

<u>APPLICATION NO:</u>	23/02809/PDS	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Knowsley Parish Council
<u>LOCATION:</u>	Blends Ltd, Overbrook Lane, Knowsley Business Park, Knowsley, L34 9FB		
<u>PROPOSAL:</u>	PRIOR APPROVAL FOR THE INSTALLATION OF ROOF MOUNTED SOLAR PHOTOVOLATICS (PV) TO EXISTING ROOF		

Site Description

The application site relates to a commercial premises located within Knowsley Business Park. It is a simple commercial shed and is of a relatively standard design in terms of its appearance as a commercial premises which accommodates a mixture of brick and metal sheeting across the elevations together with UPVC windows and a gable roof.

The site is contained by wire mesh fence together with interspaced trees beyond which is the public highway.

Proposal

The application relates to a determination as to whether prior approval is required for the installation of solar panels under Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The supporting information includes an indicative overhead site plan which depicts a total of 19no. solar panels across the gable roof. The solar panels would not protrude more than 200mm in height and are of varying sizes across the roof.

Consultations

Not applicable

Representations

The application has been publicised by a site notice. No representations have been received.

Planning History

Ref: 74/07202/HIST – 1.4m high concrete post and 5 strand wire fencing and 3.6m wide timber field gate. Granted 9th March 1983.

Ref: 74/12483/HIST – Erection of buildings to form business park and creation of new access. Granted 2nd April 1990.

Ref: 18/00802/CLD – Certificate of lawfulness for installation of 14no windows and 1no. fire door to existing factory. Granted 25th March 2019.

Ref: 02/00822/FUL – Erection of 2.4m high security fencing and gates and installation of roller shutters. Granted 27th November 2002.

Ref: 00/00790/FUL – Erection of 3,215sqm warehouse with ancillary office accommodation, together with construction of car parking area. Granted 16th February 2001.

GDPO 2015 (As amended)

This application is for prior approval for the installation of roof mounted solar PV panels to the existing roof in accordance with the requirements set out in the General Permitted Development Order (GDPO) 2015.

Assessment

Prior to determining whether or not prior approval from the Local Planning Authority will be required, the Local Planning Authority must first determine whether the proposed works comply with the criteria required of Class J.

Development under Class J of the GDPO is subject to a number of limitations and conditions. If the development does not comply with these as set out in Schedule 2, Part 14, paragraphs J.1, J.2 and J.3, then it is not permitted development. Provided that the development complies with these limitations, then the relevant conditions under Schedule 2, Part 14, paragraph J.4 must be complied with. The following aspects are relevant to the consideration as to whether prior approval is required.

Permitted Development

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 .2m beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;

Local Planning Authority's response –

Details provided as part of the application suggest that the solar equipment would not protrude more than 200mm from the pitched roof.

(b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV would be higher than 1m above the highest part of the roof (excluding any chimney);

Local Planning Authority's Response – Not applicable in this instance.

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

Local Planning Authority's Response: The indicative drawings indicate that solar panels will be erected on the pitch roof and the supporting information states that the equipment will be more than 1m from the external edge of the roof.

(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 which fronts a highway;

Local Planning Authority's Response: The application property is not located on Article 2(3) land. As such, this can be disregarded.

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

(f) the solar equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building

Local Planning Authority's Response: The site is not located on a scheduled monument nor is the building a listed building or 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 0.2m beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;

(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

(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.

Local Planning Authority's Response: Not relevant. The solar PV equipment proposal relates to the installation above the existing roof only.

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.

Local Planning Authority's Response: The supporting information provided confirms that the total power out of the solar array would be 256.7kWp. As such, this is significantly below the 1MW threshold.

Conditions

J.4 – (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.

Local Planning Authority's Response: Consideration of the above in respect of design and amenity is considered in the Officer's appraisal below.

(2) Class J(c) development is permitted subject to the condition that before the 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.

Local Planning Authority's Response: This report considers whether prior approval is required. The proposed solar array will be treated with anti glare coating to reduce

light reflection on to neighbouring land. As such, impact of glare on neighbouring occupiers would be minimised.

Officer Appraisal – Design and Amenity

The information provided on indicative site plan, cross section and supporting information confirms that the proposed solar array would be compliance with the requirements of the GDPO. However, the GDPO also requires consideration of the proposals potential affects on design and amenity of the area.

Policy CS19 of the Knowsley Local Plan Core Strategy (adopted 2016) sets out the Local Planning Authority's approach to design quality in the public realm together with ensuring development maintains a good standard of amenity for all existing and future occupants of land and buildings.

The application property is a simple commercial unit in terms of design utilising a gable roof to which the proposed solar panels will be cited on either side of the roof ridge. They will not protrude more than .2m and would be cited no less than 1m way from the roof edge according to the indicative plan provided.

Around the perimeter of the site fronting Overbrook Lane is mesh fencing and interspersed vegetation together with amenity green border. To the west of the property is parking facilities beyond which is mature trees and commercial unit. To the south is Overbrook Lane beyond which is mature wooded area. To the north and west are commercial sheds of similar appearance and height. The commercial unit to the west includes windows at its western elevation facing the application property and sits at a slightly elevated position due to the topography of the area.

The solar panels due to their height and orientation which follows the angle of the shallow pitch roof will not be readily available when viewed from the public highway on Overbrook Lane.

The commercial shed to the west is situated higher than the application property and contains windows facing the side elevation roughly parallel with the eaves of the roof. However, the roof of the application property is slightly higher than the windows of the adjacent commercial shed so it is not considered that the adjacent property would be adversely affected in terms of light glare.

Due to the angle of the roof slope and height of the solar panels these would largely be obscured when viewed from the public highway.

There are many similar developments on going within Knowsley Business Park of a similar nature and therefore the installation of solar panels on a commercial premises would not be out of keeping with the character and appearance of the street scene.

There is no residential development within the immediate vicinity of the application site with the closest being the residential properties located to the south approximately 235m away. Given this significant interface distance together with natural screening provided by the woodland it is not considered that the solar panels will give rise to issues to residential amenity to this property.

The applicant has also confirmed that there would be no fixed plant equipment associated with the development. As such, there would be no adverse affects in terms of amenity relating to noise over and above the existing operations on site.

Conclusion

The proposal accords with the requirements of Class J of the Town and Country Planning (General Permitted Development Order) (2015) (as amended).

The application can only be assessed against the criteria set out in this report and no objections are raised. Accordingly, it is recommended that prior approval is required and granted in accordance with the provisions of the GDPO.

Recommendation

The applicant be informed that under the terms of Class J (Part 14) of the Town and Country Planning (General Permitted Development) Order 2015 (As amended) that prior approval is required and approved subject to the following condition(s):

- 1) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
22.01.2023	I2055-000-01	REV B	SITE PLAN
22.01.2023	I2055-000-02	REV B	PV MODULE AND MOUNTING DETAIL
22.01.2023	-		AGENT EMAIL – PLANT NOISE

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **23 January 2024**

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed.

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed.

Appendix 1 – Site Photographs



