

Strategic Planning Committee

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 2 MARCH 2023 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Howard Greenman (Chairman), Cllr Tony Trotman (Vice-Chairman), Cllr Ernie Clark, Cllr Adrian Foster, Cllr Sarah Gibson, Cllr Carole King, Cllr Christopher Newbury, Cllr Pip Ridout, Cllr Elizabeth Threlfall and Cllr Robert Yuill

Also Present:

Cllr Nick Botterill, Cllr Gordon King, Cllr Ashley O'Neill and Cllr David Vigar

23 **Apologies**

Apologies were received from Councillor James Sheppard.

24 **Declarations of Interest**

Councillor Christopher Newbury declared a non-pecuniary interest in agenda item 6a during that item. Councillor Newbury stated that he was a friend of the landowner, who was not the applicant, and that he was a Member of Wiltshire Council who were also listed as a landowner.

The planning officer clarified that Wiltshire Council were not the applicant and that they were listed as a landowner due to owning some of the highways verges, so there was no conflict on that aspect.

Councillor Newbury's interest was a non-disclosable interest, which did not preclude involvement by the Member.

25 **Chairman's Announcements**

There were no announcements by the Chairman.

26 **Public Participation**

The procedures for public participation were detailed and noted.

27 **Planning Appeals and Updates**

There was no planning appeals update report in the agenda.

The Chairman stated that there would be an update from Ruaridh O'Donoghue (Senior Planning Officer) regarding the reasons for refusal on agenda item 7c,

20/00379/OUT - Land South of Trowbridge, Southwick, Trowbridge, Wilts (H2.6) from the [Strategic Planning Committee meeting held on 22 February 2023](#).

The officer explained that planners had been working on the reasons for refusal for the above item and there were some slight amendments to the policies quoted by the Committee in that meeting, it was therefore considered necessary to get the Members approval on the changes in order to issue the refusal notice. The officer read out the full reasons for refusal he had prepared, and hard copies were also circulated to Members.

The first amendment involved the level of harm to the designated heritage asset, Southwick Court, a grade II* listed medieval manor house close to the application site. Members had quoted National Planning and Policy Framework (NPPF) paragraph 201, which refers to substantial harm. The officer did not believe that substantial harm could be relied upon as a reason as it would be difficult to argue. Paragraphs 89, 90 and 91 from the inspectors report on the Wiltshire Housing Site Allocation Plan (WHSAP) clarified why. The officer detailed planning guidance on the high bar for substantial harm. The conservation officer response to the application stated that there was 'less than substantial harm' but within the higher levels of that category. Therefore, it was felt that paragraph 202 of the NPPF would be a more defensible reason for refusal, as this referred to less than substantial harm to a designated heritage asset. The lack of detail in the application to be able to assess the less than substantial harm against the public benefit made this a viable reason for refusal.

There were some clarifications regarding the Highways reasons for refusal. The Highways Officer had referred to lack of lighting as a potential highways safety consideration. However, officers were reluctant to include this within the highways reason for refusal, as the introduction of lighting alongside the access road and path would introduce fundamental issues for ecology and heritage. This would seemingly conflict with the WHSAP. So, they referred to the lack of a formalised crossing facility in the Frome Road.

The final reason for refusal added by planning officers was a standard reason to take account of the lack of agreed section 106 at the time of the decision. This was necessary to provide mitigation to the impact of the development.

The Chairman highlighted that the main concern for him was which paragraph from the NPPF was used, paragraph 201 (substantial harm to the heritage asset) or paragraph 202 (less than substantial harm to the heritage asset). He had not been comfortable with the conclusions in the inspectors report on the WHSAP. However, he did not want to go against the inspector's views and therefore was content to accept the amended reasons for refusal, even though he felt this had softened them slightly.

Members discussed the amended reasons for refusal and some technical questions were answered by the officer. It was confirmed that if the application went to appeal, it would be defended by officers, but it may be necessary to outsource some aspects of the defence to consultants.

At the conclusion of the discussion the Chairman proposed that the amended reasons for refusal (which can be seen in full in the minutes for the [Strategic Planning Committee meeting on 22 February 2023](#)) were accepted. This was seconded by Councillor Tony Trotman, and it was,

Resolved:

To approve the amended reasons for refusal.

28 **Planning Applications**

The following planning application was considered.

29 **PL/2021/06112 - Land at Forest Gate, Pewsham, Chippenham, SN15 3RS**

Public Participation

Jeanine Willard spoke in objection to the application.

Richard Badham spoke in objection to the application.

David Price spoke in objection to the application.

Harry Lopes spoke in support of the application.

Jim Cook spoke in support of the application.

Peter Capener spoke in support of the application.

Councillor John Barnes, representing Calne Without Parish Council, spoke in support of the application.

Jonathan James (Senior Planning Officer) presented a report which recommended that planning permission be granted, subject to conditions, for application PL/2021/06112, Land at Forest Gate, Pewsham, Chippenham, SN15 3RS, for the development of a solar farm of up to 49.9 MW of generating capacity, comprising the installation of solar photovoltaic panels and associated infrastructure including customer cabin, customer substation, DNO substation and equipment, inverter and transformer substations, spare part container, associated battery storage, access tracks, fencing, security cameras, landscape planting and associated works.

Attention was drawn to late representations received, which included 2 letters of objection relating to the loss of agricultural land and the impact on the landscape, both of these points were covered within the committee report. There had also been late representations received regarding a lack of notifications to interested parties that the application was due to be considered at Committee, that there was no planning consent for the cable route to the national grid and no consultation with the Dorset and Wiltshire Fire and Rescue Service. The final 2 points were also covered in the Committee report. Regarding the lack of notification, the officer stated that the agenda was published 5 clear working days ahead of the meeting, in accordance with regulations.

Key details regarding the application were given. The application had been through many revisions and further details submitted through the process, all of which had been consulted upon. The site lay between Pewsham and Derry Hill

and the land was agricultural and was at present used for growing crops. The site is approximately 400 metres from the Derry Hill conservation area. There were a number of public Rights of Way (RoW) bordering the site, these would remain available under the proposal. There was also an oil pipeline crossing the site which required a buffer.

The officer ran through the presentation slides for the meeting detailing the proposed layout of the solar panels; the planting plan; ecology details; photographs of the area; photomontages including how the site would look over time; the highways access and construction traffic route and accesses to the site.

It was explained that the solar panels were fixed modules with storage units dotted across the site. The panels were positioned away from boundaries where possible. The planting plan would provide enhanced biodiversity and the landscape officer had not raised any objections. Bat boxes would be provided across the site and boundaries would be raised to allow for the passage of small animals, any existing habitats were to be afforded protection.

The officer stated that the Committee report clearly set out the issues to be considered and the case for why the application was recommended for approval, such as the public benefits gained by the provision of a renewable energy scheme which could power 13,000 homes, saving 20,000 tonnes of carbon and the ecological benefit. It was felt that these benefits outweighed any less than substantial harm to the nearby heritage assets. Any concerns regarding highways issues were mitigated with conditions. Overall, the negative cumulative impacts were outweighed by the significant benefits.

Members of the committee then had the opportunity to ask technical questions of the officer.

In answer to questions the officer described the responses to the application which included 155 objections, 229 letters of support and was detailed on page 5 and 18 of the agenda report. The officer could not say whether representations of those who lived closest to the site were for or against the application without doing an in-depth analysis. It was speculated that more objections came from near neighbours. However, there were some supporters that lived locally.

It was also clarified that there was a large boundary between the canal path and the solar panels which would be natural grassland and meadows.

In response to questions regarding the flood risk, which some Members felt was far higher than that quoted in the report, the officer explained that the drainage team had considered the application and felt that subject to conditions it would be acceptable.

How the construction traffic route would be enforced was queried, the officer stated that the applicant would need to encourage drivers to use the route. Access points were also questioned, the officer posited that the application and

plans were detailed and that the access points gave enough visibility in both directions. It was highlighted that the construction phase was temporary and that there would likely be banksmen involved to help manage the construction traffic.

How Core Policy (CP) 42 regarding standalone renewable energy installations should be interpreted was queried, including whether objectors views should carry more weight. Officers explained that the starting point was support and then one went on to find impacts, and consider whether they were acceptable, or could be mitigated.

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

The unitary division member, Councillor Ashley O'Neill, then spoke regarding the application. Councillor O'Neill highlighted that reflection may be required on internal processes, to ensure that division members were advised on when applications were due to come before the Committee, as he had not been. Regarding the application itself Councillor O'Neill highlighted the passionate views on both sides and stated that key issues for the Committee to consider were the landscape and visual impact, especially due to the close proximity to some residential settings. There would also be harm caused to heritage assets. This needed to be weighed up against the public benefits of the application. His assessment of representations received was that supporters tended to come from a wider geographic area and objectors tended to live closer. He hoped that the Committee would have a robust debate on all the considerations.

Councillor Tony Trotman opened the debate, highlighting that in general he was in support of solar farms, but in this instance he was against the application. He therefore proposed that it should be refused, as he felt it did not comply with:

- CP1, Settlement Strategy
- CP2, Delivery Strategy
- CP42, Standalone renewable energy installations, in particular point 7, residential amenity
- CP50, Biodiversity and Geodiversity
- CP51, Landscape, in particular points 1, 2, 5 and 6
- CP57, Ensuring High Quality Design and Place Shaping
- CP58, Ensuring the Conservation of the Historic Environment

Final wording of the reasons for refusal would be delegated to officers. This was seconded by the Chairman.

A debate followed where Highways issues were raised as a concern, as access onto the A4 from the site would be difficult and dangerous. However, this was not added to the motion to refuse, as it was not felt it could be defensible. The construction traffic route was a concern to some. Others felt that this route was better than routes for previous solar farms which had been approved by the Committee.

Food production was discussed, as the site could be used to produce food crops, which was becoming ever more important in order to provide food security. Some Members felt this was very important. Others stated that as the site was grade 3B agricultural land, it was unlikely to produce arable crops and more likely would be used to produce hay, and that the proposal would increase biodiversity and improve the quality of the land. Some stated that the Committee had approved previous solar farm applications where the land was of a higher quality, so there was a lack of consistency.

Core Policy 42 was also discussed, in particular point 7 - residential amenity. Some felt that there was mitigation and therefore it would be hard to argue that residential amenity was severely impacted. Others felt that residential amenity, particularly visual amenity, clearly would be severely impacted. Whilst Members in support felt sympathy with the small number of people directly affected, they had to weigh up the public benefit against any negative impacts.

Landscape was raised as a major concern by some Members, as it would take 15 years before any trees planted effectively screened the site. They felt that the locally distinctive character of settlements and their landscape settings, and the heritage value of the landscape itself should also be considered. The coalescence of the 2 built environments was also raised as a concern.

It was highlighted in debate that Wiltshire had overdelivered on solar farms and was far above the delivery target, so applications should be thoroughly scrutinised.

At the conclusion of the debate, a recorded vote was requested by the requisite number of Members on the motion to refuse planning permission as described above. The vote was as follows:

For the motion (4)

*Cllr Howard Greenman
Cllr Christopher Newbury
Cllr Tony Trotman
Cllr Elizabeth Threlfall*

Against the motion (6)

*Cllr Ernie Clark
Cllr Adrian Foster
Cllr Sarah Gibson
Cllr Carole King
Cllr Pip Ridout
Cllr Robert Yuill*

Abstention (0)

Therefore, the motion to refuse planning permission was not passed.

Councillor Newbury left the meeting at 4.22pm, due to a prior appointment.

Councillor Sarah Gibson proposed a motion to approve planning permission as per the officer recommendation, this was seconded by Councillor Adrian Foster.

Councillor Foster asked for officer advice as to whether a construction traffic management plan could be included as a condition. Officers explained that condition 11 (page 47 of the agenda) covered this. Members requested an additional measure be added to that, to deal with the management of traffic entering and leaving the site during the construction phase and if possible, to limit the times of day that construction traffic could enter and leave the site. It was also requested that the applicants should be encouraged to start the majority of planting of trees and shrubs as soon as possible.

Officers highlighted that there was an existing construction management plan, and a lot of the points being raised by Members would be covered by this. The suggestion was that wording of the final resolution be delegated to officers. They would take away the points raised by Members and either ensure that they were already included in the construction management plan, or that a new plan should be submitted to incorporate the points raised. The proposer and seconder of the motion accepted this suggestion.

At the conclusion of the debate, the motion to approve was put to the vote and it was;

Resolved:

To grant full planning permission subject to the conditions set out below:

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 permission hereby granted shall be for a temporary period and shall expire 40 years from the date that electricity from the development is first exported to the electricity distribution network ('First Export Date') or no later than 44 years from the date of this decision, whichever is the soonest. Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than 1 calendar month after that First Export Date. Within 6 months of the date of expiry of this planning permission, or, if sooner, the cessation of the use of the solar panels for electricity generation purposes for a continuous period of 6 months, the solar panels together with any supporting/associated infrastructure including the inverter stations, security equipment, poles and fencing shall be removed from the land and the land restored to its former agricultural condition in accordance**

with a scheme of work to be submitted to, and approved in writing by, the local planning authority. The scheme of work, including a restoration plan and a decommissioning scheme that takes account of a recent ecological survey, shall be submitted to the local planning authority not less than six months before the removal of the installation.

REASON: In the interests of amenity and the circumstances of the use and to ensure the long-term management of landscape and ecological features retained and created by the development and in the interests of the significance of the heritage assets and their setting.

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

- Site location plan 264801/P002 6 October 2022
- Site location plan 264801/P004 6 October 2022
- PV Layout plan EDR1004-100 Rev H, 16 December 2022
- Forest Gate Planting Plan 264801-TOR-XX-XX-P-L-93-001 Rev W, December 2022
- Fixed tilt array details EDR1004-203 13 September 2022
- 40ft (12.2m) Central inverter substation details EDR1004-206 Rev D 6 April 2021
- 53ft (16.2m) Battery storage system details EDR1004-207 Rev E 12 April 2021
- Customer substation building details EDR1004-210 Rev C 6 April 2021
- Distribution network operator container details EDR1004-211 Rev C 6 April 2021
- Customer cabin details EDR1004-212 Rev C 6 April 2021
- Fence and gate details EDR1004-214 Rev C 13 April 2021
- Security camera plan EDR1004-215 Rev G 26 May 2021
- Maintenance road details EDR1004-216 Rev A 6 April 2021
- Fence and hedge details EDR1004-217 Rev B 13 April 2021
- Spare part container EDR1004-222 6 April 2021
- No-dig road details EDR1004-230 Rev A 29 April 2021
- Eastern site access General arrangement 800.0024.001 Rev C 3 September 2021
- Eastern site access Tracking 800.0024.002 Rev D 3 September 2021
- Eastern site access Visibility 800.0024.003 Rev C 3 September 2021
- Western site access General arrangement 800.0024.004 Rev B 3 September 2021
- Western site access Tracking (unchanged) 800.0024.005 Rev C 3 September 2021
- Western site access Visibility splay 800.0024.006 Rev A 3 September 2021
- Site access tracking Tractor and trailer 800.0024.007 Rev A 13 April 2022

- Biodiversity management plan – 10 October 2022
- Construction Traffic Management Plan 800.0024/CTMP/7 9 May 2022
- Biodiversity net gain calculation Metric 3.1 – 15 December 2022
- Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree
- Protection Plan 8325, Revision C October 2022
- Environmental Statement, 4th addendum including technical appendices, December 2022
- ES Technical Appendix A1 Heritage Assessment, June 2021 (resubmitted October 2022)
- ES Technical Appendix A2 Geophysical Survey Report, December 2020 (resubmitted October 2022)
- ES Technical Appendix A3 Cable route Heritage appraisal, January 2022 (resubmitted October 2022)
- ES Technical Appendix A4 Trial trenching evaluation, December 2021 (resubmitted October 2022)
- ES Technical Appendix B1 Landscape and visual assessment, October 2022
- ES Technical Appendix C1 Full Ecological Assessment, 15 December 2022
- ES Technical Appendix C2 Phase 2 Bat and Great Crested Newt, 13 October 2022
- ES Technical Appendix C3 Breeding Bird Survey, June 2020 (resubmitted October 2022)
- ES Technical Appendix C4 Biodiversity Management Plan, December 2022
- ES Technical Appendix C5 Preliminary Ecological Assessment of cable route, January 2022 (resubmitted October 2022)

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

4. No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, 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. The scheme shall respond to the following conditions raised: -
 - The applicant should provide calculations to establish the site greenfield runoff rate and the storage volumes required using a 1% (1 in 100 year) plus 10% climate change rainfall event. The scheme should ensure that run-off from the proposed development is reduced or will not exceed existing runoff rates unless evidence is submitted that demonstrates that site or environmental conditions make these measures unsuitable.

- The applicant should demonstrate proposed flow/exceedance paths and any additional surface drainage features on the PV layout plan.
- No development shall commence until details are provided of how these assets at high risk of pluvial flooding will be protected to ensure the safety of anyone attending the site. This should include a more detailed plan of the area at high risk of pluvial flooding. Alternatively, all proposed construction should be located outside of these potential flood areas.
- No development shall commence on site until details of the connection to the watercourse are confirmed and how these might be impacted by the increase in runoff resulting from climate change.
- No development can proceed until water quality has been addressed in line with the following assumptions:
 - As solar panels are not listed in the SuDS manual, the pollutant loads for commercial roofs (lower end values) should be used for the solar panels.
 - The pollutant loads for low traffic roads should be used when considering the access roads around the site.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

5. No development shall commence within the area indicated by application PL/2021/06112 until:
- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order to enable the protection of any matters of archaeological interest.

6. No development shall commence on site and no equipment, machinery or materials shall be brought on to site for the purpose of development until tree protective fencing has been erected in accordance with the details set out in the “Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan (October 2022) by Hayden’s Arboricultural Consultants.

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.

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

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

No concrete, oil, cement, bitumen or other chemical shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

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

REASON: The tree protection fencing is required to be placed on site before any development, site clearance or machinery is brought on to site in order to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity and biodiversity.

7. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the local planning authority. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase in accordance with the Requirements and Recommendations section of the submitted Full Ecological Assessment prepared by Wychwood Biodiversity (17/10/2022), and within the Avoidance section of the Biodiversity Management Plan prepared by Wychwood Biodiversity (17/10/2022). These will include 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) Reasonable avoidance working method statements for protected/priority species, such as nesting birds, amphibians (great crested newts), reptiles, bats and dormice.

- c) Working method statements where minor works are required within the hedgerow buffer.
- d) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.
- e) 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.
- f) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- g) 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: The matter is required to be agreed with the Local Planning Authority before development commences in order 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.

8. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order 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.

9. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary

treatment works, a Monitoring Strategy for the Biodiversity Management Plan hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority.

The Monitoring Strategy shall include, but not necessarily be limited to, the following information:

- a) A scheme of monitoring focused on the key aspects of the Biodiversity Mitigation and Enhancement Plans;
- b) Details of a timetable to establish a monitoring baseline on completion of the development at the start of the operational phase
- c) A timetable for regular reporting for the lifetime of the development (in years 1, 3, 5, 10, 25, 40);
- d) Details of the body or organization responsible for implementation of the Monitoring Strategy, with any change to this body or organisation to be notified to the local planning authority within three months of such a change.

The Monitoring Strategy shall be implemented in full in accordance with the approved details for the entire operational lifetime of the installation.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order 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.

10. The development will be carried out in strict accordance with the following documents:

- a) Forest Gate Planting Plan. DWG TOR-XX-XX-P-L-93-001. Rev W. Terence O Rourke (12/2022).
- b) Forest Gate Biodiversity Management Plan FINAL_041022. Rev XF. Eden Renewables and Wychwood Biodiversity (17,10,2022).
- c) Diagram #001 Ecology Map Overview. Rev XF. Eden Renewables and Wychwood Biodiversity (17,10,2022).
- d) Diagram #002 Map of avoidance and reduction measures (Appendix B). Rev XF. Eden Renewables and Wychwood Biodiversity (17,10,2022).
- e) Diagram #003 Map of Mitigation Measures: Establishment (Appendix C). Rev XF. Eden Renewables and Wychwood Biodiversity (17,10,2022).
- f) Diagram #004 Map of Mitigation Measures. Rev XF. Eden Renewables and Wychwood Biodiversity (17,10,2022).
- g) Diagram #005 Ecology Map: 4.5m Buffer (only). Rev XF. Eden Renewables and Wychwood Biodiversity (17,10,2022).
- h) Diagram #006 Ecology Map: 10m Buffer (only). Rev XF. Eden Renewables and Wychwood Biodiversity (17,10,2022).

i) Biodiversity Metric 3.1 (15/12/2022).

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

11. Notwithstanding the submitted Construction Traffic Management Plan and prior to the commencement of any development or preparatory works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Management Statement, together with a site plan, which shall include the following:

- a) Detailed Site logistics arrangements;**
- b) A description of management responsibilities, to include communication procedures with the LPA and local community regarding key construction issues - newsletters, fliers etc. ;**
- c) A description of the construction programme;**
- d) the parking of vehicles of site operatives and visitors, including parking for delivery vehicles to avoid parking and congestion on the public highway;**
- e) loading and unloading of plant and materials;**
- f) storage of plant and materials used in constructing the development;**
- g) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- h) wheel washing facilities;**
- i) measures to control the emission of dust and dirt and noise mitigation during construction;**
- j) a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
- k) measures for the protection of the natural environment, which shall include monitoring of, and measures to retain, the existing vegetation across the site, together with details of drainage arrangements during the construction phase;**
- l) Site working and delivery hours, including delivery schedules, and a named person for residents to contact;**
- m) details of traffic routeing signs, both at the site accesses and along the construction route;**
- n) pre-condition photo survey of the section of highway of the A4 London Road which would serve as access to the sites. Copies of the pre-condition survey and a post condition survey following completion of construction shall be supplied to the local planning authority.**

shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission

of the Local Planning Authority. There shall be no burning undertaken on site at any time.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order 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

12.No development shall commence on site until visibility splays for the eastern access (adjoining the bus stop) have been provided between the edge of the carriageway and a line extending from a point 2.4m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 120 metres to the north and south from the centre of the access, in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

13.No development shall commence on site until visibility splays for the western access (field 4 on the layout plan) have been provided between the edge of the carriageway and a line extending from a point 2.4m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 160 metres to the north and 120 metres to the south from the centre of the access, in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

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

REASON: In the interests of highway safety.

15.No development shall commence on site until details of the proposed width of the access tracks, including passing bays, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety.

16.No construction or operational artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication “The Reduction of Obtrusive Light” Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

17.Notwithstanding the details hereby approved, the finished colour for all cabins, substation containers, fencing and any other structure that forms a part of this development shall be finished in a dark green (RAL 6007) and shall be maintained as such thereafter.

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

18.Landscape Planting shall be undertaken in accordance with the Forest Gate Planting Plan TOR-XX-XX-P-L-93-001 Revision W and maintained as such thereafter.

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development or in accordance with a programme to be agreed in writing with 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.

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

features and to ensure that the site is satisfactorily landscaped in order to support protected species and their habitats.

19.No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

Informatives:

21.Informative

Wilts and Berks Canal Trust (WBCT) has an agreement with the landowner to gain access into the section of canal through the land, the subject of this application and requests that, if the application is consented that access for restoration and maintenance purposes by WBCT shall be provided.

22.Informative:

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 Full Ecological Assessment prepared by Wychwood Biodiversity (2022) 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.

23.Informative:

A photographic pre-condition highway survey to be carried out to the section of highway of the A4 London Road which would serve as access to the sites, and copies of pre and post condition survey to be supplied to Wiltshire Council. The applicant should be informed that the Highway Authority will pursue rectification of any defects identified by the highway condition survey which can be attributed to the site construction traffic under the provision of S59 of the Highways Act.

24.Informative:

The work is to be carried out following the standards and guidelines for archaeological field evaluation as set out by the Chartered Institute for Archaeologists (CIfA) and the standards and guidelines for Strip, Map and Record excavations as set out by the Chartered Institute for Archaeologists (CIfA). The applicant should note that the costs of carrying out an archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

25.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.

26.Informative:

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may 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.

30 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 4.30 pm)

The Officer who has produced these minutes is Tara Hunt of Democratic Services, direct line 01225 718352, e-mail tara.hunt@wiltshire.gov.uk

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