

DELEGATED DECISION REPORT

DET/2024/0003 Valid 18/01/2024	CHEDDLETON COMMUNITY CENTRE HOLLOW LANE CHEDDLETON	INSTALLATION OF SOLAR PANELS TO ROOF OF BUILDING (24 PANELS TOTAL) (ALL OTHERS)
---	---	--

MAIN ISSUES

- Whether or not the proposal can be implemented under permitted development in accordance with Part 14 (Renewable Energy) of the GPDO
- If so, the impact of the solar panels on the visual and residential amenities of the area.

DESCRIPTION OF SITE

The site is within Cheddleton village and comprises a community centre on the north side of Hollow Lane. There are two distinct buildings, one a modern single-storey brick and timber-clad building with a very low-pitched roof with slopes facing the front (towards the road) and rear and in the west part of the site, adjoining it a taller more traditional brick building with a steep pitched roof with slopes facing the sides and a large gable facing the road to the front. There is car parking to the east side (where the access off the road is located) and to the rear. To the east side and rear (north) of the site is the grounds of a church. Dwellings lie to the west. A school, a dwelling and Ostlers Lane lie on the opposite side of the road to the south. The site is in a Conservation Area.

PROPOSAL

The application is a “Prior Approval” application to determine if Prior Approval is required for the solar panels on non-domestic premises based on its design and external appearance. Class J (Solar Equipment on Non-Domestic Premises) of Part 14 (Renewable Energy) of the Town and Country Planning (General Permitted Development) Order (the “GPDO”) allows solar/PV panels without the need for a full planning application if the proposal complies with the tests/criteria in Class J (1)(2) and (3) providing that, in J(4) an application to determine whether the prior approval of the authority will be required based on its design and external appearance.

The proposal involves the installation of 24no solar panels on the low-pitched roof of the more modern lower building, on the slope closest to the road. This would be done in two clusters with three or four rows.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

National Planning Policy Framework (NPPF).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant.

CONSULTATIONS

Publicity

Site Notice: The Council placed a site notice just outside the site on 13.2.24.

Neighbour consultation period ends: N/A

Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

Conservation Officer

"No comments to make".

OFFICER COMMENTS

The proposal would need to meet the tests outlined in Class J (1) (2) and (3) of Part 14 of the GPDO in order for them to be installed under permitted development (without needing planning permission) via the "Prior Approval" process. However, test (d) in J(1) states that the proposal is not permitted if 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. The site is in a Conservation Areas and such areas are included as Article 2(3) land. The panels would also be placed on a roofslope with faces a road (Hollow Lane). The proposed solar panels would therefore not meet that test and therefore the panels cannot be provided under permitted development via a Prior Approval application. The impacts of the development on the visual and residential amenities as a result of its design and appearance, as required to be assessed under Class J(4), are therefore irrelevant.

The application for Prior Approval should therefore be refused and a full planning application is instead required to be submitted for the proposed development.

OFFICER RECOMMENDATION : REFUSAL

Case Officer: Chris Johnston
Recommendation Date: 13.3.24

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council