

DELEGATED OFFICER REPORT:**Application Ref:** H/25/99185**Site Address:** BRADGATE MANOR, ABBEY HILL, NETLEY ABBEY, SOUTHAMPTON, SO31 5FB**Case Officer:** Clare Martin**Description:** Installation of 20 ground mounted solar panels

Particular Site Constraints?	Yes ☒	No ☐
• Outside of the urban edge – countryside • Within settlement gap • Within Netley Abbey conservation area • Within curtilage of grade II listed building • Site contains tree preservation orders • Adjacent to West Wood site of nature conservation and ancient woodland (1a) • Great crested newts (red impact zone)		

Planning History?	Yes ☒	No ☐
Various planning, listed building and tree applications at the site, but none are relevant to the current proposal.		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Listed Building Officer:	<u>No Objection</u> Running and maintaining a heritage asset of this nature is neither cheap nor easy, so any help to ease the pain and keep it in good order is to be applauded. The two main elevations of the original building on the south-east and south-west sides remain as original with the modern extensions to the north of the south-west and north-east sides, the latter of which is where the solar panels will to be near. This will represent minimal harm and is acceptable in the light of the benefits gained for the health of the building.		
Tree Officer:	<u>No Objection</u> We have no arboricultural objection to the proposed solar array in terms of its position or aspect – not trees will be impacted. However, for future reference, it should be noted that we are not generally supportive with respect to pruning or removing trees under TPO application or Conservation Area notification for the benefit of solar power.		
Ecology Officer:	<u>Holding Objection</u> (shading information is required for the panels to demonstrate the impact upon the ancient woodland and site of nature conservation) <u>Biodiversity Net Gain</u> The area of the solar panels covers 30m2 and so the ecology officer has requested information be submitted to show a 10% biodiversity net gain for the development. However, the proposal is a householder		

	development and therefore is except from the biodiversity net gain requirement. <u>Impact on Ancient Woodland</u> The solar panels are adjacent to the boundary of West Wood, Hound SINC which is designated 1A, ancient woodland. The application states that the lawn under the panels will remain but will grow longer. This does not take into account any shading from the solar panels on the grassland or on the ancient woodland or any impacts from erecting the solar panel array. A solid array of solar panels would not allow light to pass through it onto the grassland or into the woodland. Standing advice for ancient woodland, ancient trees and veteran trees (Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK) states that a buffer zone of at least 15 m from the boundary of the woodland is required to avoid impacts to the ancient woodland. I object to the location of the solar panels in this area unless they are far enough away from the ancient woodland boundary so that they do not create shade on any part of the woodland. It is recommended that a shading diagram is provided to demonstrate whether this structure would cast any additional shade onto the ancient woodland boundary.
Nature Space:	<u>No objection</u> The development falls within the red impact risk zone for great crested newts. There are 7 ponds within 500m of the development proposal, with the closest being located 150m east. Due to the small scale of the proposed work as well as it occurring on predominantly low-quality and unsuitable habitats, it is unlikely that the proposed work will impact great crested newts and or their habitat. However, I recommend the use of the following informative: <i>“The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.”</i> The following recommendations are provided to further reduce the likelihood of impacts on this species: • Removal of materials by hand. If any great crested newts are discovered during removal of materials, materials should be replaced immediately and a suitably qualified ecologist contacted prior to works resuming. • Any trenches left overnight should be covered or provided with ramps to prevent great crested newts from becoming trapped.

Parish Council:	No objection
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Site Visit:	Yes ☒	No ☐
Carried out June 2025.		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i> The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: <i>"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".)</i> In addition, the proposal affects a Listed Building or its setting and section 66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states: <i>"In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".</i>

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The Eastleigh Borough Local Plan 2016-2036, the most relevant policies are: • Strategic policies: S1 (delivering sustainable development), S2 (approach to new development), S5 (new development in the countryside), S6 (protection of settlement gaps) & S8 (historic environment). • Development Management policies: DM1(general development criteria), DM11 (nature conservation), DM12 (heritage assets). Supplementary Planning Documents: Quality Places & Residential Parking Standards; Character Area Appraisals & Trees and Development

Assessment:
Principle: The site is located within an area of designated countryside where the types of development allowed are controlled by Policy S5. The solar panel array is for the benefit

of an existing residential property and is comparable to residential extensions which are allowed within these areas (subject to Policy DM26). Furthermore, the provision of renewable energy sources, such as solar panels, is generally encouraged through the planning system in order to reduce climate change. It is therefore considered that the principle of development is acceptable, subject to meeting the relevant planning policies.

Character, Appearance and Impact on Countryside & Heritage Assets

Policy DM1 requires development to take full and proper account of the context of the site (including the character and appearance of the locality) and be well integrated with these (in terms of mass, scale, materials, layout, density, design and siting), both in itself and in relation to adjoining buildings, spaces and views. Policy S5 also requires that the development within the countryside avoid adverse impacts on the rural and woodland character of the landscape.

The site is also within the ground of Bradgate Manor (grade II listed building) and within Netley Abbey Conservation Area. Policy DM12 allows development within the setting of a heritage assets providing it does not harm or detract from the significance or special interest of the asset and sustains and enhances its special character and qualities.

The application comprises the installation of 20no. ground mounted solar panels, in two rows of 10, with the whole structure measuring 17.6m(w) by 2.3m(d) by 1.7m(h). The appearance of the structure is dictated by the design of the solar panels which are flat with a black matt finish. The solar panels are angled to maximise solar gain and are positioned in the least shaded section of the property, on the north-western side of the garden behind the stables.

The siting of the panels is sensible from a heritage point of view in that they avoid placing the panels on the roof of the grade II listed building and instead are next to the modern extended part of the property. The siting of the panels within the rear garden also means that they are virtually out of sight as one approaches the building along the long entrance drive. The sites woodland surrounding means that the modest structure will have a negligible impact on the character and appearance of the Netley Abbey Conservation Area or its countryside surroundings.

Settlement Gap

The site is within the Hamble, Netley and Bursledon Settlement Gap. Policy S6 allows development in the settlement gap providing it doesn't undermine the physical extent or visual separation of settlements or separate identities of adjoining settlements.

The solar array is a low level ground mounted structure in the grounds of an existing residential property. The size of the structure will have only minimal impact upon the physical extent of the settlement gap. The solar panels will have no notable impact upon the visual separation of settlements as the site is completely surrounded by woodland.

Site of Nature Conservation Ancient Woodland, Trees and Ecology

The site is adjacent to West Wood SINC (site of nature conservation), which contains Ancient Woodland and there are TPO (tree preservation order) trees within the site. Policies DM1 & DM11 requires development not to result in the loss or damage of important trees and to protect, conserve and enhance all international, national and local nature conservation designations.

The solar array is located 4.6m in from the site boundary with West Wood SINC. In this position the development is not considered to physically impact upon important trees. No arboricultural objection has been raised by the tree officer, and an informative will be added about no pruning/ tree works.

In terms of ecology, the panels will be positioned on an existing closely mowed lawn, which has low ecological value and will not directly impact on protected or notable species include great crested newts. No objection has been raised by Nature Space, subject to a informative about Great Crested Newts.

The Ecology Officer has raised a holding objection as the solar array is within the recommended 15m buffer for the ancient woodland and its shadow could have an impact upon the biodiversity of the woodland. However, the total structure is only 1.7m high and, has already been set 4.6m set back from the boundary line. As such its cast shadow is only likely to impact a relatively modest area at the very edge of the woodland and even then at limited times during the day/ year. The overall impact on West Wood SINC is likely to be minimal, especially when compared to the ancient woodland as a whole.

There is also a limit as to where the solar panels can be reasonably positioned. Roof mounted solar panels are not an option due to the grade II listing of the building and the solar array can only be positioned so far in from the boundary as they need to be in a sunny position to function effectively. It is also pertinent that the 15m buffer is within a residential curtilage and as such may benefit from permitted development rights to erect larger structures and outbuildings, which could potentially have a greater impact than the proposal.

On balance the impact upon the ancient woodland as a whole is likely to be minimal and is considered acceptable in this case given the sustainability benefits from the installation of the solar panels and the restriction on its siting.

Other Considerations

- The proposal is sited in a very generous plot and would not be an overdevelopment of the site.
- There will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook. The development accords with guidance set out in the 'Quality Places' SPD.
- There are no likely significant impacts on the Special Protection Areas.

Equalities Act:

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

Section 149 (1) 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 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 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 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 Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Adopted 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.

Conclusion:		
Recommendation:	PERMIT ☒	REFUSE ☐
Comments ...		