

DELEGATED OFFICER REPORT

Application Ref: PN/24/97951

Site Address: SOUTH POINT 1 AND 2, SOUTH POINT, ENSIGN WAY, HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4RF

Case Officer: Rachael Morris

Description: Installation of 504.28 kWp Solar PV system comprising of 862 solar panels across two buildings: SP1 (128.12 kWp, 219 solar panels) and SP2 (376.16 kWp, 643 solar panels).

Particular Site Constraints?	Yes ☒	No ☐
- Existing employment sites - Esso 12-inch pipeline - Within the urban edge		

Planning History?	Yes ☒	No ☐
- Z/13685/013/00 - Replacement of existing buildings, addition of major manufacturing unit of 23,931 square metres – Grant outline – Jun 1977 - Z/30439/004/00 - Outline: Erection of B1 Business & B8 Storage Use Development with Associated Access, Parking and Landscaping – Grant outline – Jul 1989 - Z/30439/008/00 - Reserved Matters: Construction of Two B1 Industrial Units Including Office – Approve reserved matters – Nov 1989 - Z/39023/000/00 - Two Storey Front Extension and Installation of New Nitrogen Tank and Compound Adjacent to Side of Building – Permit – Oct 2002 - Z/39023/001/00 - Addition of External Flues on N.W. Side of Building – Permit – Oct 2002 - F/10/68322 - Installation of 3no. Extraction flues with associated ductwork – Permit – Mar 2011 - F/18/83067 - External canopy to rear access to SP1 building to provide weather protection to deliveries and goods – Permit – Jun 2018		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	Rya House, Compass Point. Support. Contribution to net zero and the use of sustainable energy.		
Parish Council:	No Comment		
Environmental Health:	<u>Air Quality</u> The proposed installation of solar panels does not involve any activities likely to generate air pollution. As such, there are no concerns from an air quality perspective. However, we stress the importance of adopting best practices and measures to safeguard air quality in the area during construction period. <u>Noise</u> The installation of solar panels is generally associated with minimal noise impact. It is noted from the planning application that the mounting of panels flush with the pitched metal roofs and the use of internal plant rooms for the system components further reduce the potential for noise. Any noise generated during the installation phase is expected to be temporary and within acceptable limits. Therefore, we do not foresee any significant noise-related concerns. <u>Contaminated land</u> No disturbance on the ground is anticipated. We have no concerns on this regard. <u>Visual and Glare Impact</u> The use of monocrystalline panels with a silver frame, installed flush with the roof slope, is unlikely to cause significant glare or reflective nuisance to surrounding areas. The 1m perimeter gap from the roof		

	edge and the minimal protrusion of 0.2m beyond the roof plane further mitigate visual impact. The external cabling installed within cable trays and the system components housed in internal plant rooms minimize the potential for environmental contamination or aesthetic impact.
Southampton Airport:	Unfortunately we have been unable to comment fully on the proposed development because insufficient information has been provided concerning:- a) A glint and glare assessment assessing the impact on Southampton Airport We have no aerodrome safeguarding objection to these proposals, provided a condition is applied to any planning permission.

Site Visit:	Yes ☒	No ☐
Details: 07/08/2024		

Policy:
National Planning Policy Framework Planning Practice Guidance 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, DM4, DM11, DM14 and DM15. Supplementary Planning Documents: Quality Places; Character Area Appraisals.

Assessment:

Assessment Against Schedule 2, Part 14, Class J of the GPDO

J Development is permitted by Class J if

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)).

J.1 Development is not permitted by Class J if:

Criteria	Assessment	Compliant?
(a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;	The proposed panels (approx. 862 panels) are on pitched roof areas, not exceeding 0.2m beyond the plane of the roof slope, as confirmed in the application form and the 'Detail View' plan.	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 1 metre above the highest part	There is no element of flat roof.	Complies.

of the roof (excluding any chimney);		
(c) the solar PV equipment or solar thermal equipment would be installed within 1 metre 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 confirmed in the application form and shown on drawing ref CV-SP1-2-PV-002.2 Rev A	Complies.
(d) ... <i>omitted 21.12.2023</i>	...	...
(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a 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 – *omitted 21.12.2023*

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 reasonably practicable when no longer needed.	The proposed panels cannot be seen from the perspective of the ground looking up, are mostly screened by their location set in by at least 1m from the external edge. It is 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.
(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. Southampton Airport requires a glint and glare report which will be conditioned 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.
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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 and Equalities Implications: <u>Climate Change:</u> 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. 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, 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 reduce/limit impacts on climate emissions as a result of the development or its use. <u>Equalities Implications:</u> 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
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Conclusion:		
Recommendation:	GRANT ☒	REFUSE ☐
Comments ...		