladding the roof is of single roman clay tiles.

The extension is proposed attached to the 1970's extension and will obscure the 1970's extension from view from the west. Due to the length and siting the extension appears to be a large addition to the original dwelling, however, due to the scale and location against the existing it would appear to blend in terms of scale with the existing building when viewed from front (west). The use of timber cladding, a section of flat roof and timber glazed patio doors across the west elevation are a departure from materials used in the original lodge building and to the faced block elevations of the extension which it will cover from view. The use of timber and glazing for the elevations is a contrast, however, it is considered to be an acceptable design due to the single storey it is considered to highlight the extension as a later addition unlike the existing extension which uses faced block which is neither a match or contrast to the original.

The proposed garage/store building is of single storey with a pitched roof. Set to the south side of the site the design is of a shallow pitched roof is considered to be subservient in scale due to the shallow pitched roof, and it is sited among existing established trees. however, it is double in width compared to the existing single garage and front car port. Overall given the height and siting the garage it is considered to be in keeping within the setting of the front driveway and the design and materials of timber clad elevations are considered acceptable for an outbuilding. The garage being set within a landscaped area of the site further allows the development to blend into the surroundings.

In terms of scale, design and materials the extension and replacement garage/workshop building is considered to be in keeping with the dwelling and wider locality and for that reason, the proposals would accord with the requirements of policy CP57 of the Wiltshire Core Strategy and section 12 to the NPPF.

Landscape and Cotswolds National Landscape (previously known as Area of Outstanding Natural Beauty)

Core Policy 51 states that development should protect, conserve and where possible, enhance the landscape character. Section 15 of the NPPF expects decisions to ensure the protection and enhancement of valued landscapes.

Core Policy 51 and Chapter 11 of the NPPF is applicable as the application site is wholly located within the Cotswold National Landscape. In regard to impacts on the CNL, Core Policy 51 of the WCS and Policy CE1 the Cotswolds Management Plan and position statement seek to ensure that the landscape character, scenic quality and geological features of the CNL are conserved, and where possible enhanced.

Additionally, Core Policy 57 indicates that proposals should relate positively to its landscape setting by ensuring that important views into, within and out of the site are retained and enhanced. Core Policy 51 requires that proposals affecting the CNL shall demonstrate they have taken account of the objectives, policies and actions set out in the Management Plans for these areas.

The west side elevation of the property is to the highway and is the most visible elevation within the landscape. The proposed single storey with pitched roofed single storey extension while visible is considered to have no greater impact than the existing single storey at the property. Whilst it may be visible from the immediate roadside, the building will be single storey and set close against the dwelling where it appears as a subservient addition which blends effectively against the existing built form.

The single storey garage building proposes a gable pitched roof and is set into the wooded area of the ground to the south corner of the side garden. Due to the driveway and boundary with the highway of established hedges, the garage is not easily visible and is largely concealed by the intervening boundary.

The site is well screened by established planting and trees to the garden on the remaining boundaries the wooded garden to the south and is not visible from longer countryside views from the south, or east due to the treed boundaries to farmland. Although in their comments the Council's Arboricultural Officer requests further information in respect of the trees to be removed, a limited tree survey had already been provided in respect of the new garage and identifies the removal of several trees. None of the trees are protected by a TPO and since it would be possible to make use of a planning condition which requires protection of other retained trees, no further information was sought from the applicant at this stage in light of the recommendation.

The rear single storey extension is partly against rising rear garden extending up the hedged boundary with the neighbouring field beyond.

Due to the siting of the property within the landscape where it is largely concealed by the trees of and no far-reaching views from the west due to the railway embankment the site and to the boundaries there is considered to be no unacceptable impacts on the character and appearance of the CNL and no harm to the openness of the CNL.

It is considered that the proposal will conserve the landscape character and will comply with CP51 and CP57 to the Wiltshire Core Strategy, policy CE1 Cotswolds Management Plan 2023 as well as section 15 to the NPPF.

Heritage

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for works which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special

regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment. Section 16 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The largest part of the proposed development is to a to the southwest side elevation facing the highway, the garage is to the south set among existing trees, the sunroom element is to the north east and takes the place of an existing conservatory.

Due to the distance to the nearest listed building to the south and the established trees and hedges to the south boundary there is considered to be no harm to the significance of the listed building from the development.

The significance of the listed buildings would not be harmed due to the development which is found to be in accordance with CP 58 of the Wiltshire Core Strategy and section 16 of the NPPF.

Impact upon amenity

Core Policy 57 states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The neighbouring property most sensitive to the development is Therefore, given the distances, siting and scale of the development there is considered to be no unacceptable impacts upon the amenities of from the proposals.

In this respect, the proposal will comply with policy CP57 to the Wiltshire Core Strategy.

Access and parking

Wiltshire Core Strategy policy CP61 states that new development should be capable of being served by safe access to the highway network. Core Policy 64, states that provision of parking associated with new residential development will be based on minimum parking standards.

The existing vehicle access will remain unaltered. The proposal will provide a single garage and two parking spaces created off the existing driveway within the front garden.

The Wiltshire Highways Engineer raises no objection, with the proposed changes being within the curtilage of the property and will not have a negative impact on the highway interests.

The existing property is capable of being a three-bedroom dwelling the extension will provided for a

four-bedroom dwelling.

The Wiltshire Highways parking standards will require a new development for a four-bedroom property to be three plus off-street parking spaces.

The parking provided will be three spaces and driveway parking, therefore the proposal is considered to meet with Wiltshire Parking Standards in accordance with CP 64 of the WCS.

The existing vehicular access remains unchanged and meets with CP 61 of the WCS.

Accordingly, the proposed development is considered to not cause an unacceptable impact on highway safety and will meet with the requirements of policies CP57(xiv) and CP61 to the Wiltshire Core Strategy, as well as those set out in section 9 to the NPPF.

10. Conclusion

The proposals constitute inappropriate development in the Green Belt. By definition, inappropriate development is harmful in the Green Belt, and in accordance with the NPPF, that harm must be given great weight when determining this planning application. There are no very special circumstances or other material considerations which would otherwise justify the harm caused to the Green Belt.

RECOMMENDATION: That Planning Permission be REFUSED for the following reasons:

1. By reason of their disproportionate size and larger scale respectively, the proposed extensions and replacement garage/workshop building constitute inappropriate development in the Bath and Western Wiltshire Green Belt. By definition, inappropriate development is harmful in the Green Belt, and in accordance with the NPPF, that harm must be given great weight. There are no very special circumstances or other material considerations which would otherwise justify the harm caused to the Green Belt and, for that reason, the application is contrary to the policy set out in section 13 to the NPPF.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	22 nd May 2024
Application Number	PL/2023/08516
Site Address	Heleigh Cottage, Middlehill, Box, Corsham, SN13 8QB
Proposal	Replacement and alteration of existing extensions to the main house. Internal and external alterations and addition of an air source heat pump and photovoltaic panels to the main house, replacement and enlargement of existing garage, together with driveway and landscape enhancement works.
Applicant	Mr and Mrs Gofton
Town/Parish Council	Box
Electoral Division	Councillor Brian Mathew
Type of application	Householder Planning Permission
Case Officer	Claire Pratt

Reason for the application being considered by Committee

The application has been called to the Northern Area Planning Committee by Councillor Brian Mathew so as to allow consideration of the proposal being recommended for REFUSAL. This is to consider the size and scale of the development as well as the planned installation of better insulation, solar energy and air source heat pump.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the recommendation for planning permission is refusal due to the Scale design and impacts to the Green Belt which are considered due to the mass, bulk, design and materials to be inappropriate development which is found to be harmful to the Green Belt in accordance with Section 13 to the NPPF and should be refused.

2. Report Summary

This report will examine the proposed extensions and new garage workshop building and explore the process by which the appropriate conclusion has been reached. It will set out the public benefits which will be obtained as a result of the application and the various impacts which may occur.

The key issues in considering the applications are as follows:

- Principle of development
- Design and scale
- Impact on residential amenity
- Appropriateness of the development in Greenbelt and harm to the openness
- Landscape impact to Cotswold National Landscape formerly Area of Outstanding Natural Beauty

- Highways Parking and Access
- Conservation Area

3. Site Description

The application site is located within Middlehill near Box. Box is a village within the Corsham Community Area and Middlehill is a cluster of properties among wooded areas of common land approximately half a mile to the west of the Box village. There is no framework boundary for the small cluster of properties of Middlehill and therefore the site is located in the open countryside for the purposes of planning policy.

The property is a detached two-storey dwelling set to the south side of the road, the house is above a raised bank when viewed from the road. To the east and south there are mature trees within a generous plot which together with the wooded area of Middlehill screen the property from wider views from the A4 road and longer views from the countryside. The driveway is to the front garden with parking and a garage. The property has evolved over time, originally a cottage built approximately 1960's has bath stone elevations and roman tiled roof to the original part. Extended by single storey additions to the front, rear and north side and north side and a two storey to the south side. The property has also the addition of a single detached garage which is located inside the access to the front (east) of the house. The gardens extend to the front rear and sides with the boundaries of established hedges and planting and mature trees to the rear (east) and south side garden areas.

Heleigh Cottage has neighbouring properties to the south west at Heleigh House, to the north side the property boundary is with the highway leading to Hill House Farm a grade II listed building set approximately 110 metres to the south east. and to the east (rear) and south is farmland. The property as with the neighbouring dwellings known as Middlehill are within wooded areas and are designated within the Middlehill Conservation Area. Middlehill is to the north of the A4 main road Bath to Box and where the railway line runs parallel to the road. The C class road from the A4 north to Middlehill and Ditteridge beyond climbs gradually out of the wooded area to Ditteridge. As such the properties of Middlehill are not easily visible from the surrounding landscape other than glimpsed views of some roof tops from the opposite site of the valley. Heleigh Cottage is close to the roadside out of Middlehill raised higher upon a banked boundary, the north side elevation would be the most visible part of the house from the countryside and Conservation Area. The house is not easily visible from views from the A4 or Doctors Hill to the South due to the trees.

The area is covered by the Western Wiltshire Green Belt, the Cotswold National Landscape (formerly the Cotswold Area of Outstanding Natural Beauty) and the Middle Hill Conservation Area.

4. Planning History

76/01006 – Single storey side and detached garage – Approved

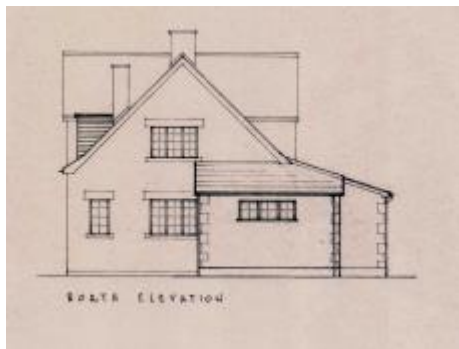
79/01167 – Single storey side extension and single storey front extension - Approved

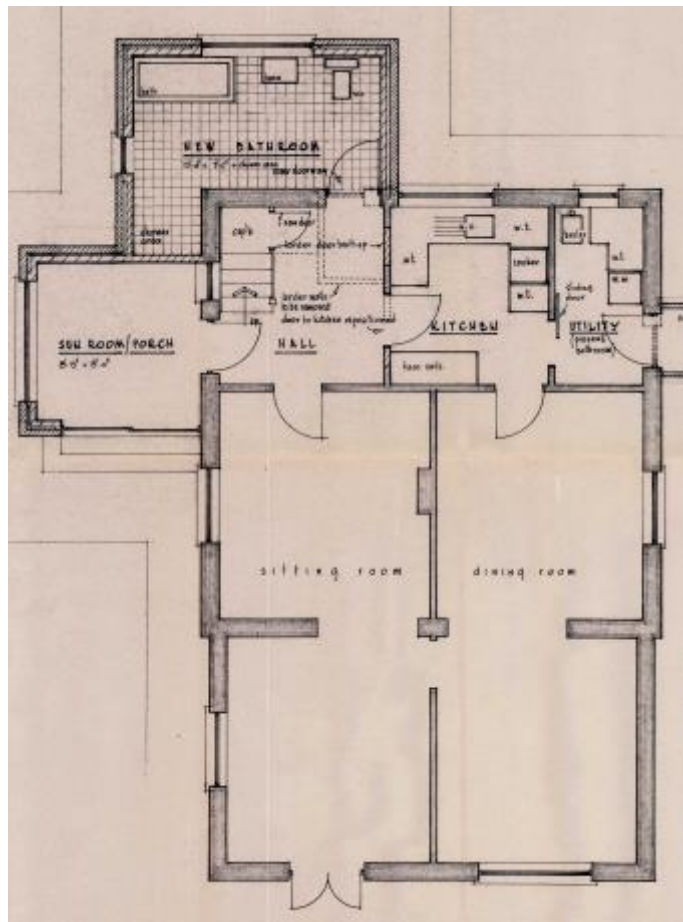
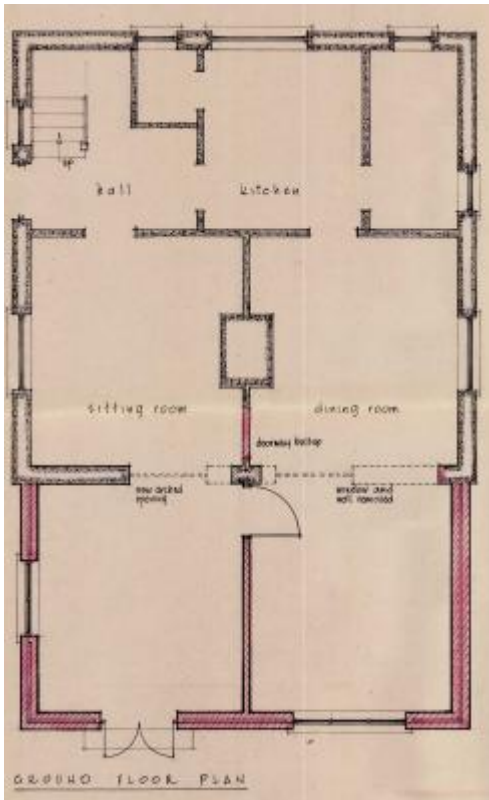
06/02353 – First floor extension about existing single storey extension – Approved

76/1006/F – approved plans:



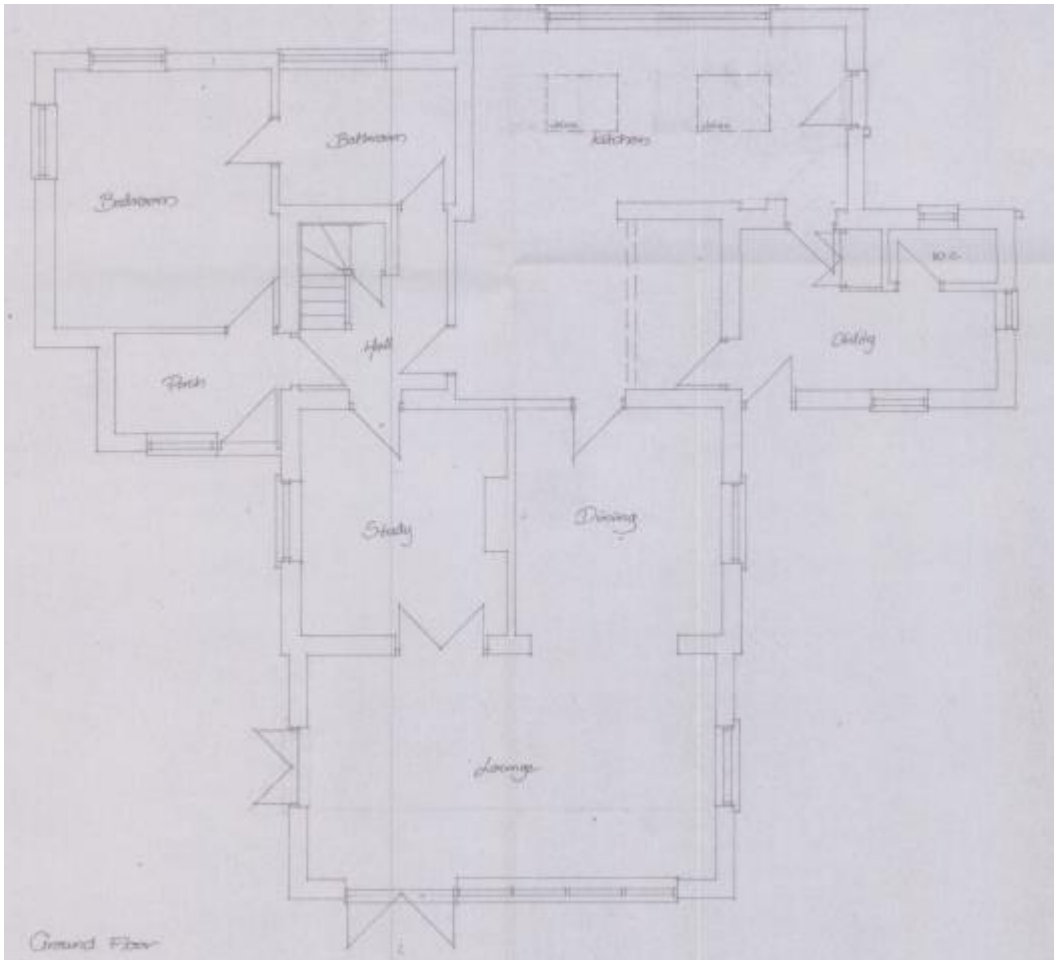
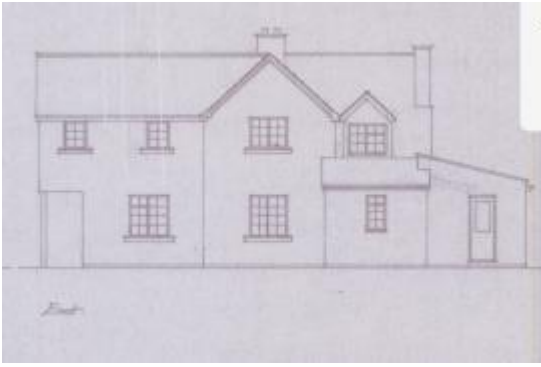
79/1167/F – approved plans:





06/2353/FUL – approved plans:





5. The Proposal

Planning permission is sought for the removal of previous single storey extensions to the front (west) elevation, north side and rear (east) elevation of the dwelling. The first floor of the existing two-storey south side extension is to be replaced with a new first floor extension of flat roof. Existing single-storey extensions to the front, side and rear are proposed to be removed with a replacement single-storey wraparound style extension to the north side projecting to the rear to form the wraparound with the proposed new rear extension which extends along the original rear elevation of the dwelling. The first floor element of two storey south side extension is proposed to be replaced by a flat roof extension. Also, a single storey extension is proposed at ground floor south side elevation and a single storey extension is proposed to the front entrance of the original dwelling.

The existing single detached garage to the front garden just inside the access is proposed to be demolished with a new larger garage and workshop proposed together with two additional parking spaces formed.

The existing dwelling is of recon stone-faced block with double roman clay tiles to the original pitched roof of the dwelling and the front porch and side extension with single roman clay tiles to the pitched roofs of the two-storey side extension. The existing property has timber windows and doors.

The proposed development includes photovoltaic panels to the flat roof of the first-floor extension and an air source heat pump to the north side. The renewable technologies provide heating, hot water and remove the applicant's reliance upon fossil fuel.

The proposals are for ancillary accommodation to the existing dwelling. The supporting information explains the development is to include the provision of a granny annex within the proposed internal arrangement.

Revised drawings were received during the life of the application to reduce elements of the proposed extensions, reducing the first-floor element. The revisions also changed the roof of the proposed new garage/workshop building to a flat design, along with timber clad elevations, where previously it was to be of a block walls with a pitched tiled roof.

The details of the proposed extensions to the dwelling and replacement garage/workshop are set out below:

First floor extension to south side

The existing first floor and twin pitched gable roofs of the two-storey extension granted 2006 is to be removed and replaced with a flat roofed first floor extension. The elevations are proposed in vertical timber cladding, the proposed flat roof is of a EDPM membrane with parapet covered in aluminum coping. The remaining ground floor element (remaining extension of 2006) is proposed to be clad in horizontal timber cladding full height glazed doors patio doors are introduced to the front elevation (west) and to the south elevation an extension of approximately 0.9m in depth and width of original ground floor extension approximately 4.75 metres is proposed to form the ground floor south elevation of glass doors.

Single storey side extension

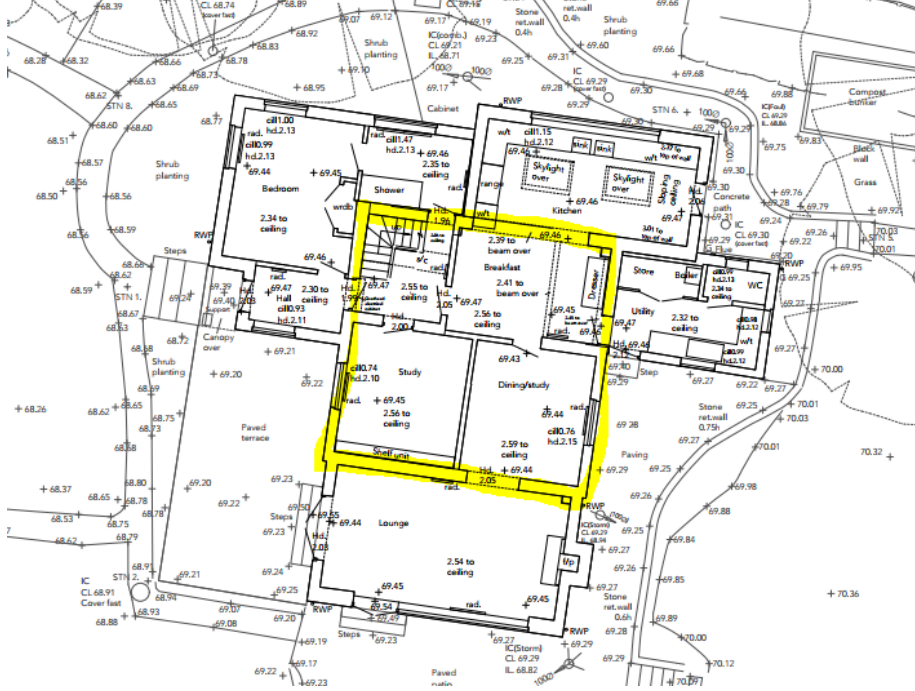
Constructed with a flat roof EDPM system with horizontal timber cladding to elevations and bifold patio doors, the extension is shown as approximately 3.3 metres wide by approximately 12.3m total length. The extension is sited to project beyond the existing front elevation of the cottage by approximately 0.7m and projects beyond the original rear elevation of the house by approximately 4 metres.

Rear single storey extension

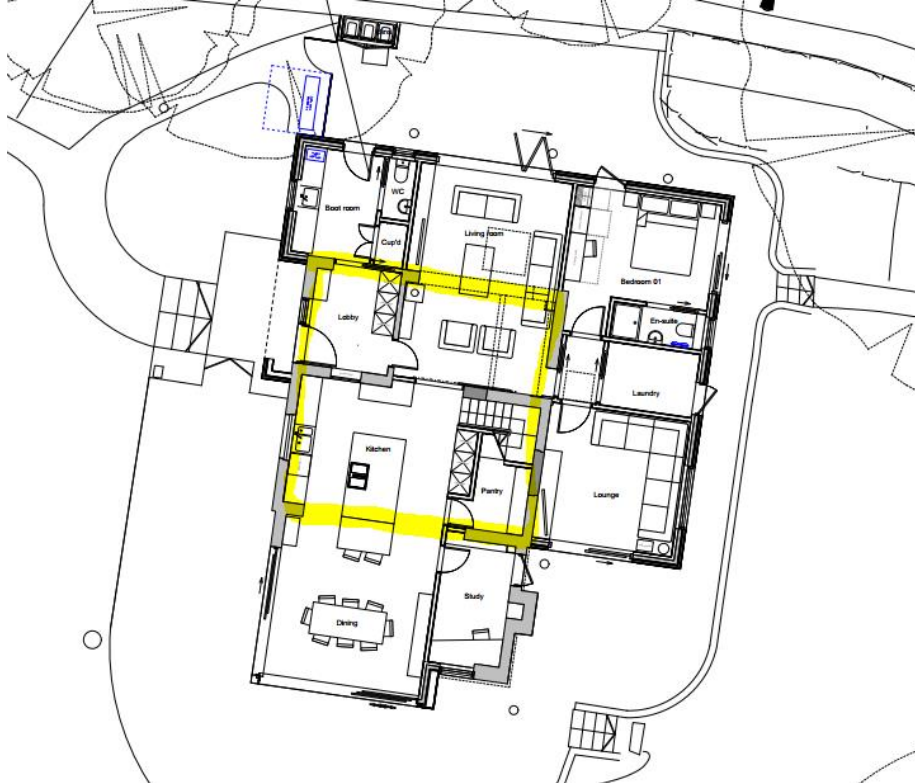
This extension attaches to the rear element of the proposed side extension forming a wraparound extension, the rear element continues across the original rear elevation of the house. The depth off the original rear elevation of the cottage is approximately 4 metres which extends south off the proposed rear projecting side extension across the distance of the original rear elevation to a width of approximately 7 metres.

Floor plan excerpts are shown below of the property as existing and proposed. In both instances, the yellow marking denotes the extent of the original 1960s cottage.

Existing floorplan with original footprint of cottage highlighted in yellow:



Proposed floor plan, with original footprint of cottage highlighted in yellow:



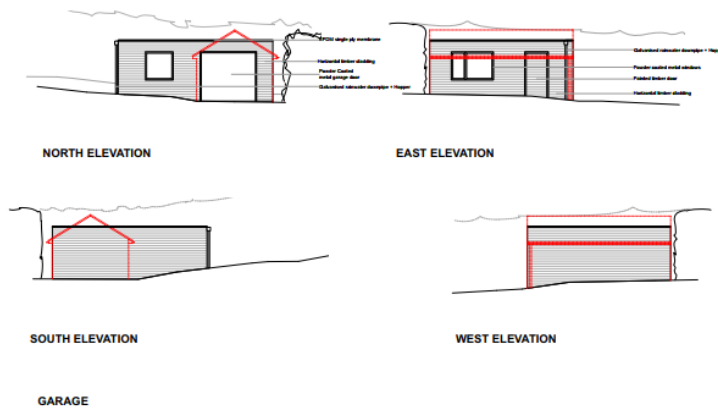
The proposed building for garage and workshop

The proposal also includes the demolition of the existing single garage granted planning permission 1976 to be replaced with a double garage with flat roof to be a single garage at one side and a workshop.

The existing garage is approximately 6 metres in length by 3.2 metres in width, with a shallow pitched roof the height to the eaves is approximately 2 metres and the ridge 2.5 metres. The proposed garage/workshop is approximately 6 metres deep and 6.5 metres in width divided in half to form the garage and workshop spaces. The height of the proposed flat roof is approximately 2.5 metres. Materials are proposed in timber horizontal cladding and a flat roof.

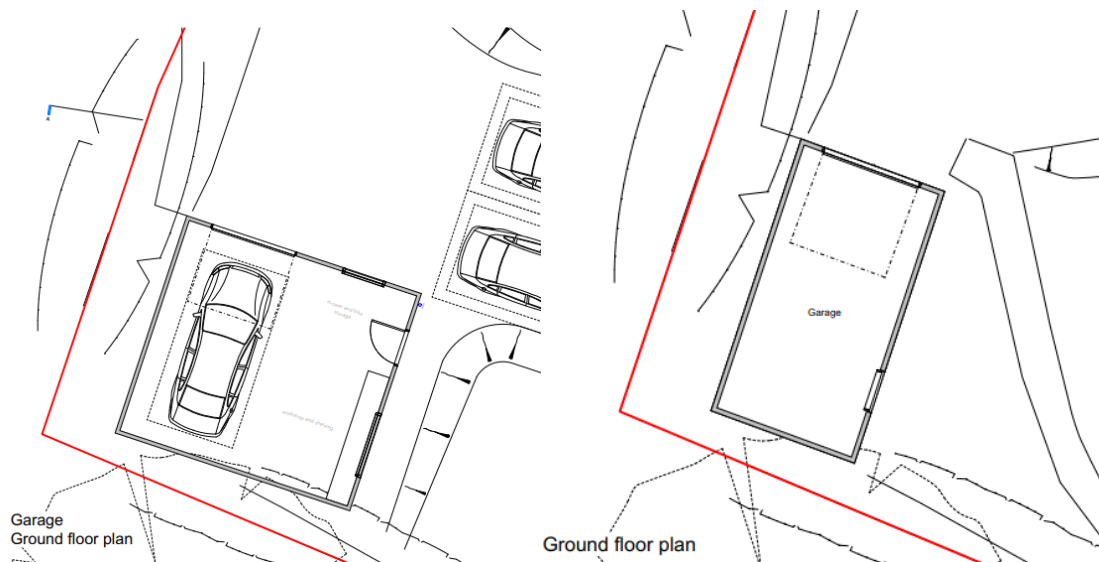
Excerpts from the submitted plans are included below show the existing single garage compared with the proposed new garage workshop.

Proposed garage/workshop, with red outline of existing garage building superimposed:



Floorplan of proposed garage/workshop:

Floorplan of existing garage:



6. Planning Policy

Wiltshire Core Strategy 2015 (WCS)

Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 58: Ensuring the conservation of the Historic Environment

National Planning Policy Framework 2023 (NPPF)

Section 2: Achieving sustainable development
Section 12: Achieving well designed and beautiful places
Section 13: Protecting Green Belt land
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

7. Consultation responses

Box Parish Council – No objection.

Council Highway Engineer – No objection:

I am content that the proposed changes are within the curtilage of the property and will not have a negative impact on the highway interests. As such I am happy to offer no highway objection.

8. Representations

No third-party representations have been received.

9. Planning Considerations

Principle of development

The extensions and outbuilding to be erected relates to an existing residential property, the principle of which is established as acceptable. However, since the application site is located within the Western Wiltshire Green Belt, an assessment must also be undertaken as to whether the proposals constitute “inappropriate development” for the purposes of section 13 to the NPPF. For convenience, that assessment is undertaken in the sub-section immediately below.

The detail of the proposals must also be assessed against all other relevant policies. That assessment is undertaken in the relevant sub-sections below.

Green Belt

Great importance is attached to Green Belts and new development within the Green Belt is highly restricted by national planning policy. Paragraph 152 to the NPPF is unequivocal in stating that *inappropriate* development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraphs 152 and 153 of the NPPF state:

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 goes on to explain that:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt

Before then going on to identify exceptions to that policy, setting out forms of development which may be *not inappropriate* in the Green Belt (known as exceptions (a) through to (g)). Of most relevance in this instance is exception (c), which states:

The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

And also exception (d) which states:

The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces

Extensions to the original building

With reference to exception (c), "original building" is defined within the Annexe 2: Glossary to the NPPF as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. It is very clear from the planning history that when having regard to the NPPF's definition, the "original building" amounts to a modest two-storey cottage constructed c.1960.

Subsequent to the original building being constructed, several substantial extensions have been added. Firstly, a large single storey, two-roomed extension was added to the south elevation in 1976. Later in 1979, further single storey extensions were added to the north and west elevations, along with dormer window and other external/internal alterations. Finally, and although not clear whether all was granted planning permission or not, in 2006 large single and two storey extensions were added at various points to the dwelling.

There appears to be no dispute with the applicant that significant extensions have been added to the original building from the 1960s.

The proposal is to remove all of the previous additions granted by planning permissions and otherwise and replace the whole with new extensions in a contrasting design and materials to the original cottage. The proposed extensions are to three sides of the original building and extend off original elevations by depths of approximately 4 metres at single storey to the proposed wrap around extension and by approximately 4 metres at two-storey. As can be seen from provided floor plan extracts, the footprint of the original cottage will be disproportionately added to by extensions of bulky, two-storey height. Indeed, it is the chosen flat roof format that most clearly demonstrates the disproportionate size of the addition over and above that of the original 1960s building.

Section 13 to the NPPF does not define what constitutes “disproportionate” and the Wiltshire Core Strategy does not contain any policy which prescribes a floorspace or % increase what or what is not regarded as acceptable in the Green Belt. However, in this case, the matter is considered to be very clear, since by any and all measures – footprint, height, length, mass, size or scale – the proposed extensions are demonstrably disproportionate additions over and above the size of the original 1960s building thereby failing the test set out in exception 154 (c)..

There is no provision within the NPPF to somehow “net” or trade-off” the removal of existing extensions to an original building against those new extensions being proposed to justify or overcome the harm such inappropriate development causes to the Green Belt. For that reason, the volume calculations undertaken by the application which seek to compare the existing and proposed extensions are not considered to alter the very clear conclusions reached in the context of very clear national policy on the matter. They are not considered to constitute very special circumstances.

In other respects, the applicant does refer to what they regard as an improvement to the appearance of the property if the development were to take place. However, this is subjective and as is concluded elsewhere in this report, on its own terms the extensions are not considered to respect the character and appearance of the existing property. Similarly, there is no reason to believe any of the improvements to insulation and energy efficiencies could not be achieved without the need for the proposed development to take place. None of the matters raised are considered to constitute very special circumstances which would justify development that is harmful to the Green Belt.

New garage/workshop

As referenced above, for the purposes of Green Belt policy within the NPPF, the new garage/workshop building is also a new, separate building. Exception (d) to paragraph 154 to the NPPF confirms:

the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces

In this case, it can be agreed that the new garage/workshop would replace an existing garage on the same footprint and would be in the same use. However, it is also clear that the existing garage is modest in scale and size, being some 6 metres long by 3 metres wide and has a ridge height of 2.8 metres to the ridge. In comparison, the new building would be some 6 metres long by 6.5 metres wide, the height to the flat roof is approximately 2.5 metres. This is considerably larger than the building it replaces, especially in consideration of the difference in scale and bulk associated with a comparison between pitched and flat roofs.

The garage and workshop building is a doubling in footprint and mass of the existing building, this is considered to be demonstrably materially larger than the existing building. In terms of para 154 d.) the building will fail to be considered as an exception and is therefore regarded as inappropriate development in the Green Belt. There are no very special circumstances which would justify such harmful development.

Conclusions

All elements of the proposal are considered to constitute inappropriate development in the West Wiltshire Green Belt. Since such development is by definition harmful to the Green Belt, and in the absence of any very special circumstances, that harm must be given great weight in the determination

of this planning application.

Scale and Design

Paragraph 131 to the NPPF states:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Core Policy 57 (CP57) requires that development be of a suitable design and quality for the site and immediate area and sets out fourteen separate criteria which development proposals are required to meet in order to be considered acceptable. CP57 states that:

...Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

Criterion (iii) of CP57 requires that applications for development should:

... respond(ing) positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

Both national and local policy therefore requires new development to be of a high-quality and well-designed and where they are not, planning permission should be refused.

In this particular case, the proposals incorporate a large block like extensions to the dwellinghouse. The scale of development seeing a near doubling of the footprint and volume, with flat roof elements reaching the very tallest part of the property and reading as a significant addition. Indeed, the scale of the additions are considered to be clearly disproportionate and will overwhelm and result in the existing property being lost.

The architecture and palate of materials for dwellings in the locality is of traditional slate or stone slate pitched roofs and stone elevations. Modest timber outbuildings are also seen, including that at the application site. While there are some large agricultural buildings constructed of cement fibre roofing and black or dark timber cladding, they are a significant distance away to the south-east at Hill House Farm and of course are clearly agricultural in nature and obviously contextualised by established farming operations, as opposed to being domestic dwellinghouses as is the case here. Accordingly, the angular and overtly modern architecture and fenestration and materials being proposed is considered to be inappropriate and discordant to the existing and surrounding properties, as well as the rural character in which they all sit.

Whilst the proposed new garage/workshop is large and blocky, in this particular instance, its design and construction is not considered to be unacceptable when assessed against adopted planning policy. The associated landscaping and what appears to be earthworks not considered to be objectionable.

Accordingly, the proposed extensions are considered to constitute high quality development. The additions are excessive in scale and are of a design and materials which do not respect the existing

property or that of its rural surroundings. For these reasons, the proposals would fail to meet the requirements of policy CP57 to the Wiltshire Core Strategy.

Landscape and Cotswold National Landscape (previously known as Area of Outstanding Natural Beauty)

Core Policy 51 states that development should protect, conserve and where possible, enhance the landscape character. Section 15 of the NPPF expects decisions to ensure the protection and enhancement of valued landscapes.

Core Policy 51 and Chapter 11 of the NPPF is applicable as the application site is wholly located within the Cotswold National Landscape. In regard to impacts on the CNL, Core Policy 51 of the WCS and Policy CE1 the Cotswolds Management Plan and position statement seek to ensure that the landscape character, scenic quality and geological features of the CNL are conserved, and where possible enhanced.

Additionally, Core Policy 57 indicates that proposals should relate positively to its landscape setting by ensuring that important views into, within and out of the site are retained and enhanced. Core Policy 51 requires that proposals affecting the CNL shall demonstrate they have taken account of the objectives, policies and actions set out in the Management Plans for these areas.

The north side elevation of the property is adjacent the highway and is the most visible elevation within the landscape, it can be seen in long views from the top of lane west of the settlement of Ditteridge above Middle Hill and from the highway beside the property. The proposed flat roofed single storey extension of the north elevation while visible is considered to have no greater impact than the existing single storey at the property. It maybe visible from the immediate roadside but is single storey and set close against the dwelling where is appears as a subservient addition which blends effectively against the existing built form.

The single storey garage building proposes a flat roof and is set into lower ground to the west corner of the front garden. It is visible from the highway access but is largely concealed by the banked boundary and hedges of the property.

The site is well screened by established planting and trees to the garden on the remaining boundaries the wooded areas of Middle Hill to the west and is not visible from longer countryside views from the south, or east due to the treed boundaries to farmland.

The rear single storey extension is partly against rising rear garden extending up the hedged boundary with the neighbouring field and Hill House Farm beyond. The first-floor extension is well screened by trees and the house is not visible from long views from the A4 or from long views from the countryside to the south.

Due to the siting of the property within the landscape where it is largely concealed by the trees of Middlehill and the trees within the site and to the boundaries there is considered to be no unacceptable impacts on the character and appearance of the CNL and no harm to the openness of the CNL.

It is considered that the proposal will conserve the landscape character and will comply with CP51 and CP57 to the Wiltshire Core Strategy, policy CE1 Cotswolds Management Plan 2023 as well as section 15 to the NPPF.

Heritage

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for works which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment. Section 16 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The proposed development is to a property contained within the Middlehill Conservation Area there are listed buildings, known as Hill House Farm approximately 140 metres to the south east.

As stated above the dwelling is set within landscaped grounds and among established trees, a feature of Middlehill Conservation Area is the setting within the trees of the common land to either side of the highway through Middlehill. The development is sited within the existing grounds of the property, due the setting and established boundaries there is considered to be no impacts to the conservation area from the development to extend the house due to the most visible parts of the proposal being the single storey north side extension and single storey garage.

Due to the distance to the nearest listed building to the south west and the established trees and hedges to the west boundary there is considered to be no harm to the significance of the listed building from the development.

The Conservation Area and listed buildings would not be harmed due to the development which is found to be in accordance with CP 58 of the Wiltshire Core Strategy, section 16 of the NPPF.

Impact upon amenity

Core Policy 57 states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The neighbouring property most sensitive to the development is Heleigh House set approximately 40 metres to the south west. The boundaries of Heleigh Cottage are of established planting and Heleigh House is on higher ground. The single storey garage and workshop elements of the proposal will be the closest element of the development to Heleigh House. The extensions to the Heleigh Cottage are to the north side, rear and south side at first floor in the location of an existing first floor element. Therefore, given the distances, siting and scale of the development there is considered to be no unacceptable impacts upon the amenities of Heleigh House from the proposals.

In this respect, the proposal will comply with policy CP57 to the Wiltshire Core Strategy.

Access and parking

Wiltshire Core Strategy policy CP61 states that new development should be capable of being served by safe access to the highway network. Core Policy 64, states that provision of parking associated with new residential development will be based on minimum parking standards.

The existing vehicle access will remain unaltered. The proposal will provide a single garage and two parking spaces created off the existing driveway within the front garden.

The Wiltshire Highways Engineer raises no objection, with the proposed changes being within the curtilage of the property and will not have a negative impact on the highway interests.

The existing property is a four-bedroom dwelling the proposed extensions will provide a four bedroom dwelling.

The Wiltshire Highways parking standards will require a new development for a four-bedroom property to be three plus off-street parking spaces.

The parking provided will be three spaces and driveway parking, therefore the proposal is considered to meet with Wiltshire Parking Standards in accordance with CP 64 of the WCS.

The existing vehicular access remains unchanged and meets with CP 61 of the WCS.

Accordingly, the proposed development is considered to not cause an unacceptable impact on highway safety and will meet with the requirements of policies CP57(xiv) and CP61 to the Wiltshire Core Strategy, as well as those set out in section 9 to the NPPF.

10. Conclusion

The proposals constitute inappropriate development in the Green Belt. By definition, inappropriate development is harmful in the Green Belt, and in accordance with the NPPF, that harm must be given great weight when determining this planning application. There are no very special circumstances or other material considerations which would otherwise justify the harm caused to the Green Belt.

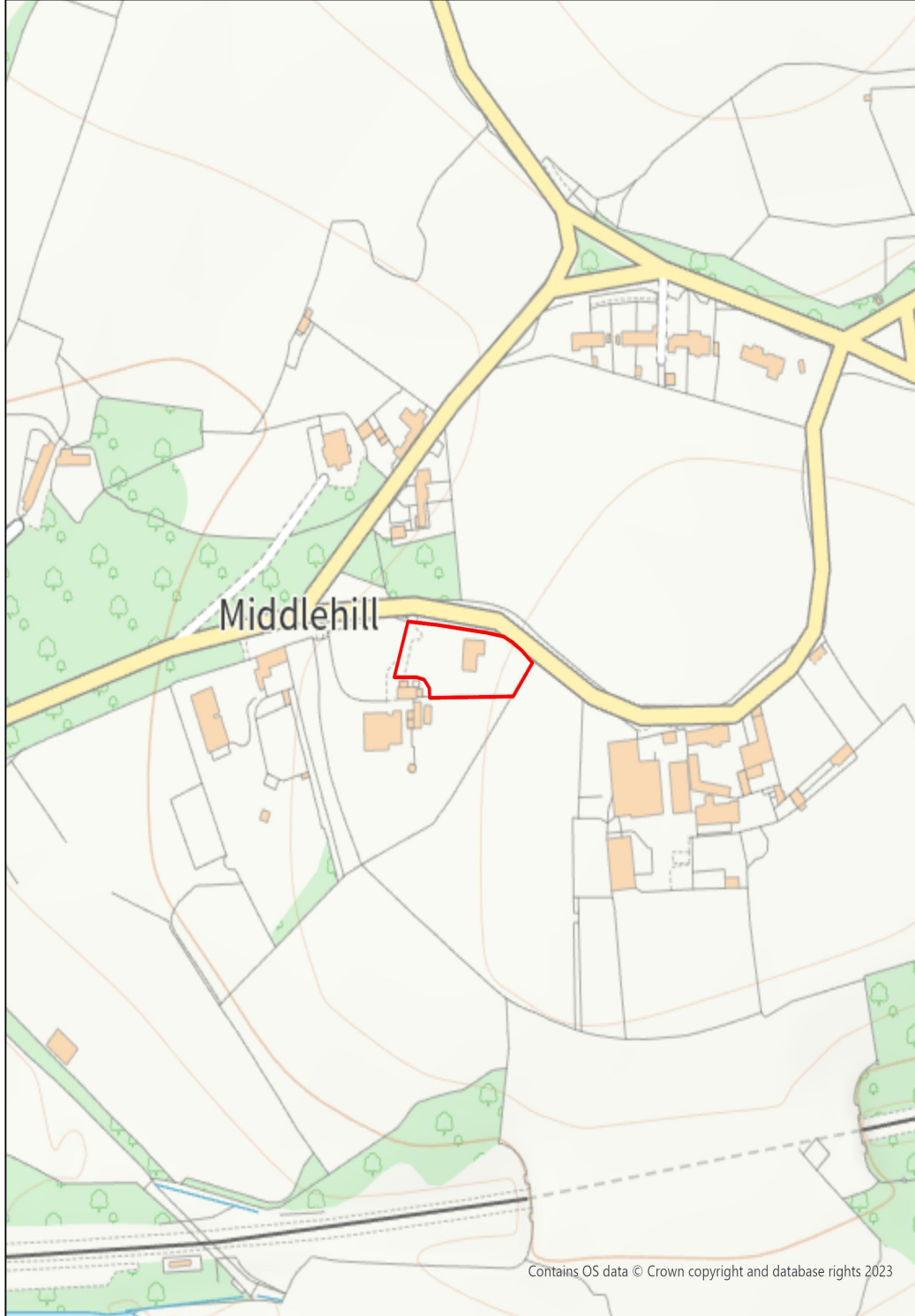
In other respects, and due to the height, mass, scale, design, siting, elevational design and materials, the proposed extensions are not considered to respect or integrate with the existing property or its rural setting and cannot be regarded as high quality development. Accordingly, the proposal is considered to fail the requirements of policy CP57 (iii) and (xii) to the Wiltshire Core Strategy as well as section 12 to the NPPF.

RECOMMENDATION: That Planning Permission be REFUSED for the following reasons:

1. By reason of their disproportionate size and larger scale respectively, the proposed extensions and replacement garage/workshop building constitute inappropriate development in the Bath and Western Wiltshire Green Belt. By definition, inappropriate development is harmful in the Green Belt, and in accordance with the NPPF, that harm must be given great weight. There are no very special circumstances or other material considerations which would otherwise justify the harm

caused to the Green Belt and, for that reason, the application is contrary to the policy set out in section 13 to the NPPF.

2. By reason of its height, mass, scale, design, siting, elevational design and materials, the proposed extensions are not considered to respect or integrate with the existing property or its rural setting and cannot be regarded as high quality development. Accordingly, the proposal is considered to fail the requirements of policy CP57 (iii) and (xii) to the Wiltshire Core Strategy as well as section 12 to the NPPF.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	22 nd May 2024
Application Number	PL/2024/00649
Site Address	19 The Beeches, Lydiard Millicent, Swindon, SN5 3LT
Proposal	Proposed Side and Rear extension and new roof over accommodate rooms in the roof
Applicant	Mr and Mrs Nick Sturman
Town/Parish Council	Lydiard Millicent
Electoral Division	Councillor Steve Bucknell
Type of application	Householder Planning Permission
Case Officer	Stefan Galyas

Reason for the application being considered by Committee:

The application has been called to the Northern Area Planning Committee by Councillor Steve Bucknell. The development by virtue of its scale, bulk, mass, form, positioning and design features which would result in harm to the character, appearance and visual amenity of the locality; and harm to and loss of residential amenity by virtue of overbearing impact, loss of outlook; loss of privacy and overlooking and loss of daylight. As a result the proposal is contrary to Wiltshire Core Strategy Core Policy CP57 (i) (iii) (vi) (vii) (xi) (Jan 2015)

1. PURPOSE OF REPORT

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the recommendation for planning permission is permitted subject to conditions.

2. SITE DESCRIPTION

The application relates to No.19 The Beeches, a detached bungalow featuring a hipped roof and red brick exterior walls. The dwelling has not previously extended to the rear and possesses a flat roofed side elevation garage. The property is set to the south of the roadside and is currently accessed through a gravelled driveway. There is both ample front and rear garden amenity space afforded on site.

The sites locality features an eclectic mix of architectural styles, finishes and materials including two storey dwellings. Many dwellings feature dormers of varying appearances in order to accommodate rooms at first floor level. There are two other bungalows to the west of the site which sit proud of the application property in terms of siting whilst No.19 is set more in line with the adjacent neighbouring property to the east at No.21.

Lydiard Millicent is identified as a Small Village by the Wiltshire Core Strategy but does not possess a settlement boundary and the property is considered to be located within the open countryside for planning purposes.

With regard to policy constraints, the site is not located within any designated area with the periphery of the village wide Conservation Area lying to the south of The Beeches.

3. PROPOSAL

The application seeks planning permission for the development of a side (eastern) and rear (southern) elevation extensions as well as raising the existing bungalow roof in order to accommodate space at first floor level. The current vehicle access would remain unaltered as stated within the submitted application form.

The proposal would enlarge the existing bungalows overall footprint from approximately 92sqm to 149sqm at ground floor level internally. The existing front gable would be increased in width to support the raising of the ridge to this element. Additionally, the existing flat roofed garage would be extended upon at first floor level and the proposal would primarily feature a pitched roof with a hipped side (western) element.

The property would increase the quantum of bedrooms from three at present to four and would feature several internal alterations. In terms of fenestration arrangement, there would be two dormer windows and a roof light contained to the front elevations roof slope as well as six rooflights contained to either side of the proposed rear gable and a new rear dormer. A new first floor window opening would be contained to the rear gable with two further ground floor windows serving the kitchen and a bi-fold opening door serving the dining area.

Proposed materials would comprise of facing brickwork walls, interlocking concrete roof tiles, white uPVC windows and doors.

4. POLICIES

Wiltshire Core Strategy (WCS) Adopted 2015

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 19 – Royal Wootton Bassett and Cricklade Settlement Strategy

Core Policy 51 – Landscape

Core Policy 57 – Ensuring High Quality Design and Place Shaping

Wiltshire Design Guide – March 2024

Paragraph 3.3.1

Paragraph 4.2.9

Appendix D – Design Guidance for Household Extensions

Lydiard Millicent Neighbourhood Plan – Made May 2021

Policy LM1 – Managing Design in Lydiard Millicent

National Policy:

National Planning Policy Framework (NPPF) December 2023

Paragraphs 2, 8, 11, 12, 38, 47, 88, 89, 114-116, 131, 135 & 139.

National Design Guide (2021)

5. KEY ISSUES

The main considerations which are material to the determination of this application are listed below:

- Principle
- Impact on Character and Appearance
- Neighbouring Amenities

6. RELEVANT PLANNING HISTORY

PL/2021/09418 - 13 The Beeches, Lydiard Millicent, Swindon, SN5 3LT. Erection of single storey front, rear and first floor extensions and replacement roofs with roof lights. Refused 03/03/22.

7. REPRESENTATIONS

Lydiard Millicent Parish Council: Objection. The Parish Council resolved to object to the application after having previously provided a 'no comment' response. It was considered that the same reasons for refusal as the nearby application at No.13 (PL/2021/09418) applied to the current proposal. The scale, bulk, mass, form, positioning and design features were considered to be unacceptable in this instance.

Wiltshire Council Highways: No objection.

Letters: There was a total of 12 letters of representation received in response to the proposed development from 7 local residents. With regard to the original proposal, the following issues were raised:

- The overall increase in height of the roof being of an obtrusive appearance that would not respond positively to the immediate character of the area or the adjacent properties.
- The installation of five velux rooflights which were considered to erode the current levels of privacy enjoyed by neighbouring occupiers.
- The proposed rear velux rooflights should be obscure glazed to maintain the privacy of the neighbours.
- Increasing the height above the existing roof line thus being out of sorts with the previous findings from the nearby decision at PL/2023/03135 and subsequent appeal.
- An overbearing impact being incurred through the proposed height on No.17. It was considered that the proposal would block light to the neighbouring kitchen, bedroom and dining room.
- All the properties within the inner horseshoe of The Beeches being of a bungalow design which was original to the development of the estate, thus forming the character of the area. Whilst alterations had been carried out on these inner dwellings, none have increase the roof ridge heights.

Following revisions submitted by the applicant, the proposal was hipped on its western roof pitch and the two storey rear extension was offset from the shared boundary with No.17 with the addition of a flat roofed single storey extension in its place. The proposed rear velux rooflights were removed and replaced with a rear dormer as well as a re-configured rear gable which featured a new window at first floor level. Further objections were received thereafter:

- The ridge height being 300ml over the previously proposed ridge line.
- Extra windows included to the rear elevation which would have the potential to overlook No.11s bedroom and garden.
- The proposal deterring the uniqueness of The Beeches development with houses featuring on the outer circle with bungalows contained to the inner horseshoe. The development was considered to set a precedent for future developments along the estate which would further erode its character.
- The proposed side (west) elevation rooflight having the potential to overlook the neighbouring property at No.17.
- The inner ring of bungalow developments being an important feature in the maintenance of the privacy of neighbouring occupiers which would be removed through the proposed development.
- The proposed rear elevation velux rooflight, dormer window and first floor window overlooking the property to the south at No.9 and No.11.

8. ASSESSMENT

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications be made in accordance with the Development Plan unless material considerations indicate otherwise.

Principle of Development:

The principle of extending or altering an existing dwelling is considered acceptable in principle and in accordance with Core Policies 1, 2, 19 and 57 of the WCS, subject to a range of site-specific considerations and compliance with policies found within the development plan and the NPPF.

Impact on Character and Appearance:

Core Policy 57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Residential extensions/alterations such as this are acceptable in principle subject to there being no adverse impacts.

Policy LM1 of the Lydiard Millicent Neighbourhood Plan states that any development proposals in Lydiard Millicent must sustain and enhance the distinctiveness of the village.

Paragraph 135 of the NPPF states, among other matters, that new development should be visually attractive as a result of good architecture and be sympathetic to local character. The need for good design is reinforced by the National Design Guide (2021).

Appendix D of the Wiltshire Design Guide requires development proposals to not dominate the existing building and appear subservient. There are a number of factors which may influence the design of the extension, including the location, plot shape and size proximity to neighbours.

Good design helps to provide a sense of place, creates or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing; The layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the site's characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features. The proximity of poor quality or indistinct development is not a justification for standard or poor design solutions. New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality; A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings.

The Beeches is a relatively modern development featuring residential dwellings of eclectic designs, positioned to either side of the horseshoe layout. Many of the dwellings within The Beeches have extended both from their original footprint and in terms of height and scale. These various alterations have resulted in the loss of the predominant vernacular in the area. The development is positioned west of the central core of development in Lydiard Millicent. The development as a whole is surrounded by open fields and adjoins Lydiard Green to the south.

The dwelling itself is positioned to south of the northern segment of the horseshoe at The Beeches. The cul-de-sac terminates to the east with dwellings positioned to the south, east and north of the turning circle. No.19 is set back from the two other bungalows abutting the southern side of the road at both Nos.15 and 17. The property is therefore more in line with the adjacent neighbouring dwelling to the south-east at No.21. While still perceivable from the roadside, this set back from the road decreases the properties overall visual prominence. Given the comparable building line between Nos.19 and 21 it is considered that the proposal should be considered more so within the context to the east of the site than the west. The uniformity and scale of the bungalows to the inner ring are considered to become diluted further to the eastern periphery and this can be seen at No.23 which features dormers and window openings at first floor level, thus increasing the properties overall scale.

It is considered that the proposed alterations would significantly change the external appearance of what would otherwise be a bungalow of a traditional appearance. The development would not entirely be out of sorts with its surroundings and would take cues from other design features within the sites locality. The inclusion of the two front dormers for example are considered to be reflective of the property at No.23. Whilst the inclusion of a front gable would be a break from the previous hipped appearance presented to the roadside, several gable ends of varying sizes and finishes can be observed within the sites locality, including both that of the properties immediate context at Nos.21 and 23.



Figure 1: No 13 Proposed Elevations at No.13 The Beeches under PL/2021/09418

It is acknowledged that the appeal decision at No.13 (PL/2021/09418) stated that there was a lack of abrupt changes and a coherence to the bungalows within the inner ring of development. Whilst each planning application is assessed based on its own merits, this previous decision does form a material planning consideration for the assessment of the current proposal. Figure 1 shows that the previously refused scheme at No.13 had a ridge height of approximately 8.5m and an eaves height of 5.3m. This was considered to be a significant change from the previous bungalow on site to a full 2½ storey house. The current proposal would raise the maximum ridge height be approximately 0.3m and would maintain the existing eaves height of 2.4m. Furthermore, the application site is considered to be set within a diluted position with regard to the inner ring of development as it matches the building line of the property to the south-east and is set back from the roadside. On the contrary, the previously refused proposal at No.13 was considered to be positioned in a highly visually prominent position with regard to The Beeches development in an open corner plot.

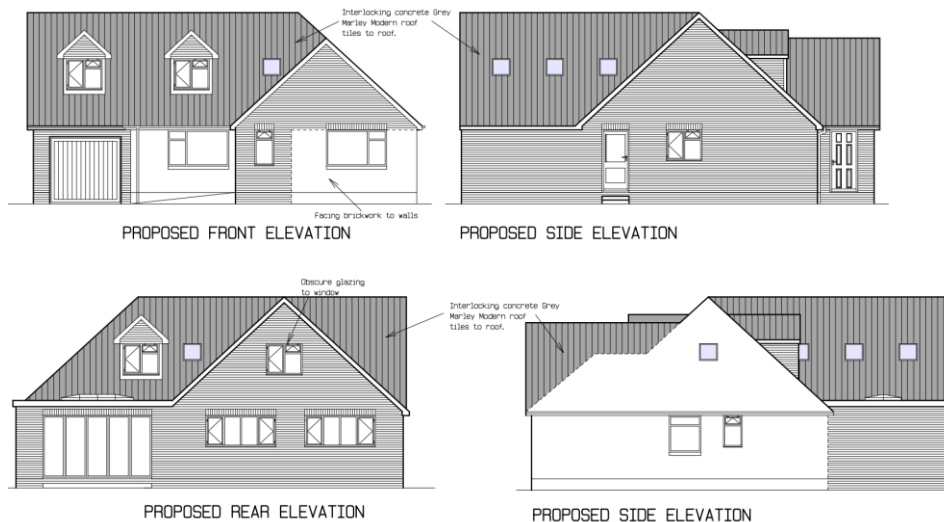


Figure 2: Proposed elevations under the current proposal PL/2024/00649

The proposed development would extend the existing bungalow to the side (eastern) elevation and would increase the overall internal footprint of the bungalow (at ground floor level) from 92sqm to 149sqm. A total of approximately 291sqm would be provided internally from the proposed extensions, loft conversion and raising of the ridge. Whilst this increase in footprint would likely result in a larger appearance to that of the original bungalow, the overall scale is not considered to give rise to an unduly unacceptable external appearance. The property would still present an overall height of a bungalow with a minimal increase in ridge height and retaining the same eaves height as at present.

It is therefore considered that the proposal would result in an acceptable appearance to the visual amenity of the locality. The proposal would be located to the periphery of the inner ring of development where the core character of bungalows is diluted moving further along from the south-east to the north-east where the cul-de-sac terminates. It is also of note that the site does not lie within the Lydiard Millicent Conservation Area. The proposal would remain of a height commonly associated with bungalows and the eaves height would remain unaltered. To this end, the proposal would accord with the provisions of Core Policy 57 of the Wiltshire Core Strategy, The Wiltshire Design Guide and the relevant paragraphs of the NPPF.

Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should “*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this, therefore, needs to be carefully considered accordingly.

Paragraph 4.2.9 of the Wiltshire Design Guide states that a traditional 20m back-to-back distance should prevent an unacceptable degree of overlooking. It is noted that this is a guideline, not a criterion, subject to offering a suitable design for the area and sensitive to reduce intrusive overlooking.

The proposed development would include three additional rear elevation windows at first floor level which would face out towards the south of the site. These windows would be positioned above what is currently in existence on the bungalow, with rear elevation windows only contained to ground floor level. There are some properties located to the site's southern boundary such as those at Nos.9 and 11. The sites are separated by a shared 2m high boundary fence which largely obscures views two and from each respective site at ground floor level. A separation distance of 32m would remain between the property on site and No.9 while a distance of approximately 33m would remain to the dwelling at No.11. Following a site visit conducted by the Case Officer, it is considered that there would be a substantial degree of separation which would remain between the two properties to overcome a significant overlooking impact. As a neighbourly gesture the applicant has proposed to maintain the window protruding furthest to the south on the gable in an obscure glazed finish. The proposed rear dormer window would be set further back at a greater separation distance from the sites to the south while the proposed rear elevation rooflight would serve the stairwell and would likely be used to supply light to this area as opposed to offering a degree of outlook. As for the neighbouring property at No.17, the rear dormer window would likely offer views at an obscure angle towards the neighbouring garden amenity space and would not face any habitable rooms. It is therefore considered that the inclusion of these windows along the rear elevation would not give rise to an unacceptable overlooking impact and would be in excess of the quoted 20m separation distance as per the Wiltshire Design Guide.

There would be several rooflights contained to the proposals western elevation, both to the original roof slope and the rear gable projection. The proposed rooflight on the original roof slope raised an objection following public consultation due to its proximity to No.17 immediately to the west. This rooflight is considered to be set at a high level (approximately 1.7m from the eaves) and would likely be used to supply further light into the bedroom. Nevertheless, given that the window would serve a habitable room and set approximately 5.5m from the neighbouring property, a condition ensuring that the velux rooflight contained to the original western elevation roof slope remains obscured glazed is considered relevant and necessary in the circumstance that planning permission be granted. With regard to the rooflights contained to the western roof slope of the rear gable projection, it is considered that these would be sufficiently offset from the site at No.17 to avert an unacceptable overlooking impact.

By virtue of the proposed increase in height, it was considered in response to the original proposal that the extension would result in an unacceptable overbearing impact with regard to the property at No.17, where a rear elevation conservatory is in existence. Subsequently, plans were revised to offset the extension from the shared boundary to the west and reduce the presence of a large red brick wall along No.17s garden amenity space. The proposal would remain hipped on the western roof slope but would be increased in height by 0.3m to the ridge. Given the limited increase in height and the use of a hipped roof as opposed to a gable, it is considered that the proposed development would not give rise to an unacceptable overbearing impact on the adjacent neighbouring property.

The neighbouring property to the east at No.21 is set further afield from the application site due to No.21s siting as the properties curve around the turning circle. This offers a greater degree of separation than what is offered to the east. While there are some side (west) elevation windows along at the neighbouring property, these windows are considered to provide limited outlook and use obscure glazing. In any circumstance, the separation distance between the two properties is considered to ensure that the proposal does not give rise to an unacceptable overbearing impact on No.21.

With regard to the proposed rooflights on the eastern facing roof pitch of the rear gable projection, these are considered to be set within a relatively close proximity to the site at No.21. As such, a condition that these rooflights remain shut and in obscure glaze is considered relevant and necessary should planning permission be granted.

In light of the above, the proposed development is considered to result in an acceptable impact with regard to the amenities of the adjacent neighbouring occupiers.

9. CONCLUSION

The proposed development is considered acceptable and in accordance with Core Policies 1, 2, 19, 51 and 57 of the Wiltshire Core Strategy, Policy LM1 of the Lydiard Millicent Neighbourhood Plan, The Wiltshire Design Guide and the relevant paragraphs of the NPPF.

10. RECOMMENDATION

That planning permission be GRANTED subject to the following conditions:

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:

Y-23—123-1 A Proposed Side and Rear Extensions and New Roof Over to Accommodate Rooms in the Roof.

Y23-123-4 A Proposed Site Plan

Both received 05/04/24

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match be as stated on the approved plans, application form and submitted documentation.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. The window in the rear (southern) elevation at first floor level serving the primary bedroom and the shall be glazed with obscure glass only prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

5. The roof light in the western roof pitch serving the secondary bedroom shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

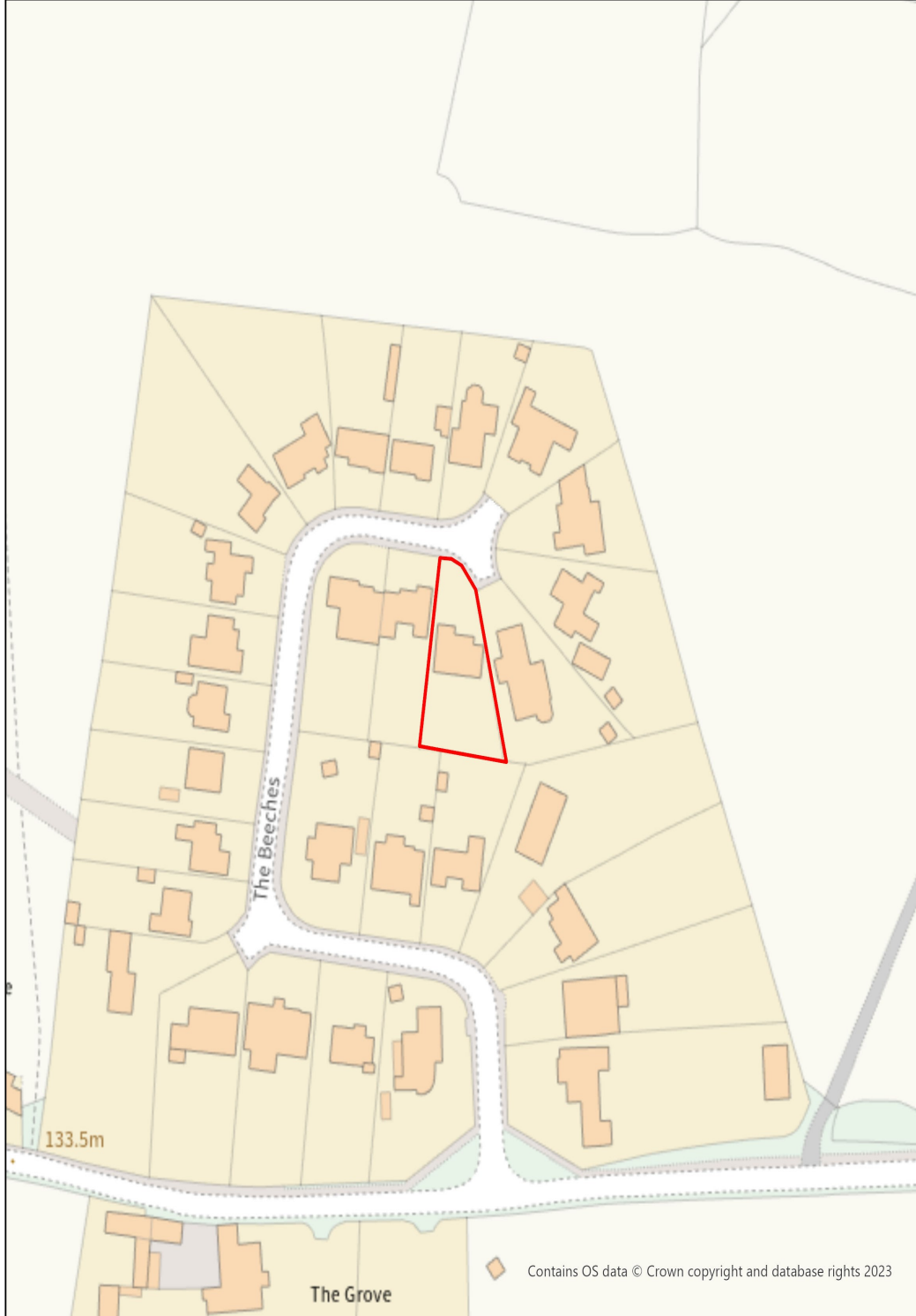
REASON: In the interests of residential amenity and privacy.

Informatives: (4)

1. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
2. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

3. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.



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REPORT FOR PLANNING COMMITTEE

Application Number	PL/2022/05412
Site Address	Land off Dog Trap Lane , Minety
Proposal	Proposed Development is for a battery storage facility and ancillary infrastructure (Revision of PL/2022/00404)
Applicant	HB222BRI Ltd
Town/Parish Council	Minety
Electoral Division	Minety – Councillor Chuck Berry
Grid Ref	401684 190197
Type of application	Full Planning Permission
Case Officer	Adrian Walker

Reason for the application being considered by Committee

The application has been called-in by the Division Member Chuck Berry (Minety Division) (on the 14 October 2022) for the following reasons - 'scale of the development', 'visual impact upon the surrounding area', 'relationship to adjoining properties', and 'design – bulk, height, general appearance'. It was also stated that the proposals is for one of eleven applications for Battery Energy Storage Systems in the area so the cumulative impact needs to be considered. This current application has new mitigation measures [following the withdrawal of the original application] but the culminative impact is not addressed.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation to grant planning permission subject to conditions.

2. Report Summary

The main issues for consideration are:

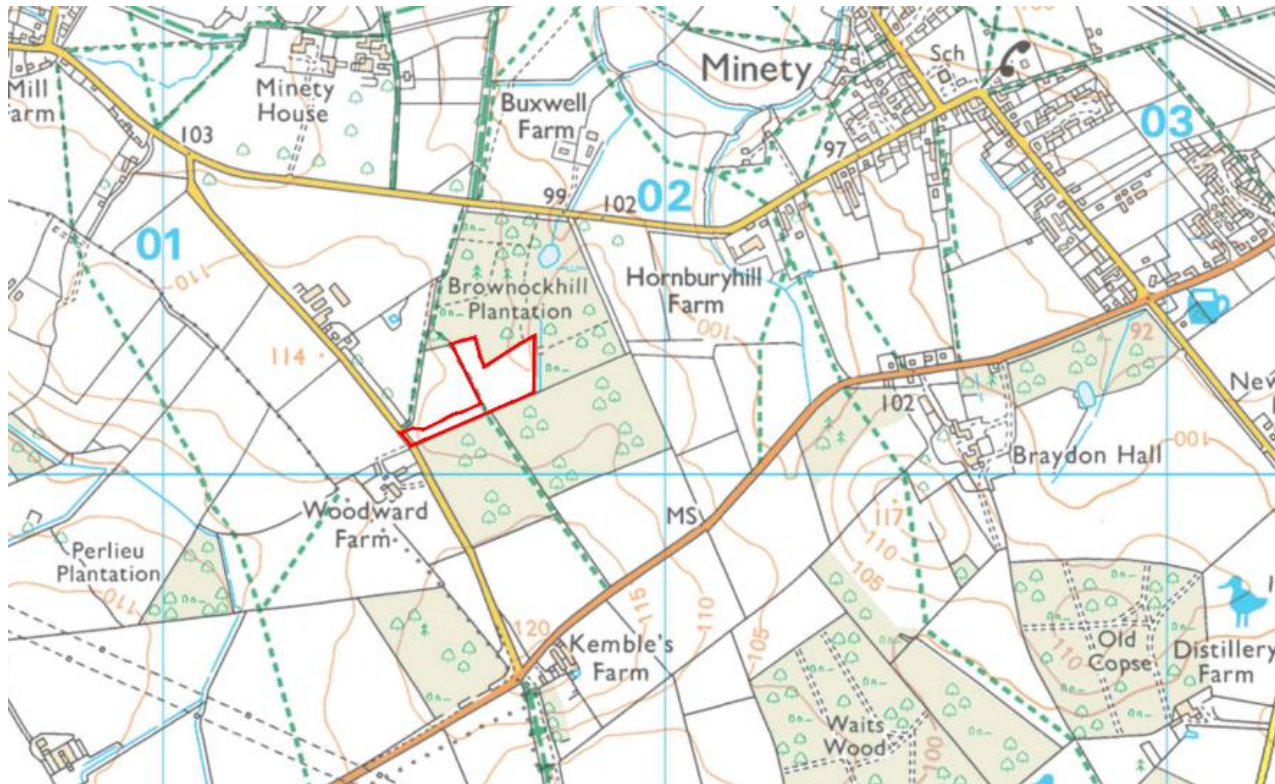
- a) Whether the proposal is acceptable in principle;
- b) Whether the proposal would result in the loss of agricultural land;
- c) Whether the proposal would be harmful in terms of its landscape and visual impact;
- d) Whether the scheme would give rise to an adverse impact on residential amenity;
- e) Whether the proposal would have an adverse impact upon highway safety or public rights of way;
- f) Whether the scheme would cause harm to protected species and/or their habitats;
- g) Whether the proposal would result in the loss of trees and ancient woodland;
- h) Whether the scheme would cause harm to areas of archaeological interest or to heritage assets; and

- i) Whether the proposal would result in any other adverse environmental impacts.

3. Site Description

The application site is a green field located in open countryside comprising approx.1.85hectares surrounded by woodland along its north, east and south boundaries. The site lies to the east of Dog Trap Lane and is circa 1.5km to the east of the National Grid Minety Substation and circa 0.6km south-west of Minety.

Public Footpath MINE1 follows a route along the western edge of the site. The nearest residential properties are along Dog Trap Lane to the north-west and south-west of the site as shown on the Location Plan below.



Site Location Plan (Drawing 3075-01-01 Site Location Plan)

4. Relevant Planning History

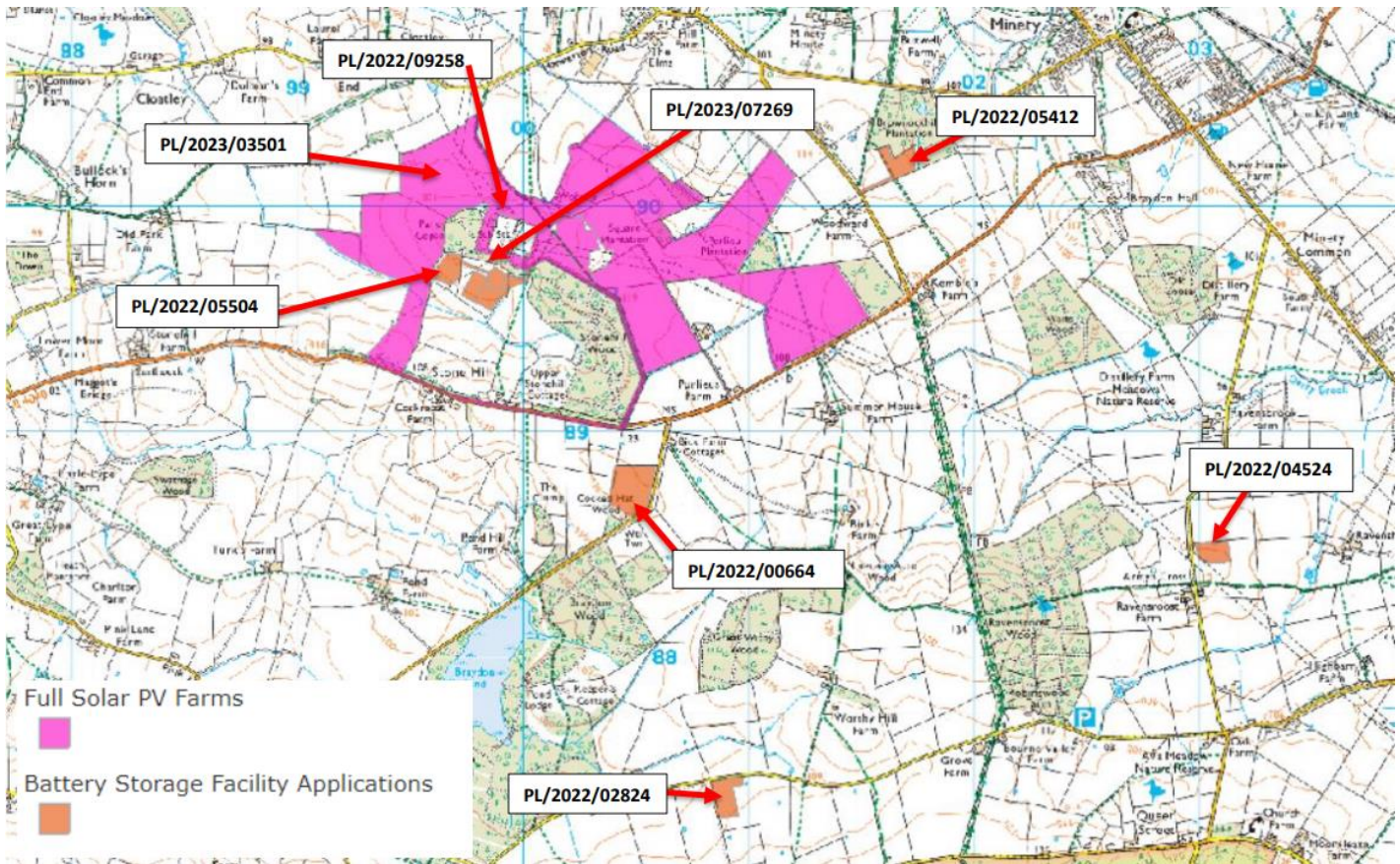
The following planning application is material to the assessment of the current proposal:-

- PL/2022/00404 - Change of use from agricultural to energy infrastructure and proposed battery storage facility - Land off Dog Trap Lane, Minety – Withdrawn 24 May 2022

There are other current planning applications before the Council for Solar Photovoltaic and Battery Energy Storage System developments. They are as listed as follows and identified on the map below:-

- PL/2022/02824 - Land at Somerford Farm, Brinkworth, SN15 5AU - Proposed Development is for a battery storage facility and ancillary development. (2.6km South East of Substation)

- PL/2022/04524 - Land east of Ravensroost Road, Ravenshurst Farm, Minety, Malmesbury, SN16 9RJ - Installation of a Battery Energy Storage Facility, substation, underground cabling, access, landscaping, biodiversity enhancements and ancillary infrastructure & equipment to include acoustic fence, security fence & gates. (3.4km South East of Substation)
- PL/2022/05504 - Land at Stonehill, Minety, Wiltshire, SN16 9DX - Installation of a Battery Energy Storage System (BESS) together with associated ancillary infrastructure, equipment and access arrangements. (South West of Substation)
- PL/2022/08634 - Lower Moor, Minety - Solar Park and Energy Storage Facility together with associated works, equipment and necessary infrastructure.
- PL/2023/03501 - Land near Minety Substation, Minety, SN16 9DX - Variation of condition 3, 4, 5, 6, 7, 11 & 20 of 20/03528/FUL -To allow modifications to the approved layout, increase from 12 battery units with 16 localised inverters to 22 battery units and 19 containerised inverters, alterations to location of vehicular access.
- PL/2023/07269 - Land to the east and south of National Grid Minety Substation, Minety, Malmesbury, Wiltshire, SN16 9RP - Installation of a grid connection cable route for an electrical connection between the approved Minety Battery Storage Facility (Planning ref:20/07390/FUL) and National Grid Minety substation.

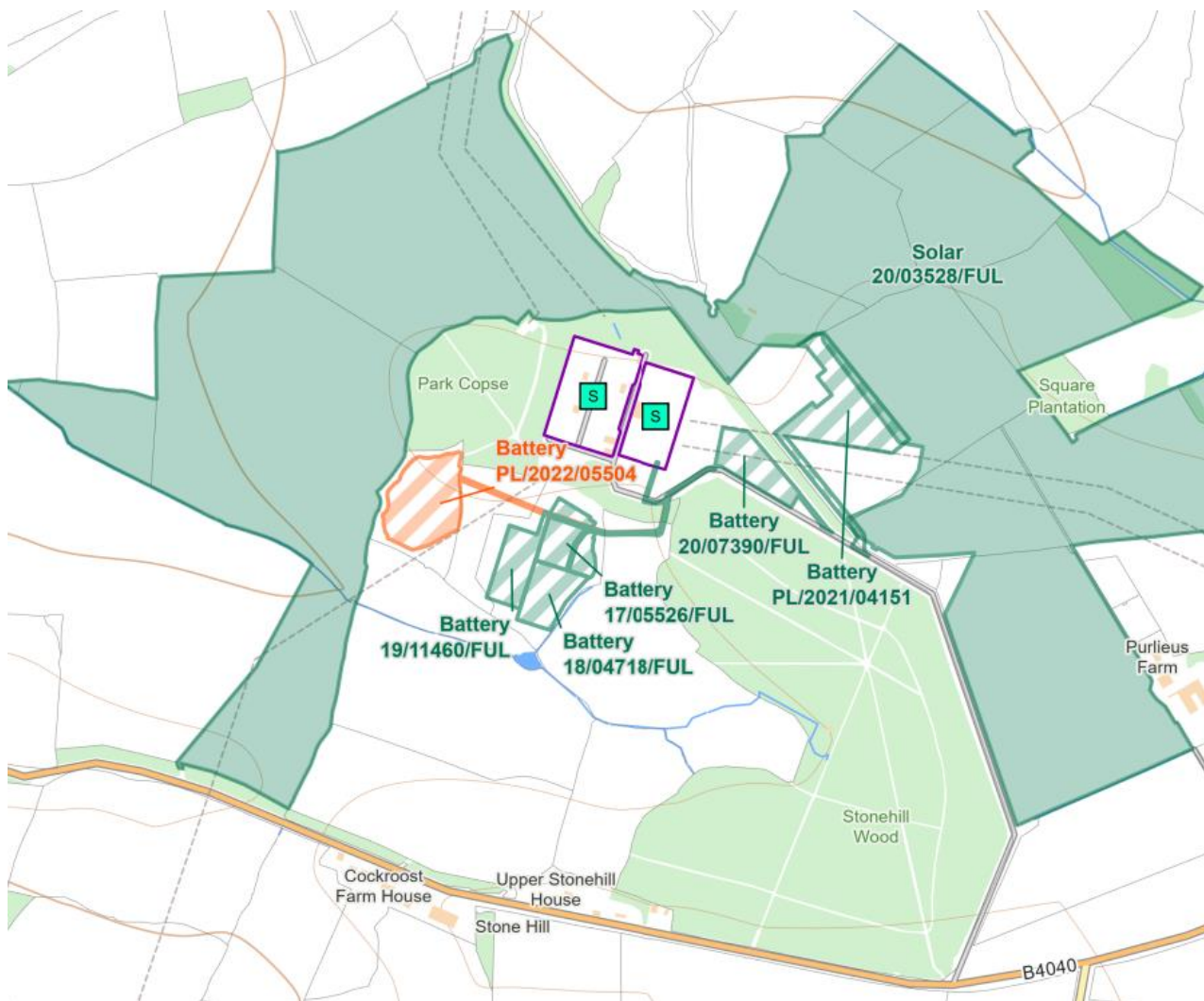


The following current applications, for an extension to the Minety Substation and another Battery Energy Storage System, are also relevant to the assessment of the current proposal and are identified on the map above:-

- PL/2022/09258 - Minety Substation, Minety, Wiltshire, SN16 9DX - Extension of existing substation comprising installation of 400/132kV transformer, 3no. 400/33kV transformers, circuit breakers, construction of retaining wall and 33kV switchroom, formation of access road, culverting of watercourse, erection of fencing and associated works.
- PL/2022/00664 - Land off Pond Lane, Minety - Proposed Development is for a battery storage facility – Non-Determination Appeal ref APP/Y3940/W/23/3319392. (1.05km South East of Substation)

There are also a number of approved applications for Solar Photovoltaic and Battery Energy Storage Systems around the Minety Substation, they are listed as follows with some of the key ones identified on the plan below:-

- 20/03528/FUL - Installation of a renewable led energy scheme comprising ground mounted photovoltaic solar arrays and battery-based electricity storage containers together with transformer stations; access; internal access track; landscaping; security fencing; security measures; access gate; and ancillary infrastructure - Approved with Conditions 20/08/2021 (north / east and west of the substation)



(source: planning application PL/2022/04524 / Conrad Energy (Developments) II Limited / dated 31.10.22)

- Planning Application 17/03936/FUL - Development of a 49.99 MW Battery Storage Facility with associated ancillary equipment, providing services to National Grid, formation of access track - Approved with Conditions 20/07/2017 (*north of the substation*)
- Planning Application 17/03941/FUL - Development of a 49.99 MW Battery Storage Facility with associated ancillary equipment, providing services to National Grid, formation of access track - Approved with Conditions 19/07/2017 (*north of the substation*)
- Planning Application 17/05526/FUL - Energy Storage System, comprising battery storage containers, ancillary buildings, security fencing, CCTV, landscaping and substation - Land adjacent to electricity sub station - Approved with Conditions 21/09/2017 (*south of the substation*)
- Planning Application 18/04718/FUL - Energy Storage System, Comprising Battery Storage Containers, Ancillary Buildings, Security Fencing, CCTV and Landscaping - Land Adjacent to Electricity Sub Station - Approved with Conditions 19/07/2018 (*south of the substation*)
- Planning Application 19/11460/FUL - Energy Storage System, comprising battery storage containers, ancillary buildings, security fencing, CCTV and landscaping - Approved with Conditions 06/02/2020 (*north-east of the substation*)
- Planning Application 20/07390/FUL - Installation of a battery storage facility and ancillary development on land adjacent to National Grid's Minety Substation - National Grid Minety Substation Approved with Conditions 25/01/2001 (*east of the substation*)
- Planning Application PL/2021/09101 - Variation of conditions 2 and 10 for application 17/03941/FUL - Development of a 49.99 MW Battery Storage Facility with associated ancillary equipment, providing services to National Grid, formation of access track - Approved with Conditions 28/06/2022
- Planning Application PL/2021/04151 - Construction of a 2 hour duration containerised Battery Storage Facility with the ability to store and export up to 49.99 MW of electricity. The development will comprise 58 single storey steel cabins, known as E - Houses which are 12m long, 2.4m wide and 2.9m high, which house banks of lithium-ion batteries. 12 MV Blocks, also known as the transformers and control gear sit alongside E - Houses. The compound is protected with a 2.5 m high steel mesh fence. The proposed development would replace the approved Minety North substation (Minety North, 17/03936/FUL) – Approved with Conditions 08/11/2021 (*north-east of the substation*)

There are operational Battery Energy Storage Systems directly to the north-east and south of the Minety Substation with other solar photovoltaic development within the wider landscape.

Environmental Impact Assessment

On the 14 September 2021, Pelagic Energy requested a Screening Opinion from Wiltshire Council, under Regulation 6(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), for the installation a 47.5MW battery storage facility and associated infrastructure on land described as 'Land off Dog Trap Lane, Minety, Wiltshire' (PL/2021/08850). The area of land was 3.4hectares but included the land the subject of this current planning application. The purpose of the request was to determine whether the

proposed development, as described, would be likely to have significant effects on the environment and therefore require an assessment.

The Council issued a Screening Opinion (ref PL/2021/08850) on the 06 October 2021 confirming that “based on the information provided, it is the opinion of the local planning authority that the proposed development would not result in effects the significance of which would require an environmental impact assessment. An environmental impact assessment is not required for this proposal”.

On the 19 May 2023, Pelagic Energy requested a Screening Opinion from the Secretary of State, under Regulation 6(10) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), for the development the subject of this planning application. The Department for Levelling Up, Housing & Communities confirmed on the 22 November 2023 that “having taken into account the selection criteria in Schedule 3 to the 2017 Regulations the Secretary of State does not consider that the proposal is likely to have significant effects on the environment” and provided a full written statement which gives the reasons for the direction as required by Regulation 5(6) of the EIA Regulations.

It was concluded that “Overall, based on the available information and having regard to the considerable amount of permitted energy development in the locality, the Secretary of State has concluded there are no other issues or factors in this case, in this specific location, that either in isolation, or cumulatively, indicate a likelihood of there being significant environmental effects from this proposal. EIA is therefore not required”.

5. The Proposal

The application seeks full planning permission for a Battery Energy Storage System (BESS) with a capacity of c.50MW. The batteries would be housed within containers and be supported by ancillary development, including transformers, inverters, and switch gear units. The site would also be surrounded by a security fencing, acoustic fencing, and new landscaping and biodiversity enhancements.



General Arrangement Plan (drawing ref. 3075-01-03 Rev.B)

The Planning, Design & Access Statement (July 2022) by axis provides a detailed description of the development and lists the individual items of infrastructure to be installed:-

- 26 no. single stacked containers housing Battery Energy Storage Systems ('BESS'). These would have the appearance of a standard 40ft metal shipping container with ventilation units for cooling and would be arranged in blocks within a single compound on the Site.
- The containers would be supported by ancillary infrastructure including: 14 no. Inverter / Transformer stations, 2 no. Auxiliary Transformers, 1 no. HV Switchgear, and 1 no. LV Switchgear.
- The containers and ancillary infrastructure would be located within a secure compound surrounded by a 2.4m high weldmesh fence with CCTV security cameras.
- A 4m high Acoustic Fence would sit along the north side of the BSF compound
- A 5m high Acoustic Fence would sit along the west side of the BSF compound.
- A new access track, connecting the proposed BSF compound with Dog Trap Lane to the west.
- New landscaping across the Site, including tree, shrub and hedgerow planting, and an attenuation pond.
- The Proposed Development would gain access from Dog Trap Lane to the west of the Site and a new dedicated access track would run along the southern field boundary to the BESS compound.

The Planning, Design & Access Statement explains that the purpose of the development is to store power from the national grid at times of excess supply and would feed this power back into the grid at times of high demand/reduced generation capacity. The type of development is referred to by National Grid as a 'balancing service'. It would assist in balancing grid frequency at times of system stress associated with periods of over or under supply.

The application explains that the point of connection for the proposed development to the electricity grid would be at the existing Minety Substation, which is located circa 1.5km west of the Site. The connection would be installed below ground by an ICP contractor / statutory undertaker under permitted development rights. Accordingly, planning permission is not being sought for this element of the scheme.

The application is supported by the following plans and documents: -

- Document. Planning Design and Access Statement (July 2022) by axis and the following Appendices:
 - Wiltshire Council EIA Screening Opinion;
 - Ecological Assessment;
 - Flood Risk / Surface Water Drainage Assessment;
 - Arboricultural Impact Assessment (including Tree Survey, Tree Protection Plan and Arboricultural Method Statement);
 - Noise Impact Assessment;
 - Heritage Statement and Geophysical Survey;
 - Landscape and Visual Appraisal;
 - Transport Statement; and
 - Agricultural Land Classification Survey.
- Drawing. 3075-01-01 Rev B Site Location Plan
- Drawing. 3075-01-02 Rev B Statutory Plan
- Drawing. 3075-01-03 Rev B General Arrangement
- Drawing. 3075-01-04 Battery Storage Container

- Drawing. 3075-01-05 Inverter-Transformer Stations
- Drawing. 3075-01-06 Transformer
- Drawing. 3075-01-07 Switchgear Container
- Drawing. 3075-01-08 LV Switchgear Container
- Drawing. 3075-01-09 Fencing and Security
- Drawing. 3075-01-10 Rev B Existing Site Plan
- Drawing. 3075-01-11 Site Access Arrangements
- Drawing. 3075-01-12 Landscape Design

6. Planning Policy

National Planning Policy Framework (NPPF)

Wiltshire Core Strategy 2006 – 2026, with particular regard to:

- Core Policy 42 Standalone Renewable Energy Installations
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 52 Green Infrastructure
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport
- Core Policy 61 Transport & Development
- Core Policy 62 Development impacts on the transport network
- Core Policy 67 Flood Risk;

North Wiltshire Local Plan 2011 (Saved Policies)

- Policy NE12 Woodland (saved North Wiltshire Local Plan policy);
- Policy NE14 Trees and the control of new development (saved North Wiltshire Local Plan policy);
- Policy NE18 Noise and pollution (saved North Wiltshire Local Plan policy).

Planning Practice Guidance for Renewable and Low Carbon Energy (published 18 June 2015 / updated 14 August 2023).

Government policy for delivery of major energy infrastructure:-

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for Renewable Energy Infrastructure (EN-3)
- National Policy Statement for the Electricity Networks Infrastructure (EN-5)

7. Consultations

The application has been subject to formal consultation and publicity. The most recent response from each consultee is summarised below:

Environment Agency – No observations.

Natural England – No observations.

National Grid – No observations

Dorset & Wiltshire Fire and Rescue Service – Standard advice provided.

Council Archaeology – No objection, no further archaeological investigation works required.

Council Conservation Officer – No objection.

Council Highways Department – No objection, subject to the conditions to secure a Construction Management Statement, a photographic pre-condition highway survey, and for the access arrangements to be safely laid out.

Council Rights of Way Officer – No objection but standard advice and guidance provided in relation to the need to seek approval from the Rights of Way team Countryside Access Officer from any works affecting the public footpath that crosses the site.

Council Ecologist – No objection subject to conditions regarding CEMP, LEMP, Lighting and decommissioning.

Council Landscape Officer – No objection subject to conditions regarding the colour of the infrastructure to be installed, requiring the implementation of the landscape design scheme, and the submission and approval of a Landscape and Ecological Management Plan (LEMP) to ensure the establishment and long term management of the mitigation / planting scheme.

Council Arboricultural Officer – No objection, subject to conditions to secure the implementation of the Arboricultural Method Statement (including an update to protect T23 Oak) and further details in relation to the construction of the access track.

Council Drainage Officer – No objection, subject to a condition to secure full details of the proposed surface water drainage scheme.

Council Public Protection Officer – No objection, subject to conditions to secure noise mitigation measures, the control the construction hours, and required a land contamination remediation scheme if required.

Minety Parish Council – No observations.

8. Publicity

As a result of publicity, 8 representations have been received from local people all objecting to the proposed development on the application site for the following reasons:-

- The background of the company and its credibility is questioned.
- The existing Battery Energy Storage Schemes in the area are unsightly and noisy.
- The development will result in the unnecessary loss of greenfield land.
- The development should be on brownfield land.
- Dog Trap Lane is quiet and peaceful, day and night. The proposal is completely out of character for this rural location.
- If this facility was located a lot closer to the area of transmission/generation it would be much better all round.
- The development is industrial in nature and completely out of keeping with the location.
- The land has always been used for agriculture and is a habitat for wild life which will be severely compromise.
- There are a number of other proposals for Battery Storage Facilities/Solar Farms, in and around Minety, the combined noise levels will be even more intrusive, not only to the residents of Dog Trap Lane but to the whole of the area.

- Noise pollution, fire risks, flooding, and the entrance on a blind bend are all issues.

9. Planning Considerations

a) Whether the proposal is acceptable in principle

The Infrastructure Planning (Electricity Storage Facilities) Order 2020 removed all forms of electricity storage, other than pumped hydroelectric storage, from the definition of nationally significant energy generating stations under the Planning Act 2008. As such, any proposal for a Battery Energy Storage System must be determined by Local Planning Authorities.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Planning policies and decisions must also reflect relevant international obligations and statutory requirements (NPPF, par 2). For the purpose of determining this application, the development plan comprises the Wiltshire Core Strategy (adopted January 2015) and the Saved Policies of the former North Wiltshire Local Plan (2011). A core objective of the development plan is to address climate change and through Core Policy 42 'Standalone Renewable Energy Installations', the Council sets out the parameters within which standalone renewable energy installations, which would equally apply to supporting infrastructure, shall be supported.

The NPPF advises that Local Planning Authorities should take a proactive approach to mitigating and adapting to climate change and to help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources (par 160). Battery Storage Facilities are a form of infrastructure that support the use and supply of renewable energy. The Planning Practice Guidance advises that "Electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity" (Paragraph: 032 Reference ID: 5-032-20230814).

The Overarching National Policy Statement for Energy advises that energy storage has a key role to play in achieving net zero and providing flexibility to the energy system. Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. Storage can provide various services, locally and at the national level. These include maximising the usable output from intermittent low carbon generation (e.g. solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the National Electricity Transmission System Operator (NETSO) and Distribution Network Operators (DNOs) to help operate the system; and reducing constraints on the networks, helping to defer or avoid the need for costly network upgrades as demand increases (par 3.3.25 – 3.3.27).

Locally, Wiltshire Council has made a firm commitment to seek to make the county of Wiltshire carbon neutral by 2030 and has pledged as an organisation to become carbon neutral by 2030. The Council's Climate Strategy (2022 – 2027) sets out a clear commitment to increase the uptake of renewable energy, it states the Council seek to "Increase renewable electricity generation including microgeneration (and associated technologies such as storage) in Wiltshire by working in partnership with others" (p28).

The Council's Climate Strategy explains that "At present the grid supplies energy on demand. Once transport and heating are electrified, there will be a much greater demand. In order to manage this a flexible and 'smart' grid will be needed. The UK Net Zero Strategy sets a high level

of ambition, stating that all electricity will come from low carbon sources by 2035, subject to security of supply, whilst meeting a 40-60% increase in demand” (p28).

The planning application explains that the applicant, HB222BRI Ltd, is a subsidiary of Pelagic Energy, a developer of flexible generation and energy storage projects, such as battery storage and solar energy, in the UK. The company has secured number of development opportunities near to National Grid’s Super Grid Transformer Substations across the UK. These substations are strategically important infrastructure, required to maintain power supplies across the UK. Locating BESSs within a reasonable distance to Super Grid Transformer Substations, ensures rapid responses to transmission grid instability and that transmission losses are minimised through the associated grid connection.

The Planning, Design & Access Statement explains that the development would store power from the national grid at times of excess supply and would feed this power back into the grid at times of high demand/reduced generation capacity. It would provide a flexible back-up power source to the grid and can respond rapidly to variations that result from local and national energy demand, alongside increasing fluctuations in generation resulting from an ever-greater use of intermittent renewable energy sources. Accordingly, the proposal would ensure that curtailment of renewable energy generation at times of high supply and low demand is reduced and that the contribution of renewable energy to the network is maximised (par 1.24 – 1.25).

The proposal therefore aligns with the Government’s objective to strengthen the electricity network and enable energy to be used more flexibly. The proposed development is therefore considered to be acceptable in principle in terms of the type of development. However, in order to establish the acceptability of the proposal on the site in question, all material planning considerations associated with the proposal must be considered, and are discussed within the following sections.

In terms of the proposed location of the battery storage facility, the Planning Inspectorate has highlighted that “Locational factors that influence the siting of battery storage facilities include, provision of access to unrestricted network capacity, proximity to a financially viable access to the national grid and point of connection, availability of suitable land and the proximity of a point of access to the highway network” (appeal ref 3289603, par 30). The application provides details of the site selection process, the Planning, Design & Access Statement explains that Pelagic Energy have carried out a site screening exercise for National Grid’s Super Grid Transformer Substations. A significant number of these substations are constrained due to the close proximity of housing or other environmental constraints. As such, there are only a limited number of substations suitable for BESS projects to connect to.

The justification provided for the site selection process highlights the need for the battery storage facility to be within close proximity to the National Grid Minety Substation, away from neighbouring properties, and within an area that is not protected by any national or local landscape or ecological designations.

The application site is however approximately 1.5km away from the substation within the open countryside therefore the specific impacts of the proposal and thus the acceptability of the development are considered in the following sections.

b) Whether the proposal would result in the loss of agricultural land

The NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment by “...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other

benefits of the best and most versatile agricultural land, and of trees and woodland, and of trees and woodland” (paragraph 180).

Natural England’s Technical Information Note TIN049 *‘Agricultural Land Classification: protecting the best and most versatile agricultural land’* explains that: “the Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system... The ALC system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance (see Annex 2 of NPPF)”.

The site comprises Grade 3b agricultural land which is confirmed within the Agricultural Land Classification and Soils Resources report (June 2022) by Reading Agricultural Consultants. The site does not therefore include the ‘best and most versatile agricultural land’. The development will also not result in the loss of a ‘significant’ amount of agricultural land due to the site area. There is therefore no conflict with planning policy in this regard and the need for the facility against the loss of the small area of agricultural land will need to be considered within the overall planning balance.

c) Whether the proposal would be harmful in terms of its landscape and visual impact;

The NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment (par 180) and Core Policy 51 ‘Landscape’ of the WCS outlines that new development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies.

The application site does not lie within a designated or protected landscape and the application is supported by a Landscape and Visual Appraisal (June 2022) by axis which refers to the relevant character area (Upper Thames Clay Vales) and provides an assessment of whether a likely significant landscape and visual effect would be experienced by any receptor, by considering the predicted magnitude of change together with the sensitivity of the receptor, taking into account any proposed mitigation measures.

The Landscape and Visual Appraisal report explains that the proposed landscape proposals form an intrinsic component of the proposed development. They would include new native planting between the new structures and the public footpath that crosses the site. This would increase tree cover within the site, enhance biodiversity, and screen views from the footpath. New species-rich grassland areas would also enhance biodiversity. The report concludes by stating that the proposed new structures would be barely visible from beyond the Site boundary and would have no appreciable influence upon the wider landscape or views across it. As landscape and visual effects would not be significant, no further mitigation measures are proposed. However, it is recognised that the report refers to a proposed area for planting a ‘Jubilee Woodland’ with permissive access to the west of the site (which is said to be funded by Minety Parish Council, subject to planning permission for the proposed development).

The Council’s Landscape Officer highlights that “there are two PRoW that pass near or across the site (MINE 1/2) which is otherwise well screened by the adjacent woodland to all but views from the South West. I am pleased to note on the general arrangement plan that a substantial amount of tree and shrub planting is proposed to help screen these views as well”. The Officer draws attention to the potential for cumulative visual impacts with other projects, which is discussed further below, but advises there are “no landscape objections to the scheme going ahead

provided that a detailed planting plan setting out species specification and densities are conditioned along with a Landscape and Ecology Management Plan". It was also recommended that colour of all structures including containers, fencing, CCTV, and gates be painted either black or dark green to blend in better with the surrounding landscape.

In light of the above, it is evident that the proposed development would result in a significant change in the land use which would be industrial in nature and not characteristic of the rural area. However, the impact on landscape character would be well contained and localised and be well contained in both scale and extent, and would be mitigated as far as possible through landscape measures in line with Core Policy 51.

d) Whether the scheme would give rise to an adverse impact on residential amenity

The NPPF advises that the planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability (par 180). This aim is also reflected within Core Policy 57 'Ensuring High Quality Design and Place Shaping' of the WCS seeks to secure a high standard of design in all new development with one key element being the need for consideration be given to the compatibility with adjoining land uses and the impact on the amenities of existing occupants as a result of noise or air pollution etc.

The application is supported by a Noise Assessment (May 2022) by Noise Vibration Consultants Ltd which considers the potential noise from the proposed development at nearest sensitive receptors and offers advice (where appropriate) on any additional noise mitigation measures to meet planning guidance and noise standards. The assessment shows that with appropriate mitigation the proposed development can be designed to comply with relevant noise guidance and standards. The following mitigation measures are proposed:-

- a. Transformers (step-up and auxiliary) design noise level 65dB LAeq15mins at 1m.
- b. Battery Storage containers with any associated cooling system designed to a noise level not exceeding 64dB LAeq15mins @ 1m (external to container).
- c. Inverter plant mounted within an open sided container designed to a noise level not exceeding 64dB LAeq15mins @ 1m.
- d. Switchgear container designed to limit noise to 65dB LAeq15mins @ 1m.
- e. Site plant compound south-western and north-western boundary would be fitted with a combination of 4m and 5m high acoustic screening (minimum mass of 15kg/m² for 4m high and 20kg/m² for 5m high).

The Council's Public Protection Officer is satisfied with the mitigation proposed and advised that the nearest residential receptors would not be subject to adverse noise impacts from the proposal.

It is recognised that there may be some disturbance created during the construction phase, however the site is remote enough that impacts due to noise and dust from its construction is unlikely to significantly impact on local residents. It is however recommended that a Construction and Environmental Management Plan (CEMP) be submitted and approved via condition, which would also control the construction hours as requested by the Council's Public Protection Officer.

On this basis, it is considered that the proposed development will not conflict with the relevant policies of the plan, including Core Policy 57 of the WCS, or with relevant provisions of the NPPF.

e) Whether the proposal would have an adverse impact upon highway safety or public rights of way

The NPPF advises that transport issues should be considered from the earliest stages of plan-making and development proposals but ultimately it advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (par 115). Core Policy 62 'Development Impacts on the Transport Network' however advises that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

The application is supported by a Transport Statement (June 2022) by axis which provides details of the proposed access arrangement, considers the vehicular movements associated with the construction and operational phases of the development, including vehicle routing to the site from the primary road network.

The Transport Statement explains that during both the construction and operational phases, access to the site would be achieved via a new dedicated access track, connecting to Dog Trap Lane at the south-western corner of the site. The site access will be located approximately 20m north of the location of the existing field gate access. The Highway Authority is satisfied that the general form of the access is considered to be acceptable, however, it is recommended that the first 20m of the access track would need to be of a bound and compacted surface to ensure loose material is not tracked out onto the public highway.

In relation to the Construction Phase, the Highway Authority advises that a Construction Management Plan will be required as a condition of any approval which would need to demonstrate how the construction process will be managed, in respect of accommodating the number and frequency of deliveries, materials storage, contractor parking and HGV vehicle manoeuvring, in order to ensure such requirements are contained wholly within the site. The application presents information on trip generation upfront as part of the Transport Statement which forecasts that the maximum number of HGV deliveries during the construction period would be 18 two-way movements per day, or 2 HGVs per hour, on average. HGV movements outside of this time would be less frequent. The Highway Authority acknowledges the anticipated type and frequency of vehicular movements along the route of Dog Trap Lane, however it is stated that the carriageway widths are largely appropriate to accommodate the additional movements anticipated over this relatively short construction period.

The Public Right of Way will remain open, accessible and unobstructed throughout the full duration of the construction and operational phases of the proposed development. The Council's Public Rights of Way Officer has however drawn attention to the fact that there may need to be a temporary closure of the footpath during the construction of the track which should be constructed at the same level as the footpath so pedestrians do not need to step up or down onto it. It was also advised that the proposed tree and shrub planting adjacent to the footpath should be set back at least 2 metres from the centre of the path and be regularly cut back to prevent overgrowth onto the path.

In light of the above, while the construction phase will result in a noticeable increase in vehicular movements on the local road network, it will be temporary in nature and road network is sufficient to accommodate the anticipate volume of movements. As such, subject to the management of the construction phase via appropriate conditions, and the full installation of the proposed access arrangements, the proposal would not have an unacceptable adverse impact on highway safety and would not conflict with national or local transportation policies.

f) Whether the scheme would cause harm to protected species and/or their habitats

Core Policy 50 'Biodiversity & Geodiversity' of the WCS requires all development proposals to incorporate appropriate measures to avoid and reduce disturbance to sensitive wildlife species and habitats throughout the lifetime of the development. The application is therefore supported by an Ecological Assessment (July 2022) by avian ecology which confirms the site does not form part of any statutory or non-statutory designated site for nature conservation, and the grassland on site has limited ecological value and is not considered functional habitat for any nearby designated site, including those designated for species-rich grassland habitats.

The Council's Ecologist notes that the Local Planning Authority must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species but does not have sufficient information to confirm this would be the case. The submitted Ecological Assessment does however form part of the application and considers the ecological impacts of the development in detail. It also provides a number of mitigation and enhancement measures to ensure no net loss to biodiversity, and would deliver an overall significant enhancement to biodiversity net gain.

The Ecological Assessment states that a number of statutory and non-statutory sites within the study area are designated for woodland habitats and species utilising these may also rely on other nearby fragments of mature woodland, including the Brownockhill Plantation bordering the site. However, appropriate buffers will be implemented from the woodland habitats ensuring no adverse effects to these habitats. The assessment concludes by stating that due to the low value grassland on site, protection measures for the woodland, and distance to any statutory or non-statutory designated site it is considered the development will not impact on any designated sites or their functional habitats either directly or indirectly (par 4.2.4 – 4.2.5).

Core Policy 50 seeks to secure ecological enhancement / Biodiversity Net Gain (BNG) for 'major' developments only. The proposed development will however result in significant BNG as outlined within the Ecological Assessment. It states that the development would result in measurable net gains of +108.08% for area derived units and +42.10% for linear derived units. Baseline habitats were of low distinctiveness, and while there is an overall loss in the area of semi-natural habitats, the proposed development will create higher quality habitats, including species rich grassland, woodland and ponds (par 4.4.10). These are shown on the Landscape Design drawing (no. 3075-01-12) and can therefore be conditioned to ensure they are delivered. Conditions can also secure a Construction Ecological Management Plan to prevent disturbance during the construction period and a full lighting scheme to limit impacts (on bats in particular) as detailed within the Ecological Assessment. The BNG will be well in excess of the national 10% requirement that will become mandatory later this year. The proposed development will therefore comply with the requirements of Core Policy 51 of the WCS.

g) Whether the proposal would result in the loss of trees and ancient woodland

Core Policies 51, 52 and 57(i & ii) of the WCS require development proposals to conserve and enhance natural features including trees, hedges and woodland. Saved Policy NE12 of the North Wiltshire Local Plan supports the creation, conservation, enhancement and positive management of woodland. It also seeks to protect areas of ancient and semi-natural woodland. Saved Policy NE14 of the North Wiltshire Local Plan seeks to prevent the loss of trees, hedges and other important landscape or ecological features that could be successfully and appropriately incorporated into the design of a development.

The site lies adjacent to a large mixed woodland to the north and east of the site and a scrubland area of smaller trees to the south. The application is therefore supported by a Tree Survey Report (including Tree Constraints Plan), Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) by ARBTECH (October 2021). There are no trees within the site and only 1no. partial

hedgerow requires removal to accommodate the proposed development (i.e. new access point on to Dog Trap Lane), however the AMS explains that there are a number of issues that need to be addressed in an arboricultural impact assessment between the trees and the proposed development, these are as follows:

- The effect and extent of the proposed development within the root protection areas (RPAs) of retained trees;
- The potential conflicts of the proposed development with canopies of retained trees; and
- The likelihood of any future remedial works to retained trees beyond which would have been scheduled as a part of usual management.

The TPP shows that fence will be installed to protect existing trees during the construction phase and only one small area of works (the edge of the surface water attenuation pond) would encroach into the root protection area of the trees to be retained. The reports outline a series of mitigation measures and safe working practices to ensure no damage to the trees adjacent to the site.

The Council's Arboricultural Officer has no objection to the proposed development but has queried the need to remove 13 metres of hedgerow (which is required for the site access), and for T23 Oak to be protected by fencing during the construction works. T23 is however within a Construction Exclusion Zone but can be conditioned. The Officer also asked for further details regarding the construction method of the access road which can be secured via condition. It is critical to understand the extent of earthworks associated with the development to ensure no adverse impact on trees to be retained.

In light of the above, the overall quality and longevity of the amenity contribution provided for by the trees and groups of trees to the north, east and south of the site would not be adversely affected by the proposed development. The scheme involves significant new planting that will soften and screen the development. The proposal will have a negligible impact on existing trees and ancient woodland and therefore accords with Core Policies 51, 52 & 57 of the WCS and Saved Policies NE12 and NE14 of the North Wiltshire Local Plan.

h) Whether the scheme would cause harm to areas of archaeological interest or to heritage assets

Core Policies 57(i & iv) and 58 of the WCS deal with conservation of the historic environment. The supporting text states that heritage assets include listed buildings, conservation areas, scheduled ancient monuments, registered parks and gardens, registered battlefields, world heritage sites, and non-designated heritage assets such as buildings and archaeological sites of regional and local interest (paragraph 6.136). The policy seeks to ensure that developments protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings are to be conserved, and where appropriate enhanced in a manner appropriate to their significance.

There are no designated heritage assets within close proximity of the site that have the potential to be impacted by the proposed development. The application is however supported by a Heritage Impact Assessment (June 2022) by AOC Archaeology Group which acknowledges there are two designated heritage assets within 1km of the site (Grade II Listed milestone and Grade II Listed 19th century Minety House) but rules any potential for harm as they development will not be within their immediate setting.

The Heritage Impact Assessment considers the potential impact on below ground heritage assets in detail following the request of the County Archaeologist. The County Archaeologist has considered the Heritage Statement and the results of the geophysical survey and is satisfied that

sufficient information has been provided to characterise the archaeological potential of the application area and that no further form of archaeological mitigation is necessary.

The development is not therefore anticipated to harm any designated or non-designated heritage assets and complies with will Core Policies 57 & 58 of the WCS.

i) Whether the development would result in any other adverse environmental impacts

Core Policy 67 'Flood Risk' of the WCS requires all new development to include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to the soil and ground (sustainable drainage system) unless site or environmental conditions make these measures unsuitable.

The application is supported by Flood Risk & Water Drainage Assessment (June 2022) by KRS Environmental which considers the potential flood risk and presents a surface water drainage scheme. It concludes by stating "the Site would be expected to remain dry in all but the most extreme conditions. The consequences of flooding are acceptable, and the development would be in accordance with the requirements of the NPPF. The Proposed Development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of the National Planning Policy Framework (NPPF). The Proposed Development will considerably reduce the flood risk posed to the Site and to off-Site locations due to the adoption of a Sustainable Drainage Systems (SuDS) Strategy".

The Lead Local Flood Authority has no objection in principle to the development, however full and final details of the proposed surface water drainage scheme have been requested prior to the commencement of the development. The Lead Local Flood Authority is satisfied that due to the nature of the development and site area it will be feasible to install a surface water drainage scheme which could be secured via condition. This would ensure that a suitable drainage scheme is designed and implemented in accordance with Core Policy 67 of the Wiltshire Core Strategy.

The Council's Public Protection Officer has identified the site has an area of potential contamination (unknown filled ground), therefore a condition is recommended to ensure any contamination found is adequately dealt with during the construction phase.

Dorset & Wiltshire Fire and Rescue Service (DWFRS) advises that they would not object in principle to the lawful development of a Battery Energy Storage System (BESS) or other alternative energy site it is recognised that these installations pose some specific hazards in the event of fire. Any fire involving grid scale Li-ion battery storage would be treated as a hazardous materials incident in order that specialist technical advice can be obtained at the earliest opportunity.

DWFR further advises that current fire safety legislation (in particular, the Regulatory Reform (Fire Safety) Order 2005) is limited in its application to such developments due to the low life risk during normal occupation. Process fire risk is generally regulated by the Health and Safety Executive but in the absence of regulation under the Control of Major Accident Hazards Regulations (COMAH) there is an expectation that fire and rescue services will initiate an emergency response in the event of an incident, in conjunction with the site operator's own plans.

It is advised that research is ongoing to determine the most suitable method to extinguish a fire within Li-ion battery cells although current guidance recommends copious (and significant) volumes of water for a prolonged period. As such, DWFRS provide a series of recommendations to limit the potential for fire and to ensure emergency plans are as robust as possible. The full letter from DWFRS will be appended to any planning permission that may be granted along with

guidance produced by the National Fire Chiefs Council, as referred to within the Planning practice Guidance on Battery Energy Storage Systems (Paragraph: 034 Reference ID: 5-034-20230814).

j) Whether the development would have an adverse cumulative impact

The cumulative impact of the proposed development was first considered as part of the EIA screening opinion. The Secretary of State concluded that “Given the lack of intervisibility to other sites and relatively small and heavily screened nature of this proposal, significant adverse effect in this regard is unlikely for the various similar facilities in the locality”. As such, the impacts of the development in cumulation with other existing development and/or approved development did not justify the need for an EIA.

The need to consider cumulative effects in planning and decision making is set out in planning policy. The Overarching National Policy Statement for Energy advises that for nationally significant infrastructure project (NSIP) developments “the considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:

- its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits
- its potential adverse impacts, including on the environment, and including any long-term and **cumulative adverse impacts**, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy” (emphasis added) (par 4.1.5).

The material planning considerations would equally apply to any BESS development below 50MW considered by Local Planning Authorities, including any cumulative adverse impacts which would need to be considered within the overall planning balance. The NPPF advises that to help increase the use and supply of and supply of renewable and low carbon energy and heat, plans should “provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts)” (emphasis added) (par 160). The WCS requires development considered under Core Policy 47 to assess cumulative effects.

The Planning Practice Guidance advises that “The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero” (Paragraph: 013 Reference ID: 5-013-20150327).

The relevant guidance (Paragraphs: 022 Reference ID: 5-022-20140306 & 023 Reference ID: 5-023-20140306) advises that the cumulative landscape impacts and cumulative visual impacts are best considered separately. The considerations are as follows:-

- **Cumulative landscape impacts** are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape.

In identifying impacts on landscape, considerations include: direct and indirect effects, cumulative impacts and temporary and permanent impacts. When assessing the

significance of impacts a number of criteria should be considered including the sensitivity of the landscape and visual resource and the magnitude or size of the predicted change

- **Cumulative visual impacts** concern the degree to which proposed renewable energy development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. Cumulative visual impacts may arise where two or more of the same type of renewable energy development will be visible from the same point, or will be visible shortly after each other along the same journey. Hence, it should not be assumed that, just because no other sites will be visible from the proposed development site, the proposal will not create any cumulative impacts

In assessing the impact on visual amenity, factors to consider include: establishing the area in which a proposed development may be visible, identifying key viewpoints, the people who experience the views and the nature of the views.

The Council's Landscape Officer is of the opinion that the series of individual planning applications seeking planning permission for BESSs is harmfully changing the existing rural character of pastoral farmland into an industrialising urban sprawl radiating outwards from Minety Substation. The Officer explains that "The National Grid's Minety Substation site (currently) remains a well screened and integrated element of National Grid Infrastructure within this local area. Obviously, the overhead electricity transmission lines and their supporting pylons are visible elements in the countryside leading towards and away from the substation, but the local landscape retains its inherent peaceful pastoral character with important areas of ancient woodland, such as Park Copse and Stonehill Wood, amongst others, surviving remnants of Braydon Forest, a former Royal Hunting Forest. Alongside this, the area has a strong nature conservation value / denoted by the local clustering of SSSI's and the areas of deciduous broadleaved woodland and areas of neutral/unimproved meadow present in the surrounding landscape. The area is sparsely settled, due to its historic use as a royal hunting forest and its comparatively more recent enclosure as farmland. The sparse rural settlement, presence of woodland and common land all contributes to this areas inherent rural, tranquil character. The presence of a water tower or the pylons crossing this landscape does not significantly alter the inherent peaceful character of the countryside, but the character of countryside around Minety Substation continues to decline from piecemeal industrialising development radiating outwards".

The Officer also questions whether the applications for BESSs and Solar PV are the reason why there is a need to extend Minety Substation; there is a "need to understand and establish whether the large number of BESS and solar PV applications in this locality are the drivers for the harmful expansion of Minety Substation, especially as BESS /Solar farm applicants often justify the reason why these developments are being proposed in this local area in the first place is due to National Grid's available grid connection capacity. If this turns out not to be the case, then the expansion of the substation site itself is a direct effect and consequence of these locally clustering renewable energy generation schemes and energy storage developments".

National Grid advised as part of its planning application (ref PL/2022/09258) to extend the substation that it had identified the need to extend the existing operational Minety 400kV Substation for a combination of the following reasons:

- Demand growth on the SSE network.
- Connection of embedded generation to SSE network.
- Connection of generation to National Grid network.

Embedded generation includes combined heat and power (CHP) plants, onshore wind, solar farms, and storage devices such as lithium-ion batteries.

National Grid advised it is aware of nine customers connecting directly into the expanded Minety 400kV substation but it is possible that other developments are connecting via the local Distribution Network Operator (DNO). The DNO apply to National Grid for additional capacity which enables an assessment of available and required capacity. National Grid advised that at Minety, this assessment has generated the need for a further SuperGrid Transformer which forms part of application ref PL/2022/09258, and other than the nine customers connecting directly to National Grid whose grid capacity is dependent upon the application, National Grid cannot comment on other planning applications and whether they have secured grid capacity as this would be via the DNO.

The information from National Grid indicates there is a clear demand to increase the capacity of the network as advised by the local DNO. The BESSs are part of National Grid Strategy to strengthen the network but are implemented and operated by third parties such as the applicants of the BESS applications. There is therefore a clear locational requirement for the BESSs adjacent to the Minety substation or within the area where a connection is possible. However, the cumulative impacts of all developments has to be considered and any adverse impacts considered within the overall planning balance.

The current applications for BESSs, as listed below, are supported by Landscape and Visual Assessments and application PL/2022/05504, which is directly adjacent to the substation, includes a Cumulative Impact Assessment (September 2023) by RedBayDesign.

- PL/2022/02824 - Land at Somerford Farm, Brinkworth
- PL/2022/04524 - Land east of Ravensroost Road, Ravenshurst Farm, Minety
- PL/2022/05412 - Land off Dog Trap Lane, Minety
- PL/2022/05504 - Land at Stonehill, Minety, Wiltshire

The Cumulative Impact Assessment is based on data provided by the Council and considers the potential cumulative impact from energy generation / storage developments within a 10km study area. The assessment considers landscape and visual effects and sets out a clear methodology and criteria for assessing the potential impacts. The report mentions that "Wiltshire Council identified an additional 19 Renewable Energy sites and Minety Substation Extension within 10Km of the application site. Upon undertaking desk top and field study work It was considered that a good number of these schemes would likely not contribute to cumulative effects due to the distances involved combined with the discrete nature of the schemes" (par 5.1). However, the following were subject to a cumulative Landscape and Visual Impact Assessment because the sites are all directly adjacent to the substation and could all be viewed as one cluster of energy related developments:-

- PL/2022/05504
- 20/03528 (Approved) PV Solar
- 19/11460 (Approved) BESS
- 17/03936 (Approved) BESS
- 17/03941 (Constructed 2023) BESS
- 21/04151 (Approved) BESS
- 20/07390 (Approved) BESS
- 22/09258 (Planning) Substation extension

The Cumulative Impact Assessment concludes by stating it is considered that cumulative impact of application scheme [PL/2022/05504] over and above the consented schemes and planned substation extension would have a **Slight Adverse** impact to the landscape character of the study area. This is due to the increased number of this type of development into the area where there is a concentrated number of other consented and constructed schemes. Having said this the opportunities to experience the proposed schemes in isolation is limited and with very limited

opportunity to experience two or more schemes at the same time, this being a short section of Public Footpath CHAR 16. Of all the schemes the application site [PL/2022/05504] would be the least noticeable due to its location within a discrete field being located some way from the footpath” (par 5.2).

“Due to the low lying undulating topography and the intervening vegetation there is very little opportunity for inter-visibility between the proposed energy sites. There may be some potential for combination effects along CHAR 16 between the application site, Minety Phase 3, the Solar scheme and the Substation extension, with the application scheme being the least noticeable of the three. From here the contribution of the application site would be negligible” (par 5.4).

The proposed BESSs the subject of this application PL/2022/05412 (Land off Dog Trap Lane, Minety) and applications PL/2022/02824 (Land at Somerford Farm, Brinkworth) and PL/2022/04524 (Land east of Ravensroost Road, Ravenshurst Farm, Minety) are not immediately located adjacent to the Minety Substation and are all isolated. The individual Landscape and Visual Impacts Assessments for each proposal conclude that the developments would be well contained within the local landscape due to the topography of the land and natural screening, along with proposed mitigation measures in the form of structural landscaping. The developments would not be located within a sensitive landscape and would not be visible from the same point, and only glimpsed views would be experienced if travelling along the local highway network. It is however considered that the introduction of a number of BESSs within the area, alongside solar photovoltaic developments, will mean they become a notable features within the local landscape, albeit they will not become a defining characteristic of the landscape due to the magnitude of the predicated landscape impacts and the limited range of viewpoints where all developments would be visible from. It is therefore considered that the proposed BESSs developments away from the substation would not have an unacceptable cumulative landscape and visual impact.

10. Conclusion

The proposed development is for the installation of a Battery Energy Storage System (BESS) with a capacity of c.50MW. The development would store power from the national grid at times of excess supply and would feed this power back into the grid at times of high demand/reduced generation capacity.

The proposed development would introduce an uncharacteristic industrial form of development on the site which currently forms part of the open undeveloped rural landscape. However, the impact of the proposal from a landscape and visual perspective will be localised and mitigated through a soft landscape design scheme. Furthermore, despite being isolated within the rural landscape, there are locational factors that influence the siting of battery storage facilities, primarily the provision of access to unrestricted network capacity, proximity to a financially viable access to the national grid and point of connection, availability of suitable land and the proximity of a point of access to the highway network. The proposed development meets each of these key considerations and the site is not located within any protected landscape, and identified issues of ecology, landscaping, highways and drainage can be satisfactorily addressed by appropriate conditions.

There would be a positive public benefit in the form of energy security and the ability to store excess energy and thereby a saving of carbon emissions contributing towards government supported goal of a reduction in such emissions. No unacceptable residential or visual amenity issues would arise. The proposed development will be well screened albeit it is acknowledged that the proposed development will be visible from public footpaths near the site. The proposed access and local highway network are capable of accommodating the low level and frequency of construction and operational traffic movements.

There are no objections from any statutory consultees. As such, while there continue to be concerns locally about the impact of the proposed develop and the number of similar developments within the area, on balance, significant weight is given to the potential of the development to contribute towards the strengthening of the electricity network and climate change objectives, and due to the lack of conflict with the development plan, it is recommended that planning permission be granted.

RECOMMENDATION

The recommendation is to grant planning permission subject to the following conditions:

1. The development hereby permitted shall begin 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. Within six months of the commencement on site, a scheme for the decommissioning and restoration of the development shall have been submitted to and approved by the Local Planning Authority, the details of which shall include how the land will be restored back to fully agricultural use, apart from the retention of the planting as a valuable addition to the landscape, upon the development no longer being in operation or upon the expiry date of 40 years from the date of the development starting to feed electricity to the Grid, whichever is sooner. The Decommissioning and Restoration scheme of this development shall be carried out in accordance with the scheme so agreed.

REASON: To ensure upon the development no longer being in use, the complete removal of all development allowed under this permission and the restoration of the land to its former condition.

3. The Local Planning Authority shall be notified in writing within one month of the event that the development hereby approved has started to feed or take electricity to/from the Grid. The installation hereby approved shall be permanently removed from the site and the surface reinstated within 40 years and six months of the date of notification and the local planning authority shall be notified in writing of that removal within one month of the event.

REASON: In the interests of amenity and the character and appearance of the area.

4. The development hereby permitted shall be carried out in accordance with the details shown in the following approved plans:

- Drawing. 3075-01-01 Rev B Site Location Plan
- Drawing. 3075-01-02 Rev B Statutory Plan
- Drawing. 3075-01-03 Rev B General Arrangement
- Drawing. 3075-01-04 Battery Storage Container
- Drawing. 3075-01-05 Inverter-Transformer Stations
- Drawing. 3075-01-06 Transformer
- Drawing. 3075-01-07 Switchgear Container
- Drawing. 3075-01-08 LV Switchgear Container
- Drawing. 3075-01-09 Fencing and Security
- Drawing. 3075-01-10 Rev B Existing Site Plan
- Drawing. 3075-01-11 Site Access Arrangements
- Drawing. 3075-01-12 Landscape Design

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

5. Notwithstanding the details shown on the approved plans, no development shall commence on site until details of the materials, colour and finish of any built structures and containers, poles, fencing, gates etc., have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use and retained as such for the lifetime of the development.

REASON: In the interests of visual amenity and the character and appearance of the area.

NOTE: The use of neutral earth tone colours for elevational building / container treatments (including roof materials) and security fencing is important in this rural area. The use of white finishes on containers and battery storage units or other infrastructure elements must be avoided, set against dark landscape backdrops of woodland and trees etc.

6. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until the trees to be protected and retained, as identified within Arboricultural Impact Assessment and the Arboricultural Method Statement (AMS) by ARBTECH and shown on the Tree Protection Plan (drawing no.3075-01-03 Rev B), including tree ref.T23 Oak, have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction.

The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas.

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 practise.

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.

[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 occupation 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.

7. The development hereby permitted shall be carried out in full accordance with the Arboricultural Method Statement (AMS) by ARBTECH.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

8. The proposed soft landscaping scheme, as shown on the Landscape Design drawing (no. 3075-01-12), 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.

9. No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, and the nature and source of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The details shall also include details of the proposed level and method of construction of the access road works associated with the proposed surface water drainage scheme. The development shall thereafter be carried out in accordance with the details approved under this condition.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site and consider and approve the precise scope of earthworks and levels in the interests of visual amenity.

10. The development hereby permitted shall be carried out in full accordance with the recommendations, mitigation measures, and enhancement measures detailed within the Ecological Assessment (July 2022) by avian ecology and shown on the Landscape Design drawing (no. 3075-01-12).

REASON: To mitigate against the loss of existing biodiversity and nature habitats and secure enhancements.

11. Prior to the commencement of development, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) prepared in accordance with Section 4 of the Ecological Assessment. Embedded in Design Planning and Access Statement – Appendix B – Ecology Assessment V4 (Avian Ecology, 25/09/2021) 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, including 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, great crested newts and reptiles.

- c) 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.
- d) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- e) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

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.

12. Prior to the commencement of development, 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, incorporating review and necessary adaptive management in order to attain biodiversity enhancement targets within the submitted Metric 3.0 V4 and Section 4 of the Ecological Assessment. Embedded in Design Planning and Access Statement – Appendix B – Ecology Assessment V4 (Avian Ecology, 25/09/2021).

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.

13. The noise attenuation measures detailed in the Noise Assessment (May 2022) by Noise Vibration Consultants Ltd or any updated noise reports submitted for approval by the local planning authority prior to commencement of development shall be implemented prior to first operation of the development and thereafter be permanently retained.

Reason: To protect local amenity from adverse effects of noise.

14. A post installation noise assessment shall be carried out within 3 months of completion of the development to confirm compliance with the submitted Noise Assessment (May 2022) by Noise Vibration Consultants Ltd (or any updated noise reports approved by the local planning authority) and submitted to the Local Planning Authority for approval in writing. Any additional steps required to achieve compliance shall thereafter be taken in accordance with a timetable to be agreed with the Local Planning Authority. The details as submitted and approved shall be implemented and thereafter be permanently retained.

Reason: To protect local amenity from adverse effects of noise.

15. Notwithstanding the details shown on the approved plan, no external artificial lighting shall be used or installed on site until lux contour plots/lighting contour plans for all proposed lighting

have been submitted to and approved in writing by the Local Planning Authority. The plots/plans must demonstrate that bat habitat to be retained will be maintained as 'dark corridors'. Details of mitigation measures that would be implemented where necessary, to minimise light spill shall also be provided. Lighting proposals shall be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their Guidance Note GN01/21 'The Reduction of Obtrusive Light' and their Guidance Note GN08-18 'Bats and artificial lighting in the UK', issued jointly with the Bat Conservation Trust.

Lighting at the site shall be in strict accordance with the approved details and no additional external lighting shall be installed either during construction or operation unless otherwise agreed in writing by the Local Planning Authority.

REASON: To minimise light spill and to minimise potential for adverse effects on bats and other wildlife.

16. No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
- i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
 - ii. A description of management responsibilities;
 - iii. A description of the construction programme;
 - iv. Site working hours and a named person for residents to contact;
 - v. Details of vehicle routing to the site
 - vi. Detailed site logistics arrangements;
 - vii. Details regarding parking, deliveries, and storage;
 - viii. Details of the measures to control the emission of dust, dirt and noise during construction;
 - ix. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
 - x. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.

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

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.

17. No development shall commence until a pre-construction highway photographic survey to be carried out along Dog Trap Lane from its junction with the B4040 has been carried out. Upon completion of the construction phases, a post construction survey shall be carried out at the same location. Details and results of both before and after survey shall have been submitted to the Council as the Highway Authority within 3 months of the first operation of the development. Those submitted details and results shall be accompanied by a plan and timing schedule for the repair of any damage identified and attributable to the construction of the development, to be carried out at the expense of the applicant, which shall have been agreed in writing with the Local Planning Authority beforehand.

REASON: To secure a scheme for the repair of the public highway following completion of substantive construction works

18. No development shall commence on site until the first 20m of the access, measured from the edge of the carriageway has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

19. No development shall commence on site until the visibility splays shown on the approved plans (drawing no. 3075-01-11 Proposed Site Access Arrangements) 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.

20. Notwithstanding the contents of the Flood Risk & Water Drainage Assessment (June 2022) by KRS Environmental, no development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / gravel areas), incorporating sustainable drainage details together with permeability test results to BRE365 and showing in improvement in discharge rate from the site, 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: To comply with Core Policy 67: Flood Risk of the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

NOTE: The Lead Local Flood Authority advises that the following points will need to be addressed as part of final proposed surface water drainage scheme:-

- It is noted from the drainage strategy that the applicant proposes to discharge to an existing ordinary watercourse.
 - a. The drainage strategy drawing does not show the receiving watercourse / waterbody; the strategy drawings should be updated to show the connectivity between the outfall and the receiving watercourse / waterbody.
 - b. If required to cross third-party land, the applicant must provide evidence of permissions to cross third party land and permissions from riparian owners to discharge to the watercourse/river in perpetuity. There is no automatic right to cross third party land or discharge to a watercourse/river not in ownership of the applicant.
- It is noted that the applicant proposes to discharge surface water flows to the south of the site (assisted by a pumped discharge):
 - a. Justification should be provided as to why a gravity system cannot be achieved.
 - b. As discharge to the south is against the natural topography of the site (and therefore relates in sub-catchment transfer on site), the applicant shall confirm that the receiving waterbody & ordinary watercourse have sufficient capacity to accept the (albeit restricted) surface water discharges without increasing local flood risk.
- It is noted that the applicant has proposed to limit discharge rates to 1.1l/s, although it is acknowledged within the report that the Qbar rate for the site is 1.0l/s . The applicant is therefore required to update calculations to restrict discharge rates to 1l/s, or provide justification as to why this cannot be achieved.
- The submitted calculations show that flows will be restricted using a Hydrobrake, however the drainage strategy indicates that flow control will be provided by a pumped discharge. The hydraulic calculations are required to be updated in order to show the pumped discharge from the detention basin.

- The applicant is required to provide the following additional calculations:
 - Calculations and drawings for the drainage system design showing conveyance routes are designed to convey without flooding the critical 1 in 30 year + 35% climate change rainfall event.
- The applicant is required to submit a drawing demonstrating how overland exceedance flows in excess of the 1 in 100yr rainfall will be safely managed on site in order to prevent an increase in flood risk to adjacent people / land / property.

21. No development shall commence on site until details of the drainage arrangements during the construction phase have been submitted to and approved in writing by the Local Planning Authority.

REASON: To comply with Core Policy 67: Flood Risk of the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others and to manage the risk of pollution during the construction phase.

22. In the event that contamination is identified or encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed by a written verification report that confirms what works that have been undertaken to render the development suitable for use.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

INFORMATIVE

The term 'commencement of development', as used within these planning conditions, refers to any development associated with the site excluding the first 20m of access into the site.

INFORMATIVE

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.

INFORMATIVE

The attention of the applicant is drawn to the recommendations made by the Dorset and Wiltshire Fire and Rescue Service as outlined within their consultation response to the application, dated 16 December 2022, and the guidance produced by the National Fire Chiefs Council, as referred to within the Planning practice Guidance on Battery Energy Storage Systems (Paragraph: 034 Reference ID: 5-034-20230814).

INFORMATIVE

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

No gates, fences or stiles should be erected across the public right of way without prior consultation and approval from the Rights of Way team Countryside Access Officer (contact rightsofway@wiltshire.gov.uk) in order to comply with section 147 of the Highways Act 1980. Unauthorised structures across a right of way are an obstruction and gates may only be authorised for the control of stock.

INFORMATIVE

A drainage ditch may need to be accommodated within access design proposals which runs along the east side of the Dog Trap Lane and the site. Advice should be sought from the Land Drainage Team in order to accommodate the ditch appropriately within the access plans. The new access may require a Section 278 highways agreement/permit in order to deliver the access proposals and the ditch crossing.

INFORMATIVE

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.

INFORMATIVE

For Protected Species

There is a risk that protected species (great crested newts / reptiles/ dormice/ bats) could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation in line with the recommendations made in the Section 4 of the Ecological Assessment. Embedded in Design Planning and Access Statement – Appendix B – Ecology Assessment V4 (Avian Ecology, 25/09/2021).and as advised the contracted ecologist. If these species are unexpectedly found during the works, the applicant is advised to stop work and follow advice from the contracted ecologist.

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Fairholme BESS – Dog Trap Lane, Minety (PL/2022/05412)

Q&A for questions asked by Committee Members at Northern Planning Committee 16/04/24

	Question	Applicant's Response
1	What will the cumulative effect of the development be in the context of other BESS development coming forward?	Due to the nature of the development, the only impacts of the proposal that could potentially cause cumulative impacts are associated with noise and visual impacts. These have been addressed within the officer's report and the Secretary of State Screening Direction confirmed that these (along with any other impacts) would not cause significant cumulative effects. In terms of noise, the site is over 1km from other BESS schemes in the area and the noise levels would dilute to background levels before they could cumulate with noise from other sites. In terms of visuals, the significant separation distances (over 1km), along with the significant screening afforded to the existing site (plus the proposed landscaping), would negate any potential for visual cumulative effects with other BESS development.
2	What's happening with the Jubilee Woodland?	Whilst this has no weight in the planning decision, the Jubilee Woodland is a community benefit scheme put forward by the Applicant following discussions with Minety Parish Council. The Jubilee Woodland is proposed to be a community woodland on the field adjacent to the site which the Applicant discussed putting forward initial funding for the planting of and yearly maintenance funding for its upkeep over the 40 year lifetime of the development. A draft proposal was put forward to the PC in March 2022, which was responded to, but nothing was formally agreed and further conversations are pending.
3	How has the planning balance been arrived at in terms of policy compliance?	The officer's report and the submitted PDAS provides details of how the planning policy balance has been made. In summary, the only policy where there is considered any tension is the Landscape Core Policy 51. In considering how the proposal sits up to this policy, the proposal site is completely screened to the north, east and south and intervening hedgerows/trees sit to the west and therefore the development would have little or no visual presence beyond its immediate surroundings. The proposal includes

		substantial new landscape planting which would conceal the site completely over time. Accordingly, there would be no significant negative impacts on landscape character and the proposal would therefore comply with the thrust of CP51. Even if minor negative landscape impacts are attributed to the proposal, in the planning balance the significant positive weight afforded to the proposal (through the local and national benefits of providing energy security and supporting the drive towards net zero) clearly tips this towards the positive side.
4	What are the carbon benefits and carbon balance of BESS development?	See separate document provided on this.
5	Why are BESS considered renewable / low carbon development?	BESS developments support the increased generation of renewable energy through their storage capabilities. Renewable energy such as solar and wind are considered low-carbon energy sources. The majority of the energy that BESS store is likely to originate from low carbon energy sources, as high carbon energy sources (e.g. fossil fuels such as gas, oil and coal) are unlikely to be generating energy to the grid when there is surplus supply (i.e. at times when storage is needed). Accordingly, BESS developments can be considered low carbon development by virtue of the principally renewable energy they store. BESS are supportive of renewable energy development as they enable their increased deployment. Surplus renewable energy generated which isn't required in the grid or that cannot be stored, has to be curtailed at cost to the tax payer.
6	How much more BESS and solar is needed to meet Wiltshire's targets	There is no requirement for developers to demonstrate a need for BESS development. Notwithstanding, Solar and BESS deliver a national need for more renewable energy within the electricity grid. The Government has set a target of reaching a net zero electricity grid by 2035. Figures on the progress of this / what additional renewable and storage capacity is required can be found online.
7	Should Wiltshire be shouldering the requirements for the rest of the UK because it has the necessary grid locations?	Most (if not all) counties across the UK will have BESS projects coming forward wherever there is grid capacity available. However, not all substations in the UK have the capacity to support BESS developments so there are locational needs. The UK needs more BESS to provide the necessary storage for renewable energy to meet its net zero targets. If counties set a limit on this / restrict deployment of BESS in areas of

		available capacity, it is unlikely that the required battery storage capacity needs of the electricity grid would ever be met, and thus the UK would not be able to meet its zero carbon targets.
8	Why are national grid having to upgrade their substation if there is 'capacity' for the planned BESS and Solar development?	The capacity is available on the network but these projects, amongst other reasons, need the infrastructure to allow the physical connection. Hence the substation requires expansion to provide this infrastructure.
9	Why can't BESS developments be hidden in agricultural style buildings?	Housing BESS in large agricultural buildings would be far more visually intrusive on the landscape. The height of the resultant buildings would be significantly greater than the tallest structures on the BESS site (to allow sufficient room for maintenance / cooling requirements etc being inside). A large agricultural style building would allow no opportunity for visual impermeability.
10	Why can't all BESS developments be housed within solar farm?	BESS doesn't connect directly with solar farms, all these projects are connected by the UK power grid. Many BESS developers also come forward with proposals independently of solar schemes developers, who themselves would likely include for BESS capacity within their schemes.

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Fairholme BESS – Dog Trap Lane, Minety (PL/2022/05412)

Carbon Dioxide savings of installing battery storage capacity onto the UK power grid

Introduction

At Wiltshire Council's Northern Planning Committee on 16th April 2024, committee members requested further information on the CO₂ emissions equivalent (referred to subsequently as simply 'carbon' for ease) of the Fairholme Battery Energy Storage System (BESS) proposal on land off Dog Trap Lane Minety (ref. PL/2022/05412). Members wished to see figures presented that would support the case that BESS schemes save on carbon.

This document provides an overview of the associated carbon savings and the carbon costs for the delivery of the Fairholme BESS proposal.

Headline Figures

Estimated net total carbon cost (i.e. how much carbon the BESS would contribute, accounting for the battery unit manufacturing, construction and operational activities):

+ 53,108 tonnes of CO₂

Estimated total carbon saved (i.e. how much carbon the BESS would directly save, accounting for a 40 year lifespan):

- 1,249,240 tonnes of CO₂

Overall carbon savings:

- 1,196,132 tonnes of CO₂

1.2 million tons CO₂ over the project lifetime, equivalent of 1.4 million trees being planted in year 1

Technical Discussion and Carbon Savings Calculations

BESS are an essential element of a low carbon to net zero carbon electricity grid. As outlined in the Planning Design and Access Statement supporting the application, BESS allow greater reliance on intermittent renewable generation in two important ways:

1. Firstly, BESS allow zero carbon electricity generated by renewables to be stored during periods of excess generation and released to the grid during times of excess demand. An example is when solar energy is stored up during the middle of the day and released back into the grid during the early evening (when peak demand typically occurs). The reality is more complex but that simple view summarises the process.
2. Secondly, and equally important, BESS provide vital grid stability services to allow an efficient stable power grid, increasingly powered by intermittent renewable generation. In summary, traditional fossil fuel generators provide stabilising inertia to the system (a large steam generator unit has a substantial mass of spinning machinery which does not want to change speed readily) and reactive power from their generator sets (which makes the electrical grid more efficient).

As we depend more and more on renewable energy, we lose this essential inertia and reactive power from the electricity grid. BESS units are able to provide both these services due to the nature of the energy stored and the power conversion technology the BESS utilises. This is known as synthetic inertia and reactive power support.

Both the above factors mean that BESS indirectly have a significant carbon saving, through the allowance of more renewable generation onto the grid, and the avoidance of costly (and carbon intensive) network infrastructure upgrades which the BESS alleviate.

On the other side of the equation, producing the batteries for a BESS unit requires mining of the required material, processing, assembly into batteries, transport etc which has a carbon cost. Since the batteries have a lifespan of approximately 10 years, and the project is 40 years long, we calculate the full carbon impact over the project lifecycle.

Carbon Savings Calculation

There is excellent data from reputable sources that give numbers to the different impacts above. Whilst the figures used in the following calculations are not specific to the Fairholme site, BESS carbon impacts are similar across the sector due to the very similar technology used, and so recent data can be applied to all new BESS sites with a high degree of confidence that the resulting figures are representative. Indeed, new sites using the latest technology are likely to be at the current peak of carbon savings as BESS technology is consistently improving in its operational efficiency. This also means that the carbon savings will likely improve over the lifetime of the project as the technology evolves (and as new units are installed).

One of the UK power grid modelling experts, Modo, recently studied the carbon saving produced by adding BESS to the UK power grid.¹ They have calculated that each MWh of BESS added to the grid, in 2022, produced a saving of 263 tons of CO₂ per annum.

The Fairholme BESS project is a 47.5MW, 2.5 hour system so in terms of MWh, the scheme is 47.5MW x 2.5 = 118.75MWh.

Using Modo's 2022 figures then, the project will save 263 x 118.75 = 31,231 tons of CO₂. Over a 40-year lifespan:

31,231 x 40 = **1,249,240 tons of CO₂ equivalent saving.**

Carbon Costs Calculation

Manufacturing the Batteries

On the carbon costs, research by the Swedish Environmental Research Institute estimates that the carbon footprint of producing lithium ion batteries is 61-106kg CO₂-eq/kWh.² Using the more conservative higher end of this estimate of 106kg CO₂-eq/kWh, this equates to 106,000 kgs per MWh, or 106 tons/MWh.

Applying this to the Fairholme BESS (118.75MWh) we have:

¹The carbon benefit of battery energy storage in Great Britain (<https://modoenergy.com/research/8973>)

² Lithium-Ion Vehicle Battery Production - Status 2019 on Energy Use, CO₂ Emissions, Use of Metals, Products Environmental Footprint, and Recycling (<https://www.ivl.se/english/ivl/publications/publications/lithium-ion-vehicle-battery-production----status-2019-on-energy-use-co2-emissions-use-of-metals-products-environmental-footprint-and-recycling.html>)

$118.75 \times 106 = 12,587$ tons CO₂ equivalent for the project. Over the 40-year lifetime the batteries will be expected to be replaced four times (note, this is an overestimate as battery technology improves, lifespans are increasing). This gives:

$12,587 \times 4 = 50,348$ tons CO₂ equivalent cost

Construction Impacts

In terms of construction impacts, Field (a developer of BESS systems in the UK) carried out a recent Life Cycle Assessment (LCA) of one of their BESS sites (20MW capacity)³. The LCA calculates the lifetime carbon impacts of the project. The construction impacts were estimated at 230t CO₂ equivalent for the project lifetime (20 years).

If we take a very conservative approach in applying this to the Fairholme BESS and scale it proportionally (i.e. x2 for a 40year lifetime and x6 for a 118.75MWh capacity), the Fairholme BESS construction carbon cost would be $230 \times 12 = 2,760$ t CO₂ for its 40year lifetime. However, in reality, increasing the capacity and project lifetime would result in a lower CO₂ per MW construction carbon cost as scaling up production spreads the overall carbon costs, so this figure is conservative.

Total Carbon Costs

Adding the battery manufacturing and site construction carbon costs, we get:

$50,348 + 2,760 =$ **53,108 tonnes of CO₂ equivalent costs**

Overall Carbon Calculation:

Using the figures calculated above, the Fairholme BESS project would have save a CO₂ equivalent of:

$1,249,240 - 53,108 =$ **1,196,132 of CO₂ equivalent over project lifetime**

These numbers are based on recent data, which means they are conservative for a number of reasons:-

- Battery technology is improving rapidly, increasing efficiency and lifespan which will reduce the carbon cost of the batteries
- Batteries are increasingly replacing fossil fuel generators in reserve services. Reserve is currently delivered almost entirely by generators with high carbon intensity. With new reserve products coming and increasing reliance on BESS, this will improve the carbon savings in this report

³ [Field Energy - Independent LCA audit reviewed by DNV](#) - Google Drive



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