



Pegasus Group (Leeds)
Pavilion Court
Green Lane
Garforth
Leeds
LS25 2AF

APP REF: P22/07114/F
DATE VALID: 21st December 2022
DECISION DATE: 24th January 2024
PARISH: Wickwar Parish Council

NOTICE OF DECISION TOWN AND COUNTRY PLANNING ACT 1990

South Gloucestershire Council in pursuance of powers under the above mentioned Act hereby PERMIT:

APPLICATION NO: P22/07114/F

DESCRIPTION OF DEVELOPMENT: Construction of a solar farm with associated works, equipment and infrastructure.

APPLICANT: RES

LOCATION: Varley Farm Talbots End Cromhall South Gloucestershire
GL12 8AJ

In accordance with the application and accompanying plans, subject to the conditions specified 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 requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

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2. The development hereby approved is a for a period of 40 operational years from the date that electricity from the development is first exported to the National Grid for commercial operation; or within 3 years of the cessation of the exportation of electricity to the grid, whichever is the sooner.

No later than three months before the cessation of the development a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include the timing for decommissioning of the solar farm, along with the measures, and a timetable for their completion (to be completed within 12 months from cessation of the export of energy to the grid), to secure the removal of the solar farm equipment and all associated road, equipment and structures in accordance with the Decommissioning Method Statement.

Reason:

In order to ensure that the approved development does not remain in situ beyond the projected lifetime of the equipment so installed in the interests of the visual amenity and character of the surrounding landscape; and to accord with Policy CS3 and CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

3. The developer shall notify the Local Planning Authority in writing within 21 days of such time that electricity from the development is first exported to the National Grid for commercial operation.

Reason:

In order to allow the Local Planning Authority to adequately monitor the time scale of the development; and conditions contained in this decision notice.

4. Prior to the commencement of development, an updated Arboricultural Impact Assessment, detailed Arboricultural method statement and Tree/Hedgerow Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason:

To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area, and in accordance with Policies CS1 and CS2 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP3 of the adopted South Gloucestershire Policies Sites and Places Plan. Prior to commencement is required as the Condition relates to the construction period.

5. Prior to the commencement of development a detailed planting plan at a minimum scale of 1:500 shall be submitted to and approved in writing by the local planning authority. The planting plan shall specify the location, species, stock size, planting centres and quantities of all proposed tree and structure planting. The planting plan shall be implemented in accordance with the approved details in the first planting season following construction works.

Reason:

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. A pre-commencement condition is required to ensure the proposed mitigation is suitable.

6. Prior to the commencement of development an updated LEMP written in accordance with BS42020 shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The LEMP shall cover:
- The construction/enabling works/period and subsequent operational period, identifying existing and proposed landscape and ecology related site assets, associated management objectives, schedules of annual maintenance works together with longer term management operations (Year 6 onwards).
 - Measures to minimise use of herbicides/pesticides with alternative means of control should be adopted as practical.
 - Details of all proposed boundary and hard landscape surface treatments to ensure there is minimal impact on the existing vegetation framework of the site.
 - Management of the Biodiversity Net Gain Plan
 - 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports
 - where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme
 - An ecological enhancement plan detailing location and specification of the ecological enhancements detailed within the Ecological Appraisal

Reason:

To secure the protection and enhancement of the landscape and wildlife habitats during and following the completion of development construction, and in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policies PSP18 and PSP19 of the adopted South Gloucestershire Policies Sites and

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Places Plan. Prior to commencement is required in order that the implementation can be carried out in a timely manner.

7. Prior to the commencement of development revised design details for the SUDs pond shall be submitted to and approved in writing by the local planning authority. The SUDs pond shall be constructed strictly in accordance with the approved details.

Reason:

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. A pre-commencement condition is required to ensure the proposed design is suitable and to avoid remedial works.

8. The development shall proceed in strict accordance with the Mitigation Measures provided in the update Ecological Appraisal (BSG Ecology, August 2023).

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

9. No development shall commence (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be written in accordance with BS42020, including mitigation details on bats, birds, reptiles, hedgehog and badger, as well as any pollution prevention measures. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason:

To secure the protection and enhancement of the landscape and wildlife habitats during development construction, and in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policies PSP18 and PSP19 of the adopted South Gloucestershire Policies Sites and Places Plan. Prior to commencement is required as it covers the construction period.

10. A site specific Construction Traffic Management Plan (CTMP), shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of work. The CTMP as approved by the Council shall be fully complied with at all times.

The CTMP shall include but not necessarily be limited to:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the construction works approved.
- (iii) Adequate provision for the delivery and storage of materials.
- (iv) Adequate provision for contractor parking.
- (v) The lorry routing schedule, as shown in the submitted Construction Traffic Management Plan including the approved on-site haul route. Measures to coordinate the arrival and departure of construction and delivery vehicles to avoid conflict. The Local Highway Authority to be contacted before commencement of the development to establish if a temporary road closure is required on Farleigh Lane.
- (vi) A Highway condition survey of Farleigh Lane and Talbots End including photographs to be carried out jointly with a Highways representative from the Local Highway Authority Streetcare Team prior to commencement of the Development. Followed by a further condition survey carried out jointly with the Highways representative after completion of the construction phase. Any damage attributable to Development traffic is to be repaired to the satisfaction of the Local Highway Authority. Farleigh Lane and Talbots End will be checked daily and any mud deposited on the roads will be removed straight away and any damage to the roads or grass verges will be made safe on a daily basis to the satisfaction of the Local Highway Authority (LHA). If road edges and verges are damaged on a regular basis the LHA may require additional widening or other measures to prevent further damage.
- (vii) Details of Main Contractor including membership of Considerate Constructors scheme or similar.
- (viii) Site Manager contact details.
- (ix) Processes for keeping local residents and businesses informed of works being carried out and dealing with complaints.
- (x) Measures to avoid school bus pick up and drop off times at the Farleigh Lane junction

Reason:

In the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Council Local Plan Core Strategy 2013. A pre-commencement condition is required as it relates to the construction period

11. The lower edge of all solar panels within Flood Zones 2 and 3, as defined by the published Environment Agency Flood Map for Planning, shall be raised at least 1 metre above existing ground levels, as stated in section 6.1 of the submitted Flood Risk Assessment.

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To reduce the risk of flooding and ensure that proposed solar arrays remain operational and safe in times of flooding.

12. All proposed inverters and substations shall be located in Flood Zone 1.

Reason:

To manage the risk of flooding and ensure that the proposed solar farm remains operational and safe in times of flooding, without increasing flood risk elsewhere.

13. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. A detailed development layout showing surface water and SUDS proposals is required. No public surface water sewer is available. The development shall be carried out strictly in accordance with the approved details.

Reason:

In the interests of surface water drainage and flood risk, and in accordance with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy 2013 and Policy PSP20 of the South Gloucestershire Council Local Plan, Policies Sites and Places Plan 2017. This is a pre-commencement condition to avoid remedial works.

14. Prior to the commencement of development, a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. The WSI will need to include provision for both trial trenching and excavation. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation

Reason:

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition to avoid loss of archaeological remains during construction.

15. The development shall not be brought into its intended use until (i) the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation and (ii) that the provision made for analysis, publication and dissemination of results, and archive deposition (where necessary), has been confirmed in writing to, and approved by, the Local Planning Authority.

Reason:

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

16. Prior to the installation of any external lighting, details of its location and specification shall have been first submitted to and approved in writing by the local planning authority. Only such details as approved shall be installed. Such lighting shall be designed to not spill onto the hedgerows and trees

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

17. Construction on site will take place from 07:00 to 18:00 Monday to Friday and 08:00 to 12:00 on Saturdays. No construction work or deliveries are programmed to take place outside of these hours, except in emergency or exceptional cases. All HGV deliveries are expected to arrive Monday to Friday.

Reason:

In the interests of residential amenity, in accordance with Policies PSP8 and PSP21 of the adopted Policies Sites and Places Plan.

18. The development hereby approved shall be implemented in accordance with the following plans:

21 Dec 2022	04886-RES-CTN-DR-PT-001	1	FIG 7	-	TYPICAL TEMPORARY CONSTRUCTION COMPOUND DETAILS
21 Dec 2022	04886-RES-LAY-DR-PT-002	1	FIG 2	-	THE LOCATION PLAN
21 Dec 2022	04886-RES-LAY-DR-PT-003	2	FIG	4	- INFRASTRUCTURE LAYOUT
21 Dec 2022	04886-RES-ACC-DR-PT-001	1	FIG 6	-	INTERNAL ACCESS ROAD TYPICAL DETAILS
21 Dec 2022	04886-RES-LAY-DR-PT-006	2	FIG 3	-	FIELD NUMBERS
21 Dec 2022	04886-RES-SEC-DR-PT-001	2	FIG 9	-	TYPICAL SUBSTATION SECURITY FENCE DETAIL
21 Dec 2022	04886-RES-SEC-DR-PT-002	1	FIG 10	-	PERIMETER DEER FENCE AND TYPICAL DETAILS

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IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.
POSITIVE AND PROACTIVE STATEMENT:

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems by requesting amended information.

ADDITIONAL INFORMATION

1. The proposed development will require works on the existing highway and this will require either a section 184 licence or S278 Legal Agreement with the Local Highway Authority. The Applicant is required to obtain the permission of South Gloucestershire Council (Developments Implementation Team) as Highway Authority at Modifying the existing highway | South Gloucestershire Council (southglos.gov.uk), before commencing ANY works on the highway. A signing schedule will need to be agreed with the LHA Streetcare Team, who should be contacted well in advance of commencement of the development. The possibility of requiring a temporary road closure on Farleigh Lane should also be discussed with Streetcare at the earliest opportunity.
2. Any abnormal load movements will require the Applicant to notify the relevant authorities.
Further information can be found at the following link.
<https://www.gov.uk/esdal-and-abnormal-loads/notifying-the-authorities>
3. Ordinary Watercourse Consent (OWC): The application involves works, and/or structures to, in or affecting an ordinary watercourse/ditch. These works, which include but may not be limited to, 1 x culverted access crossing and 1 x filter trench outfall may require formal consent from South Gloucestershire Council. Application forms and guidance can be obtained by emailing LeadLocalFloodAuthority@southglos.gov.uk

It is acknowledged that the OWC process is separate from the planning process, however the two elements are reliant on each other in the wider proposed context, particularly as surface water discharge from the sub-station compound area is based upon utilising the existing onsite ditch system, of which consent may be required.

Sp. Note: When pipe sizing the culvert crossing, a cross-sectional survey 5 metres on either end (Upstream & Downstream) must be provided as evidence for an appropriately sized culvert, is required for any OWC application submissions.

4. Environment Agency Risk of Surface Water Flooding map show ground profiles in this development area as being subject to overland flow or flood routing in the event of high intensity rainfall (i.e. non-watercourse and non-sewer surcharging). The development area is shown as category 1 in 30yr surface water flooding. In line with Flood Risk Standing Advice the developer must consider whether he has appropriately considered surface water drainage and flood risks to and from the development site which could occur as a result of the development. NOTE: This is separate from the watercourse Flood Zone maps and does not require submission of a Flood Risk Assessment.
5. This permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.
6. You must obtain the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from adjoining property. This permission does not authorise you to take such action without first obtaining this consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.
7. When discharging condition 13, the following details may be required:
 - The maximum overall discharge rate will be restricted to Greenfield Q_{bar} 1.0l/s.
 - Confirmation or the 'in principle' acceptance of 'ordinary watercourse consent' from the LLFA.
 - A clearly labelled drainage layout plan showing the pipe networks and any attenuation features and flow control devices.
 - Drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance 40% up to and including the 10080 minute scenarios.(Preferably in the MicroDrainage format to include the MDx file for auditing).
 - Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.
 - A plan showing the cross sections and design of the attenuation feature (pond/basin/swale) and its components (to include an all-around access track which should be a minimum 3 - 5 Metres for the allowance of relevant suitable equipment to conduct maintenance activities).

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- There is to be no planting of trees over, or within close proximity (3 metres) of any existing or proposed drainage infrastructure, which may include but not limited to, pipework, gullies, filter drains, culverts and the attenuation feature such as the basin (3 metre offset from top of bank including access track).
 - The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
 - The plan should also show any manholes with cover level (CL) and pipe node numbers, including size, length, gradient, and invert level (IL), referred to within the drainage calculations.
 - A manhole / inspection chamber schedule to include cover and invert levels, preferably from within the drainage calculations.
 - Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation/Infiltration/Conveyance features, Flow Control Devices, for the lifetime of the development, must also be provided. This should clearly outline which elements/components will be offered for adoption and those which are to remain privately maintained and by whom (in this context this refers to the wider scheme infrastructure such as ponds, basins, swales, ditches, soakaways, and permeable paving which may form part of the surface water network).
8. Before commencing development the applicant should establish a liaison group, to include Ward Cllrs and the Parish Council, to provide updates and for a point of contact for the development.

PLEASE NOTE: The development hereby permitted must be implemented in accordance with plans hereby approved and any conditions specified above. The conditions may specify that works are to be carried out or details are required to be submitted for further approval, before all or part of the development is otherwise commenced. For further information regarding the discharge of Planning Conditions and the relevant forms please view “compliance with conditions” on our website, www.southglos.gov.uk If the permission is commenced without these requirements being fully met, or in any other manner, the development may be unauthorised and the permission invalidated. The council holds a definitive copy of this planning decision notice. You should be aware of the risk that subsequent copies of the decision notice may be subject to unauthorised alteration and if necessary you are advised to refer to the council for verification. The definitive copy can be viewed via the council’s planning website.



M. B. [Signature]

DEVELOPMENT MANAGER

DATE: 24th January 2024

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PLANNING PERMISSION THE NEXT STEPS

Your Decision could be subject to conditions. It is essential that you comply with these conditions in order to protect your planning permission. If you have conditions requiring details to be submitted prior to the commencement of development then failure to discharge these conditions could invalidate your planning permission and result in enforcement action being taken against the development.

HOW TO APPLY TO DISCHARGE CONDITIONS ON YOUR PLANNING PERMISSION

If the condition requires you to agree something in writing with the Authority before development commences then you will need to consider submitting these details at least 8 weeks prior to starting work. In order to submit your application, you can do so by one of the following options:

- Submit an online application using the Planning Portal online application service www.planningportal.gov.uk/
- Complete an application form online via the Planning Portal online Application service, www.planningportal.gov.uk/ printing it off and enclosing it with the correct plans, fee and details before sending it to Development Services.
- Download a copy of the application form from the South Gloucestershire website on www.southglos.gov.uk/planning.
- Request a paper copy from our PT&SE Customer Contact Centre by calling 01454 868004.
- Visit one of the Council One Stop Shop receptions to collect a paper copy of the application form.

The fee amount is £34 per request relating to 'householder' applications and £116 for any other full planning applications.

The fee is payable for each submission (a single submission may be for more than one condition to be discharged).

COMMUNITY INFRASTRUCTURE LEVY (CIL)

If this application has been identified as being liable to CIL you should not commence development until the requirements and obligations under CIL have been established. If we require further information we will write to you requesting this. Where we already have clear information about the proposal and assumed liability we will issue a liability notice shortly. Further information can be found on our website at www.southglos.gov.uk/environment-and-planning/planning/community-infrastructure-levy

BUILDING REGULATIONS

You might require separate Building Control approval and you can also secure this through the Council. For advice on development requiring Building Regulations approval please visit the Planning Portal or contact our Team on 01454 863451

ACTING AS AN AGENT?

Please forward the full copy of this decision to your client and advise them of any conditions. The Council continues to be involved with enforcement action taken against applicants who claim not to have been passed the decision by their Agent.

APPEALS AGAINST THE DECISION OF THE LOCAL PLANNING AUTHORITY (LPA)

If the applicant is aggrieved by the decision to refuse this proposal – or to grant subject to conditions – they may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 or section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If they are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 0303 444 5000.

Appeals must be made to the Planning Inspectorate in accordance with the provisions below:

- (a) for a **householder application**, an appeal must be made within 12 weeks of the date of this notice;
- (b) for a **minor commercial application**, an appeal must be made within 12 weeks of the date of this notice;
- (c) for the **display of an advertisement**, an appeal must be made within 8 weeks of the date of receipt of this notice;
- (d) for **works to trees** subject to a Tree Preservation Order or part of a woodland, an appeal must be made within 28 days of the date of this notice;
- (e) if this planning application relates to the same, or substantially the same, land and development as is **already the subject of an enforcement notice**, an appeal must be made within 28 days of the date of this notice;
- (f) if an **enforcement notice is served** relating to the same or substantially the same land and development as in this application an appeal must be made within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier;
- (g) in **all other cases**, an appeal must be made within 6 months of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission/listed building consent for the proposed development/works or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) and local planning authority (registrationteam@southglos.gov.uk) at least 10 days before submitting the appeal. Further details are available on [GOV.UK](https://www.gov.uk) website.

When submitting an appeal, it is a requirement that an identical set of documents be submitted to the local planning authority. A copy of all appeal documents (and any subsequent documents required to validate the appeal) should be sent to registrationteam@southglos.gov.uk when the appeal is made. Please ensure this instruction is complied with in order to avoid any unnecessary delay.

