

Our Ref: 2025.99.191

Your Ref:

Date: 22nd January 2025



Planning & Development Consultant

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**Planning Services
Knowsley Metropolitan Borough Council
Municipal Buildings
Huyton
Knowsley
L36 9UX 1DE**

Submitted via www.planningportal.co.uk

Dear Sir/Madam

**TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015
SCHEDULE 2, PART 14, CLASS J – INSTALLATION OR ALTERATION ETC OF SOLAR EQUIPMENT ON
NON-DOMESTIC PREMISES
LWC DRINKS LTD, UNIT 5 EARLSFIELD PARK, ARLEY DRIVE, KNOWLSLEY L34 4BF**

I act on behalf of Novalux Solar Ltd, a provider and installer of solar photovoltaic systems to commercial and non-domestic premises.

Novalux Solar Ltd has been engaged by LWC Drinks Ltd to supply and install a new solar photovoltaic system on the roof of their new facility at Unit 5, Earlsfield Park, Arley Drive, Knowsley.

Background to the Application

Permitted development rights for the installation and operation of certain solar photovoltaic systems are granted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO) Schedule 2, Part 14, Class J – Installation or Alteration etc of Solar Equipment on Non-Domestic Premises.

Class J permits:

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 a block of flats.*

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;*
- (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);*
- (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;*

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

Class J is also permitted subject to certain conditions as follows:

(1) Class J development is permitted subject to the following conditions —

- (a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and*
- (b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.*

(2) 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.

(3) The application must be accompanied by—

- (a) a written description of the proposed development;*
 - (b) a plan indicating the site and showing the proposed development;*
 - (c) the developer's contact address; and*
 - (d) the developer's email address if the developer is content to receive communications electronically;*
- together with any fee required to be paid.*

(4) The local planning authority may refuse an application where, in the opinion of the authority —

- (a) the proposed development does not comply with, or*
- (b) the developer has provided insufficient 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.*

(5) Sub-paragraphs (6) and (8) do not apply where a local planning authority refuses an application under sub-paragraph (4) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(6) The local planning authority must give notice of the proposed development —

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—*
 - (i) describes the proposed development;*
 - (ii) provides the address of the proposed development;*
 - (iii) specifies the date by which representations are to be received by the local planning authority; or*
- (b) by serving a notice in that form on any adjoining owner or occupier.*

(7) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.

(8) The local planning authority must, when determining an application —

- (a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and*
- (b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.*

(9) The development must not begin before the occurrence of one of the following —

- (a) *the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;*
- (b) *the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or*
- (c) *the expiry of 56 days following the date on which the application under sub-paragraph (3) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.*
- (10) *The development must be carried out—*
 - (a) *where prior approval is required, in accordance with the details approved by the local planning authority;*
 - (b) *where prior approval is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (3), unless the local planning authority and the developer agree otherwise in writing.*
- (11) *The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.*
- (12) *When computing the number of days in paragraph (6)(a), any day which is a public holiday must be disregarded.*

Description of Development

The application site comprises an industrial sized portal framed building that has operated as a grain store for over three decades.

Details of the existing elevations and roof plan are provided on submitted drawings NSL281(R)-PV-OA2-R00 and NSL281(R)-PV-OA-R00.

The proposed development subject of this prior notification would see the installation of 302 solar photovoltaic cells generating around 150kW. As the proposed development has a generating capacity in excess of 50kW, it does not comprise micro-generation and instead falls within Part 14, Class J (c) of the GPDO. Details of the layout and arrangement of the proposed system are set out on the submitted drawings and a schematic of the proposed solar cells is also provided. The system would be arranged so that no part of the installation was within 1 metre of the edge of the roof.

Each set of panels would be mounted on an aluminium frame to a maximum height of 110mm above the plane of the pitched roof.

All the generated electricity would be utilised in the operation of the LWC facility.

Meeting the conditions of Class J

The following section sets out how the proposed development complies with the requirements of those applicable conditions set out in Class J of the GPDO.

The application building is not designated as either a Scheduled Ancient Monument or a Listed building, nor does it sit within the curtilage of a Listed Building.

Condition 1(a) requires the solar PV equipment to be sited so as to minimise its effect on the external appearance of the building. The solar PV equipment would be sited no higher than 110mm above the plane of the existing roof, well below the maximum 200mm allowed by the GPDO.

Condition 1(b) requires the system to be removed as soon as reasonably practicable when it is no longer needed. The proposed system would have a design life of around 25 years, after which time it would be removed and most likely replaced with a new system, subject to any consenting requirements.

This letter and accompanying drawings confirm that the proposed development meets the conditions set out in Part 14 , Class J of the GPDO and has been designed to minimise the potential impacts.

If you require any further information, please do not hesitate to contact me on the number below and I look forward to receiving confirmation that prior approval of the local planning authority will not be required.

Yours sincerely



Chris Jarvis MRTPI

Tel: 07557 372395

Email: planning@mewpltd.co.uk

Enclosures

Completed Application Forms

2024/99/191/1 – Location Plan

NSL281(R)-PV-OA-R00 – Existing Roof Plan

NSL281(R)-PV-OA1-R00 – Proposed Roof Plan

NSL281(R)-PV-OA2-R00 – Existing Elevations

NSL281(R)-PV-OA3-R00 – Proposed Elevations

DM500M10RT-B60HBT - Specification