

# SWINDON LOW CARBON LOCAL DEVELOPMENT ORDERS

## Local Carbon Local Development Order 3:

### Sites for solar arrays and solar farms LDO

June 2015

#### Site 9: Newburn Sidings, Swindon

This Local Development Order grants outline planning permission for the installation of a solar farm and associated works at land at Newburn Sidings, Swindon. The detailed specification of the solar farm shall be informed by the following reserved matters submissions.

#### Further Detail

A detailed Site Layout Plan shall be submitted along with the additional information required under condition 2. A Planning Statement shall also be submitted with the reserved matters which sets out how the scheme has incorporated the mitigation measures already identified in the assessments. This reserved matters information shall be submitted using the LDO application form along with the requisite fee. A lawful Development Certificate will then be issued by the Local Planning Authority to confirm if the submitted scheme is acceptable. The scheme cannot commence until a Lawful Development Certificate has been issued and the target timeframe for this is eight weeks from the date of validation. The development hereby permitted in outline shall only be implemented in accordance with the approved submissions.

An Environmental Impact Assessment (EIA) of the scheme and the proposed cable routing shall be required in accordance with the Environmental Impact Assessment Regulations. Where the scheme is not deemed to be an EIA Scheme, an EIA Screening Opinion should be obtained from the local planning authority. Where an EIA has been undertaken, the subsequent scheme must incorporate the mitigation measures identified in the Environmental Statement.

The solar farm hereby permitted is subject to the following Conditions:

#### 1 Time Limit:

Approval of the layout, scale, appearance, landscaping and access (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority within five years from date of this Local Development Order. No development shall take place within the area of the LDO until all the details required by this permission have been submitted to and approved in writing by the local planning Authority.

*Reason: To accord with Section 92 of the Town and Country Planning Act 1990 and to time limit the Local Development Order to enable the Order to be modified or*

*revoked at the end of the five year period in response to the prevailing national and local policy.*

## 2 Additional Information:

No development shall take place within the area of the LDO until the following additional details and information has first been submitted to and approved in writing by the local planning authority:

- Detailed layout plan
- Transport Statement including timings of implementation
- Solar Panel detailed design(s) including cross sections
- Topographical Survey and earth works details
- Transformer Stations, Module details, Connection Substations and Inverter buildings to be installed within the development site
- Cable runs and proposed trunking system method statement
- CCTV, Lighting and Perimeter security details
- Boundary Treatments
- Photomontages
- A Biodiversity Survey (Phase 1 Habitat Survey);
- An Archaeological Assessment (Subject to the findings of the Archaeological Assessment, archaeological fieldwork, including geophysical surveys and trial trenching, may be required);
- A Flood Risk Assessment;
- A Landscape and Visual Impact Assessment;
- A Tree Survey and Arboricultural Statement;
- An Ecological Management Plan

The development shall be carried out in accordance with these details once approved.

## 3 Decommissioning:

The use of land for the generation of electricity from solar panels shall be discontinued within thirty years of the scheme becoming operational, or within 12 months of the solar farm ceasing to be operational, whichever is sooner.

Twelve months prior to the above, a decommissioning method statement for all elements shall have been submitted to the local planning authority for approval. The entire development shall be removed and the land restored to agricultural use in accordance with the approved statement,.

*Reason: To define the scope of this permission and in the interest of amenity and protection of the countryside.*

## 4 Ecology:

Within 12 months of the commencement of development of the solar farm, all the mitigation measures described within the Ecological Management Plan, and Environmental Statement if required, shall have been implemented. The biodiversity measures shall be carried out in accordance with these measures throughout the solar farm's operation.

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

#### 5 Landscaping Implementation:

Prior to the commencement of works on site in connection with the development hereby permitted, details of landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: a planting schedule detailed proposed species, size at planting, spacing, on-going management, maintenance and aftercare; a timetable of works; details of the positions, species and crown spread of all existing trees and hedgerows on the site, detailing those to be retained; and the surface treatment of any roadways, footpaths, footways or parking areas and the proposed boundary post and wire fence. The scheme shall be implemented in accordance with the approved details and timetable. Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted shall be replaced by one of a similar size and the same species in the first available planting season.

*Reason: To ensure the appearance of the development is acceptable.*

#### 6 Tree Felling & Bats:

No felling of trees on the site shall take place before a survey has been undertaken to confirm whether bats or bat roosts are present. If bats or their roosts are found to be present, mitigation measures shall be submitted to and approved in writing by the Local Planning Authority and such approved measures shall be implemented prior to the felling of any trees.

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

#### 7 Contaminated Land:

Prior to the commencement of development which has the potential to effect land contamination within the land identified as high potential for contamination, an investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site. A written report of the findings and necessary remediation and mitigation measures, including timings shall then be submitted to and approved in writing by the Local Planning Authority. The scheme will include all works to be undertaken, proposed remediation objectives, remediation criteria and timetable. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The development and approved remediation scheme must be carried out in accordance with the agreed details and timetable.

Upon completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced submitted to the Local Planning Authority for its approval in writing.

*Reason: To prevent pollution of the environment in the interests of the amenity.*

#### 8 Contamination during Construction:

During the course of development, if any further contamination is found which has not been identified in the site investigation, the local planning authority shall be immediately notified. Additional measures for the findings and any remediation of this contamination including timing, shall be submitted to and approved in writing by

the Local Planning Authority. The remediation of the site shall then follow in accordance with the approved additional measures.

Due to the high contamination risk, all installation, alteration or replacement of generators and fuel storage tanks will be subject to a site investigation.

*Reason: To prevent pollution of the environment in the interests of the amenity*

#### 9 Construction Management Plan:

The permission shall be carried out in accordance with a Construction Management Plan which has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme for the duration of the works. This Plan shall provide for details relating to:

- Access and parking arrangements for site personnel, contractors, and visitor arrangements for delivery and removal of materials;
- Arrangement for loading, 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;
- Detailed method statement for each construction activity, including identification of potentially noisy operations and details of noise control measures;
- A scheme for routing, control of traffic associated with the construction [including arrangements of heavy lorries], and temporary signage during the construction and decommissioning phases.
- Provision of a traffic management plan contained within the Construction Management plan showing layby access for safe passing and manoeuvrability.

*Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety.*

#### 10 Hours of Construction, Operation and Delivery:

No construction works, deliveries, external running of plant and equipment or internal works audible outside the site boundary shall take place on the site other than between the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 14:00 on Saturday. There shall be no such working Sundays, Public or Bank Holidays.

*Reason: In the interests of amenity and highway safety.*

#### 11 Drainage:

Development shall not begin until a surface water drainage scheme for the site, based on the agreed Flood Risk Assessment Flood Risk Assessment (FRA) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

*Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance and management of the surface water drainage scheme. In accordance with paragraph 103 of the National Planning Policy Framework (NPPF).*

#### 12 Implementation of Flood Risk Assessment:

The development hereby permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA). Within 6 months of the commencement of development of the solar farm, all the mitigation measures

described within the approved Flood Risk Assessment (FRA) shall have been implemented. The mitigation measures shall be carried out in accordance with these measures throughout the solar farm's operation.

*Reason: To ensure there is no increase in rainfall rates and volumes leaving the site for a range of events up to the 1 in 100 year plus an allowance for climate change event as a result of the development. In accordance with paragraph 103 of the NPPF.*

13 Minor amendments to the agreed Site Layout Plan:

Any minor amendments to the agreed Site Layout Plan shall be agreed in writing by the local Planning Authority

*Reason: To define the scope of the development hereby permitted.*

21 River Swin Bourne:

No development shall be within 8 metres from the top of the bank of the River Swin Bourne.

*Reason: In the interests of protecting riverine habitat.*

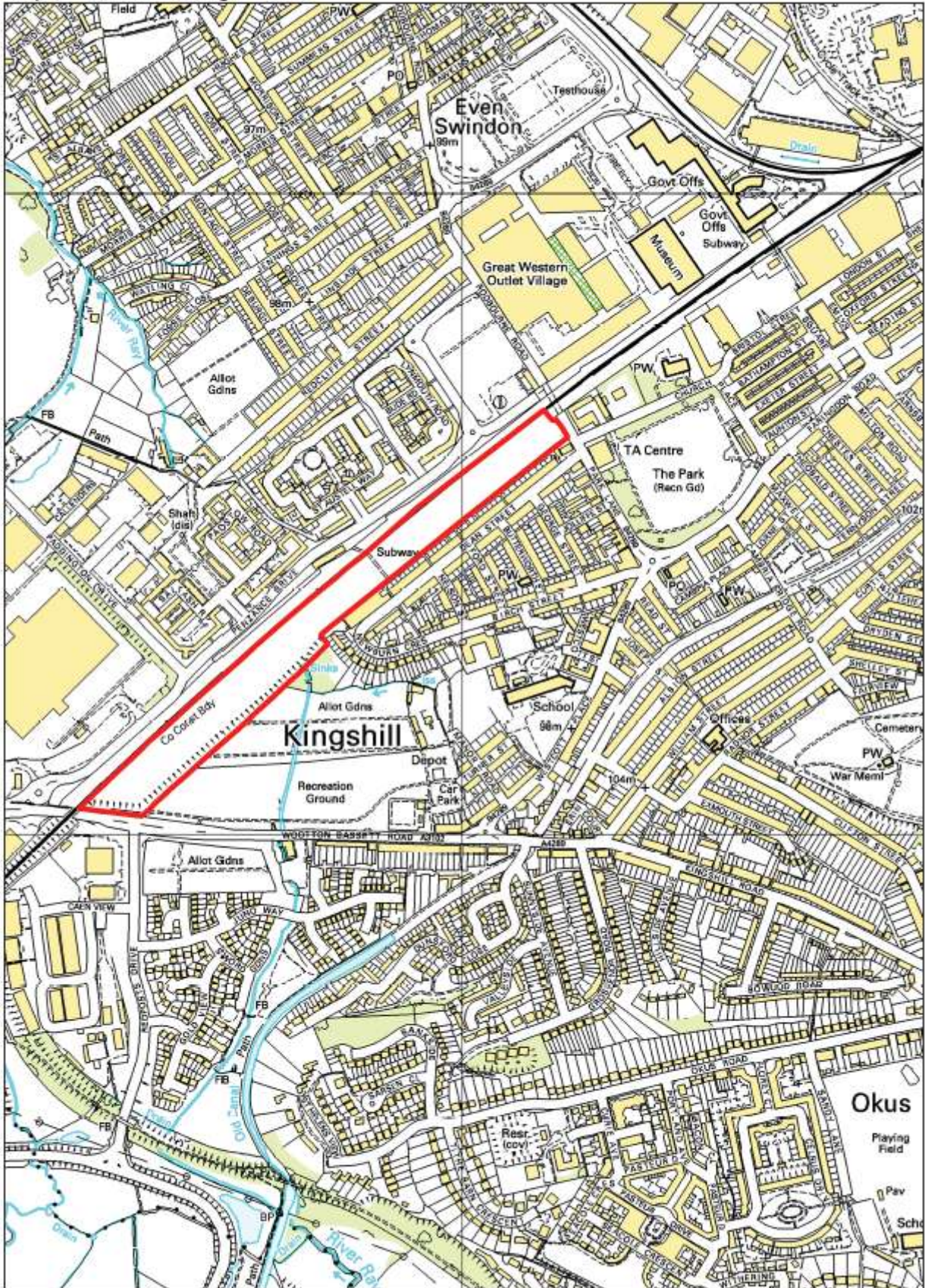
### **Informatives**

- All development shall be carried out having regard to any actual or potential land contamination at the site. The responsibility for the safe redevelopment of the site in this regard rests with the developer, who must undertake and evaluate a risk assessment which incorporates specific remedial measures to deal with any land contamination. If you are in any doubt, please seek the advice of the Contaminated Land Officer on whether a contaminated land site investigation is needed.
- The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the construction works would disturb any protected species.
- In addition to this consent, the Applicant will require separate Local Highway Authority approval of the Traffic Management Plan and all related Traffic Directional Signs and temporary changes to Traffic Regulation Orders. The Applicant is required to obtain this approval prior to any site-related construction traffic commencing, and is therefore recommended to contact Swindon Borough Council's Safe and Effective Highway Network Department in this respect as soon as possible.
- Where a proposed development does not fall within the permitted development rights allowed by this LDO or by the permitted development rights set nationally, this does not mean that the development is unacceptable and cannot be built. It means that an application for planning permission needs to be made so that the Local Planning Authority can consider all the circumstances of the case.
- Additional Environment Agency consents may be required. You are advised to contact the Environment Agency to ensure all necessary consents are achieved. Please contact the environment agency at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)
- Water Main Crossing: Where there is a Thames Water main crossing your site, this may need to be diverted at your expense, or amendments may be necessary

to the proposed development design so that the main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

- The creation of new permeable surfaces for car parking should be designed in accordance with Environment Agency's 'Pollution Prevention Guidance 3 Use and design of oil separators in surface water drainage systems'.
- The LDO does not remove the requirement for Advertisement Consent.
- Compound areas and access routes into the sites are not identified in many of the site maps. These should be identified within the reserved matters submissions.

Map 9 - Newburn Sidings - 1384



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