

# AGENDA

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**Meeting:** Northern Area Planning Committee  
**Place:** Council Chamber - Wiltshire Council Offices, Monkton Park,  
Chippenham SN15 1ER  
**Date:** Wednesday 3 October 2018  
**Time:** 3.00 pm

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Please direct any enquiries on this Agenda to Stuart Figini, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718221 or email [stuart.figini@wiltshire.gov.uk](mailto:stuart.figini@wiltshire.gov.uk)

Press enquiries to Communications on direct lines (01225) 713114/713115.

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## Membership:

Cllr Tony Trotman (Chairman)	Cllr Mollie Groom
Cllr Peter Hutton (Vice-Chairman)	Cllr Chris Hurst
Cllr Chuck Berry	Cllr Toby Sturgis
Cllr Christine Crisp	Cllr Brian Mathew
Cllr Howard Greenman	Cllr Ashley O'Neill
Cllr Gavin Grant	

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## Substitutes:

Cllr Ben Anderson	Cllr Jacqui Lay
Cllr Bill Douglas	Cllr Melody Thompson
Cllr Ruth Hopkinson	Cllr Philip Whalley
Cllr Bob Jones MBE	Cllr Nick Murry

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## **Public Participation**

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

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

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

For assistance on these and other matters please contact the officer named above for details

# AGENDA

## Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting**

To approve and sign as a correct record the minutes of the meeting held on 8 August 2018.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register by phone, email or in person no later than 2.50pm on the day of the meeting.

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

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

### Questions

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

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Wednesday 26 September 2018 in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on Friday 28 September 2018. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

### 6 **Planning Appeals and Updates** (*Pages 5 - 6*)

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

### 7 **Planning Applications**

To consider and determine the following planning applications.

#### 7a **18/03673/FUL - The Solar, Market Place, Colerne, SN14 8DF** (*Pages 7 - 18*)

Conversion of stable block into 1 bed dwelling, amended access and associated works.

#### 7b **18/04914/FUL - Land Adjacent to Ravensroost Farm, Minety, Malmesbury, SN16 9RJ** (*Pages 19 - 38*)

Development Works Required for the Construction of a Battery Energy Storage Facility.

### 8 **Urgent Items**

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

## **Part II**

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

**Wiltshire Council  
Northern Area Planning Committee  
3<sup>rd</sup> October 2018**

Planning Appeals Received between 27/07/2018 and 21/09/2018

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
17/08735/FUL	Land at Church Place Lydiard Millicent Swindon, Wiltshire SN5 3LR	LYDIARD MILLICENT	Provision of new public open space, footpath, play area, nine homes (4 Affordable Units) and associated infrastructure.	DEL	Written Representations	Refuse	21/09/2018	No
17/12034/FUL	Land at Honeysuckle Cottage, Malmesbury Corston, SN16 0HJ	ST PAUL MALMESBURY WITHOUT	Erection of Single Dwelling	DEL	Written Representations	Refuse	21/09/2018	No
17/12507/FUL	Ashley, Common Road Malmesbury, SN16 0HN	ST PAUL MALMESBURY WITHOUT	Demolition of existing bungalow and erection of two new dwellings	NAPC	Written Representations	Approve with Conditions	21/09/2018	Yes
18/00078/FUL	Abberd Farm House Abberd Lane, Calne Wiltshire, SN11 8TE	CALNE WITHOUT	Construction of dwelling	DEL	Written Representations	Refuse	14/08/2018	No
18/01032/OUT	Land at Yatton Road Biddestone, Chippenham, Wiltshire SN14 7BZ	BIDDESTONE	Outline Planning Permission for the Erection of a Single-Storey Self-Build Dwelling.	DEL	Written Representations	Refuse	21/09/2018	No
18/0273/VAR	Land North of Bath Rd Corsham, Wiltshire SN13 0QL	CORSHAM	Variation of condition 22 (Foundation Investigation Plan) of 13/05188/OUT to allow commencement of development prior to the discharge of this condition.	DEL	Written Representations	Refuse	14/08/2018	No
18/02378/FUL	1 and 2 The Old Barn Purlieus, Minety Wiltshire	HANKERTON	Change of use of holiday lets to residential accommodation	DEL	Written Representations	Refuse	21/09/2018	No
18/02653/FUL	14 Bardsey Close Royal Wootton Bassett Wiltshire, SN4 8NA	ROYAL WOOTTON BASSETT	Loft Conversion with Box Dormer	DEL	Written Representations	Refuse	21/09/2018	No
18/03185/FUL	The Barns at Mays Farm, 25 The Street Hullavington, Wiltshire SN14 6DP	HULLAVINGTON	Erection of 2 No new dwellings	NAPC	Written Representations	Approve with Conditions	21/09/2018	Yes
18/03274/FUL	63 London Road Calne, Wiltshire. SN11 0AA	CALNE	Proposed Driveway	DEL	Written Representations	Refuse	23/08/2018	No

Planning Appeals Decided between 27/07/2018 and 21/09/2018

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
16/06790/FUL	Land at Methuen Park Chippenham Wiltshire	CORSHAM	Proposed erection of 66 dwellings, formation of access road, open space, landscaping & associated works	NAPC	Hearing	Refuse	Dismissed	21/09/2018	None
17/11180/FUL	Cotswold Heights Greenhill Royal Wootton Bassett, Wiltshire SN4 8EH	LYDIARD MILLICENT	Extension and Alterations to Dwelling.	DEL	Householder Appeal	Refuse	Allowed with Conditions	31/08/2018	None
18/00691/FUL	Land at 6 Halfway Firs Bath Road, Corsham Wiltshire, SN13 0PJ	CORSHAM	Demolition of Existing Barn and Erection of Family Dwelling and Associated Works	DEL	Written Reps	Refuse	Allowed with Conditions	09/08/2018	None

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

<b>Date of Meeting</b>	3 <sup>rd</sup> October 2018
<b>Application Number</b>	18/03673/FUL
<b>Site Address</b>	The Solar, Market Place, Colerne, SN14 8DF
<b>Proposal</b>	Conversion of stable block into 1 bed dwelling, amended access and associated works
<b>Applicant</b>	Ms Emma Ramsden
<b>Town/Parish Council</b>	COLERNE
<b>Electoral Division</b>	BOX AND COLERNE – Cllr Brian Mathew
<b>Grid Ref</b>	381999 171151
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Rose Fox

### Reason for the application being considered by Committee

The application has been called to Committee by Cllr Mathew in order to consider the visual impact, residential amenity, highways and parking. The application has been contentious with a number of neighbours and the Parish Council has requested the application is discussed at NAPC.

#### 1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

#### 2. Report Summary

The critical issues in the consideration of the application are as follows:

- Principle of Development
- Impact on Heritage Assets
- Design/Character and Appearance of the Area (AONB)
- Highways and Parking
- Residential Amenity

The application has been met with objection from Colerne Parish Council. Representations have been received from five members of the public, albeit no comments have been received since the most recent revisions to the scheme and reconsultation.

#### 3. Site Description

The application site comprises an existing residential dwelling “The Solar” and associated curtilage which includes former stables which is proposed for conversion pursuant to this application. The building is currently used as a garage, with a loft room at first floor level. The building is finished in stone, set beneath a tiled roof. It has two sets of timber double doors to the front, a front door and a number of windows. The property is enclosed by a stone boundary wall and trees/foliage.

The application site is located centrally within the settlement limits of Colerne, which is defined as a Large Village within the Core Strategy. It is situated west of the Market Place/Quarry Lane. The surrounding buildings in the immediate area comprise a mix of 1 and 2 storey buildings, which are finished in stone, with some variance in roof materials. The site is situated within the Colerne Conservation Area and Cotswolds AONB.

#### **4. Planning History**

None relevant

#### **5. The Proposal**

The proposal comprises the conversion of the former stables into a one bedroom dwelling, with an amended access and associated works. The building is currently used as a garage. The proposed new dwelling would consist of a kitchen, bathroom and utility within the lean-to, a living/dining room on the ground floor and a bedroom at first floor. It would have 1 off street parking space.

The conversion would utilise existing openings within the walls of the building. The ground floor openings at the front of the building would be infilled with a timber door, windows and timber boarding. Two new conservation rooflights are proposed in the north elevation, towards the western side of the building and away from the roadside. The existing opening in the eastern elevation would be replaced with a window, and existing windows in the west elevation would be replaced. Two small conservation rooflights are also proposed to the single storey lean to which would not be visible from the public realm. There would be some modest lowering of the internal floor level to accommodate sufficient height at first floor level.

The existing access would be repositioned just south of the existing access and would be widened by approximately 300mm above the existing access width. The boundary wall will be extended in place of the existing access. The stone removed to create the relocated entrance would be used to infill the existing entrance.

6 trees are proposed for removal (1 bay, 1 lilac, x2 Lawson cypress, x2 leylandii), and 8 new trees are proposed.

#### **6. Local Planning Policy**

The following policies of the Wiltshire Core Strategy (Jan 2015) (WCS) are relevant: Core Policy 1 (Settlement strategy)



Core Policy 2 (Delivery strategy)  
Core Policy 11 (Community Area strategy: Corsham Community Area)  
Core Policy 45 (Meeting Wiltshire's Housing Needs)  
Core Policy 51 (Landscape)  
Core Policy 57 (Ensuring high quality design and place shaping)  
Core Policy 58 (Ensuring the conservation of the historic environment)  
Core Policy 61 (Transport and development)  
Core Policy 64 (Demand management)

National Planning Policy Framework (NPPF)  
Paragraphs 11, 38, 79, 172, 190, 195, and 196 and Sections 5, 9, 12, 15 and 16

## **7. Summary of consultation responses**

### Colerne Parish Council

Latest comments from meeting 18/09/2018: *“Although the Council noted the changes to plans which answered some of the concerns raised previously, concerns remain about:*

- Over-development/overcrowding of the site - particularly as this proposal is out of character in a conservation area. Although the reduction from two bedrooms to one is noted and reduces the number of parking spaces required from four to three, overdevelopment is still considered an issue.*
- The proposed access will remove sections of a wall which has been in existence for over 100 years and is part of the historic nature of the village and provides a backdrop to events at the war memorial.*

*The Council felt that the revised plans were not sufficient and maintains its request for the application to be called in.”*

### Conservation Officer

No objection subject to sample panel of new wall as recognised wall contributes to the setting of heritage assets (notably war memorial)

### Highways Engineer

No objection to the revised proposals

### Drainage Engineer

Given the proposal is for a conversion within a built up area, and there is not a significant increase in hardstanding (limited to driveway and paving immediately outside building), a suitable drainage solution is considered achievable in principle. Surface water drainage details can be conditioned.

### Tree Officer

No objection and an Arboricultural Method Statement is not required as long as storage and mixing of materials would take place on hardstanding away from trees.

### Ecology Officer

No objection – add bat informative

## **8. Publicity**

The application was advertised by site notice and neighbour notification letter.

Representations have been received from 5 local residents since the latest reconsultation and plan changes, but comments on previous plans are summarised below:

- Highway safety issues with new access
- Queries in relation to proposals e.g. annexe or new dwelling and clarification as to the location of access (Responded to directly)
- Excessive infilling in the village
- Overdevelopment of site
- Wall may be listed
- Parking inadequate
- Removal of trees harm to Conservation Area
- Harm to setting of war memorial
- Loss of privacy - East elevation window overlooking into Innox House and garden
- Queries surfacing material to be used in new driveway – could be conditioned to reduce visual impact (Albeit this related to previous additional driveway proposal next to Elmsleigh which has been removed from the scheme)

## **9. Planning Considerations**

### Principle of development

Core Policy 1 of the WCS sets out that Colerne is defined as a 'Large Village' within Wiltshire where development will be limited to that needed to help meet the housing needs of settlements. Core Policy 2 sets out that within the defined limits of development of Large Villages there is a presumption in favour of sustainable development. Since the application site is within the limits of development in Colerne, it is therefore considered appropriate in principle as long as it constitutes sustainable development and complies with the other relevant policies of the WCS.

### Heritage Assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Paragraph 190 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraphs 195 and 196 require local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic

buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

The property is situated within the Colerne Conservation Area. There is no Conservation Area Appraisal currently published for this designation. However, the conservation area, by virtue of its designation, is significant in heritage terms. Nearby Grade II listed buildings comprise Elmsleigh to the south west (the other side of The Solar bungalow), the war memorial and railings within the centre of the Market Place to the south, and the Manor House to the east. Elmsleigh and the Manor House have aesthetic value and architectural significance, and the war memorial has communal value and commemorative significance.

Since the plans have been revised, the Conservation Officer does not consider the proposal would cause harm to the character or appearance of the conservation area or setting of listed buildings. The building will be sensitively converted, utilising existing openings within the walls. There would be four new conservation rooflights but they would be placed in positions that would have the least impact on heritage assets. The proposed new access would be situated immediately south of the existing, and would result in approximately 3m of wall being removed and approximately 2.8m of new wall being erected in place of the existing access. As such, there would be a minor reduction of the overall stone boundary wall. Whilst there would be a loss of part of a historic wall, the same stone can be reused in the new wall and the appearance of the new wall can be controlled by a sample panel condition. Subject to this condition, the Conservation Officer has no objection in heritage terms. The new access would be approximately 30m north of the listed war memorial. The approach to the war memorial from Quarry Lane from the north would be similar to the existing and it is not considered its setting would be harmed as a result. There would be a modest increase in the hardstanding on site as part of the proposals, but this is not considered to be harmful. 6 trees would be lost but 8 new trees are proposed in replacement, 7 of which would be located along the boundary. The Tree Officer has no objection to the proposals. Overall, there is not considered to be any harm to the significance of the heritage assets.

Should the application be approved, Permitted Development rights for further extensions, external alterations and outbuildings would be removed to enable the LPA to consider individually whether planning permission should be granted for such development, in the interests of visual amenity, residential amenity and safeguarding heritage assets.

One neighbour representation queries whether the wall may be listed in association with Elmsleigh. This property was listed in 1985 and bearing in mind the Calderdale case, the physical layout, ownership and function of “Elmsleigh” and “The Solar” were separate at the date of listing. As such, the wall associated with “The Solar” is not considered to be curtilage listed.

#### Design/Character and Appearance of the Area (AONB)

WCS Core Policy 57 requires new development to be of a high standard of design and requires development to create a strong sense of place through drawing on the local context and being complimentary to the locality. Amongst other matters, the policy

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

The proposal comprises the sensitive conversion of the existing building with only minor modifications, utilising existing openings within the building. There would be a larger driveway to the front of the building and some paving immediately outside the building, but this would be screened by existing and proposed new trees. The new dwelling would result in the subdivision of the curtilage, but this is not considered to result in landscape harm. It is not considered that the proposal would be harmful in design terms, and it would be in keeping with the local character of the area.

The property is situated within the Cotswold AONB, which Policy CP51 of the Wiltshire Core Strategy applies great weight to conserving and enhancing landscapes and scenic beauty. Given this proposal is for the sensitive conversion of an existing building within the Large Village of Colerne, the proposals would not be harmful to the AONB.

#### Highways and Parking

The Council's Highway Engineer has considered the proposals in respect of the adequacy of car parking and the safety of the access and egress of the amended access onto the public highway. The revised scheme complies with current parking standards and it is not considered that there would be any highway safety issues as a result. Conditions will be applied to ensure the access/turning and parking area is carried out before the building is occupied, and that 1 parking space is retained in perpetuity in association with the new dwelling.

#### Residential amenity

One objection has been received in respect of loss of privacy from the new window in the eastern elevation (utilising an existing opening) to Innox House on the opposite side of Quarry Lane. The window would have views across the road to this property and there would be little difference from the views from the road which is part of the public realm. As such, it is not considered the proposal would result in any adverse harm to privacy. It is not considered that the neighbouring properties would suffer loss of daylight, sunlight or privacy as a result. There would be no adverse impacts.

In considering the amenity of the existing and proposed properties, the existing property would retain sufficient access and amenity space. The proposed dwelling would have a modest garden which is an acceptable size for a 1 bedroom property.

#### Other matters

No objections have been received from the Drainage, Ecology and Tree Officers, subject to conditions and informatives.

#### Conclusions

Overall, it is considered that the revised proposals for a new dwelling represents sustainable development in accordance with Core Policies 1, 2, 11, 45, 51, 57, 58, 61

and 64 of the WCS (Jan 2015; and Paragraphs 11, 38, 79, 172, 190, 195, and 196 and Sections 5, 9, 12, 15 and 16 of the NPPF, and is acceptable in planning terms.

**RECOMMENDATION – That planning permission is GRANTED subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans as received by the LPA 16/04/2018:

Existing Plans and Section (1740 S/03, Dated: Jan 2018);

Existing Elevations (1740 S/04, Dated: Jan 2018); and

Existing Site Plan (1740 S/02, Dated: Jan 2018).

Plan as received by the LPA 09/07/2018:

Location Plan (1740 S/01 Rev: A, Dated: Jan 2018).

Plans as received by the LPA 04/09/2018:

Proposed Elevations (1740 P/07 Rev: C, Dated: 04.09.18);

Proposed Plans and Section (1740 P/06 Rev: D, Dated: 04.09.18); and

Proposed Site Plan (1740 P/05 Rev: D, Dated: 04.09.18).

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

- 3 No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

One off-street parking space as shown on the site plan must be retained for use in association with the new dwelling in perpetuity.

REASON: In the interests of highway safety and to ensure the revised access is no wider than as indicated on the approved plans, to safeguard the character and appearance of the area/setting of heritage assets.

- 4 No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: in the interests of visual amenity and the character and appearance of the area

- 5 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The new dwelling shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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.

- 6 All new trees shown on the approved site plan shall be planted in the first planting and seeding season following the first occupation of the converted building or the completion of the development, whichever is the sooner.

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

- 7 The rooflights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to the former stable building subject to the conversion hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses

and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

10 INFORMATIVE TO APPLICANT:

The revised access may impact upon a street sign within the public highway. It is recommended that [northernhighways@wiltshire.gov.uk](mailto:northernhighways@wiltshire.gov.uk) is contacted prior to any works are due to commence. Any relocation required would be at the applicants own expense.

11 INFORMATIVE TO APPLICANT:

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk) or visit the Bat Conservation Trust website.

12 INFORMATIVE TO APPLICANT:

The applicant is advised that storage and mixing of materials must take place on hardstanding away from trees.

13 INFORMATIVE TO APPLICANT:

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

14 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.

15 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.

16 INFORMATIVE TO APPLICANT:

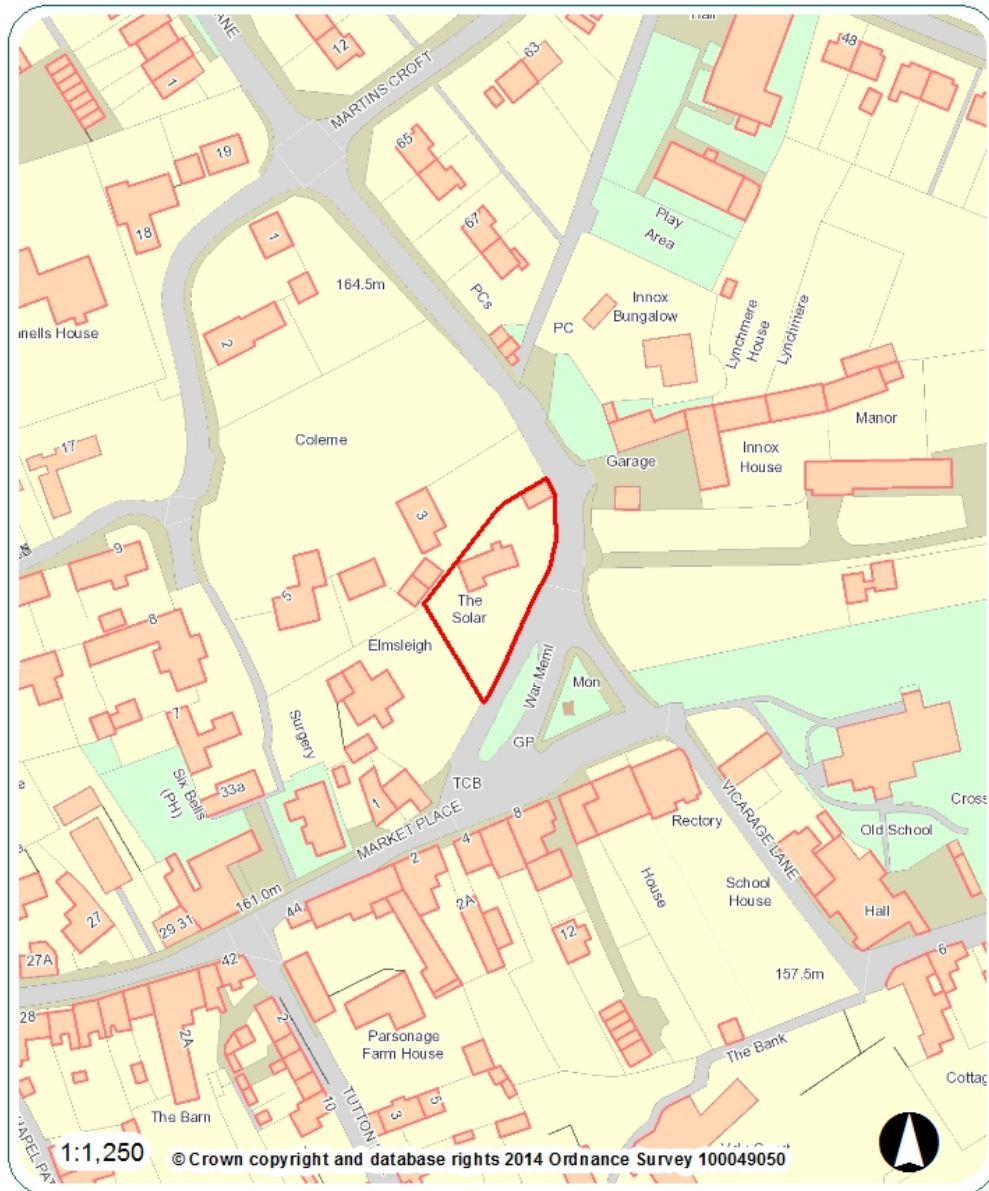
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

17 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).



18/03673/FUL  
The Solar  
Market Place  
Colerne  
Chippenham  
SN14 8DF



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## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

<b>Date of Meeting</b>	3 October 2018
<b>Application Number</b>	18/04914/FUL
<b>Site Address</b>	Land Adjacent to Ravensroost Farm, Minety, Malmesbury SN16 9RJ
<b>Proposal</b>	Development Works Required for the Construction of a Battery Energy Storage Facility
<b>Applicant</b>	Mr Simon Wheeler, Enso Energy Ltd
<b>Town/Parish Council</b>	Minety
<b>Electoral Division</b>	Minety– Cllr Berry
<b>Grid Ref</b>	403012 188462
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Richard Sewell

### **Reason for the application being considered by Committee**

The application has been called into committee at the request of Cllr Berry to consider important issues raised by local residents and the Parish Council such as scale of development, impact on the character and appearance of the area, impact on residential amenities, ecology and highways

### **1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that authority is delegated to the Head of Development Management to **GRANT** planning permission, subject to conditions listed below.

### **2. Report Summary**

The key issues in considering the application are as follows:

- Principle of the development.
- Impact on residential amenities of adjoining neighbours.
- Impact on character and appearance of the area.
- Impact on ecology
- Impact on highways
- Impact on drainage

Minety Parish Council and Purton Parish Council have both objected to the proposed development and 16 letters of objection and 2 letters of support have been received.

### **3. Site Description**

The application site is a green field located in open countryside comprising approx.0.68 hectares of Grade 3 Agricultural land situated approximately 1.8km to the south of the small village of Minety. The site as existing is situated within predominantly flat pastureland with woodland

planting along the northern, southern and western edges of the field which lies to the immediate east of the classified C76 which runs north to south. Access from the highway is provided via an existing field gate set back from the road. Bridleway MINE58 follows a route along the southern edge of the field through an existing young/semi mature linear woodland belt. Beyond this lie a number of residential properties and farm buildings with the closest dwelling being approximately 160m to the south. Other farms and associated residential buildings are situated approximately 600m to the north of the site and 600m to the east of the site. Cutting diagonally across the field running NW to SE are two National Grid high voltage overhead cable lines supported on a large pylon.

The site is not within any area designated for nature conservation however there are two Sites of Special Scientific Interest (SSSIs) to the north and north west within 500m of the proposed site

#### **4. Planning History**

No relevant planning history

#### **5. The Proposal**

The application seeks consent for the construction of a new temporary (albeit 25 years) Battery Storage Facility, which would be used to store up to 49.9MW electricity from the National Grid, collected and stored at low peak during times of high supply and released back to the grid during higher electricity demand periods. The site layout will consist of the following equipment:

- 8 X twin-Battery Containers (13.8m (l) x 5m (w) x 4.7m (h))
- 23 X Inverters/Transformers (5.9m (l) x 2.3m (w) x 2.6m (h))
- 2.4m high security fence
- 132kV substation
- Control/ Relay Room
- Customer Parking Zone
- Customer Switchgear (12m (l)x 3m(w) x 3m (h))
- Customer Transformer (5.8M (l) x 2.2m (w) x 2.5m (h))
- 7 X Security Columns (6m(h))

A tarmac access road will utilise the existing field access and will run parallel to the northern hedgerow. Around 0.75 of grassland will be hardsurfaced with the above equipment and parking situated on top with a 2.4m high security fence around the perimeter. In addition an underground point of connection to the existing pylon is proposed.

To compensate for the loss of the grassland and to provide ecological enhancement, an area of retained grassland surrounding the site within the landholding will be established as rough grassland reflecting species found within the local environment. Approximately 200m of linear grassland bund with standard tree plantings will be created to screen the development on its eastern and southern boundaries. This will function as visual screening given the development's prominent position but will also provide additional nesting and foraging opportunities for a range of wildlife.

#### **6. Local Planning Policy**

Wiltshire Core Strategy Jan 2015:

- Core Policy 1- Settlement Strategy
- Core Policy 2- Delivery Strategy
- Core Policy 3- Infrastructure Requirements
- Core Policy 13- Spatial Strategy: Malmesbury Community Area
- Core Policy 41- Sustainable Construction and Low Carbon Construction
- Core Policy 42- Standalone Renewable Energy Installations

Core Policy 48-	Supporting Rural Life
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 Development
Core Policy 62-	Development impacts on the transport network
Core Policy 63-	Transport Strategies
Core Policy 64-	Demand Management
Core Policy 67-	Flood Risk
Appendix D	
Appendix E	
Appendix G	

Saved Policies of the North Wiltshire Local Plan:  
 NE14- Trees and the control of new development  
 NE18- Noise and Pollution  
 T5- Safeguarding

National Planning Policy Framework 2018:

Achieving sustainable development – Core Planning Principles (Paragraphs 8 and 11)  
 Chapter 6- Building a strong, competitive economy (Paragraphs 80, 81 & 82)  
 Chapter 12- Requiring Good Design (Paragraphs 124, 127 and 130)  
 Chapter 14- Meeting the challenge of climate change, flooding and coastal change (Paragraphs 148, 153 and 154)  
 Chapter 15- Conserving and enhancing the natural environment (Paragraphs 170, and 180)

## **7. Summary of consultation responses**

Minety Parish Council- OBJECTED to the application due to the access issues, a very narrow road incapable of taking the heavy traffic that would be required; the inaccuracy caused by the Environmental Survey being conducted in February which cannot reflect the true nature of the environment in the vicinity and there has been no assessment for the fire risk and the hazard that can be caused by the gas pipe by the proposed development.

Purton Parish Council- OBJECTED. Although this application is not in the Parish of Purton, Purton Parish Council Object to the above application. Concerns were raised that the narrow road to the site are not capable of taking the heavy traffic for the construction of the Battery Energy Storage Facility, no vehicles over 7.5T should pass through Purton.

Landscape Officer- NO OBJECTION subject to conditions. The nature of the proposed development is temporary, industrial electricity infrastructure which despite being located close to some existing overhead power lines will result in some uncharacteristic and harmful landscape and visual effects. The loss of existing pasture and its temporary replacement with an urban industrial use is the most obvious adverse landscape effect. Adverse visual effects will be localised and potentially minimised with the retention and continued management of existing perimeter hedgerows and woodland in combination with the proposed additional planting as mitigation (illustrated within the submitted landscape strategy plan).

Ecology- NO OBJECTION subject to conditions. The survey scope and level have been appropriate and sufficient for the site and the scale and complexity of the proposal. The Council's Ecologist is in agreement with the findings of the ecological appraisal and believes that if the recommendations made are implemented, the proposal will not result in any adverse impact to local biodiversity, including to statutory and non-statutory designated sites or protected species

Highways- NO OBJECTION subject to conditions. Following receipt of a Construction Traffic Management Plan the Council's Highways Officer is satisfied that there will be no significantly adverse impact on local highway safety.

Public Protection- NO OBJECTION subject to conditions. The Officer is satisfied with the findings of the submitted Noise Impact Assessment but has requested that it is conditioned that a post installation noise assessment shall be carried out to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary.

Drainage- NO OBJECTION subject to condition requesting surface water drainage details

## **8. Publicity**

The application was advertised by neighbour letter, site notices and press advert.

The application has generated over 16 letters of objection and 2 letters of support. A summary of the comments is set out below:

- Industrial development in a rural area not acceptable
- Fire hazard
- Adverse impact on the character and appearance of the area
- Harm to highway safety
- Noise impact unacceptable
- Development should be located on a brownfield site
- There is no local need
- Harm to wildlife and ecology
- Provides energy security
- Good location for such a facility

## **9. Planning Considerations**

### Principle of Development

Under the provisions of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006)

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations which can be accorded substantial weight.

## NPPF, PPG and Core Policy 42

Government Policy on renewable energy is expressed in the NPPF. Paragraph 148 explains that

*“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”*

Paragraph 154 of the NPPF sets out that applicants for energy development are not required to demonstrate the overall need for renewable or low carbon energy. Moreover it must be recognised that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Most importantly, a proposal should be approved (unless, of course material considerations indicate otherwise) if its impacts are, or can be made acceptable.

Government Planning Practice Guidance (PPG) sets out the planning considerations. PPG considerations include:

- Ensuring they take into account the requirements of the and, critically, the potential impacts on the local environment, including cumulative impact.
- the need for renewable or low carbon energy does not automatically override environmental protections;
- cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;

Core Policy 42 of the WCS in turn states that:

*Proposals for standalone renewable energy schemes will be supported subject to satisfactory resolution of all site specific constraints. In particular, proposals will need to demonstrate how impacts on the following factors have been satisfactorily assessed, including any cumulative effects, and taken into account:*

- i) *The landscape, particularly in and around AONBs*
- ii) *The Western Wiltshire Green Belt*
- iii) *The New Forest National Park*
- iv) *Biodiversity*
- v) *The historic environment including the Stonehenge and Avebury World Heritage Site and its setting*
- vi) *Use of the local transport network*
- vii) *Residential amenity, including noise, odour, visual amenity and safety and*
- viii) *Best and most versatile agricultural land*

*Applicants will not be required to justify the overall need for renewable energy development, either in a national or local context.*

The proposal is a form of renewable energy. Renewable energy is encouraged at both a national (NPPF, namely section 14) and local (WCS) level and is therefore considered in principle to be appropriate if the site-specific constraints are satisfactorily resolved.

In considering CP42 criteria i to iii, the site is not located within an AONB, the Green Belt or any other designated landscape. It stands in relative visual isolation, though it will be visible from the adjacent highway and bridleway. The immediate surrounds would be well screened from the site given existing boundaries and proposed mounds and planting enhancements.

The visual impact on the open countryside (an issue raised by the Parish Council as well as the many local objectors) nevertheless remains a consideration, including under WCS CP51 which requires development to protect, conserve and where possible enhance landscape character and must not have a harmful impact, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. It is noted that the Council's Landscape Officer has raised no objection to the proposal and is satisfied with the proposed mitigation measures (specific landscape issues are considered in greater detail later in the report)

With regard to biodiversity considerations (criterion iv to CP 42), Core Policy 50 also applies and requires that developments enhance biodiversity on the site, Following the submission of additional information and analyses, the Ecology Officer is satisfied that the proposal will not result in any adverse impact to local biodiversity, including to statutory and non-statutory designated sites or protected species. This will be expanded on later on within this report.

Attention has been drawn to the suitability highway serving the site (C76) and the impact construction traffic would have on the local highways network. Core Policy 62 is applicable in this instance, with a key requirement being that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. The Council's Highways Officer has raised no objection and is satisfied with the proposed Construction Traffic Management Plan as will be discussed in the subsequent and relevant section of the report.

Core Policy 57 seeks to ensure an acceptable level of residential amenity on all forms of development. The development site is in a remote location being a significant distance from any of the nearest residential properties and the Council's Public Protection has raised no objection in relation to noise disturbance as detailed in the relevant section below

For the reasons set out above, it is considered that the principle of development is acceptable and that the proposal is in accordance with CP42 and national planning policies contained within the NPPF and PPG.

#### Impact on residential amenities of adjoining neighbours

Core Policy 57 seeks that all new development has regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter).

The proposal site is situated approximately 160m to the north of the nearest dwelling. A Noise Impact Assessment has been submitted and includes assessment of the potential noise impacts during both the construction of the site and the operation of the facility. The BS 4142 assessment which is detailed in Table 5.1 and Table 5.2 of the noise assessment report determined that simultaneous operation of all batteries and inverters/transformers would have no impact at the residential premises around the site during the daytime reference period and night time reference period. The noise report recognises that noise generated by construction is inevitable, therefore, a number of noise mitigation measures have been provided within Section 6 of the submitted Noise



Impact Assessment. The Council's Public Protection Officer is satisfied with the findings and conclusions contained within the assessment but has advised a condition requiring a post installation noise assessment to be carried out in order to confirm compliance with the noise criteria and any additional steps required for further mitigation if necessary

Further to this a Construction Traffic Management Plan has been submitted which confirms that the overall construction programme will be up to four months (16 weeks), with construction restricted between the hours of 08:00 to 18:00 hours Monday to Friday, 08:00 to 13:00 hours on Saturdays and no working on Sundays or Bank Holidays. This is considered appropriate for the rural setting and not to present any unacceptable level of disturbance to the nearest residents.

Considering the scale of the proposed development and distance between the nearest residential properties, it is not considered that the proposal will significantly impact on the current level of residential amenity awarded to the surrounding properties. A condition requesting that no external lighting be installed on site until full details have been submitted and approved in writing by the Local Planning Authority is also considered both reasonable and necessary to avoid any significantly adverse level of light pollution

#### Impact on character and appearance of the area

Core Policy 51 states development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Core Policy 57 seeks that, amongst other things, proposed development must relate positively to the landscape setting and existing pattern of development in terms of building layouts, built form, height, mass, scale, building line, plot size, elevation design material to effectively integrate into its setting. Development must also make efficient use of the land whilst taking into account the characteristics of the site and local context to deliver appropriate development which relates effectively to the immediate setting and the wider character of the area

Whilst not objecting to the proposal, the Council's Landscape Officer has commented that the nature of development is industrial and is not characteristic of this rural landscape. Therefore in accordance with CP51 and CP57 it is important to consider whether the proposed development site has been sensitively located and if the proposed development is appropriately screened and/or has capability to be screened from local and wider views in order to safeguard existing public visual amenity and not to detract from the character of the local area and wider landscape.

The southern and western edges of the field containing the proposal site have been planted with a woodland belt, which is likely to be the product of an agri-forestry scheme. As evidenced during the Case Officer's site visit, this woodland belt is more established than the application photos illustrate within the submitted Design & Access Statement. Likewise further woodland planting is located within the adjacent field to the north. This woodland belt planting helps enclose the proposed site from wider and local views from the north, south and west. The wider application field is more visually exposed to countryside to the east. The application proposals recognise that the development site is more exposed from the east and proposes visual mitigation in the form of linear strips of new native planting along the eastern and southern edges of the fenced compound area to mitigate against potentially adverse visual effects viewed from the east. A secondary belt of tree and shrub planting is also proposed along the eastern, wider field boundary which would help reinforce the layering / screening effectiveness towards the proposed development during summer months. It is likely that during winter months parts of the proposed development might be visible through this screening vegetation once it has established, however views towards the development would be partial and heavily filtered

It is acknowledged that the proposal site will be visible from public vantage points, most notably Bridleway MINE58 that follows a route along the southern edge of the application field through an

existing young/semi mature linear woodland belt. Public views (even on horse back) of the proposed battery storage area are likely to be largely screened for most of the year by this woodland belt except where vegetation clearance is regularly carried out by National Grid under the existing overhead cables (easement areas). Partial glimpsed views of the top of proposed battery storage facility may be possible looking directly north through maintained gaps in vegetation under the overhead cable routes, otherwise the oblique angles of view looking towards the proposed development along the bridleway travelling in both directions is likely to increase the effectiveness of screening even during winter months

Views of new development from the classified C76 road running along the western edge of the site, south of the village of Minety will be reasonably well screened from day one with one exception of a single transient, glimpsed/framed view through the existing field access, where road users will observe views of the new formalised highway verge crossing and access track and are likely to view part of the new development through the existing field gateway along the new access track

In terms of the design of the site, a landscape masterplan has been prepared and submitted to demonstrate the landscaping strategy for the proposed site. The landscape masterplan demonstrates how any potential visual impacts of the proposed development will be reduced by proposed woodland planting along the eastern boundary of the field and a proposed low mound with planting to the immediate east of the proposal site. Both of areas are outside of the redline boundary but are on land in the control of the applicant. This plan demonstrates adequate screening to reduce any potential harm to the character of the area as a result of the development. A Design and Access Statement along with plans and elevations have also been submitted to demonstrate how the site and the equipment contained within the site will look.

The proposal would take up a reasonable land area within the north west corner of the site. However, in the context of the existing related infrastructure (pylons and overhead power lines), and in view of the modest overall size of the within the proposal and the extent of existing and proposed landscaping within the vicinity, it is not considered that the development would have a detrimental landscape/visual impact.

In summary, due to the size of the proposed development and the exposed views from the east, the proposal would result in some harm to the landscape character of the area. Therefore it is appropriate to screen this development as far as possible in order to safeguard the valued rural character to better screen views of the development from public visual receptors and to integrate it better within views from the wider landscape. The applicant has proposed the inclusion of a low mounded area with shrub planting and woodland planting along the eastern field boundary to provide new screen planting. When seen in addition to the existing woodland and hedgerow it is considered that these details and mitigation measures are in accordance with CP42, CP57 & CP51 of the Core Strategy and policies contained within the NPPF. The implementation of these landscaping details will be controlled by condition.

#### Impact on Ecology

Core Policy 50 requires development proposals to demonstrate how they protect features of nature conservation, with an expectation that such features shall be retained, buffered and managed favourably in order to maintain their ecological value, connectivity and functionality in the long term. All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

Concerns have been raised by local residents in terms of ecological impact. It is to be noted that the site is not within any site designated for nature conservation and although there are two Sites of Special Scientific Interest (SSSIs) within 500m of the proposed site to the west and north west

The ecological appraisal carried out by Clarkson Woods Ecology demonstrates that grassland within the red line site boundary is of very low species diversity and classed as “improved”, meaning that it has negligible importance for nature conservation. All boundary features will be retained and can be strengthened to add additional buffering to neighbouring, more ecologically sensitive areas. The existing field access can be suitably utilised, avoiding the necessity of creating a new access, at the cost of hedgerow continuity and connectivity. Recommendations are made in Section 6 of the ecological appraisal, for suitable habitat creation that will help to offset any slight, indirect, residual impacts.

The Council’s Ecologist has confirmed that the survey scope and level have been appropriate and sufficient for the site and the scale and complexity of the proposal which is unlikely to result in off-site impacts that could affect the integrity of the SSSIs . They also are in agreement with the findings of the ecological appraisal and believe that if the recommendations made are implemented, the proposal will not result in any adverse impact to local biodiversity, including to statutory and non-statutory designated sites or protected species. Conditions securing both a Construction Ecological Management Plan and Landscape & Ecological Management Plan as proposed within the ecology appraisal will be applied. The proposed development is therefore considered to comply with Core Policy 50

#### Impact on Highways

Core Policy 61 requires that proposal sites are capable of being served by safe access to the highway network and that new development should be located and designed to reduce the need to travel particularly by private car. Core Policy 62 stipulates that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

Concerns have been raised regarding the impact of construction traffic on the C76 and also on the wider highway network, including the village of Purton. At the request of the Council’s Highways Officer the applicant has provided a Construction Plan Management Plan (CTMP) to address any highway safety concerns and to demonstrate that the traffic associated with the construction of the new battery storage facility will be of no detriment to the current operation of the local highway network.

The CTMP establishes that the access road to serve the proposed site will be via an existing informal agricultural use access point. The existing access point is ideally located at an approximate mid point along the site frontage that allows the excellent visibility in both directions to be maximised. The overall construction programme will be up to four months (16 weeks), with construction restricted between the hours of 08:00 to 18:00 hours Monday to Friday, 08:00 to 13:00 hours on Saturdays and no working on Sundays or Bank Holidays. The vehicle types expected to access the construction site are standard 16.5m HGV articulated vehicles, 10m rigid HGV and one 5-axle crane of 13m in length and a height of 3.7m. The CTMP confirms that during construction there will typically be up to a maximum of two HGV movements per day except on days when the equipment will be delivered, when there will be approximately five HGV movements. Enso Energy Limited expect there to be five days in total when generator equipment will be delivered. Once operational, vehicle movements will be restricted to the occasional maintenance van (every two weeks), unless there is an emergency or maintenance requirements, therefore, impacts on the local transport network will be minimal and no further assessment of traffic impacts is required. The route planner identified that all traffic (northbound and southbound) will have to use the B4696 via Ashton Keynes and Minety as the routes to the south are insufficient meaning there will be no traffic traveling through Purton.

The Council’s Highways Officer agrees with the findings of the CTMP and is satisfied that the C76 is capable of accommodating the predicted low level of construction and operational traffic.

Additional details relating to the site access will be sought via condition. Therefore the proposal accords with the requirements of CP61 and CP62.

#### Impact on Drainage

Core Policy 67 states that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground water (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

The Council's drainage team raise no objection to the proposed scheme, subject to a condition securing surface water drainage details. It is considered that the development is acceptable with regards to this matter. The development therefore accords with Core Strategy Policy CP67.

#### Other issues

A number of objections have been raised in relation to the issue of fire hazard regarding an underground pipeline. The applicant has confirmed that there is no explosion risk from the site as there are no combustible materials stored or used. There will be no drilling or piling into the ground at a depth that would cause any disruption to a gas main. The gas main is not considered to be an issue as it is located nearly 300m away. All of the equipment on site will accord with the relevant health and safety standards in the UK to ensure safety at all times. There are safety precautions associated with the development site such as automatic vents to seal in the containers thus suffocating any fire and breakers which will disconnect the units from the grid in the event of a problem which required the site to shut down. Therefore this issue is not considered to be a material planning consideration relevant to the determination of this application.

### **10. Conclusion**

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 as do paragraphs 8 and 11 of the NPPF.

The proposed battery energy storage facility will make an important contribution to ensuring constant energy is supplied at this time of constraints on new energy generation infrastructure and increasing demand from industry and communities. In addition, battery energy storage will help to provide a key source of flexibility to help address some of the challenges associated with the transition to a low-carbon electricity sector.

The principle of the proposed battery storage facility, associated works and connection point is acceptable at national and local level. The site is not located within any protected landscape, and identified issues of ecology, landscaping, highways and drainage can be satisfactorily addressed by appropriate conditions. There would be a positive public benefit in the form of energy security and the ability to store excess energy and thereby a saving of carbon emissions contributing towards government supported goal of a reduction in such emissions. No unacceptable residential or visual amenity issues would arise. It is acknowledged that the proposed development may be visible to the immediate surrounds in particular to public footpaths, but the existing and proposed planting would reduce the impact of the proposed development. The proposed access and local highway network are capable of accommodating the low level and frequency of construction and operational traffic movements. The benefits arising from the scheme are considered to outweigh the minor harm to the immediate landscape. In summary, the environmental benefits in terms of providing energy security and the proposed enhancements in terms of additional native landscaping would outweigh the limited harm identified.

### **RECOMMENDATION:**

**That Planning Permission is GRANTED, subject to conditions listed below:**

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 Within six months of the commencement of development, 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 25 years from the date of the development starting to feed electricity to the Grid, whichever is sooner. The Decommissioning and Restoration scheme of this development shall be carried out in accordance with the scheme so agreed.

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

3 The Local Planning Authority shall be notified in writing within one month of the event that the development hereby approved has started to feed or take electricity to/from the Grid. The installation hereby approved shall be permanently removed from the site and the surface reinstated within 25 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.

4 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;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;

- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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.

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; 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.

- 6 The development hereby permitted will be carried out in strict accordance with the recommendations given in Section 6 of the Ecological Appraisal by Clarkson Woods Ecology dated April 2018 and detailed on the site plan on page 36 of the same report.

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 25 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 will also include the wider land holding within the applicant's ownership, covering the plantation to the immediate north of the red line application boundary, the access track and any features identified within the recommendations at in Section 6 of the Ecological Appraisal by Clarkson Woods Ecology dated April 2018 that may fall outside the site but which are in the wider ownership. Initial management prescriptions should be based on a 5 year establishment period, then for the remainder of the 25year permission, with review every 5 years and proposals for restoration of the site at the end of the 25 year permission.

The LEMP shall also include details of the legal and funding mechanism(s) 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 application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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
- 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 Prior to construction details of the means of a suitable access to the site shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

- 10 No development shall commence on site until a scheme for the positive discharge of surface water from the site (including surface water from the access / gravel areas), incorporating sustainable drainage details together with permeability test results to BRE365 and showing in improvement in discharge rate from the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

- 11 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.

- 12 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.

- 13 Prior to commencement of development an assessment of the acoustic impact arising from the operation of all internally and externally located plant shall be undertaken in accordance with BS 4142: 2014 by a suitably qualified person. The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed plant shall be less than background. The scheme shall be submitted to and approved in writing by the Local Planning Authority. A post installation noise assessment shall be carried out to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To protect local; amenity from adverse effects of noise

- 14 The development hereby permitted shall be carried out in accordance with the following approved plans:

Option Plan 1396-OP-01 Rev 05

Planning Layout Proposed Site Layout 1396-PL-02 Rev 05

Planning Layout Proposed Site Location Plan 1396-PL-03 Rev 04

Battery Container Plans and Elevations ENS-STD-PL-25

HVAC (SLAB) Plans and Elevations ENS-STD-PL-27

Inverter/TX Container Plans an Elevations ENS-STD-PL-28

Containerised Switchgear Plans and Elevations ENS-STD-PL-30

6m High Security Column Standard Details ENS-STD-PL-31

Security Fencing Typical Details ENS-STD-PL-32

132kv Single Circuit Tee Off (Underground) Details ENS-STD-PL-33

Planning Layout Existing & Proposed Elevations 1396-PL-04 Rev 02

Control and Metering Room Plans and Elevations ENS-STD-PL-45 (received 19.09.18)

Landscape Strategy Plan CRM.349.004.L.D.001

Planning Layout Existing Layout 1396-PL-01 Rev 03

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

INFORMATIVE TO APPLICANT:

The Applicant is advised of the need to consult the Area Highways Manager at 01249468561 [matt.perrott@wiltshire.gov.uk](mailto:matt.perrott@wiltshire.gov.uk) before access works commence. This is in order to agree a pre-construction survey to ensure any damage done to the public highway during the construction phase is made right within a reasonable time period post-construction.

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.

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.

INFORMATIVE TO APPLICANT:

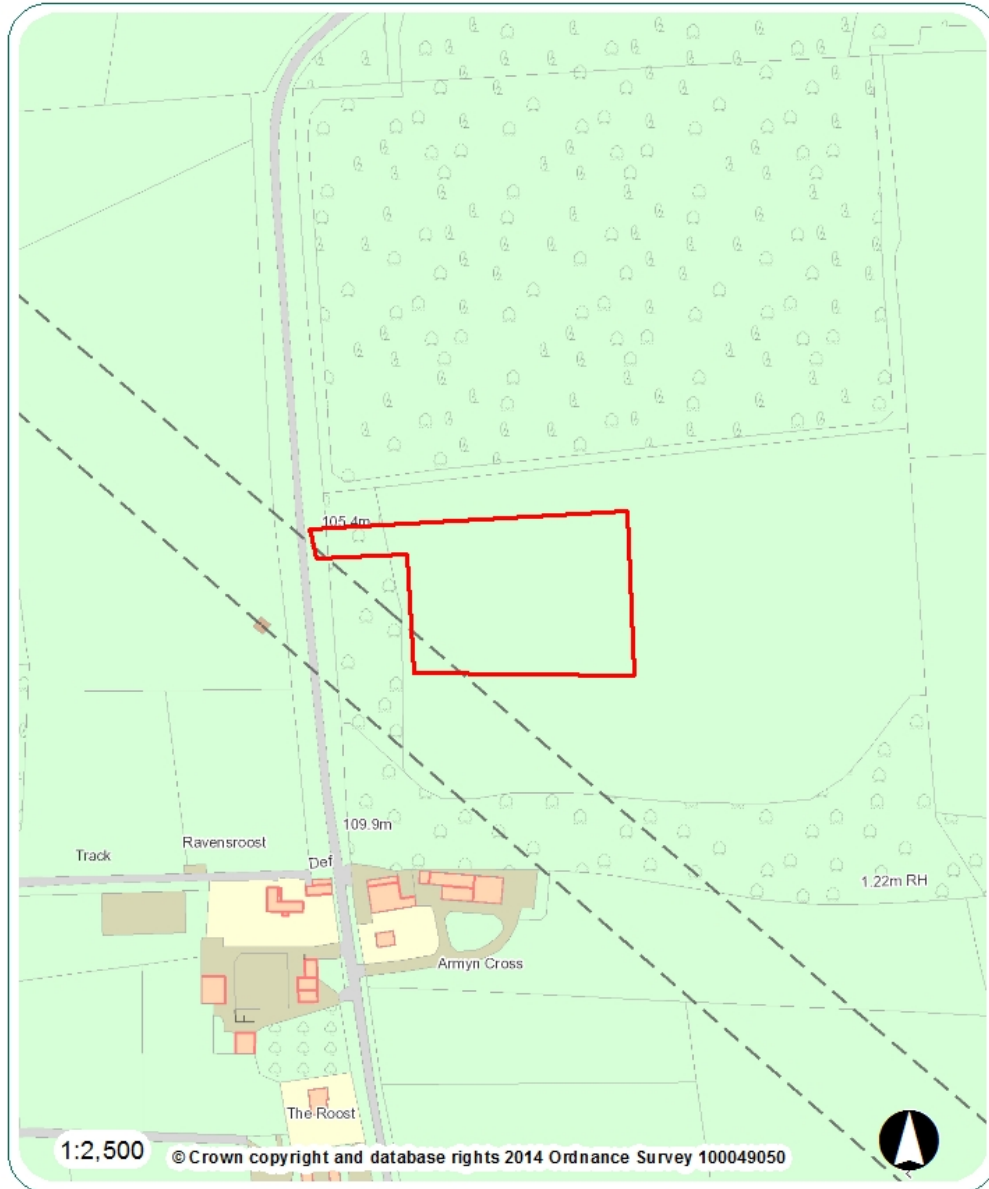
The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally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

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.

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18/04914/FUL  
Land Adjacent to Ravensroost Farm  
Minety  
Malmesbury  
SN16 9RJ



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