
Site Address:	Land at Palk Road, Havant		
Proposal:	Ground mounted solar installation on Land at Palk Road, Bedhampton		
Application No:	APP/21/01169	Expiry Date:	07/12/2021
Applicant:	C/o Agent Portsmouth Water		
Agent:	Miss Bannister Tetra Tech Planning	Case Officer:	Lesley Wells
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is approximately 0.7 ha. The site constitutes existing solar installation of under 0.1 ha and is situated adjacent to the Portsmouth to Chichester railway line. The site boundaries are formed by metal fencing and existing hedgerows and trees with the majority of trees lining the northern boundary, south of the Portsmouth to Chichester railway line, providing natural screening to the site from the north.

The site is not subject to any statutory designations, with the land falling within Flood Zone 1. Land to the south of the site falls within Flood Zone 2.

The site is situated to the south of Bedhampton and within close proximity to Havant town centre. Within the site is an underground water pumping station. There is existing residential development to the north, adjacent to the Portsmouth to Chichester railway line. South of the site is the Hermitage Stream running north east to south.

2 Planning History

97/61708/000 - Change of use of land to vehicle storage, REF, 13/06/1997

APP/15/00447 - Change of Use to Open Storage (B8 use), the addition of two portacabins and associated hard standing., PERM, 17/07/2015

APP/17/00237 - Temporary Change of Use to Open Storage (B8 use), the addition of two portacabins and associated hard standing., TPP, 24/05/2017

3 Proposal

Ground mounted solar installation on Land at Palk Road, Bedhampton. The proposal would be an extension of the existing ground mounted solar panels on the site.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS14 (Efficient Use of Resources)
CS16 (High Quality Design)
CS19 (Effective Provision of Infrastructure)

Havant Borough Local Plan (Allocations) July 2014

Submission Version Havant Local Plan

DR1 (Delivery of Sustainable Development)
E1* (High quality design)
E12 (Low carbon design)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor D Guest

No comment.

Councillor Gary Robinson

No comment.

Councillor Imogen Payter

No comment.

Councillor J Branson - St Faiths

No comment.

Councillor Mark Inkster

No comment.

Councillor T Pike - St Faith's

No comment.

Countryside Access Team

No comment.

County Archaeologist - 2nd Comment - No Objection

I understand that the proposal will not involve groundworks and accordingly I would not raise any archaeological issues (I also presume by reference in that response to the site being a 'tank' that there is an existing buried installation which may have removed any archaeology although I was not specifically aware of that).

Officer Comment: *There is an existing underground pumping station on the site.*

County Archaeologist - 1st Comment - Further information sought

It is hard to judge the impact of the proposal on below ground archaeological remains based on the details submitted. It is my experience that such proposals involve some ground fixing of the arrays (although this is often widespread but minimal – perhaps described as a pin cushion' effect) access tracks, cable trenches and fence works. However it has also been my experience that ground reduction can also take place.

Para 2.4.3 of the Planning Statement indicates that the solar array will be on metal frameworks, but figure 4, which shows the section, does not give any indication of the below ground impact of those frameworks. The ecology report does refer to the impacts being judged against 'the non invasive installation techniques' and so I assume that the below ground impacts are indeed limited.

I would be grateful if the applicant could be requested to clarify the nature of the ground impacts associated with the installation of the array, access and cable runs. I do not anticipate an overriding archaeological issue arising and so if the applicant has not been able to supply such details prior to the determination of the planning application I would recommend that an precautionary archaeological condition is attached to any planning permission which might be issued. However such a condition might not prove to be merited in the light of details of ground impacts which I hope the applicant will be able to supply.

I look forward to commenting further in the light of any additional information that applicant is able to provide.

County Ecologist - No Objection

The application is accompanied by a Preliminary Ecological Appraisal (Arbtech, September 2021). The site comprises an existing solar installation set within managed species-poor grassland with some trees and shrubs at the sites' boundaries. I am satisfied that the proposed development is not likely to result in significant ecological impacts: works will largely be confined to the species-poor grassland as well as the existing solar installation.

If you minded to grant permission, suggest that the ecological mitigation measures are secured by condition.

Development shall proceed in strict accordance with the ecological mitigation measures detailed within the Preliminary Ecological Appraisal (Arbtech, September 2021) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect biodiversity in accordance with the Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF, Policy CS11 of the Havant Borough Local Plan Core Strategy 2011 and Policy E14 of the Submission Havant Borough Local Plan 2026.

Officer Comment: *if permission is granted the above condition is recommended.*

County Minerals

No comment.

Developer Services, Southern Water

The Council's technical staff and the relevant authority for land drainage should comment on the adequacy of the proposal to discharge surface water to the local watercourse.

It is possible that a sewer now deemed to public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Environment Agency - No Objection

We have **no objection** to the proposed development as submitted.

Advice to Applicant

Environmental Permit

Planning permission does not remove the requirement for an Environmental Permit. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or

contact our National Customer Contact Centre on 03702 422

549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Officer Comment: *The advice of the EA will be an informative on the decision notice if permission is granted.*

Environmental Health Manager, Community Group - Noise & Amenity - No Objection

I have reviewed the details and have no adverse comments.

Environmental Health Manager, Community Group - Air Quality - Support

Supported on Air Quality Grounds without prejudice to comments which may be made under separate cover by my nuisance & amenity focussed colleagues in respect of the impact of reflected light.

Landscape Team, Havant Borough Council- No Objection

From a landscape perspective we have no adverse comments in relation to this application.

Langstone Harbour Board - No Objection

Considered the application and has no objection to the proposal.

Natural England Government Team - Final Comment - No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites within the Solent and has no objection.

Natural England's advice on other natural environment issues is set out below.

Habitats Regulation Assessment

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. Further advice on mitigation measures is provided below.

European sites – Chichester and Langstone Harbour SPA, SAC and Ramsar Site

Based on the HRA/AA and plans submitted, Natural England considers that the proposed development will not have likely significant effects on the designated European sites in the Solent and has no objection to the proposed development.

Chichester and Langstone Harbour Site of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Natural England Government Team - 1st Comment - No Objection

In summary, based on plans submitted, NE considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

European Sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Priority Habitat

The consultation documents indicate that this development includes an area of priority habitat as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website.

Further general advice on the consideration of protected species and other natural environment issues is provided at **Annex A**

Open Space Society

No comment.

Portsmouth Water Company

No comment.

Royal Society for the Protection of Birds

No comment.

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Archaeology
- (v) Ecology

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Furthermore the site is subject to Policy CS19 of the Havant Borough Local Plan (Core Strategy) 2011 which seeks to safeguard the requirements of infrastructure providers.

The site already benefits from solar panels amounting to 50kWp of power output. The proposal would extend the existing installation with more modern and efficient panels to add a further 250kWp of energy output. The proposed panels would be mounted to their frames at a 10 degree angle and be of a very low profile, mounted on a metal framework facing south to maximise efficiency. The highest point of the proposal would be approximately 280mm.

(ii) Impact upon the character and appearance of the area

The proposal would be an extension of the solar panels already mounted on the land, which would not adversely impact on the character and appearance of the area, in accordance with policy CS16 of the HBLPCS.

(iii) Impact upon residential amenity

The closest residential properties lie to the north west of the site on the other side of the railway track, with the solar panels directed to the south away from the residential estate.

In support of the application a Solar Photovoltaic Glint and Glare Study has been submitted which considered the possible impact upon surrounding road users, dwellings and railway operations and infrastructure. The Overall Conclusion of the report is that *"No significant impacts are predicted on road users, dwellings or railway operations and infrastructure in the area. No mitigation requirement has been identified."*

Due to a separation distance of approximately 36m at the closest point and the orientation of the solar panels to the south, light reflection should not impact on the amenities of the occupiers of these residential properties. The Council's Environmental Health team has been consulted over the potential for reflected light and raised no objection to the proposal.

(iv) Archaeological

The County Archaeologist has been consulted over the application and following additional information has raised no objection to the proposal.

(v) Ecology

The Council's Ecologist (CE) has been consulted over the proposal and having reviewed the applicant's Preliminary Ecological Appraisal (PEA) (Arbtech, September 2021) has raised no objection to the scheme. However, the CE suggests a condition that the development proceeds in accordance with the aforementioned PEA, which is recommended.

As to Natural England (NE) they have been consulted over the proposal following which they

"...considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes."

However, to meet the requirements of the Habitats Regulations, NE advised the LPA to record its decision that a likely significant effect can be ruled out. To this end the LPA as competent authority has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended) and consulted NE as a statutory consultee. In response to this consultation NE has raised no objection to the proposal, as based on the plans submitted, *"...NE considers that the proposed development will not have significant adverse impacts on designated sites within the Solent..."*

8 Conclusion

The development would not adversely impact on the appearance of the area or residential amenity and is acceptable in archaeology and ecology terms. The recommendation is conditional planning permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01169 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:

Location Plan - Drawing No. 90-02010-PO1-RE1
Proposed Plan - Drawing No. 90-02010-PO3-RE1
Flat Roof System Section - Drawing No. 90-02010-PO4-RE1

Preliminary Ecological Appraisal by Arbtech dated September 2021
Solar Photovoltaic Glint and Glare Study by Pager Power Urban & Renewables dated August 2021

Reason: To ensure provision of a satisfactory development.

- 3 Development shall proceed in strict accordance with the ecological mitigation measures detailed within the Preliminary Ecological Appraisal (Arbtech, September 2021) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect biodiversity in accordance with the Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 of the Submission Havant Borough Local Plan.