Development Management
Application No X/16/79191
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23 December 2016

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application No. X/16/79191

In pursuance of their powers under the above Act and in accordance with your application received on 14 September 2016

the Council, as Local Planning Authority hereby PERMIT the following :

Description: Variation to Condition 3 and Condition 6 of planning permission F/14/75012 to require decommissioning of solar farm on or before 01 March 2048 in accordance with a decommissioning method statement.

Site: Netley Landfill Site, Portsmouth Road, Netley, Southampton, SO19 9NA

Subject to due compliance with the following conditions:
(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: NE_001, NE_002 Rev B, NE_003, JUWI 4020 1139 PL005, JUWI 4020 1139 PL006, JUWI 4020 1139 PL006.1, JUWI 4020 1139 PL007, JUWI 4020 1139 PL008. 3823_403 (permissive path), 3823_501 (infrastructure plan)

(2) The development hereby permitted shall start no later than three years from the date of the original decision (F/14/75012 approved on 30 October 2014). Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(3) The use of the site for the generation of solar power shall cease and any structure, building or track hereby permitted must be removed and the land reinstated to a condition in accordance with a decommissioning and reinstatement plan on or before

30 March 2048. Reason: The development is permitted in the light of the particular circumstances of the case.

(4) The development shall accord with Netley Solar Project Construction Traffic Management Plan (CTMP) dated November 2015 and prepared by Hydrock. Reason: In the interests of highway safety

(5) The development shall accord with Netley Solar Farm Construction and Environmental Management Plan (CEMP) dated August 2016. Reason: To minimise the threat of pollution and disturbance to local amenity.

(6) Notwithstanding condition 3, within three months of the cessation of power production on the site (measured by way of export to the electricity distribution network) for a period in excess of six months or during the 3 months period prior to the 30th anniversary of the commencement of development (whichever is sooner) a Decommissioning Method Statement shall be submitted to and approved in writing by the local planning authority. The Decommissioning Method Statement shall include;

- the timing for decommissioning of the solar farm.
- the measures for decommissioning. Such measures shall include the removal of all development hereby permitted (with the exception of landscaping and ecological works unless required for efficient agricultural operation of the land) including solar panels, support structures, buildings, plant, fencing and equipment and any ancillary structures and hardstanding ,
- a timetable for completion of decommissioning including the removal of all structures from the site,

In the event of cessation of power production (measured by way of export to the electricity distribution network) for a period in excess of six months following first power generation, the Decommissioning Method Statement shall set a timescale for decommissioning within 12 months of its submission unless power production is to resume within the temporary period of the permission and evidence is provided with regard to the resumption. If power production is not resumed within 3 months of the date provided, then a Decommissioning Method Statement shall be submitted and agreed in writing with the Local Planning Authority setting out works of decommissioning to be fully undertaken within 12 months of its submission.

Decommissioning shall be carried out in accordance with the approved Decommissioning Method Statement including the timing of works.

Reason: In the interests of the character of the strategic gap. To ensure the satisfactory restoration of the site in accordance with the NPPF and paragraph 27 of Planning practice guidance for renewable and low carbon energy.

(7) The development must comply with the ground works method statement/construction environmental management plan as set out in the Netley Solar Farm Construction and Environmental Management Plan (CEMP) dated August 2016. Any deviations from the CEMP that could result in a risk to the cap and pollution control infrastructure associated with the former landfill use of the site from either the construction and approved operational activities must be agreed in writing with the Local Planning Authority prior to being implemented and then carried out in accordance with a revised CEMP.
Reason: To prevent damage to the capping layer and pollution control infrastructure of the landfill area.

(8) The development shall comply with the strategy for CCTV provision dated November 2015 and the plan 3823_501 Infrastructure layout . Reason: In the interest of privacy and visual amenity

(9) The use hereby by approved shall not include for the provision of external lighting except for the provision of emergency lighting as detailed in the External Lighting Strategy dated November 2015. Reason: To protect the character of the locality.

(10) The landscaping shall accord with the approved landscaping plans (3823_400 to 402) in addition to which the hedge in the northeast corner shall be extended as amended on the infrastructure plan (3823_501). The future management regime shall accord with the Planting Management and Maintenance Proposal Nov 2015 Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.

(11) The sustainable drainage system and its management and maintenance shall accord with the details set out in the Technical Memorandum from Golder Associates titled Netley Solar Project - Discharge of Planning Condition 11 and dated 11 December 2015 and paragraph 7.12 of the Netley Solar Farm Construction and Environmental Management Plan (CEMP) dated August 2016 where provision is made for an oil/fuel interceptor during the operational life of the development. Reason: To ensure satisfactory drainage for the development.

(12) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings

(13) Prior to their installation on site details of the design and materials for the ancillary invertor buildings or cabinets shall be submitted to and approved in writing by the local planning authority. The development shall accord with these approved details. Reason: In the interest of visual amenity

(14) The permissive path as shown on plan 3823_501 shall be provide in accordance with the plan and Notes for submission with permissive path plan re Condition 14 prior to the development becoming operational and shall remain available for public use for the lifetime of development. A Management and Maintenance Plan shall be provided to the local planning authority prior to the opening of the permissive path and the path shall be managed in accordance with these approved details. Reason: To enhance public access across the site.

(15) The development shall accord with the Habitat Protection, Restoration and Recreation Plan Rev 03 (HPRRP) dated March 2016 and updated 16 August 2016 prepared by RSK Environment (RSK) for Golder Associates. Reason: In the interest of biodiversity

(16) The development shall accord with the Netley Abbey Closed Landfill Habitat Management and Monitoring Plan (HMMP) dated 24 March 2016 prepared by RSK Environment (RSK) for Golder Associates. Reason: In the interest of biodiversity

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, comprising the Eastleigh Borough Local Plan Review 2001-

2011, and after due regard to all other relevant material considerations including the National Planning Policy Framework and the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014 the Submitted Local Plan comprising: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014, the local planning authority is of the opinion that permission should be granted.

The following development plan saved policies and emerging draft local plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review [2001-2011], saved Policy 1.CO, 18.CO, 21.NC, 22.NC, 23.NC, 25.NC, 26.NC, 34.ES, 59.BE, 167.LB, 190.IN

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, the Submitted Local Plan, Policy S1, S9, DM3, DM5, DM7, DM8, DM9, DM15,

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Under the Town and Country Planning England Regulations 2012, a fee is required for Discharge of Condition Applications. N.B. Conditions not fully discharged, invalidate the planning permission

L O'Driscoll

Louise O'Driscoll
Head of Development Management

N.B. See Enclosed Notes (PER)