

DELEGATED OFFICER REPORT

Application Ref: F/23/96161

Site Address: Luke House, Port Hamble Marina, Satchell Lane, Hamble-Le-Rice, Southampton, SO31 4HQ

Case Officer: Summer Sharpe

Description: Proposed installation of photovoltaic solar panels on roof.

Particular Site Constraints?	Yes ☒	No ☐
- Countryside - Recreational Disturbance Zone - Great Crested Newt Zone (white) - Flood Zones 2 & 3 - HRA Screening: River, SAC, SPA & Ramsar - Sewers 2m buffer - Heritage: Ravenswood House (Historic Parks & Gardens)		

Planning History?	Yes ☒	No ☐
There have been numerous applications at the site and within the wider Marina complex.		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None received.		
Parish Council:	None received.		
Environmental Health:	No comments.		

Policy:
National Planning Policy Framework
National Planning Practice Guidance
Development Plan:
<u>Eastleigh Borough Local Plan 2016-2036</u> Policies: S1 (Delivering sustainable development), S5 (Countryside), S7 (the Coast), S8 (Historic environment), DM1 (General development), DM2 (Environmentally sustainable development), DM4 (Zero or low carbon energy), DM5 (Managing flood risk), DM8 (Pollution), DM11 (Nature Conservation), DM12 (Heritage assets), DM18 (Extension and replacement of non-residential buildings in the countryside), DM20 (Boatyard and Marina sites on the River Hamble).
Supplementary Planning Documents

Site Visit	Yes ☐	No ☒
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Assessment:
<u>Site & Surroundings</u> The application site comprises a single storey building located to the west of Marina Drive. The site falls within the countryside and Port Hamble Marina complex. To the immediate east and the site are parking provisions and buildings associated with the Marina use. To the north, west, and south are residential properties along Crowsport. The application site is, however, separated from the residential properties (north and south) by a few metres, which includes some mature vegetation boundaries.
<u>Proposal</u>

Proposed installation of photovoltaic solar panels on roof.

Principle

The application site falls within designated countryside protected by Policy S5. This Policy sets out that new development in the countryside is generally restricted and notes (1) compatible usages for which new development in the countryside is appropriate and (2) that new development in the countryside *will seek* to avoid adverse impacts upon the intrinsic character of the landscape.

Policy S7 is also of relevance due to the application sites location. This Policy sets out the defined areas (1), which includes the Hamble River estuary between Hamble Point Marina and Botley. This Policy also sets out (2) how to respect the Ramsar designations, and to (c) enable the provision of infrastructure related to sailing within the developed frontages of the river which is expanded upon in Policy DM20.

Policies S8 and DM12 stipulate that development of a heritage asset would only be permitted where the proposals do not harm or detract from the significance or special interest of the asset. This is of relevance as it is noted that the application site is within close proximity to Ravenswood House Historic Parks & Gardens.

Policy DM4 relates to low carbon energy, including renewable energy resources, which is of relevance as the proposals comprise the installation of solar panels.

Policy DM20 is arguably the most important Policy as this specifically relates to development at boatyard and marina sites on the River Hamble. This sets out that development associated with boat building and the fitting out, maintenance and repair of boats and ancillary uses, will be permitted, provided that development does not: *(a) jeopardise the safety and ease of navigation on the river, (b) adversely affect nature conservation, landscape or heritage interests, or (c) cause a reduction in water quality.*

The proposals relate to the installation of solar panels. The roof form and footprint of the building would remain as existing. The proposals are therefore considered to be in accordance with the abovementioned policies and would as a result be acceptable in principle.

Design

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

The proposed solar panels would be mounted to the eastern roof slope facing the Marina. Due to the single storey nature of the building, it is likely that the proposals would be visible from public vantage points. Whilst visible, the proposals are not considered to be overtly prominent, nor harmful. As a result of their nature, they would be fairly utilitarian in terms of their appearance, however, as shown on the submitted plans, there would be a negligible projection above the roof form, whereby they would sit appropriately within the roof slope.

Ultimately, the proposals would provide a renewable energy source, supported by Policy DM4. The proposals would also comply with Policy DM1, and are not considered to have an adverse impact upon the nearby Ravenswood House Historic Park & Gardens, despite their functional appearance, due to their limited visibility and the overall benefits arising from a renewable energy source.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

As a result of the siting of the proposals, the only likely neighbouring residential amenities likely to be affected would be those to the north (27 Crowpsort) and south (30 Crowsport). The proposed solar panels would, however, be situated on the eastern elevation. Due to their scale and positioning they are unlikely to be visible to either neighbour, thus would not have an adverse impact upon their amenities.

Flood Risk

Policy DM5 of the Eastleigh Borough Local Plan (2016-2036) states that development will only be permitted within the areas at risk of flooding providing that certain criteria are met, comprising; sequential tests (where required), site specific flood risk assessment, incorporation of flood protection, resilience and resistance measures, and site drainage systems which are designed taking account of events which exceed normal standards.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 states there is no requirement to consult the Environment Agency for minor development within Flood Zone 2 or 3, however, paragraph 173 of the National Planning Policy Framework (NPPF) (2023) states all applications should be supported by a site-specific flood-risk assessment. In this instance, the application has been supported by a flood risk assessment, however EA has not been consulted due to the nature and scale of the proposed development.

This application relates to the installation of solar panels on an existing marina building. This building could be classified as either 'less vulnerable' / 'water-compatible' in the flood risk vulnerability classification set out in the National Planning Practice Guidance. With regard to the flood risk vulnerability and flood zone compatibility set out in Table 3 of the National Planning Practice Guidance, this type of development located in Flood Zones 2 and 3 does not require an exception test, and is considered compatible. To conclude, the installation of solar panels on an existing marina building is not considered to have an adverse impact of flooding on site, or increase flooding within the vicinity, thus would be acceptable.

Equalities Act:

Section 149 of the Equalities Act 2021 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.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other this, 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 and development plan 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 Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF and Policies, S1, DM2, and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion:

The application is recommended for approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐