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<b>APPLICATION NO.</b>	21/03722/VARS
<b>APPLICATION TYPE</b>	VARIATION OF CONDITIONS - SOUTH
<b>REGISTERED</b>	24.02.2022
<b>APPLICANT</b>	Mr Hugh Brennan, Woodington Solar Limited
<b>SITE</b>	Woodington Solar Farm, Woodington Farm, Woodington Road, East Wellow, SO51 6DQ, <b>WELLOW</b>
<b>PROPOSAL</b>	Variation of Condition 2 (Approved plans), 4 (Boundary treatment), 5 (CEMP), 8 (Arboricultural information), 9 (Tree protection), 12 (CMP), 13 (Landscape), 14 (Landscape maintenance), 15 (External materials), and 16 (Noise Mitigation) of Planning Permission 15/02591/FULLS (Installation of a ground mounted solar park to include ancillary equipment, inverters, substation, perimeter fencing, CCTV cameras, access tracks, and associated landscaping) to allow alterations to layout and design of the site that include a reduction in the number of solar arrays, re-provision and increased provision of conservation areas, replacement of central inverter with string inverters, alterations to alignment of security fences and permissive paths, rationalisation (reduction) of a number of internal access tracks.
<b>AMENDMENTS</b>	Drawing no's received 24 <sup>th</sup> Feb 2022 as a result of amended application site red edge to ensure the red edge tallied with that seen on application 15/02591/FULLS which this application seeks to vary: H.0357_01_G – site location plan H.0357_06_U – site layout plan H.0357_24_F – site location plan H.0357_39 Sheet 1 Rev C – landscape proposals H.0357_39 Sheet 2 Rev C – landscape proposals H.0357_39 Sheet 3 Rev C – landscape proposals H.0357_57 Rev B –fence and path changes  As a result of the amended application site red edge the application was re-started with new validation date and publicity period on the 3 <sup>rd</sup> March 2022  Further detail received: Heritage Statement – 07.03.2022 Comparison CEMP – 07.03.2022 Biodiversity net gain information – 8.03.2022 Landscape email – 16.03.2022 Transformer building elevation – 18.03.2022

Drawings received 24<sup>th</sup> March 2022 updating section of route for bridleway

H.0357\_06 V Site layout

H.0357\_39 D – 1 Landscape proposals

H.0357\_39 D – 2 Landscape proposals

H.0357\_39 D – 3 Landscape proposals

H.0357\_57 C fence and path changes

Email received withdrawing condition 17 from proposal – 05.04.2022

**CASE OFFICER**

Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

Background papers to the application can be found [here](#)

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**1.0 INTRODUCTION**

1.1 The application presented to southern area planning committee at the request of a local ward member.

**2.0 SITE LOCATION AND DESCRIPTION**

2.1 The application site covers an area of approximately 72.01 hectares of agricultural land and comprises four parcels which are separated by areas of woodland, hedgerows and trees. The site lies to the north and west of Woodington Farm and neighbouring properties, extending westwards to Hackleys Lane which lies along the western boundary of the site. A large overhead line crosses the site from north to south.

2.2 Smidmore Copse lies between the northernmost parcel of the site and the central field, with Cutles Copse lying immediately to the south of the central field. Bushymoor Copse lies to the north of the northern parcel. The eastern boundary of the site is marked by mature woodland, Batters Copse and Shootash Copse, with Kitts Merries Copse lying along the northern boundary of the easternmost field. Some field boundaries are marked with hedgerows with others being more open, particularly in the southern areas of the site.

2.3 The site is accessed via the access lane serving Woodington Farm and can also be accessed via Hackleys Lane, to the south of the site. There are also a number of existing hardcore tracks which cross the site. There is a Public Right of Way (PRoW) which passes through the centre of the site, running north-south and partway along the northern boundary.

**3.0 PROPOSAL**

3.1 This Section 73 application seeks to make a number of design changes to the original solar farm permission (15/02591/FULLS), including amendments to ensure that the original solar farm scheme can be developed in conjunction with the more recently approved substation and solar array permission (20/00814/FULLS).

3.2 The proposed development seeks to vary the following conditions on planning application 15/02591/FULLS described as 'Installation of a ground mounted solar park to include ancillary equipment, inverters, substation, perimeter fencing, CCTV cameras, access tracks, and associated landscaping':

- Condition 2 (Approved plans)
- Condition 4 (Boundary treatment)
- Condition 5 (CEMP)
- Condition 8 (Arboricultural information)
- Condition 9 (Tree protection)
- Condition 12 (CMP)
- Condition 13 (Landscape)
- Condition 14 (Landscape maintenance)
- Condition 15 (External materials)
- Condition 16 (Noise Mitigation)

The proposals broadly consist of:

- Alterations to the layout and design of the site that include a reduction in the number of solar arrays from 97,272 arrays (which included land where the proposed substation was located) to 79,632 on this current application.
- The re-provision and increased provision of Conservation Areas. The proposed changes would result in a total of 6.54 ha of Conservation Areas across the site. The originally approved solar farm proposed 5.37ha of Conservation Areas. The Conservation Area provision would therefore increase by 21.8%.
- The replacement of central inverter with string inverters. A Noise Assessment Addendum has been prepared by LFAcoustics, which confirms that the 'use of string inverters would result in a noticeable reduction in noise levels of between 3 – 7 dB(A) compared to the presently approved scheme.
- The alterations to the alignment of security fences and permissive paths
- The rationalisation (reduction) of a number of internal access tracks.

3.3 Development pursuant to 15/02591/FULLS commenced on Monday 15th June 2020 with construction works taking place from the Tuesday (16th June 2020).

3.4 The applicant sets out that the development will have an installed electricity generating capacity of up to 40MW. The applicant advises that the export capacity of the solar farm is fixed by SSEN at up to 40MW. This is consistent with application 15/02591/FULLS. Whilst the number of panels has reduced, this is a direct result of advances in solar cell production, which have become more efficient over time and result in the need for a smaller amount of panels to generate the same output.

#### 4.0 HISTORY

- 4.1 20/00814/FULLS - Installation of substation, ground mounted solar panels, ancillary equipment, infrastructure and access associated with Planning Permission reference: 15/02591/FULLS. – Permission subject to conditions and notes – 24.05.2021

A judicial review challenge was lodged on several grounds. One ground has been given permission to be heard and is due to be considered at the High Court in April 2022.

- 4.2 20/00359/SCRS - Screening opinion under the Environment Impact Assessment Regulations 2017 - Installation of substation, ground mounted solar panels, ancillary equipment, infrastructure and access – EIA Not Required – 20.04.2021
- 4.3 15/02591/NMA1 - Amend inverter design - Amendment to planning permission numbered 15/02591/FULLS – Approval 30.11.2020
- 4.4 15/02591/FULLS - Installation of a ground mounted solar park to include ancillary equipment, inverters, substation, perimeter fencing, CCTV cameras, access tracks and associated landscaping – Permission subject to conditions – 04.07.2017

The following condition information has been approved under this permission:

- Condition 5 - Construction environmental management plan
- Condition 6 - Biodiversity management plan
- Condition 11 - Programme of archaeological work
- Condition 12 - Construction management plan
- Condition 13 - Soft landscaping
- Condition 14 - Schedule of landscape maintenance
- Condition 15 - Details of siting, external materials, external lighting, and means of access/enclosure for the sub-station
- Condition 16 - Scheme of noise mitigation measures
- Condition 17 - Details of bridleway network
- Condition 19 - Surface water drainage strategy

A Judicial Review Challenge was lodged in respect of the discharge of conditions. The challenge was unsuccessful, permission to proceed to a full hearing having been refused at a renewal hearing on the 13<sup>th</sup> January 2021.

- 4.5 12/02770/SCRS – Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 for a solar park on land at Woodington Farm – response issued, March 2013 – EIA not required.
- 4.6 11/02034/FULLS - Roof mounted solar array on two existing agricultural buildings – permitted, Nov 2011.

## 5.0 **CONSULTATIONS**

### 5.1 Policy – No Objection

It is considered that this application to vary conditions of the original application (15/02591/FULLS) does not raise any new policy issues that were not covered by the original Policy response submitted at the time of the original application. It is noted that work commenced on site on the 15th June 2020.

### 5.2 Landscape – No Objection (further to receipt of updated information)

### 5.3 Highways – No Objection

Does not raise any new highway issues

### 5.4 Conservation – No Objection (further to the receipt of the heritage statement)

### 5.5 Historic England – Comment

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

### 5.6 Natural England – Comment

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice. The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether (or not) the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision-making process.

### 5.7 Environmental Protection – No Objection

The Third Addendum Noise report from LF Acoustics dated December 2021 has provided the necessary comparison information for the proposed new equipment versus that already permitted and the summary contained within figures 2 and 3 in Appendix A is particularly clear. It is also apparent from the layout plan that efforts have been made to locate the equipment so as to minimise impacts from noise. I consider that from an acoustic point of view the proposal is an improvement on that already permitted.

### 5.8 HCC Flood water management – No Objection

No specific surface water or drainage information has been provided. However, having reviewed the site plan, it does not appear that the proposed amendments will have any impact on the previously agreed surface water management proposals and as such we have no objection.

5.9 Esso Petroleum – No Objection  
Our client Esso Petroleum Co Ltd, do have apparatus situated near the proposed works. Esso Petroleum Co Ltd have no objections to the proposals so long as the enclosed 'Special Requirements for Safe Working' booklet and the covenants contained in the Deed of Grant are adhered to.

5.10 Trees – No Objection subject to conditions

5.11 Archaeology – No Comment  
I am happy to confirm that I would not raise any archaeological issues regarding the proposed variations

5.12 Ramblers – No Comment

5.13 SSE – No Comment

5.14 New Forest National Park - Comment received 4.04.2022  
Looking at the submitted information which is specifically about noise, my opinion is that the inverters and substation at Woodington Solar Farm are far enough away from the National Park to avoid noise nuisance and negative impacts within the National Park. The major A36 road passes along the boundary to the National Park and it is highly unlikely that any noise emission from the solar farm would surpass that of the vehicular traffic that passes along this arterial route.

Comment received 28<sup>th</sup> January 2022

I have examined the documents submitted to TVBC regarding the variations to conditions. From the information given, my opinion is that the variations will not necessarily increase the impact of the proposals from within the New Forest National Park from what is already approved. However, one variation is a replacement of the central inverter with 'String Inverters'. I cannot find any details of this in the submitted documents and would ask for clarification if this variation would result in a taller structure that could be more readily visible from within the National Park.

5.15 Ecology – No Objection subject to condition

6.0 **REPRESENTATIONS** Expired 01.04.2022

6.1 Wellow Parish Council – No Objection  
The above revisions are a variation to 15/02591/FULLS which has already been approved by Test Valley Borough Council. Councillors felt that the revisions were an improvement to the original approved application. The amended proposals reduce the overall noise impact of the site by using string inverters, the conservation areas have increased in size and the overall biodiversity of the site will be increased.

Wellow Parish Council – No Objection (further to re-advertisement of the application)

6.2 Unknown address email – Support  
I fully support the scheme as per the amended proposals here.

6.3 Various addresses – Objection (summarised)

Validity and section 73 application

- The application is not valid under TCPA Section 73: it includes changes to 13 of the 18 conditions totalling more than “Minor” material changes removing the Solar Farm’s 33Kv substation, going further beyond permitted limits by including the totally separate application 20/00814/FULLS
- Section 73 has no provision for the conflation of 15/02591/FULLS with that of 20/00814/FULLS. Planning Guidance ([www.gov.uk/guidance/flexible-options-for-planning-permissions](http://www.gov.uk/guidance/flexible-options-for-planning-permissions)) is clear that combining two applications can only be addressed under Section 70, via a new application for the totality of the proposals.”
- Section 73 Town and Country Planning Act 1990 The current application does not comply with the conditions for section 73 which allows for at most a minor material change to the original planning application 15/02591. Requesting changes to 13 out of 18 conditions is not minor: this is over 70% of the conditions and therefore a substantial number of changes. A totally new planning application is required.

Previous applications

- For anyone new to your portal and new to this application/scheme, with all its ‘twists and turns’ it would be confusing given that you just show one (1) related planning application / ‘Case’ (15/02591/FULLS – Decided) – This I believe shows further lack of transparency because 20/00814/FULLS is not mentioned and neither is the other ‘Vars’, 19/00401/VARS, although I believe this to have been ‘Quashed’ in the High Court after a legal challenge was brought against TVBC. Someone interested and looking through the documents might reasonable wonder where the imaginary 33Kv connection is, detailed in 3.3 of the 15\_02591\_FULLSPLANNING\_STATEMENT-1049059.pdf document – stating, “The proposal is to be connected to the National Grid at the existing electricity substation located within the south towards its southern boundary”. If in actual fact, there was no possible connection there, then this shows worse than just a lack of transparency from the applicant and/or their agents but blatant dishonesty to assist this application through to ‘Permission’. Why would anyone wish to build a Solar Industrial Estate in the middle of the countryside with no possibly way to connect it to the grid? This is nothing short of an underhand manipulation of the planning system and I feel it is shameful that such a basic thing as this was not picked up by the planning ‘experts’ working at TVBC for the people. So much has changed and without reference to 20/00814/FULLS it would be very hard to follow.

- We read the fairy tale about how the tallest building will be no more than 3.0m in height and yet in the latest drawing J00625-L-01 it is noted the Siemens 40MVA Transformer stands at 4.47m height. Then the gantry at 10m tall, the DNO Pole Mounted Transformer at 9.7m, many details changing from the initial proposal considered. Not just planning creep but a clear manipulation. As I said, had the residents (including the equestrian fraternity) known all the details, a different conclusion would have been likely.

### Procedure

- Since the substation (20/00814/FULLS) remains subject to a Judicial Review, no plan dependent in any way upon it can be evaluated until the result of the Judicial Review is known.
- The planning application seeks to make changes to conditions 2, 4, 5, 8, 9, 12, 13, 14, 15 and 16 and implies changes to 6, 7 and 17 of the original planning permission, but there is no clear statement from the applicant listing all the changes and referencing them to all the drawings and other supporting information which makes this planning application difficult for the public and TVBC Planning to scrutinise and evaluate. I note that the TVBC Conservation Consultee has requested such a document. Why have TVBC Planning Department not insisted on the applicant providing a document setting out clearly all the changes and referencing them to the supporting information so that all the changes under this planning application are provided in a clear and transparent format to enable everyone, including TVBC Planning Department and their Consultees, to scrutinise and evaluate this planning application?
- TVBC should not ask the public or the consultees to comment until all the documents are up on the portal and insist on a covering letter listing the documents and any amendments, otherwise it all becomes just a farce.

### Full extent of plans

- I see a lot of smoke and mirrors going on here; looking at the plans, I still see gaps, and now the plans don't even show the full extent of the project i.e. No Substation. Has it just disappeared, or is it not needed now?
- the site layout chart shows several changes but there is no listing of these that would allow suitable scrutiny from a planning perspective. What is clearly shown is removal of the substation previously considered essential in the permission so one can only wonder how this solar farm can ever be built to operational level, and if not what is its purpose at all?
- The DNO compound, I understand, is subject a separate planning authority (IPC) and so I wonder how LF Acoustics and/or the LPA can make any judgement about the DNO Compound noise emissions? We have had this argument over noise all the way through, which is why I commissioned Hayes McKenzie, at considerable expense, to obtain a second professional opinion, as well as a base line data logging of the ambient noise at my property and that of a neighbour. This is turning into a solar powered Power Station in the heart of the countryside, something that is normally only considered in industrial settings, like the one in Southampton, which I have visited to record both EMF and noise levels. I note also that other objectors have sited that there is a deficiency of



documents to be able to properly assess this latest application and I would urge the Head of Planning to reject 21/03722/VARS on these grounds until such time as all the relevant documents and information are transparently submitted for scrutiny. The planning department and residents have been 'hoodwinked' enough.

#### Screening required

- Do not believe that this matter can be determined unless or until a request for EIA screening has been made and determined - Reg 8(b) of the EIA Regulations.
- The VARS covers a 71 ha site while the screening (20/00539/SCRS) for the 20/00184/FULLS (DNO compound application) was done on 6.7+ ha only. It seems clear that the development in question has not been the subject of a screening opinion or screening direction. It is patently a different development.

#### Timing of application

- Yet another timely application, leaving little time with the Christmas and New year break, for proper scrutiny by the planners (whose job it is to do so), let alone members of the public that have day jobs and businesses to run. This latest iteration being yet another metamorphosis.

#### Change of inverter

- Changing the inverters to save between 3/7 dB seems a waste of everyone time and effort unless it's cheaper to buy and as its Huawei now (and we know they are blacklisted in some sections of the UK) I guess this is the main reason for the switch, the attempt to change things around again without consulting the locals is contemptible.
- How many inverters are specified on the 15\_02591\_FULLS application and can you confirm that they are of the SMA Sunny Central type and not the latest specified Hua Wei type?
- If the Sunny Central type, has it been made clear which model type is to be used in construction? (2200 / 2475 / 2500-EV / 2750-EV / 3000-EV) ?
- How many Hua Wei type inverters are specified on the 20\_00814\_FULLS application, it is unclear?

#### Highways

- The applicant continues to confuse both the Consultees and the Public with missing documentation hiding his real intent with this application. For example Alistair Murray of Highways raised no objections on Feb 1st 2022 "Following a review of the submitted information and following discussions with the Case Officer, it is considered that this application to vary conditions of the original application (15/02591/FULLS) does not raise any new highway issues that were not covered by the original highway response submitted at the time of the original application" whilst the Woodington neighbours all know that Nightingale Farm's owners have not given permission to have their hedge cut as the Case Officer knows all too well.

- I also note they are still looking to still use Nightingale farmland which they have been told by the owners they cant. so that the access clause TVBC put in can never be met.... it shows the true nature of this process and a disregard for common sense
- I note the Strides aren't even mentioned in the documentation surrounding this application. This is not dissimilar to the Nightingale Farms hedge over which Woodington Solar claimed control and does not have it thus nullifying Highway concurrence with the original 15/02591/FULLS construction plan.
- Access tracks" from Hackleys Lane. As far as we can see, the southern site access road (surely not just a track?), from near the eastern end of Hackleys Lane, has been highlighted for the first time. Moreover it is unclear whether a western access road is now also proposed from near the southern end of Broadwoods Lane. (Hackleys becomes Broadwoods at the junction for St Margaret's Church.) It is obvious that this recently refurbished but very minor public highway is still totally unsuitable for industrial traffic or any form of heavy goods vehicle (apart from the TVBC refuse collecting vehicles whose drivers know their patch and take extreme care at pinch points, although even they inevitably cause an obstruction for other road users during their weekly duty). Recent drastic damage to the turning loop outside St Margaret's Church, by errant HGV drivers from outside our area, should command urgent attention to an HGV ban on this whole route. Unless the present planning application and its precursors also include a radical upgrade of this lane (which might in turn provoke other objections) no access to the solar power station from the south or west should be permitted.

#### Landscape setting

- This proposal is completely out of kilter and inappropriate in such a rural setting, on the edge of the New Forest National Park and the Blackwater River.
- This is a rural area. We do not have the infrastructure for this industry.

#### Heritage

- The proposed site is extremely close to St Margaret's Church, the Grade 1 listed resting place of Florence Nightingale.
- Effect on the environment of St Margaret's Church and the surroundings of Wellow. As members of the St Margaret's congregation (and team of helpers) since 1986 we are concerned about all aspects of the present project. General damage to our rural environment where the grace of God has been focused for over 800 years, increased unsuitable road traffic and ambient noise are all matters of concern. While we acknowledge that solar energy should be exploited in Great Britain in the future, we rely on our professional planners to ensure both that schemes are suitably located and well out of sight and earshot, so as to minimise the impact on the people who live here; and also to ensure that easy but unsuitable projects are detected and refused at the earliest possible stage, before they gain unstoppable momentum."

## Ecology

- The ecology surveys to assess the loss of habitat are out of date and don't address today's reality.
- A critical tract of land has been taken out of the previously designated "conservation" area. This is the tract of land south of the north eastern end of Smidmore copse which has been established over many years as the only wild life corridor linking Smidmore Copse to woodland to the south and onward to all the woodland areas of Woodington Farm. Only a very narrow corridor remains which is a biodiversity reduction for which the additional land now included is no substitute. The "Supplementary Ecology Note" assessment totally ignores this, and additionally fails to provide any current survey data to justify its conclusions. It makes reference to a site-wide ecology survey in 2019 but where is this? It is not sufficient merely to offer the opinion that nothing is likely to have changed.

## Noise

- The noise analysis does not consider the night time (eg 02:00 – 05:00) when ambient noise is minimum yet the DNO substation complex continues at full volume.
- The change to the on-field inverters and transformers is to be welcomed as they reduce the noise pollution to neighbouring residences. The change to the noise assessment report, however, is not and remains deficient. Firstly it includes the substation transformer noise which unlike the on-field equipment which stop at night is constant 24/7, but the assessment does not include the night-time period (02:00 – 05:00) likely to be the most intrusive especially as ambient noise levels are at their lowest. Why has this never been assessed, and why does the applicant repeatedly refuse to countenance a sound-absorbing acoustic enclosure around this transformer? Secondly the post-construction guarantee within the permission has been discarded, leaving neighbouring residences even further disadvantaged.
- This industrial substation runs all year round, 24/7, so whilst the noise from the solar panels and smaller equipment (string inverters) may be within permissible levels, the DNO substation output remains an unknown.

## Agricultural land

- The further tree planting on cultivated farm land will make it incapable in practice of being restored to its previous agricultural state at the end of the operational life of the development, violating the commitment made in the Planning Statement (October 2015)
- The addition of further tree planting on cultivated farm land will render this land incapable in practice of being restored to its previous agricultural state at the end of the 25 year operational life of the development, violating the commitment made in the Planning Statement (October 2015) "Following the 25 year operational period the site shall be fully returned to its existing agricultural use by way of the removal of all structures and equipment" and folded into conditions 6 and 7 of the permission.

### Radiation

- I have concerns about radiation from the substation, French farmers are bringing successful groups actions against companies that own substations and have cattle grazing close to them. It has been proven that the cattle have died as a direct result from grazing in a radiation zone emitted from a substation.
- There is a historic footpath that will pass within feet of these proposed transformers – what is the impact on people using that in terms of radiation

### Bridleway route

- Although not totally clear, it also appears the site boundary has been extended into neighbouring land and that the bridleway route along the southern edge of Smidmore copse has been moved further into the copse which would cause damage to the ancient woodland, and there may well be more material changes that we cannot see.
- There are three Bridle Path entrances from Broad Wood Lane the first 130 metres NW of the footpath the second 290 metres NW and the third 745 metres approx. along Broad Wood Lane. The Lane is far busier over the last twenty years than it was in 1978. We suspect that reducing the entrances to one may avoid congestion. (Concern about horse Boxes) The only Bridle Path entrances are from Broad Wood Lane, an alternative entrance would be safer for all road users.

### MW output of the scheme

- In the initial application 15/02591/FULLS, it was described as “Approximately 40MW” and certainly “Under the 50MW NSIP threshold” – I note that in the latest application here that more panels are added in and wonder whether this now represents an output of over 50MW.

### German Fischer

- There are no objections so long as the safety brochures are met. Where is the Plan to meet their requirement?

### SSE

- Throughout all the applications SSE has been a consultee but TVBC has never waited for the response. Why hasn't the DNO Substation Complex Electrical design (J0062\_L\_001) been approved by SSE? Indeed has there been consultee response from SSE?

### Revised information

- Why is there no covering letter from the applicant clearly setting out in sufficient detail the changes which are proposed so that this whole application for the solar power station is in clear and transparent language, suitably referenced to correct and up to date supporting information, reports and drawings?
- Is this a further attempt by the applicant to bamboozle the public and the TVBC Planning Department?

### Biodiversity net gain

- The biodiversity net gains spreadsheets appear to be similar but contain different headline results based on the same input data.
- Where is the narrative in clear and concise language to explain the differences in the headline results and what it really means?

## 7.0 **POLICY**

### 7.1 Government Guidance

- National Planning Policy Framework July 2021 (NPPF),
- National Planning Practice Guidance (NPPG),
- Overarching National Policy Statement for Energy EN-1 (NPS),
- National Policy Statement for Renewable Energy Infrastructure EN-3 (NPS),
- Written Ministerial Statement on solar energy protecting the local and global environment, 25<sup>th</sup> March 2015.

### 7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

SD1 – Presumption in favour of Sustainable Development

COM2 – Settlement Hierarchy

E1 – High Quality Development in the Borough

E2 – Protect, Conserve and Enhance the Landscape Character of the Borough

E5 – Biodiversity

E7 – Water Management

E8 – Pollution

E9 - Heritage

LHW4 – Amenity

T1 – Managing Movement

T2 – Parking Standards

### 7.3 Supplementary Planning Documents (SPD)

Wellow Village Design Statement

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Consideration of a section 73 application
- Substation application
- Principle of development
- Site selection and agricultural land
- Landscape and visual impacts
- Tree impacts
- Heritage Impacts
- Impact on residential amenities
- Noise issues
- Ecology
- Highway impacts
- Public Rights of Way
- Bridleways
- Drainage

- Health and Safety
- Other matters

## 8.2 **Consideration of a section 73 application**

A number of comments received highlight concern around the type of application submitted to consider these proposals. Section 73, Town & Country Planning Act 1990 allows a developer to apply to the Local Planning Authority (LPA) for development without complying with conditions subject to which a previous permission for that development was granted. In effect, it allows the removal or variation of conditions. If such an application is successful, then the LPA will grant a fresh permission for the same development, but with different conditions. A decision under section 73 must be taken in accordance with the development plan unless material considerations indicate otherwise.

## 8.3 **Substation application**

A number of representations continue to make comments on the substation proposals. To confirm, a separate planning permission (see paragraph 4.1 above) for the substation development was approved in May 2021 (reference: 20/00814/FULLS). As such, the principle of a solar farm and substation in this location has been accepted. This application does not seek to vary the substation permission. It only seeks to vary the original solar farm permission ref: 15/02591/FULLS, with the aim that the varied solar farm permission and the substation permission can operate in parallel.

## 8.4 **Principle of development**

The principles of the development were considered acceptable under the previous application 15/02591/FULLS, which was determined within the same development plan policy context. Given the principle of siting a solar farm in this location have previously been established by the original grant of planning permission in July 2017, which has already been begun, and the current proposals are intended to ensure the site can function together with the 2021 permission for a substation (20/00814/FULLS), it is considered that it is essential for these proposals to be located within the countryside and as such the development is considered to accord with Policy COM2 of the RLP.

## 8.5 **Site selection and agricultural land**

The selection of the site and the use of the agricultural land for use as a solar farm has been assessed under the previous application 15/02591/FULLS and this permission has since been implemented in June 2020. There has been no significant change in development plan or national policy since the original solar farm permission was granted. The development is of a temporary and reversible nature. Once decommissioned the site will revert to agricultural use.

## 8.6 Landscape and visual impacts

An Appraisal of Landscape and Visual Effects accompanied the previous application 15/02591/FULLS. This contained a detailed assessment of the likely effects of the Woodington Solar Farm on the surrounding landscape and visual resources. Within the current submission the solar panels would be of the same design, spacing, height, and finish as those approved, although the area covered by the current application now excludes the area of the substation permission, and other minor alterations are proposed. The submitted Appraisal (2015) described the Site's condition and features in Section 3; the effects of the approved application for the solar farm on the landscape features were assessed in Section 6. In the view of officers the revised proposals would not change the assessment of effects upon the following landscape elements:

- Topography - negligible neutral
- Other/herbaceous vegetation - moderate beneficial
- Water features - minor beneficial.

8.7 As outlined by Pegasus in their accompanying text *Whilst it is noted that the amended proposals would bring infrastructure closer to the on-site permissive bridleways in several locations, the alignment of the existing on-site footpath (north-south axis) would be retained resulting in no direct physical effects on the on-site footpath (same as the Appraisal 2015)*. It is considered that this is an appropriate assessment where the proposals present no extra impact.

8.8 The submission also sets out *With regards to hedgerow resource on the site, the Appraisal (2015) assessed that there would be a low magnitude of change and minor beneficial effects; there would be no change to this assessment based on the revised proposals. With regards to the tree resource, the Appraisal (2015) stated that the effects would also be minor beneficial. It is acknowledged that the revised proposals illustrate an increase in size to the 'Proposed Conservation Area with New Tree Planting'. As a result, the magnitude of change upon the tree resource is assessed as medium, which translates into moderate beneficial effects upon the tree resource of the site overall, an increase from minor as assessed within the Appraisal (2015)*. It is agreed the amendment would have no negative impact, further to an increase in provision of nature conservation sections which the new bridleways pass through.

8.9 In respect of landscape character the following is submitted with the application: *With regards to the effects upon landscape character, the assessment and effects established in the submitted Appraisal (2015) indicated that the approved proposals would have negligible short term effects upon the character of the local landscape. Long term, these have been assessed as minor beneficial due to the proposed enhancements to the landscape elements within the site. The assessment of the effects on landscape character would remain unchanged as a result of the revised proposals*. Having reviewed this with the Landscape Officer it is agreed the amendment will have no further impact beyond those of the permitted scheme. The additional panels should not substantially alter the effect on the landscape setting over what has already been permitted. This change seeks to rationalise the amount of security fencing and CCTV cameras on the site.

- 8.10 Specific comments have been made about views from St Margaret's Church and the National Park. The Appraisal (2015) included the assessment of 13 representative viewpoints. These 13 viewpoints have been reviewed and it concluded that there would be no change to the assessment presented in the Appraisal (2015) for viewpoints 1 to 12. This includes viewpoints from the New Forest National Park and St Margaret's Church grave yard. As a result of the revised proposals, effects on the receptors at viewpoint 13 (A and B) would remain as a high magnitude of change and a major effect. At viewpoint 13C as a result of the revised alignment of the panels being brought closer to the route of the permissive bridleway, the magnitude of change is assessed as medium, resulting in a moderate effect. The Appraisal (2015) assessed the magnitude of change as low, resulting in minor effects upon receptors at viewpoint 13C.
- 8.11 Whilst the new fencing alignment now could be seen to fence off some of the existing landscape features of woodland belts, it also presents a rationalisation of fencing and reduction in security camera infrastructure which would be a general benefit in visual terms. Officers have reviewed all routes through the development and are satisfied that any areas where the routes have been amended are set so as to maintain the open feeling of the new paths and rides.
- 8.12 It is considered that the minor material changes can be provided without any detrimental impact to the appearance and landscape character of the area in which it will be located. It is considered that subject to compliance with appropriate conditions the development can be provided in accordance with policy E2 of the RLP which seeks to 'protect, conserve and enhance the landscape character of the Borough'.
- 8.13 **Tree Impacts**  
The application is submitted with a revised tree report from Barton Hyett Associates (updated December 2021), and its associated tree schedule/ plans. This tree report states no trees are to be felled within the site, and only a 5m section of hedgerow will be removed. Some pruning has been proposed to facilitate access. It is noted that an access track is to be located through W14 but a temporary solution for protecting the ground (on an existing track) has been proposed which is an acceptable approach. The Tree Officer advises that adequate provision has been made for the protection of trees on this development proposal.
- 8.14 The Tree Officer has requested a condition for a method statement detailing how trees shown on the approved plans to be retained are to be protected. Subject to conditions securing this detail together with the information presented in the Arboricultural Impact Appraisal Statement it is considered that the development can be provided in accordance with policy E2 of the Revised Local Plan which seeks to 'protect, conserve and enhance the landscape character of the Borough'.



### 8.15 **Heritage Impacts**

Comments have been received in respect of Florence Nightingale's grave at St Margaret's Church which should remain a place for people to come for peace and quiet. It has been suggested that the noise and emissions will not be conducive to quiet reflection. Matters of noise and emissions are discussed below at paragraph 8.21.

8.16 The Conservation Officer has raised no objection to the proposals. An amended heritage appraisal has now been provided to assess the proposed amendments to the site. There will be an increase in the numbers of the panels in the two areas closest to Woodington House (GII), but no further fields will be included in the development. It is not considered the additional panels should substantially alter the effect on the setting over what has already been permitted at any of the nearby heritage assets.

8.17 The proposed amendments to the scheme would not alter the impact on the setting of any heritage assets including St Margaret's Church. The effect of the proposals on the setting of listed buildings would therefore be limited and would not result in harm to the significance of these heritage assets. It is considered that the development can be provided in accordance with policy E9 of the RLP which concerns Heritage.

### 8.18 **Impact on Residential Amenities**

There are a number of residential properties which lie around the perimeter of the application site and given the changing topography, position of the areas of woodland areas around the site, as well as the relatively open nature of the central section of the application site, the proposed solar farm would be visible, to varying degrees from a number of neighbouring properties.

8.19 The changes seen on the southern and eastern boundaries on the eastern side of the overall site are those located closest the neighbouring properties at Woodington House, Little Woodington and Woodington Farmhouse. The changes seen are in the removal of the inverter buildings and provision of the string inverters and as a result a slight increase in the amount of solar panels provided due to the additional space gained. Transformer stations are also sporadically positioned. In addition to this the security fencing location and proposed bridleway routes have been altered in part to ensure the solar panel fields remain secure and routes continue to be provided across the site for bridleway users. Similarly on the western section of the overall site closest properties to the north and west additional panels are provided. Nearby properties include Kitts Merries Farm and Meadow Tree Farm.

8.20 The proposed panels and associated infrastructure would be visible in views from neighbouring properties, more noticeably in winter months, but this impact would be in longer views towards the site and given the existing extant permission for the wider solar farm which includes the placement of solar panels and inverter buildings in these locations together with the changes in topography and existing and enhanced natural screening secured via the mitigation planting, it is not considered that the change in outlook to

neighbouring properties would be so severe as to justify a refusal of planning permission in respect of this matter. It is considered that the development can be provided in respect of visual amenity in accordance with policy LHW4 of the RLP. The impacts of noise on residential amenity are considered below.

#### 8.21 **Noise Issues**

Application ref. 15/02591/FULLS which this application seeks to vary included condition 16 of the planning permission which related to noise. This reads as follows:

*Prior to the commencement of the development hereby permitted, a scheme of noise mitigation measures in respect of the inverter units and any ancillary noise generating fixed plant/machinery shall be submitted to and approved. The scheme shall include a predictive noise survey for the site, in accordance with BS4142:2014. Implementation shall be in accordance with the approved details*

8.22 LF Acoustics Ltd set out that they undertook a noise assessment in 2020 based upon the proposed equipment to evaluate the noise levels and assess the potential impacts associated with the operation. The report concluded, with appropriate mitigation measures implemented, noise from the operation of the solar farm would not result in any significant adverse noise impacts and thus accord with the requirements of paragraph 7.67 of the adopted local plan and those of the NPPF. Based upon the assessment prepared and proposed plant, officers concluded that the requirements of Condition 16 have been met and Condition 16 was discharged on 16 June 2020 (Application No. 15/02591/COND16).

8.23 This application seeks to change the type of inverters from the central inverters, to a scheme using smaller string inverters, which would be mounted beneath the solar panels. There would be no change to the plant within the area associated within the DNO substation area (Application No. 20/00814/FULLS). Also proposed are separate stations for transformers. These would sporadically be stationed around the solar farm.

8.24 The locations for this infrastructure is located as far from surrounding properties as possible, whilst maintaining appropriate connections. Calculations of the noise levels utilising the string inverters have been made, taking account of noise from the associated transformers and substation. The results of the calculations indicate that the use of string inverters would result in a noticeable reduction in noise levels of between 3 – 7 dB(A) compared to the presently approved scheme. An assessment of the noise levels against the requirements of BS 4142 and other appropriate guidance clearly indicated that the operation of the solar farm using string inverters would not result in any adverse noise impacts at the surrounding properties. The use of string inverters would therefore remain compliant with the requirements of Condition 16 of the planning permission for the solar farm.

- 8.25 The Third Addendum Noise report from LF Acoustics dated December 2021 has provided the necessary comparison information for the proposed new equipment versus that already permitted and the summary contained within figures 2 and 3 in Appendix A is particularly clear. It is also apparent from the layout plan that efforts have been made to locate the equipment so as to minimise impacts from noise. The Environmental Health Officer comments that from an acoustic point of view the proposal is an improvement on that already permitted and has no objection to the proposal.
- 8.26 Comments have been received that the noise analysis does not consider the night time (eg 02:00 – 05:00) when ambient noise is minimum. The Addendum considers noise levels when the solar panels and inverters would be operational, during daytime hours, to comply with the NPPF. No power would be generated at night and therefore the transformers will not be operational.
- 8.27 In light of the above information and subject to a condition ensuring the development is carried out in accordance with the acoustic information, it is considered that the proposed development can be provided without creating an unacceptable adverse impact on human health, the natural environment or general amenity in accordance with policy E8 of the RLP 2016.
- 8.28 **Ecology**  
Supplementary Ecology Note  
This application is supported by a Supplementary Ecology Note (Avian Ecology, December 2021). It is concluded within the ecology note that the alterations to the proposed layout will only impact on arable land and livestock rearing, with no additional impacts on field boundaries and habitats of ecological importance. It is stated that the proposed alterations will therefore have no greater effects than those previously considered within consented developments, and will lead to greater provision of habitat (“Conservation areas”) within the site.
- 8.29 The proposed development does not materially change the mitigation measures outlined within the Ecological assessments submitted with the previous scheme. The recommendations secured within the previous scheme (Ecological Assessment – Addendum Report (Avian Ecology, 2019)) are still applicable in the case of this current application. Provided these previous recommendations (including the pre-commencement surveys and proposed mitigation measures) are secured under planning condition the Council Ecologist raises no concerns over the proposed alterations.
- 8.30 Biodiversity Net Gain  
The submitted Biodiversity Net Gain Metric shows a net gain in biodiversity. This site has been subject to a number of applications, with a long planning history demonstrating net gains in biodiversity on site. The Council Ecologist raises no concerns over the proposed alterations, particularly as the metric demonstrates net gains in hedgerow and other habitats on site. The development complies with policy E5 of the RLP which seeks to conserve and where possible restore and / or enhance biodiversity.

### 8.31 **Highway impacts**

The application site is accessed off Woodington Road through Woodington Farm. The access proposals remain the same as described and approved within the original application. A permanent maintenance access is to be taken from Hackleys Lane to the south of the site (as part of the original Planning Permission) and a construction access to be improved off Woodington Road through Woodington Farm utilised for all construction deliveries.

### 8.32 **Nightingale Farm**

Comments have been received in respect of neighbours at Nightingale Farm not giving permission to have their hedge cut in association with the proposed access arrangements for construction on Woodington Road. This is annotated on drawing no H.459/07 which has previously been submitted and approved with the Construction Management Plan. The current application does not alter this approved document. The Case Officer has previously corresponded with the owner of Nightingale Farm directly and confirmed that any consents/permission required to cut hedgerow is a matter to be resolved by the landowner and the applicant in the interests of highway safety and traffic management.

8.33 The Highways Officer has been consulted on the proposal and has no objections to the proposals. Subject to previously approved information secured through condition it is considered the development can be provided in accordance with relevant policies of the RLP 2016.

### 8.34 **Public Rights of Way**

The alignment of the existing on-site footpath would be retained resulting in no direct physical effects on the on-site footpath as result of the proposed amendments.

### 8.35 **Bridleways**

Drawing H.0357\_57 overlays the existing and proposed bridleway routes. The routes alter slightly in some areas to accommodate the slight increase solar panels in some areas of the site. However, overall the bridleway network across the site remains in situ and can be secured for implementation through condition. A comment has been received in respect of the bridleway route and the southern edge of Smidmore Copse causing damage to the ancient woodland. The drawing shows an increase in proximity to the ancient woodland in part but this is still located along the edge of the woodland and in other instances on this southern boundary of the Copse the bridleway has been moved away from the woodland. It is not considered that as a result any further significant impacts would be created on the Copse woodland.

### 8.36 **Flooding and Drainage**

This submission does not include any additional surface water or drainage information. To ensure an appropriate strategy is secured a condition is suggested for full details prior to commencement. Subject to this condition it is considered that the development can be provided without significant harm to flood risk and drainage.

### 8.37 **Health and Safety**

#### Electromagnetic fields and radiation

Concern has been raised regarding electromagnetic fields and radiation as a result of the development. The applicant has previously provided an assessment dated July 2020 which sets out that the Government, acting on the advice of authoritative scientific bodies, has put in place appropriate measures to protect the public from EMFs. These measures are set out in a Written Ministerial Statement, National Policy statement EN-5, and two Codes of Practice. The predominant source of exposure is the existing overhead line connecting the substation to the local electricity distribution system. The EMFs from the overhead line have been demonstrated as complying with the relevant exposure limits. There will be no significant EMF effects resulting from this proposed development amendments and no mitigation is required.

### 8.38 **Other matters**

#### Generating capacity

A comment was received in respect of the generating capacity of the solar farm. Confirmation has been received from the applicant that the resultant development would not exceed 40MW. 50MW is the threshold for renewable energy developments under the Development Consent Order process.

### 8.39 **Plans submitted**

Comments have been received in respect of the way in which information has been presented by the applicant in this application. The covering letter provides a basic overview of what the application seeks approval for and any appropriate additional information has been received. Comments also highlighted that the substation permitted previously does not appear on the drawings. As outlined above at para 8.3 this application relates to the variation of conditions under 15/02591/FULLS only.

### 8.40 **Screening of application**

Comments have highlighted the requirement to provide an EIA screening assessment on this site. The Council with the agreement of the Applicant have provided a screening opinion.

### 8.41 **Timing of application**

Comments received set out concern that the timing of the application submitted the week before Christmas leaves little time between the Christmas and New year break for proper scrutiny. The application has been subject to two separate publicity periods to ensure all interested parties have had ample time to review and comment on the proposals.

### 8.42 **Tree planting and agricultural land**

Comments received outline concern that the further tree planting on cultivated farm land will make it incapable in practice of being restored to its previous agricultural state at the end of the operational life of the development. Tree planting and landscaping is located predominantly around the existing field edges ensuring the open spaces of the fields are retained.

#### 8.43 Consultees

A comment has been received setting out that German Fischer has no objections so long as the safety brochures are met but where is the Plan to meet their requirement? To confirm, Esso Petroleum Co Ltd, do have apparatus situated near the proposed works but have no objections to the proposals. A note has been added to the recommendation highlighting the proximity of the apparatus and the 'Special Requirements for Safe Working' booklet and the covenants contained in the Deed of Grant.

8.44 A comment has noted that throughout all the applications SSE has been a consultee but TVBC has never waited for the response. The comments also ask why hasn't the DNO Substation Complex Electrical design (J0062\_L\_001) been approved by SSE? Indeed has there been consultee response from SSE? Officers confirm that SSE have been consulted on this application on the 28<sup>th</sup> January 2022. No response has been received to date. SSE were also consulted on the 15/02590/FULLS application. A response from SSE is not required to enable the consideration of this application.

#### 8.45 Conditions to be amended

A comment received sets out that the submission for example seeks to change 13 of the conditions (10 explicitly stated and 3 by implication) of 15/02591/FULLS without explaining what it wishes to change. Condition information for several conditions has previously been approved under the 2015 application and in respect of these conditions the applicant simply seeks updated wording to reflect information that has already been approved. This is in addition to any plans and information that has been amended as a result of the proposed changes set out in the covering letter under this application. The draft conditions proposed to be attached to the permission are set out below.

#### 8.46 Inverters

A number of questions were raised about the inverters in representations received. To confirm application 15/02591/FULLS approved drawings show 18 inverters which were sunny central inverters. Drawing H.0357\_52 'Sunny Central Inverter with Transformer and Switchgear Building Detail', prepared by Pegasus Group, dated 6th August 2020 and Drawing H.0357\_53 'Enclosed Sunny Central Inverter with Transformer and Switchgear Building Detail', prepared by Pegasus Group, dated 6th August 2020 show this detail. The alternate string inverters are proposed on this current application with approx. 168 being positioned on the solar panels at sporadic points across the site.

#### 8.47 Procedure

Representations received query the way in which information has been uploaded to the Council website and notifications provided. Information submitted to the Council has been uploaded onto the website in a prompt manner to ensure up to date information is available to view. Notification to interested parties has been provided when considered reasonable to do so.

## 9.0 CONCLUSION

9.1 The proposals are considered to be in accordance with the policies within the development plan, as well as the aims of the NPPF and PPG. Material considerations do not indicate that the decision should be otherwise than in accordance with the development plan. Accordingly, it is recommended that planning permission be granted.

## 10.0 RECOMMENDATION

### PERMISSION subject to;

1. The development hereby permitted shall be begun within three years from the date of the original permission ref: 15/02591/FULLS dated 4<sup>th</sup> July 2017.

Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development shall not be carried out other than in complete accordance with the approved plans comprising drawings:

H.0357\_01 G – Site location

H.0357\_06 V – Site layout plan

H.0357\_24 F – Site location

H.0357\_39 D 1 – Detailed Landscape Proposals

H.0357\_39 D 2 – Detailed Landscape Proposals

H.0357\_39 D 3 – Detailed Landscape Proposals

H.0357\_57 C – Revised fence and path changes

EP-1253-C-ELV-STS-02 – Transformer Elevations

H.0357\_11 B – Deer Fence

drwg 13\_xxx\_05.1\_02 - Detail Framework 6 x4 block

drwg 13\_xxx\_05.2\_02 - Detail Framework 12x 4 block

drwg h.0357\_28 - CCTV detail

drwg H459/4 Rev B - Proposed Construction Access

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

3. The planning permission hereby granted is for a period of 25 years from the date that the development, forming the Solar Farm (reference: 15/02591/FULLS) was first implemented on 22nd June 2020. This planning permission will expire on the same date. This date being 22nd June 2045.

Reason: In order that the land is returned to its original condition and use following the expiry of the permission in accordance with policies COM2, E1 and E2 of the Test Valley Borough Revised Local Plan (2016).

4. The development hereby permitted shall proceed in accordance with the 'Outline Method Statement for Works Affecting Dormice' (OMSWAD), as set out in Appendix 3 of the submitted 'Woodington Farm Further Ecological Information' (Avian Ecology, July 2016). In the event a European Protected Species license is issued by Natural England, and insofar as there is a conflict between the OMSWAD and the licence, the development hereby permitted shall proceed in accordance with the terms of the licence.

**Reason: To ensure the favourable conservation status of dormice in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).**

- 5. Development shall be carried out in accordance with the 'Construction Environmental Management Plan', Avian Ecology, dated 20<sup>th</sup> December 2021.**

**Reason: To avoid, mitigate and compensate for impacts to biodiversity, including SINC's, notable habitats and notable and protected species, in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).**

- 6. Development shall proceed in accordance with the Biodiversity Management Plan, Avian Ecology, dated 15<sup>th</sup> December 2019, as approved under condition 6 of application 15/02591/FULLS on the 8th June 2020.**

**Reason: To conserve and enhance biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).**

- 7. Prior to the decommissioning of the site, a detailed decommissioning strategy addressing biodiversity impacts arising from the decommissioning phase, shall be submitted to and approved in writing by the Local Planning Authority. This shall be supported by any necessary updated ecological survey and assessment work and include measures that would ensure that upon decommissioning, there would be an overall net gain in biodiversity value at the site from the pre-commencement baseline conditions, as defined by the ecological survey work submitted to support the planning application. Decommissioning works shall proceed in accordance with the approved strategy.**

**Reason: To conserve and enhance biodiversity in accordance with Policy E5 of the Test Valley Borough Local Plan (2016).**

- 8. The development hereby approved shall be undertaken in full accordance with the provisions set out in the submitted 'Arboricultural Impact Assessment Report' (Barton Hyett Associates) updated December 2021, including the Tree retention/removal/Protection Plan BHA\_531\_02 - Sheets 1 – 4.**

**Reason: to ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).**

- 9. Tree protective measures installed in accordance with condition 7 shall be maintained and retained for the full duration of the works or until such time as agreed in writing by the Local Planning Authority's Arboricultural Officer. No activities nor material storage, nor placement of site huts or other equipment whatsoever shall take place within the fencing**

**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).**

- 10. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective fencing.**



**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).**

- 11. Development shall be carried out in accordance with the Written Scheme of Investigation: Trial Trench Evaluation, Pegasus Group, November 2019 approved under condition 11 of application 15/02591/FULLS on the 21<sup>st</sup> November 2019.**

**Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.**

- 12. Development shall proceed in accordance with the Construction Management Plan, Ethical Power, December 2019 and plan H.459/07 approved under condition 12 of application 15/02591/FULLS on the 11th June 2020, unless otherwise agreed with the local planning authority.**

**Reason: In the interests of highway safety, in accordance with Policy T1 and E8 of the Test Valley Borough Revised Local Plan (2016).**

- 13. Development shall be carried out in accordance with drawing numbers H.0357\_39 D 1, H.0357\_39 D 2 and H.0357\_39 D 3 showing the detailed landscape proposals.**

**Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).**

- 14. Development shall be carried out in accordance with the Landscape Maintenance plan dated December 2021.**

**Reason: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).**

- 15. The development shall not be operated otherwise than in compliance with the noise limits as specified in the LF Acoustics report (Noise Assessment 3rd Addendum Report, December 2021).**

**Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).**

- 16. Prior to the commencement of the development hereby permitted, full details of the proposed bridleway network shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed routes, means of access/egress to the bridleways, construction and surfacing details, ongoing management and maintenance as well as details of the timetable for the provision of the bridleway network on site. Implementation shall be in accordance with the approved details and shall be maintained for the duration of the lifetime of the solar farm.**

**Reason: To ensure satisfactory provision, maintenance and retention, in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).**

17. There shall be no external lighting erected on the site during the construction or operational phase of the development.  
Reason: In the interests of the countryside location and to avoid impacts to ecological interests on the site in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).
18. Prior to the commencement of the development hereby permitted, full details of the proposed surface water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. Implementation shall be in accordance with the approved details.  
Reason: To ensure satisfactory drainage provision on site, in accordance with Policy COM15 of the Test Valley Borough Revised Local Plan (2016).
19. No development (including site clearance and any other preparatory works) shall take place until a method statement detailing how trees shown on the approved plans to be retained are to be protected has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location for the CCTV cameras with any recommended pruning requirements, location and specification of any protective fencing, ground protection or other precautionary measures as informed by British Standard 5837:2012. Such protection measures shall be installed prior to any other site operations and at least 2 working days notice shall be given to the Local Planning Authority. Tree protection installed in discharge of this condition shall be retained and maintained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.  
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

**Notes to applicant:**

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
  2. Attention is drawn to Esso Petroleum Co Ltd apparatus situated near the proposed works and the 'Special Requirements for Safe Working' booklet and the covenants contained in the Deed of Grant.
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