HUNTINGDONSHIRE DISTRICT COUNCIL

25/00435/CLPD

OFFICER REPORT

Case No: **25/00435/CLPD** **Certificate of Lawfulness proposed**

Proposal: **Installation of solar panels on rear roof of the property.**

Location: **137 Skipper Way Little Paxton St Neots**

Applicant: **Mr Jeff Horne**

Grid Ref: **518383 261720**

DESCRIPTION OF SITE AND APPLICATION

This application is for a Certificate of Lawful (Proposed) Development for the installation of solar panels on the rear roof of the property.

This proposed development site is a two-storey terraced dwelling situated within a residential estate within the Little Paxton Conservation Area. The property is constructed of buff brick and tile construction.

The building itself does not benefit from any listed building status. Officers have checked the relevant planning records. Condition 24 of the Decision Notice for planning permission reference 0200998FUL removes Permitted Development Rights for the erection of an extension or any other building within the curtilage of the dwellings. Condition 25 of the Decision Notice for planning permission reference 0200998FUL removes Permitted Development Rights for the erection of any enclosure other than those expressly authorised by the planning permission. It is noted that this proposal is for the installation of solar panels to the rear roof slope and therefore there will be no additional development within the curtilage of the application site.

NATIONAL GUIDANCE

The Town and Country Planning Act 1990

The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended)

RELEVANT PLANNING HISTORY

No planning history relevant to this application.

CONSULTATIONS

No consultations - Certificate of lawful permitted development

REPRESENTATIONS

None

SUMMARY OF ISSUES

The proposed alterations must be assessed against The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) to determine whether the proposals are 'permitted development' or would require an application to be submitted for planning permission.

INSTALLATION OR ALTERATION ETC OF SOLAR EQUIPMENT ON DOMESTIC PREMISES
Schedule 2 - Part 14 - Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) permits the installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on-
(a) a dwellinghouse or a block of flats; or
(b) a building situated within the curtilage of a dwellinghouse or a block of flats.

Development not permitted
A.1 Development is not permitted by Class A if—
(a) the solar PV or solar thermal equipment would protrude more than 0.2 metres beyond the plane of
the wall or, in the case of a pitched roof, the roof slope when measured from the perpendicular with the external surface of the wall or pitched roof slope;
NO – confirmed by email by the applicant

(b) in the case of solar PV or solar thermal equipment on a pitched roof, it would result in the highest
part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney);
NO

(ba) in the case of solar PV or solar thermal equipment on a flat roof, it would result in the highest part
of the solar PV or solar thermal equipment being more than 0.6 metres higher than the highest part of the roof (excluding any chimney);
N/A

(c) in the case of land within a conservation area or which is a World Heritage Site, the solar PV or solar thermal equipment would be installed on a wall which fronts a highway;
NO - The dwelling is within a conservation area, but the solar panels are proposed for the rear roof slope which does not front a public highway.

(d) the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or
NO

(e) the solar PV or solar thermal equipment would be installed on a building within the curtilage of the dwellinghouse or block of flats if the dwellinghouse or block of flats is a listed building.
NO

Conditions
A.2 Development is permitted by Class A subject to the following conditions—
(a) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;
(b) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and
(ba) in the case of solar PV or solar thermal equipment installed on a flat roof located on article 2(3) land, before beginning development the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required

with respect to the impact of the appearance of the solar PV or solar thermal equipment on that land;
(bb) in relation to an application under sub-paragraph (ba), paragraphs J.4(3) to J.4(12) of this Part apply as if “Class A” substitutes the reference to “Class J” in paragraph J.4(4); and
(c) solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

CONCLUSION

In conclusion, the proposed development is considered to be permitted development subject to the following conditions:
(a) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;
(b) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and
(c) solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

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CONTACT OFFICER:
Enquiries about this report to Olivia Manton

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