

DELEGATED OFFICER REPORT

Application Ref: PN/22/93517

Site Address: UNIT 1, STRATEGIC PARK, COMINES WAY, HEDGE END,
SOUTHAMPTON, SO30 4DA

Case Officer: Rachael Morris

Description: Installation of 870no. photovoltaic panels on roof.

Particular Site Constraints?	Yes ☒	No ☐
- Aviation safeguarding - Countryside - Gap		

Planning History?	Yes ☒	No ☐
- Z/32223/004/00 - Change of use of existing production space and addition of first floor mezzanines for office use. Alterations to elevations and external staircase, new car parking within service yard, re-siting of sprinkler tank, and new pump house and plant store – Permit – Nov 1996 - Z/32223/005/00 - Change of use of 1,234 square metres of production space in unit 2 to offices – Permit – May 1997 - Z/32223/006/00 - Siting of 13 satellite dishes to the east of unit 2 – Permit – Jun 1997 - Z/32223/007/00 - Construction of security guard gatehouse – Permit – Aug 1997 - Z/32223/009/00 - Installation of three chiller units between industrial units 1 and 2 – Permit – Dec 1997 - Z/32223/008/00 - Siting of portable building for use as security gate house – Permit – Feb 1998 - Z/32223/013/00 - Construction of temporary car park for 100 cars and formation of embankment to north and south – Refuse – Nov 2002 - F/15/76548 - Addition of 3no. loading bay doors to north elevation and excavation of ramp to access two of the proposed loading bays – Permit – Aug 2015 - F/18/82299 - Alterations to existing site access. New circulation road to rear and side of existing warehouse. Relocate existing escape staircase from side to front elevation. New gate access into yard/vehicle stacking area from new road – Refuse – Jun 2018		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Parish Council:	No Comment		
Southampton Airport:	The installation of 870no. photovoltaic panels on roof has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore, have no objection to this proposal.		
Tree Officer:	There are trees to the south of the existing building, but these are outside of the redline boundary and it does not appear that they will significantly shade the panels. Therefore, we raise no arboricultural objection to the proposal.		
Environmental Health:	Construction or fitting works might be disturbing to dwelling occupiers in West Road. We are concerned that for example, fitting or fixing onto lightweight roofing panels or roof structure might cause adverse noise over an extended period. This type of noise could be quite different to ambient noise such as from road traffic. It will therefore be important for the applicant to consider all sources of potential noise impact and implement Best Practicable Means of control according to the Control of Pollution Act 1974. In doing so, we advise a Construction and Environmental Management Plan (CEMP) be submitted for approval		

	prior to commencement of works. This CEMP should detail emissions and the requisite Best Practicable Means.
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Site Visit:	Yes ☒	No ☐
Details: 19/08/2022		

Policy: National Planning Policy Framework Planning Practice Guidance The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 14 (Renewable energy), Class J (installation or alteration etc of solar equipment on non-domestic premises) As per J.4 (1) and (2) the design and impact upon amenity can be considered, this would be assessed against the below policies: Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1 and DM4. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.
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Assessment: <u>Assessment Against Schedule 2, Part 14, Class J of the GPDO</u> <u>J Development is permitted by Class J if</u> The installation, alteration or replacement of – (a) microgeneration solar thermal equipment on a building; (b) microgeneration solar PV equipment on a building; or (c) other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats. The proposal relates to the addition of solar PV equipment on the roof of a building other than a dwellinghouse or a block of flats (J(c)). <u>J.1 Development is not permitted by Class J if:</u> <table border="1"> <thead> <tr> <th>Criteria</th><th>Assessment</th><th>Compliant?</th></tr> </thead> <tbody> <tr> <td>(a) The solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2m beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope</td><td>The roof area of the building, subject to this application is pitched. The proposed solar panels would not project beyond 0.2m from the roof slope, as shown on drawings referenced 22012-A-PL-015 Rev A and 22012-A-PL-010 Rev A.</td><td>Complies.</td></tr> <tr> <td>(b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1m</td><td>The application site does not have a flat roof, and therefore this criterion does not apply.</td><td>Criteria does not apply.</td></tr> </tbody> </table>	Criteria	Assessment	Compliant?	(a) The solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2m beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope	The roof area of the building, subject to this application is pitched. The proposed solar panels would not project beyond 0.2m from the roof slope, as shown on drawings referenced 22012-A-PL-015 Rev A and 22012-A-PL-010 Rev A.	Complies.	(b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1m	The application site does not have a flat roof, and therefore this criterion does not apply.	Criteria does not apply.
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(b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1m	The application site does not have a flat roof, and therefore this criterion does not apply.	Criteria does not apply.							

above the highest part of the roof (excluding any chimney)		
(c) the solar PV equipment or solar thermal equipment would be installed on a roof and within 1m of the external edge of that roof	The proposed solar panels would not be located within 1m of the external edge of the roof, as shown on drawing referenced 22012-A-PL-010 Rev A.	Complies.
(d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway	The application site does not fall within Article 2(3) land.	Complies.
(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as scheduled monument	The application site is not a designated scheduled monument.	Complies.
(f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building	The application site is not a listed building, nor does it fall within the curtilage of a listed building.	Complies.

J.2 Development is not permitted by Class J(a) or (b) if-

This content relates to the addition of solar PV equipment or solar thermal equipment being installed on a wall. The proposed solar panels are proposed to be installed on a roof, and therefore the content of this section is not application.

J.3 Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt

The agent has advised that the proposed output would be a maximum of 439kW, which equates to approximately half a megawatt, thus not exceeding the criteria.

J.4 Conditions

This sets out that Class J development is permitted subject to set conditions.

Criteria	Assessment
(1) Class J development is permitted subject to the following conditions (a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and (b) the solar PV equipment or solar thermal equipment is removed as soon as	The proposed solar equipment is almost flush with the roof form and is set in by at least 1m from the external edge. These measures are therefore considered to minimise the overall external appearance of the equipment. The impact upon the building's setting and neighbouring amenities is considered to be limited. A condition will be placed to remove the solar equipment as soon as is

reasonably practicable when no longer needed.	reasonably practicable when no longer needed.
(2) Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land, and the following sub-paragraphs apply in relation to that application.	The prior approval application has been submitted by the developer. The LPA consider that prior approval is required, and whilst it is acknowledged that the solar panels would span the majority of the roof, and would have a generic/ utilitarian appearance, given their location and the nature of the host building, the proposals are not considered to be unacceptable, nor inappropriate. Comments have been received from Southampton Airport and the Council's Environmental Health Team which recommend conditions to ensure the proposal is acceptable. Overall it is concluded that prior approval is required, but should be granted as the proposal complies with the relevant criteria of Class J, as well as Policies DM1 and DM4 of the local plan.

Paragraphs 3-12 of J.4 Conditions largely relate to requirements of the developer to submit certain information, and the duties of the Local Planning Authority. The content of these paragraphs has been adhered to.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

Recommendation:

GRANT ☒

REFUSE ☐

Comments ...