



SWINDON
BOROUGH COUNCIL

GRANT PLANNING PERMISSION

Application Number: S/12/1094/RM

Ward: Blunsdon And Highworth

Parish: Highworth

Proposal: Environmental impact application for the erection of a solar park to include the installation of solar panels to generate up to 15mw. of electricity, with transformer housings, with cameras, landscaping and other associated works.

Site Address: Pentylands Farm, Pentylands Lane Highworth Swindon SN6 7RB

Agent:
Peta Donkin
Pegasus Planning Group Limited
Pegasus House
Querns Business Centre
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GL7 1RT

Applicant:
Hive Energy Limited
Woodington House
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SO51 6DQ

WARNING:
IF YOU DO NOT COMPLY WITH THE CONDITION(S) BELOW,
THE COUNCIL MAY TAKE LEGAL ACTION AGAINST YOU

Reason for granting planning permission: In reaching the decision to grant planning permission the Council has had regard to the requirements of the National Planning Policy Framework March 2012, the relevant Development Plan Policies, as well as relevant supplementary planning guidance, representations received and all other material considerations

Conditions

1. The development 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 fully decommissioned and the land restored to its former condition at the cessation of the use or by 31st December 2037 whichever is the earlier and all apparatus and equipment including the arrays, cables, inverter buildings shall be removed from site and the land returned to agricultural use. This work shall be carried out in accordance with the Decommissioning and Restoration scheme as detailed above.

Reason: In the interest of amenity and protection of the open countryside

Policies: ENV9 and ENV10 Swindon Borough Local Plan 2011 (2006)

3. Prior to commencement on site full details of the location of all cables runs and proposed trunking system shall be submitted to and approved by the Local Planning Authority. Details shall include the proposed method of enclosing the cabling above existing ground level including the proposed method of extraction of soil and gravel to cover the cable runs. Details shall also include how the cable runs will be constructed and placed alongside existing footpath links showing clearly what methods will be used to ensure the safety of the general public during the construction process and following completion over the 25year period of operation.

Reason: In the interest of amenity and protection of the open countryside and users of the adjacent public footpaths.

Policies: ENV9 and ENV10 Swindon Borough Local Plan 2011 (2006)

4. No development shall commence on site until a Construction and Environmental method statement including details of any construction of temporary floodlighting, the extent and location of proposed native field boundary hedges including drawings showing planting specifications and establishment details as detailed within chapter 3 of the landscape and visual impact assessment, has been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved Construction and Environmental method statement during the construction phase of the development.

Reason: In the interests of maintaining and enhancing biodiversity on the site.

Policies: ENV17 and ENV18 and ENV21 Swindon Borough Local Plan 2011 (2006)

5. No development shall commence on site until a Construction Management plan has been submitted to and approved by the Local Planning Authority. This shall include details relating to:

Access and parking arrangements for site personnel, contractors and visitor arrangements for delivery and removal of materials

Arrangements for loading and unloading and storage of plant and materials.

Provision for wheel washing facilities for construction traffic. It is a requirement of this condition that wheel washing facilities will be used by all operatives exiting the site operating lorries, HGV's or larger vehicles.

Arrangements for any temporary lighting so as to prevent nuisance to adjacent properties.

Detailed method statement for each construction activity including identification of potentially noisy operations and details of noise control measures.

A scheme for routing and control of traffic associated with the construction including arrangements of heavy lorries and temporary signage on Highworth Road during the construction and decommissioning phases.

Reason: In the interest of residential amenity and highway safety.

Policies: DS6 and T1 Swindon Borough Local Plan 2011 (2006)

6. Unless otherwise agreed in writing with the Local Planning Authority hours of construction working will be limited to Monday - Friday 08:00 - 18:30 Saturday 8:00 - 13:00 Sundays and Bank holidays - no working.

Reason: In the interests of amenity.

Relevant Policies: DS6 Swindon Borough Local Plan 2011 (2006)

7. Prior to the commencement of the development, a full Ecological Management plan including details of ongoing management of the existing and proposed hedgerows within and bordering the site and the intended visual mitigation aspects of the hedgerow management (as detailed within Chapter 6, 'mitigation strategy' of the landscape and visual impact assessment) including increasing the height of any hedges, the creation of wild flower rich and grassland areas within, the management of grassland margins, restoration of ponds and the installation of bird and bat boxes has been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details during the 25 year period of operation.

Reason: In the interests of maintaining and enhancing biodiversity on the site.

Policies: ENV17 and ENV18 and ENV21 Swindon Borough Local Plan 2011 (2006)

8. The mitigation measures described within the Phase 1 Habitat survey shall be implemented prior to the use hereby authorised commencing, and the ongoing biodiversity measures as recommended with the Phase 1 Habitat survey (March 2011) shall be carried out in accordance with these measures during the 25 year period of operation.

Reason: In the interests of maintaining and enhancing biodiversity on the site.

Policies: ENV17 and ENV18 and ENV21 Swindon Borough Local Plan 2011 (2006)

9 The inverter buildings shall not be constructed unless in accord with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and maintaining the character of this designated landscape character area.

Relevant Policies: DS6 and ENV11 and ENV9 Swindon Borough Local Plan 2011 (2006)

10. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by the PFA Consulting, ref H417 dated 18.07.2012 and appendix 2, figure 1.2 and the following mitigation measures detailed within the FRA:

1 Levels of panels and inverters are set no lower than 75.1mAOD, which is 600mm above 1:100 flood level and ensuring panels are securely fixed.

2 Control room located as shown in Appendix 2 figure 1.2 within flood zone 1.

The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing /phasing arrangements embodied within the scheme, or within any other period as may be subsequently be agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the essential components of the proposed development.

11 No external lighting shall be constructed within the development unless it has been submitted to and approved in writing by the Local Planning Authority. Any external lighting scheme shall be fully implemented in its approved unless otherwise agreed in writing by the local planning authority.

Reason: In order to control the light from the site.

Relevant Policies: DS6 and ENV11 and ENV9 Swindon Borough Local Plan 2011 (2006)

12 No fencing shall be constructed within the development unless it has been submitted to and approved in writing by the Local Planning Authority. Any fencing shall be fully implemented in its approved form unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and maintaining the character of this designated landscape character area.

Relevant Policies: DS6 and ENV11 and ENV9 Swindon Borough Local Plan 2011 (2006)

13 No work shall commence on the development site until a detailed survey of the condition of the public highway along Pentylands Lane has been carried out and submitted to the Local Planning Authority in writing in accordance with a specification that has first been approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to determine whether any damage to the public highway is attributable to the works carried out by the developer.

Relevant Policy: DS6, Swindon Borough Local Plan 2011 (2006).

14 The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed:

Planning Statement;

Design and Access Statement;

Transport Statement;

Environmental Impact Assessment, comprising:

Introduction

Site location plan

Block Plan Indicative site layout (figure 1.2)

Accompanying technical information (figs 1.3 -1.6)

Ecological assessment

Landscape and visual impact assessment

Archaeological assessment

Flood risk assessment

Agricultural assessment

Summary

Received the 8th August 2012. However this approval does not relate to the approval of any boundary fencing.

No variation from the approved plans should be made without written approval from the Local Planning Authority. Amendments may require the submission of further planning applications to gain final approval.

15 Notwithstanding the submitted details, no works or siting of panels shall take place in locations that will obstruct the public footpath that crosses the site.
Reason: To ensure the Right of Way is maintained.
Relevant Policies: DS6 and T1, Swindon Borough Local Plan 2011 (2006).

Informatives

NB1 No consent is given or implied for works that will obstruct the public footpath crossing the site. Any proposed diversion will require separate consideration.

**Authorised by Bernie Brannan, Board
Director – Service Delivery**

A handwritten signature in black ink, appearing to read 'Bernie Brannan', written in a cursive style.

Decision Dated:

15th November 2012

Town and Country Planning Act 1990

Permission for Development

1. The Local Planning Authority HEREBY GRANT PLANNING PERMISSION for the development proposed in the application subject to the scheduled conditions. Which is hereby expressly incorporated herewith and of which brief details are, by way of identification only, set out in the schedule (see overleaf).
2. “The Local Planning Authority”, and “the application” referred to above, are those described in the schedule overleaf.
3. The scheduled conditions have been imposed for the reasons set out in the schedule.

Notes

If the Applicant is aggrieved by the decision of the Local Planning Authority to grant permission for the proposed development with conditions, the applicant may appeal to the Secretary of State in accordance with section 78 of the Town and Country Planning Act 1990, within 6 months of the date of the decision. Appeals must be made on a form that is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or alternatively you may appeal online at www.planningportal.gov.uk

If the permission to develop land is granted with conditions and the owner of the land claims that the land has become incapable of reasonable/beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that his interest in the land be purchased in accordance with the provisions of Part 6 of the Town and Country Planning Act 1990.