

<u>APPLICATION NO:</u>	23/02060/PDS	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	
<u>LOCATION:</u>	Adlib House, Kitling Road, Knowsley Business Park, Knowsley, L34 9JS		
<u>PROPOSAL:</u>	PRIOR APPROVAL FOR THE INSTALLATION OF ROOF MOUNTED SOLAR PHOTOVOLTAICS (PV) TO EXISTING ROOF		

Site Description

The application site relates to a commercial premises located within Knowsley Business Park. The site is contained by a mixture of mesh and palisade fencing together with mature trees and hedgerow forming the property boundaries along Overbrook Lane, Penrhyn Road, School Lane and Kitling Road.

The application property is of a relatively standard design in terms of its appearance as a commercial premises with white panelling and a shallow gable roof.

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 image which depicts 3no. solar units sites along the roofline fronting School Lane. The solar panels would be sited along the pitch roof and would not protrude more than 200mm and would not exceed 1MW electrical generation.

Consultations

Environmental Heath – No objection raised.

Representations

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

Planning History

Ref: 00/00303/FUL: Erection of approx. 7,950sqm industrial building with associated offices and external works, including service yard, car park and soft/hard landscaping. Granted 18th August 2000.

Ref: 01/00571/ADV: Installation of 1no. fascia sign to gable and 1no. free standing externally illuminated sign together with 1no. free standing internally illuminated sign. Granted 26th October 2021.

Ref: 74/07323/HIST: 10 metre wide landscaped belt to the industrial estate including

a footpath and squeeze styles. Granted 10th November 1982.

Ref: 74/10703/HIST: Erection of 2.4m high security fencing along north side of small units site. Granted 4th February 1988.

Ref: 95/00148/APP: Erection of 2.4m high palisade fencing and excavation of. Granted 7th June 1995.

Ref: 18/00147/COU: Change of use of existing industrial unit from use class B1/B2, to use class B1/B2/B8. Granted 10th May 2018.

Ref:18/00473/FUL: Erection of approx.. 312sqm extension to northern elevation with installation of 2no. HGV roller shutter access doors to southern elevation, installation of additional windows to eastern and southern elevations, and re-configuration of car parking to form HGV turning area and drop-off bays, resulting in loss of 33no. existing car parking spaces. Granted 6th November 2018.

Ref: 18/00473/NMA: Non material amendment following a grant of planning permission 18/00473/FUL (erection of approx. 312 sqm extension to northern elevation together with installation of 2no. HGV roller shutter access doors to southern elevation, installation of additional windows to eastern and southern elevations, and re-configuration of car parking to form HGV turning area and drop-off bays, resulting in the loss of 33no. existing car parking spaces) – To allow for the addition of 3no. strip windows to the north elevation. Granted 22nd July 2019.

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 – The supporting statement confirms that this would not be higher than 1m above the highest part of the roof. However, the indicative designs indicate that the solar array would be located on the pitch aspect alone.

(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 description of proposed works set out in the application form confirms that the solar PV system will be under 1MW in energy generation and installed on the roofscape. The system size indicates a total power output of 243.81kWp. 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.

Officer Appraisal – Design and Amenity

The supporting information provided as part of the application proposals states that the proposed solar array would be compliant with the requirements of the GDPO. However, the GDPO 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.

An indicative design of the solar panels was provided to support the application. The application property is a simple commercial unit in terms of design utilising a pitch roof. Around the perimeter of the site is mature trees and hedgerow along the property boundaries. The application property is more visible at the gable ends fronting Kitling Road and Penrhyn Road however the solar array would not be readily visible as from these vantage points as they would follow the pitch of the roof. From School Lane and Overbrook Lane the solar array would be more visible however due to the established natural boundaries it would largely obscure the solar panels from the public highway. As such, the proposals would not result in having an adverse effect on the character and appearance of the street scene given that it is influenced by similar commercial sheds located within the business park.

There is only one residential property within the vicinity of the application site at Chapel Cottage, School Lane which is located an estimated 200m away. Given this significant interface distance together with the existing boundary treatment it is not considered that the solar panels will give rise to issues to residential amenity to this property.

Environmental Health were consulted as part of consideration of this prior approval application and have confirmed no objection to the proposed installation subject to a condition relating to fixed plant noise. However, the applicant informed the Local Planning Authority that the inverters/fixed plant machinery will be installed internally and Environmental Health has subsequently withdrawn its request for this condition.

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
28.07.2023	LOCPLAN		LOCATION PLAN
28.07.2023	-		PROPOSED SOLAR ARRAY DETAILS
05.09.2023	-		AGENT EMAIL – INTERNAL PLANT NOISE

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **14 September 2023**

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

