

DELEGATED DECISION REPORT

DET/2024/0019
Valid 07/06/2024

LAND AT
ALTON TOWERS FARLEY
LANE
FARLEY

INSTALL 252 PANEL ROOF
MOUNTED SOLAR ARRAY

(ALL OTHERS)

MAIN ISSUES

- Whether or not the proposal can be determined under Part 14 (Renewable Energy) of the GPDO
- If so, whether the prior approval of the LPA will be required as to the impact of the solar panels on the visual and residential amenities of the area.

DESCRIPTION OF SITE

The application relates to Alton Tower's Dungeons located to the south east of the theme park. It lies within the Alton and Farley Conservation Area.

PROPOSAL

The applicants seek prior approval to install 252no solar panels to a low pitch of a modern cladded building. It will sit on the south facing roof and will be done in three clusters, seven columns by twelve rows. The total Watts would be 127.9 kWp.

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.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015 Part 14 Class J - Installation or alteration etc of solar equipment on non-domestic premises

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1980/0828 Construction of corkscrew roller coaster Approved
SMD/1980/1195 Construction of dark ride and haunted house Approved
SMD/1981/0260 Proposed extension and alterations to fun house to house electronic water show with improved front elevation Approved
SMD/2005/0810 Refurbishment and extension of Toyland Tours Approved
SMD/2007/0648 Variation of conditions 2 and 3 of 05/00685/FUL Approved

OFFICER COMMENTS

In order for a building to benefit from Renewable Prior Approval, there are several criteria that must be met. In this case, as the site is 'other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats,' the proposal is required to meet J.1, 2 and 4.

Development not permitted

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;

The solar panels will project approximately 120mm from the external surface of the 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 equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);

The solar panels will be on a pitch and would be no more than 1m above the 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;

The solar panels will be withing 1mtre of 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 slope which fronts a highway;

The building is in the Conservation area and such areas are included as Article 2(3) land. However, the solar panels will not front a highway.

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

The building is not a scheduled 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.

The building is not listed 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 0.2 metres 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.as the site is greater than 5 hectares in size, these criteria are set out in Part 6 Class A (a).

J.2 is not applicable.

Class J(4) assesses the impact of the proposal in which matters of **siting, design and external appearance must also be considered**

In terms of design and appearance, the panels would not harm the appearance of the modern metal sheeted typical warehouse building. Due to the very low slopes and position of the panels, it would be inconspicuous given that the panels sit on the roof plane facing the woodlands that act as the perimeter of the theme park such that it would be unseen by the public. It would also benefit the theme park to not have the solar panels in view from the public path as it would be in contention with the themed area.

In terms of material, the solar panels are dark grey metallic finishing material. This would be seen against the backdrop of grey metal sheeting on the roof. It is considered that it would not appear out of keeping but rather neutral against the modern industrial building.

With regard to amenity such as glare from the panels, there is no concern raised by these impacts on the nearest residential properties which are located 300m south east beyond the woodlands that provides a restrictive screen away from the theme park and would avoid any impacts with regard to glare.

Environmental Health have made no comments. While there is a vary cumulative surface coverage of panels that comes with a level of noise, it is considered that the woodlands would provide an acoustic barrier for surrounding neighbours to cause any nuisance.

CONCLUSION / PLANNING BALANCE

The proposal would meet the tests in Class J of the GPDO and based on in the

for the panels to be placed under permitted development without the requirement for a full planning application. In terms of the design and external appearance, it is considered the proposal is acceptable in terms of impacts on the visual and residential amenities of the area. It is therefore considered that prior approval is not required.

Therefore, approval can be given and the development can proceed as permitted development in accordance with the GPDO.

OFFICER RECOMMENDATION : Prior Approval not required

Case Officer: Lisa Li

Recommendation Date: 30/07/24

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

