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c/o Mr James Jamieson, Intelligent Alternatives
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Planning and Building Service
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Web site www.testvalley.gov.uk

Contact: Mrs Samantha Owen
Telephone: 01264 368181
E-mail: planning@testvalley.gov.uk
Your ref: PP-08315881
Our ref: 19/03043/FULLN
Date: 29th July 2020

TOWN AND COUNTRY PLANNING ACT, ORDERS AND REGULATIONS

NOTICE OF FULL PLANNING PERMISSION

APPLICATION NO: 19/03043/FULLN
PROPOSAL: Solar farm and associated development
LOCATION: Hatherden Farm, Hatherden Lane, Hatherden
DATE REGISTERED: 20.12.2019

In pursuance of its powers under the above mentioned Act the Council, as local planning authority, hereby grants full planning permission for the above development in accordance with the approved plans listed below and subject also to due compliance with all conditions and notes specified hereunder:

Approved Plans:

Site Location Plan - Version 1:10,000 - 20/12/19
Site Location Plan - Version 1:25,000 - 20/12/19
Site Layout - Version Justification - 20/12/19
Sections - 20/12/19
Existing Site Plan - 20/12/19
Details - Version Racking - 20/12/19
Details - Version SSE Control room - 20/12/19
Details - Version Storage/switch room - 20/12/19
Details - Version Fence - 20/12/19
Details - Version Battery container - 20/12/19
Details - Version Inverter/transformer - 20/12/19
Details - Version Switchgear/control room - 20/12/19
Details - Version CCTV - 20/12/19
Landscaping - Version REV B - 27/04/20
Site Layout - Version REV E2 - 27/04/20

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. This permission shall be for a period of 40 years from the date that the development is first connected to the grid (the "First Export Date"). Two weeks' notice of this first connection shall be given to the Local Planning Authority in writing.
The development shall be removed and the land restored to its former condition no later than the date 40 years from the First Export Date or within six months of the development failing to generate electricity for 12 consecutive months, whichever occurs first. All structures and materials, and any associated goods and chattels shall be removed from the site and the land shall be restored to its former condition in accordance with a scheme of decommissioning work and land restoration that shall have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In order that the land is restored to its original condition following the expiry of the period of time whereby electricity is likely to be generated by the proposed development and for which a countryside location has been shown to be essentially required, in accordance with policies COM2 and E2 of the Test Valley Borough Revised Local Plan 2016.

02. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans;
Location Plan dated 10/12/2019; Block Plan Rev A1 dated 11/10/2019; Justification Layout dated 10/12/2019, Battery Container, Rev A1, 01/11/2019; CCTV Detail, Rev A1, dated 01/11/2019; Customer Switchgear and Control Room, Rev A1, dated 01/11/2019; Fence Detail, Rev A1, dated 01/11/2019, Inverter/Transformer detail, Rev A1, dated 01/11/2019; Magnetic Gradient, dated September 2019; Racking Detail, Rev A1, dated 01/11/2019; SSE Control Room, Rev A1, dated 01/11/2019; Storage/Comms/Switch Room, Rev A1, dated 01/11/2019; Substation Section, Rev A1, dated 01/11/2019; Landscape Masterplan REV B, dated 27/04/2020, Solar Farm Layout REV E2, dated 27/04/2020

03. No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority. The assessment should take the form of trial trenches located within the footprints of any support buildings as well as a watching brief during groundworks associated with any access tracks and areas of landscaping, to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.
Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9

04. No development associated with the areas of trial trenching shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority.
Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9

05. Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

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

06. Prior to the commencement of development full details of the following shall be submitted to and approved in writing by the Local Planning Authority;
- o layout for the parking and manoeuvring onsite of contractor's and delivery vehicles, this will include tracking diagrams to show that vehicles of all sizes can enter, park and exit in a forward gear.
 - o site office/accommodation and
 - o onsite materials storage and mixing areas to be used
 - o location of wheel washing facilities.

The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period.

Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan

07. Prior to the erection of any solar panels on the site a landscaping scheme in accordance with the approved Landscape Masterplan Rev B shall first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- a) Details of the location, number, size and density of plants for all new hedgerows;
- b) Details of the location, number, size and density of plants to be used in the infilling of gaps within the existing hedgerows;
- c) Hedgerow management of existing hedges shall be carried out in accordance with the details as set out on the approved Landscape Masterplan Rev B.
- d) Details of any gates proposed

All landscaping shall be implemented in accordance with the approved details and shall be completed before the installation is first connected to the grid.

Reason: To improve the appearance of the site and enhance the character of the development, and to assist in the development successfully integrating with the landscape, in the interest of visual amenity, and to contribute to the character of the local area in accordance with policies E1 and E2 of the Test Valley Borough Revised Local Plan 2016.

08. Prior to the erection of any solar panels on the site a schedule of landscape maintenance and subsequent landscape management for a period of 40 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include:

- a) details of agricultural use of the land and associated management practices;

- b) details of how the success or failure of the initial landscape planting and associated land-management regime is to be monitored and reported to the Local Planning Authority annually for the first 5 years after planting and thereafter on a 5 year basis;
- c) details of the means by which any failures in landscape planting are to be identified and reasonably remedied over the 40 year life of the development hereby permitted;
- d) details of responsibilities for maintenance and management of landscaping.

Development shall be carried out in accordance with the approved details.

Reason: To improve the appearance of the site and enhance the character of the development, and to assist in the development successfully integrating with the landscape, in the interest of visual amenity, and to contribute to the character of the local area in accordance with policies E1 and E2 of the Test Valley Borough Revised Local Plan 2016.

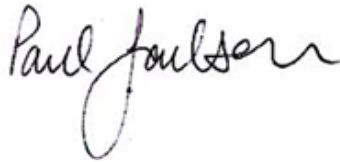
- 09. Prior to the erection of any solar panels details of the phasing of any proposed piling shall be submitted to and approved by the Local Planning Authority. Development shall proceed in accordance with the agreed details.
Reason: In the interest of pedestrian and horse rider safety when utilising local public rights of way in accordance with Policy T1 of the Test Valley Borough Revised Local Plan 2016.
- 10. Prior to the erection of the proposed supporting structures and wooden/metal fences hereby permitted details of the colour of these structures/fences shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
- 11. Prior to the installation of any battery storage and associated inverters adjacent to the substation a Noise Report shall be submitted to and approved by the Local Planning Authority detailing expected noise levels from the battery storage and associated inverters against existing background noise and any appropriate noise mitigation to ensure that related plant noise is not audible at the nearest residential property boundary. Such mitigation measures shall then be maintained for the life of the installation.
Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8
- 12. The development shall be carried out in accordance with the details and mitigation as set out in the Indicative Traffic Management Plan Revision A dated 9th March 2020.
Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan
- 13. Deliveries will be undertaken between the hours of 09:00 and 17:00 Monday to Saturday. There will be no deliveries on Sundays or Public Holidays
Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8

14. The development shall be carried out in accordance with the details, mitigation and maintenance as set out in the Amended Flood Risk and Drainage Assessment received 10th March 2020.
Reason: To ensure adequate drainage of the site in accordance with Policy E7 of the Test Valley Borough Revised Local Plan (2016).
15. Prior to the erection of any solar panels on the site a detailed Habitat Enhancement Scheme, supported by relevant plans, shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.
Reason: To conserve and enhance biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.
16. Prior to any lighting being installed within the development details of the location, height and lux levels will be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with any approved details.
Reason: To retain control over lighting levels within the area to protect existing bat populations within the area in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.

Note(s) to applicant:

01. 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.
02. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times. Any damage caused to the surface of the public Right of Way by construction traffic will be required to be restored to the satisfaction of the Countryside Area Access Manager on the completion of the build. There must be no surface alterations to a public Right of Way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980. No builders or contractor's vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the public rights of way so as to obstruct, hinder or provide a hazard to users. All vehicles would be accessing the site via a public right of way should give way to public users, which could include horse-riders and cyclists, at all times.
03. Attention is drawn to the requirements of the Agreement dated 28th July 2020 under Section 106 of the Town and Country Planning Act 1990 which affects this development.

Paul Jackson
Head of Planning and Building

A handwritten signature in black ink that reads "Paul Jackson". The signature is written in a cursive style with a large, looping initial 'P'.

Date: 29th July 2020

All enquiries relating to this decision should be made to the above address.

IMPORTANT NOTE: You are strongly advised to carefully read the attached notes.

TEST VALLEY BOROUGH COUNCIL – PLANNING AND BUILDING SERVICE

IMPORTANT Please read these notes carefully. Part A sets out an applicant's statutory rights under the Town and Country Planning Act 1990, (hereafter called the '1990 Act') and Part B deals with other matters some of which may affect the implementation of any planning permission. Parts C and D (overleaf) deal with Advertisement and Listed Building appeal procedures respectively.

PART A: FORMAL NOTIFICATION

1. Appeals to the Secretary of State: If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval or to grant permission or approval subject to conditions, they may appeal to the Secretary of State under Section 78 of the 1990 Act. Time periods for making an appeal are set out in a) to d) below.

a) If the decision is to refuse a planning permission for a householder or minor commercial application, and you want to appeal against the Local Planning Authority's decision then you must do so within 12 weeks of the date of the decision notice, unless there is also an enforcement notice in which case the time limits in c) and d) below may apply, b) For other types of application [other than Advertisement applications] and appeals against conditions imposed on householder planning permissions the appeal must be made within 6 months of the date of the decision notice, unless there is also an enforcement notice in which case the time limits in c) and d) below may apply.

c) If the decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice served before the date of the decision notice but not earlier than 2 years before the application was made, if you want to appeal against the Local Planning Authority's decision then you must do so within 28 days of the date of the decision notice.

d) If an enforcement notice is served on or after the date of the decision notice relating to the same or substantially the same land and development as in your application the appeal must be made within 28 days from the service of the enforcement notice or within 6 months [12 weeks in the case of a householder appeal] of the date of the decision, whichever period expires earlier.

on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it with the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are available at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.

2. Purchase Notices: If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. Compensation: In certain circumstances, a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on a reference of the application to him. The circumstances in which such compensation is payable is set out in Section 114 and related provisions of the 1990 Act.

PART B: OTHER MATTERS RELATING TO THE GRANT OF PLANNING PERMISSION

1. Deviation from the Approved Plans/Compliance with Conditions: Failure to adhere to the approved plans, or to comply with any condition imposed, constitutes a contravention under the 1990 Act which may be liable to enforcement action. Any proposed departure from the approved proposals should be discussed with the Planning and Building Service before development commences.

2. Non Material Amendment applications: These applications do not fall within the range of applications for which section 78 of the 1990 Act grants a right of appeal. The applicant would need to submit a planning application to seek approval for the proposed amendments.

3. Applications to Discharge Planning Conditions

From 1 October 2008 any request for approval of details required by a condition, other than reserved matters following an outline permission, will require the submission of a formal application (preferably on the appropriate 1APP national form) and payment of the relevant fee.

4. Extent of permission: Approval is only granted for the purposes of Sections 70-76 of the 1990 Act and for no other purpose whatsoever under that Act or any other Acts, Bye-laws, Orders or Regulations. In particular, **it does not purport to grant Building Regulation Approval** and the Building Control Team should be contacted before any work is commenced – telephone 01264 368312

5. Building Over Public Sewers and Erection of any Structure in Vicinity of Public Sewer: Planning approval does not include permission from Southern Water Services Ltd. to erect any structure in the vicinity of a public sewer. The applicant is advised to contact the Council's Building Control Consultancy who hold an electronic copy of the map of public sewer's in the borough. Any further advice is available from either this Council's Building Control Consultancy (tel. 01264 368312, or email buildingcontrol@testvalley.gov.uk) or the Development Control Manager, Southern Water Services Ltd., Hampshire Division, Southern House, Sparrowgrove, Otterbourne, Winchester, Hampshire SO21 2SW.

6. Title Deeds: The decision notice is a legal document and should be retained with the title deeds of the property.

7. Rights of Way: If it is necessary to stop up or divert a right of way in order to enable the development to proceed, an application must be made beforehand either to the Council under Section 257 of the 1990 Act or to the Secretary of State under Section 247 of that Act.

8. Fire Brigade Access: Under the provision of part B5 (Access and Facilities for the Fire Service) of Schedule 1 of the Building Regulations adequate means of access for the Fire Authority must be provided to any building. For further advice on this requirement, contact the Council's Building Control Consultancy on tel. 01264 368312 or email buildingcontrol@testvalley.gov.uk.

9. Access for the Disabled: Under the provision of part M of Schedule 1 of the Building Regulations, adequate access should be provided to a building for person's with a disability. Further advice is available from the Council's Building Control Consultancy on tel. 01264 368312, or email buildingcontrol@testvalley.gov.uk, or the Equality Act 2010 and the Equalities Act 2010 (Disability) Regulations 2010.

10. Hours of Working on Building Sites: Complaints are often received about noise nuisance during unsocial hours and attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 and the Code of Practice issued under that Section.

11. Display of Advertisements: The Council encourages developers to co-operate in reducing the adverse effects caused by advertisement clutter on building sites. There is a general policy to challenge and prosecute unauthorised advertisements and, subject to individual circumstances, to restrict advertising on sites to a level consistent with such a policy. Accordingly, attention is drawn to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1989 which, inter alia, regulate the display of advertisements on building sites. An application should be made in respect of any proposal to display an advertisement (including flag poles) which is not expressly granted consent by the Regulations. In certain circumstances, although consent may not be required to display a flag advertisement, permission may be required to erect the pole to which it is attached.

PART C:

ADVERTISEMENT APPEALS

1. You have the right to appeal to the Secretary of State against the local planning authority's:

- (a) refusal of consent for an advertisement;
- (b) grant of consent for an advertisement subject to a condition with which you are dissatisfied;
- (c) failure to issue a decision on an application within a specified time (i.e. 8 weeks from the date the application is formally acknowledged or such longer period you may have agreed in writing with the Council); or
- (d) 'discontinuance notice' requiring you to remove an advertisement, or stop using an advertisement site.

2. The Choice of Appeal Procedure

There is a choice of two possible procedures for the determination of an appeal – written representations or a hearing. For appeals received on or after 1st October 2013 the Planning Inspectorate will determine the procedure an appeal will follow. The vast majority of advertisement appeals will be most suited to the written representations procedure, with the remaining minority proceeding by a hearing. You are required to provide detailed reasons if you indicate that a hearing is necessary.

Please refer to The Planning Inspectorate's guidance note "How to complete your advertisement appeal form – England" dated 3rd October 2013, which can be downloaded from the Planning Portal website <http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess> , or telephone The Planning Inspectorate for a copy on 0303 444 5000, or write to The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

3. The Address for Advertisement Appeals and Appeal Forms

All advertisement appeals have to be submitted to the Planning Inspectorate **within 8 weeks** of the receipt of the local planning authority's decision against which you are appealing. Appeals can be made on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

PART D:

LISTED BUILDING APPEALS

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions to refuse to vary or discharge the conditions attached to a listed building consent, or to add new conditions consequential upon any such variation or discharge, he may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within 6 (six) months of the date of the attached notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal> . The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

2. If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Council of the district, or London Borough in which the land is situated (or, where appropriate, on the Common Council of the City of London) a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Please refer to The Planning Inspectorate's guidance note "How to complete your listed building consent appeal form – England" dated 3rd October 2013 which can be downloaded from the Planning Portal website <http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess> or telephone The Planning Inspectorate for a copy on 0303 444 5000, or write to The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

ONLINE APPEALS SERVICE

The Planning Inspectorate has introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pca . The Inspectorate will publish details of your appeal on the internet at this site. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Inspectorate. Please ensure that you only provide information, particularly of a personal nature, that you are happy will be made available to others in this way. If you provide personal information about a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.