DELEGATED OFFICER REPORT

Site Address: 21 Kings Terrace, Emsworth, PO10 7AA
Proposal: Installation of 10 No. solar panels on the south and west facing sides of the roof (5 No. on each roof).
Application Type: Full Planning Permission
Application No: APP/25/00022 Expiry Date: 24/03/2025
Applicant: Mr Butler
Agent: Case Officer: Denise Sheath
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

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1 Site Description

21 Kings Terrace, Emsworth, comprises a two-storey, brick and tile construction, end of terrace dwelling in a modern residential development to the rear of the High Street in Emsworth. To the rear of the site is a car park.

2 Planning History

93/58457/000 - Retrospective application for insertion of garage door in existing opening - PERM

3 Proposal

Installation of 10 No. solar panels on the south and west facing sides of the roof (5 No. on each roof).

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document.

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H1	(Design & Heritage)
ENP_D1	(General Design Policy)
ENP_D2	(Height, Mass & Materials)

Listed Building Grade: Not applicable.
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy
No Objection with Conditions
1) Solar panels be all-black.
Conditions:
Conditions are to be read in conjunction with the overall recommendation and should not be separated.
Reason Justification:
No objection but ask that the solar panels are the all-black variety so as to limit their visual impact on the Conservation Area and National Landscape, in accordance with Section 28 of the adopted Joint Chichester Harbour
Area of Outstanding Natural Beauty Supplementary Planning Document.

Conservation Officer
Site / Location

The application site comprises a two-storey, brick and tile construction, end of terrace dwelling in a modern residential development to the rear of the High Street in Emsworth. The site is within the boundary of the Emsworth Conservation Area. To the rear of the site is a car park.

Legislation

When assessing the proposal, the following legislation and policy context is taken in consideration.

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

National Planning Policy Framework (revised December 2024)

Chapter 16 of the NPPF relates to the Historic Environment including paragraphs 202-221.

Havant Borough Local Plan (Core Strategy 2011 and Allocations Plan 2014)

Policy CS11 – Protecting and Enhancing the Special Environment and Heritage of the Havant Borough

Policy CS11 (4) states that planning permission will be granted for development which:

‘Protects and where appropriate enhances the borough’s statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest’.

Policy CS16 – High Quality Design

Policy CP16 (1a) of the Core Strategy states that:

‘Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site’.

Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;

Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;

Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and

The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

Policy DM20 (Allocations Plan) - Historic Assets

Policy DM20 states that;

‘Planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

1. Describe the significance of the asset and its setting, using appropriate expertise

and where necessary original survey, at a level of detail proportionate to its

significance and sufficient to understand the potential impact of the proposal.

2. Sets out the impact of the development on the heritage assets and mitigation that is

proportionate to the impact and the significance of the heritage asset, including

where possible positive opportunities to conserve and enjoy heritage assets.

Assessment

The solar panels would be located on the rear facing roof slopes which overlook the car park. They would be centrally located within the roofscapes and the existing roof material would still be clearly visible. The proposed design of the solar panels includes a black finish, sitting flat against the roof slope.

Overall, it is considered that the proposal would not result in harm to the significance of the designated heritage asset (the Emsworth CA). It would therefore meet the tests set out in S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act"), along with the relevant policies in the NPPF and Local Plan.

Conclusion

NO OBJECTION

Emsworth Residents Forum
No comments received

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 35

Number of site notices: 1.

Statutory advertisement: 07/02/2025

Number of representations received: 1

Comment	Officer Comment
No objection	Noted

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

(i) Principle of development
(ii) Appropriateness of design and impact on the character of the Conservation Area and Area of Outstanding Natural Beauty (AONB)
(iii) Effect on neighbouring properties
(iv) Biodiversity Net Gain (BNG)

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the Conservation Area and Area of Outstanding Natural Beauty

7.3 The proposal is for the installation of 10No. solar panels which would be located on the rear facing roof slopes of the application site which overlook the car park. The

Solar Panels would be centrally located within the roofscapes and the existing roof material would still be clearly visible. The proposed design of the solar panels includes a black finish, sitting flat against the roof slope.

7.4 The Council's Heritage Team were consulted as part of the application process and have concluded that the proposal would not result in harm to the significance of the designated heritage asset (the Emsworth Conservation Area). Therefore meeting the tests set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act"), along with the relevant policies in the NPPF and Local Plan.

7.5 Chichester Harbour Conservancy were also consulted as part of the application process due to application site being located within an AONB. Chichester Harbour Conservancy have raised no objection providing a condition is placed upon any permission to ensure the proposed solar panels are all black in colour and finish to limited their visual impact upon the Conservation Area and the AONB.

7.5 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.6 It is considered that the proposals will not adversely impact upon the residential amenities of adjacent properties meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Biodiversity Net Gain (BNG)

7.8 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

8 Conclusion

8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the Emsworth Conservation Area and Area of Outstanding Natural Beauty and would have a limited and acceptable impact upon the visual amenities of the street scene and neighbouring properties and is therefore considered to be appropriate and recommended for approval.

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9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/25/00022 subject to the following conditions

1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Heritage Statement - Received 09 January 2025
Location Plan - Received 09 January 2025
Block Plan - Received 09 January 2025
Proposed Battery System Product Specification - Received 27 January 2025
Proposed Electrical Converter Product Specification - Received 27 January 2025
Proposed Solar Product Specifications - Received 27 January 2025
Proposed Elevations and Roof Plan - Received 27 January 2025

Reason: - To ensure provision of a satisfactory development.

3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4 The solar panels proposed shall be finished wholly black in colour including their surrounds which shall not be bare aluminium / metal.
Reason: To reduce the visual impact of the development on the character and appearance of the Area of Outstanding Natural Beauty and having due regard to policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.