

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	03 rd August 2016
Application Number	15/07244/FUL
Site Address	Land At Moor Lane Farm, Minety, Wiltshire
Proposal	Proposed Construction of Solar Farm Comprising Solar Arrays, Inverters, Transformers, Equipment Housing, Security Fencing, CCTV Cameras, Internal Tracks & Ancillary Equipment.
Applicant	Rochester
Electoral Division	MINETY – Chuck Berry
Grid Ref	402653 191552
Type of application	Full Planning
Case Officer	Mathew Pearson

Reason for the application being considered by Committee

The application was previously consider at Committee on the 20th April 2016. Councillors requested further information regarding a number matters and resolved to defer the application.

1. Purpose of Report

To consider the further information submitted on the above application and recommend that planning permission is approved subject to conditions.

2. Report Summary

The following issues were identified at the Committee as requiring further information/clarification. The report focuses on these matters and also updates the previous report with regard to recent case law and changes in approach since April on conservation and heritage matters. The following matters were identified;

1. Flooding – further information required on working of swales and land drainage issues upon decommission. Specifically the effect of piling to erect the panels and method of repairing underground drainage system on decommissioning.
2. Detail access drawings showing visibility splays and treatment of the brook and details of any culvert.
3. Full Construction Management Transport Plan including details of delivery procedures and any compounds on the site (to include details of permanent and temporary tracks with quantities of materials).
4. Details of realistic proposed routes for cable and connection to national grid.
5. Confirmation that there will be no raising of ground level within the site.
6. Further details that the right of way will be retained and safe access will be provided for the public.

The original report has been appended to this document for reference which covers other planning matters not listed above, such as the principle of the development, landscape and ecology.

3. Site Description

The application site is located at Lower Moor, just to the north of Minety. The site is entirely pasture land and comprises two fields with a total area of approximately 9.2 hectares. The

site slopes gently from north to south and is enclosed by mature hedgerows and tree belts with a water course at the southern end. A Right of Way runs across the site. To the south of the site a railway line runs from east to west and the village of Minety lies beyond this about 0.5 miles away. A minor road lies to the south of the site linking Lower Moor to the B4696 and Ashton Keynes approx. 1.5 miles to the north east.

The site lies some 6 miles east of the Cotswolds Area of Outstanding Natural Beauty just south of the Cotswold Water Park. The site lies at the eastern end of landscape character area 05: Minety and Malmesbury Rolling Lowland' and to the north of landscape character area '11B: Minety Rolling Clay Lowland. Historically this area was part of Braydon Forest (royal hunting forest), but unlike Braydon Forest this landscape character area has been continuously occupied by man. It retains a largely medieval field pattern with copses and small woodlands remaining in a number of locations. The existing landscape character of this area is derived from the combination of gentle topography, the patchwork of small irregular fields, mature hedgerows and large oaks. To the east and west of the site are a number of designated heritage assets all of which are Grade II listed farmhouses. The nearest is Lower Moor Farm to the west

4. Planning History

13/06231/FUL	Change of Use of Agricultural Land & Buildings to Equestrian & Creation of Menage & Horse Walker. – This application is for the field to the east of the site and was approved with conditions.
15/07109/SCR	Screening Opinion Request for Proposed Solar Photovoltaic Farm - Environmental Impact Assessment was not required

5. The Proposal

The proposed development involves the installation and operation of a solar park, with associated infrastructure and equipment. The solar park will have a peak output of approximately 4.5MW. The plans show a series of typical elevations for solar infrastructure. The solar panels will measure 2.9m high at their highest point, with a series of inverter and transformers (2.5m high) located around the site. The panels are mainly sited to the east of the Right of Way (RoW) in the southern field and to the west in the northern field. Access to the site is located to the south with larger infrastructure located at this location including two 3.5m high substations and a 5m satellite pole. Security fencing (2m high) is proposed around the site and alongside the RoW and it will be screened by enhancements to existing hedgerows and new planting either side of the RoW. A permanent road will be located to the southwestern side of the site which will cross the RoW and be gated at this point.

The application was originally accompanied with the following documents;

- Agricultural Land Report
- Construction Method Statement
- Cumulative Impact Statement (an addendum to the LVIA)
- Design and Access Statement (DAS)
- Flood Risk Assessment
- Historic Environment Desk-Based Assessment
- Landscape and Visual Impact Assessment (LIVA)
- Planning Statement
- Preliminary Ecological Assessment

Following a request for further survey work from the Council's Ecologist further assessment was carried out and Habitat and Species Assessment was submitted.

Following the previous committee further submitted documents include;

- Revised Cable Route Plan
- Site Access Arrangements
- Revised Construction Traffic Management Plan

6. Local Planning Policy

Wiltshire Core Strategy (WCS) (adopted January 2015)

- 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 and new development
- Core Policy 62: Development impacts on the transport network
- Core Policy 67: Flood Risk

7. Summary of consultation responses

Please note this is only a summary of responses received following the submission of revised plans

Minety Parish Council - I, as Chairman of the Minety Parish Council, am writing strongly to affirm the Parish Council's objection to this proposed development. This proposal was discussed again on 14th June 2016 at the Council's regular monthly meeting.

At the Planning Committee Meeting on 20th April 2016, the Committee was unconvinced by the presentations of both the Planning Officer and the applicant, saying that there was insufficient detail in the application on which to base a decision. The Committee resolved that the application be deferred and brought back to the Committee as soon as reasonably possible, once the following additional information had been submitted to the Council and considered by officers and local residents:

- Flooding – further information required on working of swales and land drainage issues upon decommission. Specifically, the effect of piling to erect the panels and method of repairing underground drainage system on decommissioning.
- Detail access drawings showing visibility splays and treatment of the brook and details of any culvert.
- Full Construction Management Transport Plan including details of delivery procedures and any compounds on the site (to include details of permanent and temporary tracks with quantities of materials).
- Details of realistic proposed routes for cable and connection to national grid.
- Confirmation that there will be no raising of ground level within the site.
- Further details that the right of way will be retained and safe access will be provided for the public.

This letter of objection takes each of these points in turn:

1. Flooding. The applicant provided a flood risk assessment as part of the original application and has added nothing to it in the further information. The assessment considered that a one in 100 years event could lead to some flooding but as recently as 11th May this year there was extensive flooding in the area as a result of rainfall. This was the fourth such event in the last 9 years. The photographs at Appendix 1 show the effects both on the proposed site entrance and on adjoining properties. Similar photos have already been submitted by other objectors. The construction

period is over the months of November to March when the ground, almost totally clay at the surface and thus already greatly impermeable, will be permanently wet and on-site heavy vehicle movements will increase ground compaction which in turn will reduce adsorption and increase run-off from the site.

2. Access and Culverts. There appears to be no mention of culverts in the additional documents. The revised access and exit splays are impressive but suggest that vegetation only up to a height of 2M will be removed whilst the eye height of truck drivers must be at about 3M above road level. The wheel tracking diagrams indicate that vehicles will drive both in and out of the site going forwards but there are no suggestions in any documents about how vehicles will turn round to achieve this. On the clay that is the site basis an extensive vehicle manoeuvring area would be required and there is no indication of how this will be achieved other than the large number of deliveries of hardcore to the site.
3. Transport Plan. The Construction Management Transport Plan has been amended to show these deliveries of hardcore. The original proposal was that 52/53 HGV movements would occur and this has now increased to 151 with the majority being for hardcore, whilst there is no mention of the delivery of “tracked pile driving vehicles” or their use mentioned in the construction methodology.

The applicant states that hardcore deliveries would be in 6-wheel trucks. These by law would be at a maximum all up weight of 25tonnes travelling on an access road rated at only 7.5 tonnes. Each would then deliver 15tonnes of hardcore. However, in re-instating the site only 8 loads of hardcore are removed. What happens to the missing 765 tonnes of hardcore which apparently remain on site? How does this weight/volume of additional material affect the drainage of the site specifically with respect to flooding? What does this weight/volume of material do for the level of the site with respect to neighbouring properties? How does this weight/volume of abandoned material fit with the requirement that the site is eventually returned to its original state?

The construction period remains at 10 weeks albeit with the proviso that this is dependent on weather and external influences neither indicated nor analysed. Over the period November to March disruption due to weather is likely to be considerable. The site enabling period in the original proposal lasted 4 weeks. In the revised proposal, having acknowledged the need for more ground preparation and the early installation of fencing, this initial phase has reduced to 2 weeks. The construction phase has expanded to fill the additional time thus created, but the apparent work has not changed. Judging by similar developments of solar farms in the area, this forecast of 10 weeks appears wildly optimistic.

Traffic Routing. One of the PC's original objections to the proposal was on the routing of traffic both on arrival and when departing through the village of Minety. That issue remains unaddressed.

Incoming construction traffic would use Ashton Lane. Our previous objection addressed the 7.5tonne weight restriction, narrowness of the lane (single track for 0.7m) and lack of passing places. The passing places on this lane are rudimentary, to say the least, and certainly cannot accommodate 16M long articulated trucks. Over the winter months damage to verges would be considerable and there surely is a very high risk of large vehicles becoming bogged down in rain softened verges. An apparently but superficially safe solution could be the use of temporary traffic lights, at least on the single track section. However, there is nowhere for lorries, especially those of the length of articulated trucks, to wait at the entrance to Ashton Lane to

allow other traffic to clear the single lane section. This also calls into question the applicant's proposal that delivery drivers will contact site management before turning down Ashton Lane, as there is nowhere safe for them to pull up and await clearance instructions.

For departing traffic 10tonne 6 wheelers (now empty of their hardcore loads) and 16M long articulated low loaders would be required to depart:

under Skew Bridge - a blind approach from the South for other traffic approaching construction traffic head on,

- up Sawyers Hill, then down to the junction with Hornbury Hill for right angle left turn by the school - being downhill there will be considerable noise not just of bouncing empty trailers but also of braking (in addition, this area is frequently congested with cars parked on the school side of the road at times beyond the 8.00-9.00am and 3.00-4.00pm no-movement windows proposed by the applicant.),
 - round the right turn into Silver Street, where there are again considerable numbers of parked vehicles and regular pedestrian traffic, and through the centre of the village,
 - and only then joining the B4040. This is an entirely unacceptable, disruptive and dangerous proposal using, as it does, roads not designed for the wear and tear of such traffic and with little space for large construction vehicles to manoeuvre. This can lead not only to disruption and risk to the community but also to damaged road surfaces and edges with risk also for parked vehicles. Quite simply none of these roads is intended to carry traffic in such numbers or of such sizes.
4. Cable Routing. The revised cable routing is far more sensible and would avoid the longer term disruption of the original. However, although it is not part of the planning process, has this routing been agreed with the landowners concerned and could permission be granted only on the basis of its being successfully negotiated?
 5. No Raising of Ground Level on the Site. Please see the comments and question at paragraph 3a although the developer without explanation asserts that levels will remain unchanged.
 6. Rights of Way. The developer provides an assurance the PROW will be maintained. The developer also assures that the safety of the public will not be compromised. However, in neither case is there any detail to support.

In summary, therefore, this is an ill-conceived proposal to place a solar farm in the wrong place. It proposes to develop in an area already known, and very recently proven yet again, to be at high risk of flooding both for itself and for neighbouring properties and would only increase that risk. It would rely on road links which are at a minimum inappropriate and not designed to carry the kind of traffic necessary for the development but, additionally, could be viewed to be disruptive and even dangerous. There are no conceivable benefits for the village which would need to live with these. The Minety Parish Council, therefore, strongly requests that this planning proposal be finally rejected.

Wiltshire Council Drainage - I have already commented on this one favourably but as more information has been requested and received, I will comment anew.

The area is one with a well-known flood history and the upper reaches of the current drainage system coincides with this application's location. In fact the drainage route starts at The Moor and travels to the Three Bridges road junction along the Ashton Road open

watercourse system. Surface water runoff generated on this area uses the road route towards the River Thames and when the River Thames exceeds its flood capacity, water heads in the opposite direction towards The Moor. This phenomenon is a result of the almost flat downhill gradient from The Moor and the superficial geology which is predominantly clay making infiltration drainage unworkable. The whole system of drainage can be compared to a macadam car park with very little fall and no positive drainage pipework.

H2O consultants have recognised this phenomenon and proved mathematically that the very small increase in rainwater runoff can easily be stored on site in shallow swales and disposed of as if the water was running off the original field. The overall effect is to maintain the drainage status quo.

The installation of an individual photovoltaic assembly relies on it being supported by vertical piles driven into the clay and I understand that there may be an old system of land drainage likely to be disturbed by the new solar assemblies. Decommission of the assemblies would not repair this damage if indeed damage was caused. I asked myself if this old system was still serviceable and have to say that in all probability it did not work anyway so the need to repair it is arguable. The system is assumed to be 900mm deep and surrounded with coarse sand. I am not aware that this system has received any maintenance in tend of years and the surface has been used as pasture for cattle or horses so the clay surface will have been worked over and over again by hooves and therefore combined with the natural consolidation of the clay will form an impermeable surface making any historical drainage system unworkable. The proof of this would be a proliferation of hollow stemmed grasses which have taken many years to become established to indicate a sodden upstream catchment in the area of the application.

So I consider that the application doesn't significantly influence the present flood risk and the so called historical field drainage to be a red herring because if it does exist, it will have fallen into disuse many years ago.

Wiltshire Council Highways - I note the details supplied. The details have not completely addressed all the concerns in the Construction Traffic Management Plan – but additional points have been conditioned.

I can confirm that the 'details have not been completely addressed' have now been addressed in my conditions. ie 1.) chapter 8 signage and banksman 3.) suitable wheel washing facilities and parking areas/ compound.

I would also like to confirm that I consider that there are no grounds of highway refusal that will withstand appeal. Consideration of paragraph 32 of NPPF states, proposals should only refused where residual impacts are severe.

I would also like to note that highways/ planning have negotiated a traffic routing scheme that will reduce impact on community as much as possible.

I raise no highway objection subject conditions.

Wiltshire Council Right of Way – Support subject to signage where the track crosses the footpath is a stop sign which also says “public footpath” underneath so it reminds drivers of the reason they have to stop and look. Drivers should also all be briefed that there is a public footpath so must watch for walkers.

8. Publicity

Six further letters of objection were received following the previous committee, although it should be noted that three further objections were received following the publication of the previous Committee Report before it was heard at Committee. Highlighted key issues were flood risk and traffic and transport.

- **Flood Risk** - All of the objections noted that the development would cause further flooding to an area that has repeated been flooded, with an objector provided photographic evidence of recent severe flood events.
- **Transport** – Objections were received with regard to construction traffic being routed on a single-track road to the site and departing via another single-track road to pass by the village school. The route is considered too narrow with 90 degree bends in between and disruption and damage likely to cause further issues and affect highway safety.

Other noted issues were around the loss of agricultural land and the effect on ecology and nearby SSSIs

9. Planning Considerations

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 must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

1. Flooding – further information required on working of swales and land drainage issues upon decommission. Specifically the effect of piling to erect the panels and method of repairing underground drainage system on decommissioning.

It is clear from consultation responses that increased flood risk is probably the largest issue for local residents. The applicant has highlighted the key section of the existing flood risk report which deals with the swales and the Council's Drainage Engineer has commented extensively on this issue and existing land drainage issues.

The Council's Drainage Engineer states that the existing Flood Risk Assessment (FRA) has;

'proved mathematically that the very small increase in rainwater runoff can easily be stored on site in shallow swales and disposed of as if the water was running off the original field. The overall effect is to maintain the drainage status quo.'

He comments that flooding in the area is caused by the River Thames exceeding its flood capacity and water running 'back to the Moor. Core Policy 67 looks for development to improve run-off rates unless site or environmental conditions make these measures unsuitable. The Drainage Engineer has noted that the superficial geology, which is predominantly clay, makes infiltration drainage unworkable. Nevertheless, the submitted FRA includes recommendations that will see marginal reductions in run off rates by using swales, this is set out in sections 8.0 and 9.0 of the submitted FRA. The Council's Drainage Engineer has stated that he is satisfied that the proposals and the application is considered to be in accordance with Core Policy 67 and paragraph 103 of the National Planning Policy Framework (NPPF).

In terms of any existing drainage systems the Council's Drainage Engineer has commented that in his opinion the use of the field as pasture would have made any historic drainage systems unworkable and therefore fallen into disuse. The applicant has suggested that on decommissioning they are contractually obliged to return the field to its original condition. However, if any existing drainage system has already fallen into disuse it would be disproportionate to expect this to be repaired on decommissioning. The previous

recommendation to the committee included a condition to provide a scheme of decommissioning. Added to this condition is a specific note explaining that this will need to include an up-to-date flood and drainage assessment as part of any decommissioning programme in order to address any potential concerns at this time.

- 2. Detail access drawings showing visibility splays and treatment of the brook and details of any culvert.**
- 3. Full Construction Management Transport Plan including details of delivery procedures and any compounds on the site (to include details of permanent and temporary tracks with quantities of materials).**

The applicant has provided an updated Construction Traffic Management Plan which provides comprehensive transport plans and access plans and visibility splays. The Councils' Highways Team have no objection to the scheme and are satisfied with the transport aspect of the Construction Traffic Management Plan but have requested some further details be conditioned. These are in regard to banksman and signage at the site entrance and to ensure that suitable wheel washing facilities and parking areas/compound is provided. The comments by the Parish with the regard to the culvert are noted but the applicant has set out at section 6 of the Construction Traffic Management Plan that they intend to use the existing culvert that is in place.

Following the revised submission a number of further conditions have been proposed in line with the recommendations of the Construction Traffic Management Plan. It should be noted that wider aspects of the construction in terms ecology and landscape will be addressed by the Construction Environmental Management Plan (CEMP) which will sit alongside the Construction Traffic Management Plan and provide for the recommendations and implementation of any ecological and landscape measures and proposals.

Construction traffic has also been highlighted as a key concern for local residents. It is acknowledged that during the construction phase there will clearly be a level of disturbance for residents in and around Minety. However, the applicant has worked proactively with the Council's Highway Team in order that routes and timings of HGV deliveries cause the least amount of disruption and over the 30 year lifetime the construction period of HGV movements will be a 10 week period. The NPPF is clear that *'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. (paragraph 32)'*.

The residual impacts of the scheme are limited and confined to the construction and decommissioning stage, where a similar period of disruption can be expected. The Construction Traffic Management Plan shows that steps have been taken to appropriately mitigate, as far as possible, any adverse impacts and it is considered that the proposal is in accordance with Core Policy 62 and the NPPF.

- 4. Details of realistic proposed routes for cable and connection to national grid.**

Revised plans have been submitted in regards to the Cable Route which show two potential points of connection. The applicant is still waiting for Southern and Scottish Electric to confirm which connection they prefer. The alternative connection to the substation to the northwest now crosses three fields and the highway perpendicularly in the most direct route avoiding any potential disruption involved with using highway verges. The preferred connection remains to the north of site which will cause minimal disruption. The final details of the route and construction will remain conditioned with full details provided at the point the decision is taken on which will be the final route.

- 5. Confirmation that there will be no raising of ground level within the site.**

The applicant has confirmed there is no intention to raise ground levels in the site and there are no plans that show such development. Comments from the Parish are noted with regards to the access tracks and hardcore. These matters will be addressed in detail by the landscape plans.

6. Further details that the right of way will be retained and safe access will be provided for the public.

The applicant has sought to clarify the proposals for the right of way;

'The safety of the public using the PRow will be ensured by the fact that the security fence will be installed prior to commencement of development. This will ensure that the majority of the route is fenced off. Where the PRow crosses over the site track, signage will be used to ensure both the public and construction worker are aware of each other. At the entrance to the site a banksman will hold construction traffic until the public are safely past. Once development has been completed, the footpath will remain unobstructed.'

As per the recommendations of the Highway Team further details are conditioned in regards to signage and a banksman at the site entrance. The access to the public right of way is included in the Construction Traffic Management Plan under section 15. A condition has been added to ensure that the public right of way remains in place and that security fencing is in place prior to construction

Conservation of Designated Heritage Assets and Recent Case Law

Recent case law (Butler, R v East Dorset District Council EWHC 1527 [28 June 2016]) has clarified issues regarding the reporting of harm to conservation and heritage assets and outlined the importance of clarifying the relationship between local plan policy and the NPPF. This case has also set out further the weight, or lack of, that can be given to the temporary nature of any harm to preservation and setting of listed heritage assets.

Previously it was noted that the proposals were likely to have an impact on the setting of Lower Moor Farm to the west of the site, a Grade II listed farmhouse. It was reported that;

'It is considered that this impact will be less than substantial and in line with paragraphs 131, 132 and 134 of the NPPF and Core Policy 58. Where a development proposal is likely to have some harm to a designated heritage asset the public benefits of the scheme should be weighed against the impact.'

It was also noted that some weight could be given to temporary nature of the scheme in relation to the impact heritage assets.

Core Policy 58 requires development to protect, conserve or where possible enhance the historic environment. The case law, referred to above, sets out that where local planning policy requires such measures, if harm is identified to a heritage asset then the scheme cannot be seen to comply with that policy. This is different from the NPPF where policies state that less than substantial harm should be weighed against the public benefit of the scheme. Furthermore, neither Core Policy 58 or the NPPF differentiate between temporary harm or permanent harm and therefore no weight should be given to the temporary nature of the scheme in terms of heritage assets.

Therefore, it should be reported to the committee that the scheme fails to meet the requirements of Core Policy 58 and that previous statements regarding the temporary nature of the harm in regard to heritage assets, even though this consideration was given 'very limited weight' in previous report, should be disregarded.

Nevertheless, as noted in the opening paragraph of the section, determination of applications should be made in accordance with Development Plan unless material considerations indicate otherwise. The NPPF, as national policy, is an important material consideration and paragraph 134 states that where less than substantial harm is identified then the public benefits of the scheme should be weighed against this impact. The overall benefits of scheme in terms of sustainable development and reducing carbon emissions mean that it was, and still is, considered that the public benefits of scheme outweigh the harm to a designated heritage asset.

The scheme is in conflict with Core Policy 58 but material considerations in the form of national policy mean that the application should be considered for approval in regards to conservation and the historic environment.

Other Matters

Please note that a number of matters highlighted in the previous report remain conditioned with final details required before development can commence. These include;

- Final detailed landscaping plans in line with the submitted Landscape and Visual Impact Assessment (LVIA)
- A comprehensive Landscape and Ecological Management Plan that will sit alongside the CEMP referred to above.
- Final details of all external finishes and colours for the various equipment housing and fencing across the site.
- The final cable route

Other conditions that will remain in place include the limiting of external lighting, comprehensive tree protection measures, restrictions on the storage of items following construction and the submission of a scheme for decommissioning. These are listed at the end of this report.

10. S106 contributions

None

11. Conclusion (The Planning Balance)

The proposed development as a whole contributes towards acknowledged sustainability objectives and would not result in the loss of high quality agricultural land. The principle of the development for renewable energy on this site is supported in planning policy. The various studies and assessment including, the LIVA, ecological assessments and FRA, have demonstrated that the proposed solar park would not harm any protected species, have a highly detrimental visual impact or exacerbate flood risk in the area.

While it is acknowledged there will be an impact on residents during the construction phase, this will predominantly relate to deliveries and the movement of HGVs. It not considered that this impact can be considered so detrimental as to be able to sustain a transport objection of planning policy grounds.

The recommendation for approval is accompanied by suitably worded planning conditions that can adequately address potential impacts and ensure the correct mitigation is secured. Overall it is considered the application is broadly in accordance with planning policy, where conflicts have been identified, material considerations overcome these issues and the application is recommended for approval.

RECOMENDATION

Approve with 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:

Plans

Location Plan Drawing No: D03 (July 2015)

Array Cross Section Plan Drawing No: D04 (July 2015)

Prefabricated Housing DNO Switchgear Plan Drawing No: D05 (July 2015)

CCTV Pole Elevation Plan Drawing No: D06 (July 2015)

Fence 7 Gate Elevation Plan Drawing No: D07 (July 2015)

Inverter & Transformer Elevation Plan Drawing No: D08 (July 2015)

Substation Elevation Plan Drawing No: D09 (July 2015)

Satellite Pole Elevation plan Drawing No: D10 (July 2015)

Storage Container Elevation Plan Drawing No: D11 (July 2015)

Revised Cable Route Plan Drawing No: D12 (July 2015)

Revised Site Access Plan Drawing No: WLTS95-1T-001 (May 2016)

Reports

Habitat and Species Report by Windrush Ecology Nov 2015

Planning Statement by DLP Planning July 2015

Flood Risk Assessment by H2O July 2015

Landscape and Visual Impact Assessment by Sightline Landscape July 2015

Design and Access Statement By DLP Planning July 2015

Construction Traffic Management Plan by Elgar Middleton May 2016

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

- 3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

* location and current canopy spread of all existing trees and hedgerows on the land;

* full details of any to be retained, together with measures for their protection in the course of development;

* a detailed planting specification showing all plant species, supply and planting sizes and planting densities;

* finished levels and contours;

* means of enclosure;

* car park layouts;

* other vehicle and pedestrian access and circulation areas;

* all hard and soft surfacing materials;

* minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

* proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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 a satisfactory landscaped setting for the development

and the protection of existing important landscape features.

- 4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of development; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

- 5 The mitigation measures of SUDs and a Scrape detailed in the approved Flood Risk Assessment (FRA) [July 2015 / J-5489-CFM / H2OK] shall be carried out in full prior to the first bringing into use of the development in accordance with the approved timetable detailed in the FRA.

REASON: In the interests of flood prevention.

- 6 The mitigation measures in accordance with the recommendations of the submitted Habitat and Species Assessment (November 2015/ Windrush Ecology 2015) shall be carried out in full prior to the first bringing into use of the development in accordance with the approved timetable detailed in the Ecological Assessment.

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

- 7 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of features to be managed;
- b) Landscape and ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an 30 year period;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

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 adequate protection, mitigation and compensation for protected species, priority

- 8 No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of 'biodiversity protection zones'
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The location and timing of sensitive works to avoid harm to biodiversity features including
 - " Protection measures for hedgerow, woodland and other habitat features
 - " Methods to avoid and minimise impacts on retained grassland;
 - " A Precautionary Method of Working for the protection of great crested newts/amphibians, including timing of construction works (November-March inclusive);
 - " Prevention of pollution to watercourses;
 - " Pre-commencement bat surveys of the mature willow tree
 - " Measures to avoid impacts upon breeding birds and their nests
 - e) The times during construction when specialists ecologists need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

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

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

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

- 9 No development shall commence on site until details of the external finish and colour, including any paint to be used externally on the Fencing, Security Cameras, Inverter Substation, DNO Connection Substation, Auxiliary Transformer and Connection Substation 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.

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

- 10 No development shall commence on site until full details of the proposed cable route have been submitted and approved in writing by the Local Planning Authority. This will include any details of access and works to third party/public land. The permitted development will only provide a single access route as identified in the scheme.

REASON: In the interests of amenity and to protect from unnecessary noise and disturbance from the site.

- 11 The proposal shall be carried out in accordance with the 'Construction Traffic Management Plan' (dated May 2016). The vehicle routes to and from the site shall be in accordance with the CTMP and signage in accordance with Chapter 8 guidelines. For all HGV movements at the deliveries a banksman shall be used at the entrance. If there are any departures from the plan, this will need to be agreed in writing by the LPA prior to actions or works being carried out on site.

REASON: In the interests of Highway safety

- 12 No development shall commence on site until the 'Site access Arrangement' (in accordance with drawing WLTS-1T-001 B) has been constructed. The access points shall be properly consolidated and surfaced (not loose stone or gravel) for a minimum of the first 10m. A scheme for discharge of surface water from both sites (including surface water from access) and piping of the ditches shall be provided. The development shall not be first commenced until the access has been constructed in accordance with the approved details. The access shall be maintained as such thereafter.

Reason: To ensure that the development can be adequately drained.

- 13 No part of the development shall commence until the parking area (temporary construction compound), turning area and wheel washing facilities (this shall be suitable for HGV), have been constructed and laid out in accordance with details to be submitted and approved in writing.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 14 No development shall commence on site until visibility splays have been provided at both access points and have been provided between the edge of the carriageway and a line extending from a point 2.4 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 43 metres either side of the entrance from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway. (In accordance with drawing 'Site Access Arrangement' WLTS95-1T-001 Rev B.

REASON: In the interests of highway safety.

- 15 A condition survey of the highway network relating to the access routes to the site shall be carried prior to the commencement of the works, the survey shall be carried out by the applicant in conjunction with the highway authority, in compliance with Section 59 of the Highways Act, to ensure that as a result of the proposal the existing condition of

the highway network is maintained. If as a result of the construction phase damage to the highway network has been identified, within 3 months of the identification the damage, the works shall be remedied.

REASON: In the interests of maintaining the existing condition of the highway network

- 16 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 spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", 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.

- 17 The detailed landscaping plans to be submitted pursuant to condition no. 3 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

- 18 REASON: To ensure the retention of trees on the site in the interests of visual amenity. 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 a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. 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 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.

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

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years

- 19 Following completion of Construction no materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.

REASON: In the interests of the appearance of the site and the amenities of the area.

- 20 The Local Planning Authority shall be notified in writing within one month of the event that the solar array hereby approved has started to feed electricity to the Grid. The installation hereby approved shall be permanently removed from the site and the surface reinstated within 31 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 finite operation of this type of development.

- 21 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 upon the development no longer being in operation or upon the expiry date of 30 years from the date of the development starting to feed electricity to the Grid, whichever is sooner. The scheme will need to condition further survey work with regards to flood risk which will need to be carried out at the time of decommission. 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

- 22 INFORMATIVE TO APPLICANT: 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.

- 23 INFORMATIVE TO APPLICANT: 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.

- 24 INFORMATIVE TO APPLICANT: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.