**HUNTINGDONSHIRE DISTRICT COUNCIL**

**24/01946/PSPPA**

**OFFICER REPORT**

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**Case No:** **24/01946/PSPPA** **Prior Approval Solar Photovoltaics**

**Proposal:** **Installation of 40 additional solar panels to the roof of the building**

**Location:** **Unit C Units A To D Bullock Road**

**Applicant:** **Mrs Jenny Hodson**

**Grid Ref:** **512427 288740**

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**DESCRIPTION OF SITE AND APPLICATION**
This application site is Units A to D, Bullock Road, Washingley. The application specifically relates to Unit C the industrial unit to the south of the site with an 'M' shaped pitched roof. The site is within Flood Zone 1.

This application is submitted under Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

This application seeks to determine if prior approval, as to the design or external appearance of the proposal, is required to install a 55.0kWp solar PV system on the pitched roof of the business unit which includes the installation of 40 solar panels.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

**NATIONAL GUIDANCE**
The National Planning Policy Framework 2024 (NPPF) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 12).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

- delivering a sufficient supply of homes;
- achieving well-designed places;
- conserving and enhancing the natural environment;
- conserving and enhancing the historic environment.

Planning Practice Guidance, including the National Design Guide, is also relevant and a material consideration.

Paragraph 167 of the NPPF (2024) outlines (amongst other matters) that "local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights)."

local planning authorities should support community led initiatives for renewable and low carbon energy, including developments outside areas identified in the local plans or other strategic policies that are being taken forward through neighbourhood planning"

Paragraph 165 of the NPPF (2024) outlines (amongst other matters) that when determining planning applications for new renewable or low carbon development local planning authorities “identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems”

Paragraph 166 of the NPPF (2024) outlines (amongst other matters) that when determining planning applications for new renewable or low carbon development local planning authorities " should not require applicants to demonstrate the overall need for renewable or low carbon energy; and recognise that even small scale projects provide a valuable contribution to cutting the greenhouse gas emissions. And approve the application if its impacts are (or can be made) acceptable"

For full details visit the government website: https://www.gov.uk

**PLANNING POLICIES**
The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

The Natural Environment and Rural Communities Act 2006 (NERC Act)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

National Planning Policy Framework (December 2024).
-Chapter 9. Promoting sustainable transport
-Chapter 12. Achieving well-designed places
-Chapter 14. Meeting the challenge of climate change, flooding and coastal change

**RELEVANT PLANNING HISTORY**
Details of which can be accessed through the councils' public access system. The most relevant planning history on the site is detailed below:

18/01183/FUL- Demolition of existing building and erection of new single span industrial building-Permitted 13.08.2018

0901226FUL- Extension to existing B8 storage building-Permitted 17.11.2009

0701134FUL- Erection of offices/studio (B1) and change of use of existing offices to storage-Refused 10.09.2007

0603939FUL- Erection of storage/industrial building (B1/B8)-Refused 10.01.2007

0302043FUL- Erection of replacement industrial unit-Permitted 05.11.2003

**CONSULTATIONS**
Local Highways Authority- Following a review of the documents provided to the Highway Authority as part of the above planning application, no significant adverse effect upon the Public Highway should result from this proposal should it gain benefit of Planning Permission.

**REPRESENTATIONS**
None received at the time of determination.

**SUMMARY OF ISSUES**
The main issues to consider in the determination of this application are:

- Whether the development accords with the provisions of Schedule 2, Part 14, Class J

- If prior approval is required relating to design and external appearance of the development in particular glare on occupiers of neighbouring land

Schedule 2, Part 14, Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows 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 block of flats.

If an application relates to Class J (c) as above, Schedule 2, Part 14, Class J Condition Para (2) requires that before beginning the development the developer must apply to the Local Planning Authority (LPA) 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.

In accordance with Schedule 2 Part 14 Class J Conditions Para (4) the LPA may refuse prior approval where the proposed development does not comply, or insufficient information has been submitted to demonstrate compliance, with the conditions, limitations or restrictions specified within Class J where applicable to the development. The provisions, and whether the proposal complies, is set out as follows;

J.1 Development is not permitted by Class J if

(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;

**Officer Comment - Application form -details accord.**

(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 of the roof (excluding any chimney);

**Officer Comment - Not Applicable the equipment is to be installed on a pitched roof.**

(c) the solar PV equipment or solar thermal equipment would be installed on a roof and within 1 metre of the external edge of that roof;

**Officer Comment - Application form and submitted plan - details accord.**

(d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;

**Officer Comment - This section of the legislation was omitted in the 2023 update and no longer applies in the determination.**

(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or

**Officer Comment - Not applicable - the site is not a scheduled ancient monument.**

(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.

**Officer Comment - Not applicable - the building is not listed and not within the curtilage of a Listed Building.**

J.2 - Development is not permitted by Class J(a) or (b) if—

(a) the solar PV equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;

**Officer Comment - Not applicable - installation would be on the pitch roof of the building.**

(b) the solar PV equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building; or

**Officer Comment - Not applicable - installation would be on the pitch roof of the building.**

(c) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a wall which fronts a highway

**Officer Comment - Not applicable. The building is not located on article 2(3) land, nor is the proposal for wall mounted solar PV.**

J.3 - Development is not permitted by Class J (c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J (b)) to generate electricity exceeds 1 megawatt.

**Officer Comment - This section of the legislation was omitted in the 2023 update and no longer applies in the determination.**

Class J.4 (2) states that 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.

**Officer Comment: The developer has supplied sufficient information to enable the authority to establish whether the proposed development complies with any conditions, limitations or restrictions specified in Class J applicable to the development in question as detailed in the description of the application.**

Prior Approval Considerations:

*Design and Visual Amenity

The building where the Solar PV is to be located already has 156 Solar PV panels installed on the roof. This proposal would include an additional 40 Solar PV's on the roof of the industrial building.

Whilst the additional 40 Solar PV's would be visible from public view from Bullock Road facing north, the building as existing has numerous Solar PV's already installed. The visual impact of the additional panels would therefore be negligible and would not harm the character and appearance of the local area.

Overall, given the above assessment alongside the location of the panels on the building, the impact on the aesthetics of the building and general landscape character of the countryside would be minimal and not sufficient to warrant prior approval in this case.

Taking all the above factors into consideration, the scale, design, and layout of the proposed panels would not result in significant harm upon the character and appearance of the local area. Therefore, it is considered to accord with the National Planning Policy Framework 2024 paragraph 166 (b).

*Residential Amenity

The building is located in the open countryside albeit part of a small industrial estate. The closest residential neighbour to Unit C is 62 meters south and known as 'Field Farm House'.

To the north and east of Unit C are other business premises. Given the height and location of the panels, separation distance from the closest residential dwelling, along with the location of the property, within an established industrial estate, it is not considered that the addition of the solar panels would be harmful in terms of residential amenity and the proposal therefore accords with paragraph 135(f) of the NPPF 2024.

*Highway Safety

As Solar PV has the potential to result in glint and glare Officers have considered if there would be any detrimental impact in terms of highway safety as a result of this installation.

as the application site is within 9 m from a public highway, the Local Highways Authority were consolidated as part of this application. Highways Officers raised no concerns with proposed installation of the 40 Solar PV panels from a highway's safety perspective.

In this case, given the building already hosts 156 Solar PV panels and the proposal seeks to increase this by an additional 40 Solar PV panels, it is considered that there would not be a significant increased glint and glare risk which would be deemed hazardous to a user of the highway.

The development therefore accords with paragraph 116 of the NPPF 2024.

*Conclusion

In conclusion, it is considered the proposal accords with the provisions of Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and prior approval is not required to carry out the development as detailed in the application, and it is recommended that it is approved.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs.

**CONTACT OFFICER:**
Enquiries about this report to **Charlotte Dew**