

Date of Meeting	21 May 2014
Application Number	13/06707/FUL
Site Address	Land south east of Leechpool Farm, Norrington Lane, Broughton Gifford
Proposal	Construction of a Solar Park including the installation of solar panels, security fencing and cameras, landscaping and other associated works and cable route/trenching.
Applicant	Hive Energy Ltd
Parish Council	BROUGHTON GIFFORD
Ward	MELKSHAM NORTH
Grid Ref	388779 164264
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

This application was deferred for a site visit by members on 21 May 2014.

The application was referred to the Committee at the request of Cllr Terry Chivers to consider the following matters:

The scale of the development;

The visual impact upon the surrounding area;

The relationship with adjoining properties;

The design, bulk, height, general appearance; and

Environmental and/or highway impacts.

1. Purpose of Report

To consider the application and to recommend that planning permission be granted subject to conditions.

2. Report Summary

Advertising Responses

Four letters of objection and five in support were received at the time of the preparation of the report.

Parish Responses

Broughton Gifford Parish Council – raised initial concerns and has since met with the agents

Melksham Without Parish Council (neighbouring parish) -_No objection

Melksham Town Council (neighbouring parish) - No objection

The main issues to consider are:

- The principle of the development;
- Impact on the landscape of the open countryside
- Impact on ecological interests
- Impact on highway safety including during construction phase
- Impact on public rights of way
- Impact on heritage assets, including archaeological interests
- Flood Risk
- Potential contribution to reducing climate change and sustainable development objectives

3. Site Description

The site is located approximately 0.8km to the west of Melksham and 0.8km to the north east of Broughton Gifford village. The site is roughly rectangular in shape (8000m x 6000m) and comprises an area of approximately 30.5ha. The site is surrounded by farmland, with dispersed farmyard dwellings and agricultural buildings on neighbouring properties. Surrounding field boundary treatments include a mixture of hedgerows with interspersed trees, woodland and stock proof fencing. The railway line provides a distinct barrier to the east in the intervening space between the site and Melksham. To the north, at a distance of approximately 1km is higher land that includes the village of Shaw. To the west, on the opposite side of the road serving Norrington Common there is a site that has recently been developed for a solar farm under planning permission W/12/02072/FUL.

4. Planning History

There is no recent relevant planning history on this site.

5. The Proposal

The proposal is for the construction of a solar photovoltaic park and associated landscaping, transformer housing, security measures and associated works. The panels would generate up to 13 MW of electricity.

6. Planning Policy

The National Planning Policy Framework 2012
Planning Practice Guidance (DCLG : Section on Renewable and Low Carbon Energy updated 6 March 2014)

There are also national statements on renewable energy, including the government produced UK Solar PV Strategy, which point back to the planning practice guidance on matters to be taken into account in determining planning applications for solar farms.

West Wiltshire District Plan - 1st Alteration 2004 (Saved policies)

- C1: Countryside Protection
- C6a: Landscape Features
- C17: Conservation Areas
- C31a: Design
- C32: Landscape
- C34: Renewable Energy
- C35: Light Pollution
- C38: Nuisance
- U2: Surface Water Disposal
- T12: Footpaths and Bridleways

West Wiltshire Leisure & Recreation DPD (2009)

- CR1: Footpaths and Rights of Way

The Emerging Wiltshire Core Strategy

- SO2: Addressing Climate Change
- SO5: Protecting and Enhancing the Natural, Historic and Built Environment
- CP3: Infrastructure requirements
- CP42: Standalone Renewable Energy Installations
- CP50: Biodiversity and Geodiversity
- CP57: Landscape
- CP58: Ensuring the conservation of the historic environment
- CP62: Development Impacts on the Transport Network
- CP67: Flood Risk

7. Consultations

Broughton Gifford Parish Council

The Parish raised initial concerns regarding flooding and the possible impact the development may have on the problem. There is also concern with the cumulative effect of this proposal with the nearby solar development already permitted under W/12/02072/FUL. The Parish is of the view that the application should be delayed until the full impact of the approved scheme is known and judged. The applicants had a subsequent meeting with the Parish to discuss these issues, and provided additional information.

A letter to the developers of the extant site regarding issues with the development of the site was also copied-in to Council. Issues raised include the non-adherence by the developers to the site Management Plan, the use by HGVs of roads not approved under the Plan, operating outside of agreed working hours, communication problems with drivers and the need to implement a planting plan.

Melksham Without Parish Council - No objection

Melksham Town Council - No objection.

Wiltshire Council Archaeologist

No objection. Due to the potential for heritage assets with archaeological interest to be impacted by the proposed development, it was recommended that further evaluation was

carried out prior to determination. Additional information in the form of a desk study was provided by the agent, following which the Council's Archaeologist confirmed that the assessment indicated that no significant heritage assets with archaeological interest lie within the proposed development site. It was therefore recommended that no further archaeological investigations were necessary.

Wiltshire Council Ecologist

No objection. On the basis of additional information, (Badger Appendix (Avian Ecology, 2013); Ecological Mitigation Enhancement and Management Plan (05/03/14); Great Crested Newt Conservation Strategy (19/03/14), initial objections were withdrawn, subject to the imposition of a number of conditions. Issues addressed were in relation to buffer strips, a site enhancement scheme to be produced and additional details on planting, numbers and locations of bat and bird boxes, further details of the works that the Ecological Clerk of Works would undertake and locations of the great crested newt hibernacula.

English Heritage

Initial response: Noted the nearby presence of Broughton Gifford Listed Buildings (including Grade II* and Grade I buildings) and the potential for them to be affected. EH was of the view that insufficient information had been provided to enable assessment of this aspect, and requested that this be carried out prior to any decision. The EH Officer also made recommendations on certain additional aspects that should be considered in preparing the impact assessments. It was also noted that the Melksham conservation area was unlikely to be impacted.

Following clarification with regard to the Heritage Statement English Heritage no longer wished to raise any concerns in respect of the heritage environment aspect of the proposal. With regard to impacts on particular buildings EH urged the LPA to address the issue, but did not require any further consultation.

Natural England

Natural England raised no objections, noting that the LPA should pursue biodiversity enhancements where possible.

There are no designated landscapes affected and standing advice on protected species should be applied.

Environment Agency

No objection to the proposed development, subject to the inclusion of conditions in relation to the location of panels. The eastern/north eastern part of the site is affected by flood zones 2 and 3. The Agency has no objection to panels being located within this area, but it is important that the location, layout and design of all installations (panels, fencing, kiosk etc) takes into account the flood risk at the site.

Wiltshire Council Environmental Health

No objections. Since this is agricultural land contamination is unlikely to be an issue, and the nature of the development is not sensitive to land contamination.

Wiltshire Council Highways

The highway officer has no objection, subject to a condition regarding a Construction Method Statement that addresses highways considerations, particularly during the development phase.

Wiltshire Council Spatial Plans

There are no policy objections from a spatial planning policy perspective, subject to ensuring that appropriate assessments have been undertaken, as required by adopted and emerging

policy. These should demonstrate that any adverse impacts of the proposed development can be mitigated in a manner acceptable to other consultees within and external to the council.

Wiltshire Council Landscape Officer

No objection – no unacceptable landscape and cumulative impacts are envisaged. The fence has been redesigned to a post and wire type of 2.4m in height, which is an acceptable alternative to a 'security' fence and the most appropriate design for the location.

The Cumulative Impact Assessment was also submitted. The Officer, for reasons which are discussed in Section 9, below, does not anticipate any unacceptable landscape and cumulative impacts from the proposal.

Wiltshire Council Public Rights of Way

All the furniture on rights of way would need to be upgraded to a minimum standard of kissing gate where it either is within the site or where it meets the site.

8. Publicity

Four letters of objection were received at the time of preparing the report. Objections were on the following grounds:

- erroneous information given about the quality of the agricultural land and the percentage of the farm which would be affected by the installation.
- Loss of prime agricultural land;
- The statement that only a limited area of the farm would be taken out of grain production is wrong. The site is self contained and the other parcel of land is owned by the applicant far from the site
- Unacceptable concentration of sites around Melksham;
- Harm to landscape and environment;
- Site prone to flooding and will make it worse for adjacent properties;
- Screening not properly shown on plans;
- Area shown as woodland on plans must be retained for wildlife;
- Footpaths will be enclosed for lifetime of development;
- Lack of clarity on fencing design;
- Earthing of facility should be clarified; and
- Erroneous information in the flood risk assessment since the land has been flooded twice this year and the FRA states that there is a 1% chance of flooding.

Five letters of support were received with comments as follows:

- Solar park will provide electricity to power, on average, around 4,000 homes;
- Substantial contribution to Wiltshire Council's Alternative Energy target;
- It will mostly be on land that is of poor agricultural quality;
- Some people who live in the vicinity of this proposed development will be concerned about the change to their surroundings, but if we ignore climate change our landscape will be permanently affected;
- Site is well screened;
- Decision needs to be made in the interests of the whole population rather than just those who live nearby; and
- Each application should be judged on its merits.

9. Planning Considerations

The application is for a 13 MW solar farm on approximately 30.5 ha. of farmland and has been submitted with supporting information including:

Design and Access Statement; Flood Risk Assessment; Ecological Assessment; Tree Survey; Heritage impact assessment; Environmental Report; Transport Statement; Agricultural Report; and Landscape and Visual Impact Assessment and Cumulative Impact Assessment.

9.1 Principle of Development

Policy C34 of the West Wiltshire District Plan, 2004 states that Renewable Energy Generation proposals, will be permitted in appropriate locations having regard to visual impacts on the landscape, impacts on areas and features of natural, ecological, historic and archaeological interest, the environmental and visual impact of associated ancillary development including new access roads, buildings, power lines and connections to the electricity distribution network, the impact on residential amenity and pollution effects, highway capacity of the existing road network, particularly where transportation of raw materials is a major consideration, safety and access, and materials, scale, siting, design, screening and landscaping.

The Climate Change Act 2008 has set an ambitious target of a 34% cut in greenhouse gas (GHG) emissions against a 1990 baseline by 2020, rising to an 80% reduction by 2050. These targets are the UK's contribution to a global GHG reduction necessary to limit climate change to 2°C. Reductions can be achieved in all sectors of the economy and society by applying three broad principles: Behaviour Change, Energy Efficiency and Renewable / low carbon energy generation.

The NPPF, existing WWDP policies as well as emerging policies within the Core Strategy are considered to be in alignment with the goals of the Climate Change Act. Apart from National Guidance in the form of the NPPF, the adopted WWDP, 2004 and the emerging Core Strategy, further guidance is provided in the recently published "Planning Practice Guidance" (DCLG : Section on Renewable and Low Carbon Energy 6 March 2014).

The core purpose of the planning system as stated within the NPPF is to contribute to the achievement of sustainable development. Sustainable development is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At the heart of the decision making process as set out by the NPPF is a presumption in favour of sustainable development. It goes further to identify that planning plays a key role in securing radical reductions in greenhouse gas emission which is central to achieving the economic, social and environmental dimensions of sustainable development.

Proposals for the generation of energy from renewable sources are in principle supported by National policy due to their contribution to sustainable development, meeting the challenges of climate change, air quality and fuel security. Policy asserts that such applications should be encouraged and any application be approved if its impacts are or can be made to be acceptable. This supportive stance towards development proposals which will generate renewable energy where the impacts of the proposal are or can be made to be acceptable is also found within the local plan as outlined above (Policy C34 of the West Wiltshire District Plan 1st Alteration (2004)).

With regard to the Core Strategy, the "Strategic Objective" to address climate change (Strategic Objective 2) and Core Policy 42 (Standalone renewable energy installations) directly reflect the national policy picture and as such are considered to carry weight.

The DCLG "Planning Practice Guidance" has specific advice on situations where green-field sites are proposed, i.e: "whether (i) the proposed use of any agricultural land has been

shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

The NPPF states that LPAs must take into account the benefits of the best and most versatile land, and that where development is considered necessary local planning authorities should seek to use poorer quality land rather than high quality land. The land quality in this instance is therefore a material consideration. In considering this aspect records available to Council indicate Category 3 land is involved. The issue of land quality and agricultural use has been raised in neighbour comments.

In this instance the proposal is for a temporary - albeit extended period - use that is wholly reversible. The proposals include the biodiversity enhancements (discussed further below) and the land remains available for grazing between the units as has been demonstrated in other solar project cases. The improvements of biodiversity potential are themselves material considerations. The land would remain available for future agricultural use and any permission can be conditioned to ensure that it is returned to its original state at the end of the period of operation, so there would be no permanent loss of agricultural land, such as would be the case with, for example, residential or industrial permanent development.

The above must furthermore be balanced with the NPPF (Chapter 3 Supporting a Prosperous Rural Economy) requiring that economic growth in rural areas must be supported by taking a positive approach to sustainable new development. The NPPF notes that all types of business and enterprise in rural areas, and the diversification of agricultural activity should be supported. The remainder of the agricultural land will continue to remain in use.

The proposed development has been estimated to allow for the siting of PV arrays to generate electricity of between 11 and 13 Mega Watts (MW) of renewable electricity. This is a significant contribution to the amount of renewable energy generated within the county of Wiltshire in keeping with the goals of the NPPF.

In view of the above considerations, the principle of the proposed development is considered acceptable.

9.2 Impact on the landscape of the open countryside

Landscape and Visual Impact Assessment and Cumulative Assessment

A Landscape and Visual Impact Assessment (LVIA) was submitted to support the application. A detailed consideration of the content was undertaken by Council's Landscape and Design team and further information was requested in respect of an analysis of potential cumulative impacts.

The landscape officer noted that, "...generally solar array developments can be implemented with minimal landscape and visual effects largely due to their low height and ability to fit into the existing field pattern and retaining existing vegetation as screening. There is usually an opportunity to undertake additional planting to strengthen existing field boundaries which is an aspiration of the Wiltshire Landscape Character Assessment (2005)."

Whilst the Officer noted that the submitted Landscape and Visual Impact Assessment (LVIA) concluded that the landscape and visual effects will be minimal and can be further reduced/strengthened by mitigation planting, a key consideration is also the combined effects of this application with the recently constructed nearby solar array at Norrington. It was for that reason that a Cumulative Assessment (CLVIA) was requested to be submitted

with the application. Broughton Gifford Parish also raised the question of the Cumulative Impact, which this document addresses.

The Landscape Officer notes that “The cumulative landscape effects are concerned with the impacts on the physical fabric or character or special values attached to that landscape. There are no cumulative effects in terms of removal of landscape elements or special values, *however there will be an incremental change of character at a local scale but it is not judged to be significant.*”

In terms of visual impacts the LVIA included a study which demonstrates that the proposed array may feature in some views at close proximity (within 500m which includes Norrington solar farm). The cumulative impact assessment furthermore indicates that there will be successional views from cars on Melksham Lane and Norrington Lane, but these would be travelling at fair speed and glimpsed views would be experienced but are not expected to be significant.

The Landscape Officer further notes that the cumulative assessment records that “...there will also be in combination views from residents at Norrington Lane where both Norrington solar park and Roundponds would be visible in succession (i.e. by turning one’s head). The CLIVA suggests that distance and the intervening vegetation will obscure views thus reducing the likely significance of cumulative impact.”

A further group of important receptors are users of public rights of way. As noted elsewhere in this report, one of the local rights of way (BGIF34) crosses both sites with views directly onto the solar park infrastructure. On this the Landscape Officer notes: “The GLIVA has judged the cumulative effect to be major/moderate which is potentially significant. *However the footpaths are part of a local network and therefore used significantly less than an important national trail for example. The effect would be very localised and one would need to go out for a walk specially between the two developments to experience any effects.*”

In summary the Landscape Officer advises that no significant cumulative effects as a result of the proposal are anticipated, although there is potential cumulative effect for users of the foot path that connects the two solar developments.

Revised drawings to meet the requirements of the Ecologist (see discussion on Ecological impacts below) were submitted, and these are supported by the Landscape Officer in terms of their effect on landscape views, as are the conditions recommended by the Ecologist. The Landscape Officer recommends a further condition regarding the replacement of plant failures, like for like, during the first five years after planting, in the interest of public amenity.

With regard to the fence design the Officer has confirmed that the post and wire of 2.4m height as proposed in amended drawings is an acceptable alternative to a ‘security’ fence and would be the most appropriate design for this rural location.

Reversibility and decommissioning as future landscape considerations

The installations are proposed to have a life span of at least 25 years. The nature of the construction of the units is such that the structures can be removed from the land and the site returned to agricultural use. As such the landscape impact is over a defined period of 25 years rather than in perpetuity. The reversibility of the development would ensure that in the long term the site could be returned to its current state.

9.3 Impact on ecological interests

The Council's Ecologist requested additional surveys and details over and above the initially submitted Ecology Appraisal. Particular areas of concern were proposals for biodiversity enhancement, and the protection of badgers and great crested newts. These were subsequently provided by the applicant's own ecologists.

A revised layout plan showing details to accommodate biodiversity enhancements was submitted, also at the Ecologist's request.

The Ecologist is satisfied that pre-consideration requirements have been met, and has no objection subject to conditions requiring:-

- that the detailed layout of the panels and fencing ensuring that biodiversity enhancements are achieved is implemented;
- the submission and implementation of a Supplementary Ecological Mitigation, Enhancement and Management Plan;
- requirements in respect of the timing of ground preparation, and
- future monitoring surveys and an assessment to coincide with the decommissioning phase.

Providing that these conditions are imposed it is considered that the proposal would deliver biodiversity enhancements to the site and that it can therefore be supported from the ecological perspective.

9.4 Impact on highway safety including during construction phase

Highway access especially during the construction phase is an issue raised in neighbour comments as well as by Parish Councils.

Broughton Gifford Parish has in particular identified issues arising from the recently constructed scheme where developers may not adhered to the requirements of planning conditions that were imposed.

It is considered that the issue of construction traffic management, as well as ensuring that any roads affected are left in acceptable condition upon completion of works require particular attention.

In this case access to the site, for both construction and on-going operational purposes, is proposed from the existing track leading to Roundponds Farm from the A365 near Melksham. The supporting documents propose that HGVs would access the A365 Shurnhold from the A350 to the east. The main impact would occur during the construction phase whilst, once operational the development would not generate any significant traffic movements.

The estimated number of HGV deliveries over the three month construction period is 184. The supporting document notes that it is unlikely that, even at the most intense period of construction when solar panels and frames are being delivered, there would be more than 7 HGV deliveries (14 HGV movements) per day.

The highway officer has raised no objections, provided that a condition is imposed to manage all aspects of traffic management is imposed. It is considered that such a condition would address neighbour comments and objections that have been received.

9.5 Impact on public rights of way

The rights of way officer noted that Broughton Gifford paths 33 & 34 run through the site and therefore requested that all the furniture to be upgraded to a minimum standard of kissing

gate where it either is within the site or where it meets the site. The officer anticipates that this would be 4 gates on Path 34; One gate where Path 33 meets the development and two gates where Path 33 enters and leaves the site.

During the site inspection it was noted that the pathways referred to are largely on the southern and north-western periphery of the site, barring a section of pathway 44 which would cross a section of the site in its southern extremity. The area where the crossing occurs is scheduled for retention as "native woodland". Pathway 33 would be screened by hedges from the site barring a section of approximately 125m whilst pathway 34 would largely pass to the south of hedges (or through the proposed woodland area) barring a section of approximately 300m in length.

The impact on rights of way was assessed by the Landscape Officer (as reported above) and, where the impacts would be very localised, no unacceptable harm is anticipated.

9.6 Impact on heritage assets, including archaeological interests

The Council Archaeologist requested additional surveys, which were carried out. Based on the findings the officer is satisfied that no further conditions or requirements in relation to archaeology are necessary.

English Heritage Officers also requested further information and were in general satisfied barring potential impacts on certain Listed Structures within Broughton Gifford. The officers however were of the view that the LPA should satisfy itself that the issues were addressed and no further consultation was required if that were done.

The agent submitted further correspondence addressing the buildings Gifford Hall (Grade 11*), Manor House (Grade 11*) and The Church of St Mary (Grade I). A site visit was carried out in the light of this information and it is considered that the separation distances, intervening vegetation and low-profile of the panels are such that no unacceptable impact on the setting of the buildings would arise.

With particular reference to the buildings mentioned by EH, the Church of St Mary (Grade I) is located in the southern section of the Conservation Area. In the light of the information provided and site visits it is evident that there is no prominent visibility of the site from the southern area of the Conservation Area in which the church is sited, and the development would not harm the setting, given the separation distances and local topography. The site is some 1km distant from the Church and the nature of the terrain is such that from the majority of the site there is little inter-visibility that would impact harmfully on views from the Church and environs, in particular given the low profile (less than 2.5m in height) and the intervening screening of vegetation, including proposed planting. The most prominent features in medium distance landscape views are the power pylons that traverse the fields in a generally north/south alignment. Similar considerations apply to the nearby Manor House which is also within the southern section of the Conservation Area and some distance from the site. Gifford Hall lies further to the north, near the Common, which is its primary setting. The site is some 950m to the east, beyond Norrington Common.

It is considered that no unacceptable harm to the setting of the Conservation Area or Listed Buildings would arise.

9.7 Flood Risk

Flooding potential is an issue that has been raised in consultation and advertising responses. One comment was submitted with images showing flooding, and querying the validity of the Flood Risk Assessment that was submitted in support of the application

The Environment Agency was consulted on the FRA. The Agency noted that portions of the site are subject to EA Flood Zones 2 and 3. The Agency however raised no objections to the siting of the panels in these zones, but advised that water sensitive electrical equipment and certain structures should be located outside Flood Zones 2 and 3.

Whilst noting the observations of the objector who submitted images, it is understood that these were taken during the earlier part of this year (2014) when significant parts of the country were subject to highly unusual weather circumstances. The FRA and Environment Agency (as statutory consultees) response to it are considered to be the best available evidence on which a decision should be made.

The agent prepared drawings locating the potentially sensitive buildings outside of the identified Flood Zones. The Environment Agency has recommended conditions and informatives which, it is considered, address concerns in relation to flooding.

10. Summary and conclusions

The proposed development, it is considered, would make a significant contribution towards Wiltshire's renewable energy targets. Natural habitat enhancements would also result. Objections are considered to be addressed via the proposed conditions in relation to access, traffic, highways, landscaping, ecology and site re-instatement. It is considered that the proposals accord with current and emerging development plan policies and a primary goal of the NPPF, i.e. sustainable development.

RECOMMENDATION

- 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 approved shall be discontinued and the land restored to its former condition on or before 01 June 2039 in accordance with a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning; unless before that date planning permission has been sought and granted for the retention of these structures for an extended period of time.

REASON: In the interests of amenity and the circumstances of the use.

- 3 In the event that the development ceases to be operational for the generation of energy before the end of the period defined in condition 2 then all associated development on, under or above the application site shall be removed from the site and the land returned to its former condition in accordance a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning, and within six months of the cessation of the generation of energy from the site.

REASON: In the interests of amenity and the circumstances of the use.

- 4 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from any demolition and construction works;
- h) measures for the protection of the natural environment; and
- i) hours of construction, including deliveries

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

REASON: In the interests of highway safety and amenity.

- 5 No ground-raising shall take place within areas defined as flood zones 2 and 3 on the Environment Agency's flood map.

REASON: To maintain the integrity and proper functioning of the flood plain, in order to prevent an increase in flood risk.

- 6 The boundary fences shall be erected in accordance with the approved plan H.0635-05-E and in advance of any other construction works commencing, and no construction or operational works shall extend into the wildlife buffer strips/ areas either directly or indirectly.

REASON: In the interests of the protection of wildlife.

- 7 Prior to the commencement of works a Supplementary Ecological Mitigation, Enhancement and Management Plan shall be submitted for planning authority approval. The Plan shall provide detailed drawings and proposals for the following:
- Restoration of "Pond 1" and enhancement of "Pond 2";
 - Reinstatement of land beneath the solar panels;
 - Sowing mixes for buffer strips / areas;
 - Restoration and management for each section of hedgerow within the application boundary;
 - Bat and bird boxes; and
 - Great crested newt hibernacula.

The works shall be implemented in accordance with the approved Supplementary Ecological Mitigation, Enhancement and Management Plan within 1 year of permission being granted. Any trees, hedges or plants forming part of a planting scheme which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of the protection of Protected Species and the promotion of biodiversity.

- 8 Development shall not commence prior to the submission and approval in writing by the LPA of fence design details which, notwithstanding drawing H.0365_17-A,

shall be of will be post-and-wire design to approximately 2.4m in height. The fencing shall be erected in terms of the approved details.

REASON: In the interest of amenity and the appearance of the site.

- 9 The scheme shall be delivered in accordance with the Confidential Badger Appendix (Avian Ecology, 2013), Ecological Mitigation Enhancement and Management Plan (Avian Ecology 05/03/14) and the Great Crested Newt Conservation Strategy (Avian Ecology 19/03/14) except where measures are revised by conditions 6 and 7 above. All mitigation and enhancement works will be completed within 1 year of permission being granted.

REASON: In the interests of the protection of Protected Species and the promotion of biodiversity.

- 10 Removal of hedgerows and ground preparation shall be undertaken only during the period 1st September to 28th February unless, if done outside this period, preceded by a survey by a professional ecologist and then only undertaken in accordance with the ecologist's written advice.

REASON: In the interests of nature conservation.

- 12 A survey of habitat condition measured against the Ecological Mitigation, Enhancement and Management Plan (Avian Ecology 05/03/14) and the Supplementary Ecological Mitigation, Enhancement and Management Plan shall be undertaken by a professional ecologist during the period May to August and submitted for Local Planning Authority Approval in the first, third and fifth years after the site first becomes operational. Where monitoring identifies non-compliance, remedial measures shall be identified, implemented and reported through a subsequently agreed monitoring survey.

REASON: In the interests of the protection of Protected Species and the promotion of biodiversity.

- 13 Any decommissioning plan submitted in accordance with Conditions 2 and 3 shall include an ecological assessment and mitigation report for approval by the planning authority. The site will only be decommissioned in accordance with the approved mitigation report.

REASON: In the interests of the protection of Protected Species and the promotion of biodiversity.

- 14 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 have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details and removed in accordance with conditions 2 and 3 above.

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

- 15 No development shall take place within 8m of the top of bank of any river or ditch at any time during the development.

REASON: To ensure that flood risk is not increased and to protect the biodiversity value of the watercourses.

- 16 No development shall commence until a scheme to limit surface water flows from the development during the construction and operational phases has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented and maintained in accordance with the details of the approved scheme.

REASON: To ensure that flood risk is not increased.

- 17 The development hereby permitted shall not be first brought into use until the existing furniture serving footpaths BGIF33 and BGIF34 where they intersect site boundaries is upgraded to a minimum standard of kissing gate in accordance with details which shall be submitted to and approved in writing by the local Planning Authority.

REASON: In the interests of amenity and public safety.

- 18 The development hereby permitted shall be carried out in accordance with the details shown on the hereby approved plans:

H.0365_01-C received on 09 December 2013;
H.0365_05-E received on 10 April 2014;
H.0365_12-A received on 09 December 2013;
H.0365_13-A received on 09 December 2013;
H.0365_14-A (1 of 2) received on 09 December 2013;
H.0365_14-A (2 of 2) received on 09 December 2013;
H.0365_15-A received on 09 December 2013; and
H.0365_16-A received on 09 December 2013.

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

- 19 During the construction phase no machinery shall be operated, no process shall be carried out and no delivery shall be taken or dispatched from the site outside of the following hours; Mon-Fri 07:30 to 18:00, Saturday 08:00 to 13:00 nor anytime on Sundays or public holiday.

REASON: In order to protect local amenity.

INFORMATIVES:

a. There are ordinary watercourses within or in close proximity to the site. If any obstruction to flow in the watercourse (permanently or temporarily, including culverting) is likely, prior Land Drainage Consent from Wiltshire Council (as the Lead Local Flood Authority) will be required.

b. Fencing used near watercourses could act as an obstruction to flow (thus increasing flood risk), therefore it is important to ensure that fencing design remains permeable to flood waters.

c. In seeking to discharge any surface water drainage condition, the following considerations should be borne in mind: - In the absence of any specific guidance on how to assess run-off from solar developments, a range of methods and

scenarios to calculate run-off rates (and thus, attenuation volumes) should be investigated. The introduction of impermeable areas within the development should be minimized wherever possible –all access tracks should be permeable. - Attenuation volumes should be agreed based on the above investigation and taking into account site specific circumstances. - Any drainage scheme should be supported by percolation / soakaway tests on site. - Management of the land, including grass seeding and planting (in line with proposals set out in the FRA) should be considered and confirmed. - Measures to offer betterment on existing surface water rates and volumes to reduce flood risk elsewhere should be considered given the scale of the development.

d. Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover: - the use of plant and machinery - oils/chemicals and materials - the use and routing of heavy plant and vehicles - the location and form of work and storage areas and compounds - the control and removal of spoil and wastes All works must be undertaken in accordance with the Environment Agency's Pollution Prevention Guidelines which can be viewed at the following link: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>. In the event of a pollution incident, the site operator must contact the Environment Agency immediately by calling 0800 80 70 60.

e. Use of road planings (tarmac scalplings) for track construction requires a Use of Waste in Construction exemption (U1) under the Environmental Permitting (England and Wales) Regulations 2010. It allows the use of suitable wastes for small scale construction but does not allow treatment of wastes to be carried out unless covered by a different exemption.