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| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | SH | **Date:** | 11/10/2021 | **Manager:** |  | **Date:** |  |
| **Site notice displayed** | Y | **Photos uploaded** | N/A |  |
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| **Application Ref:** | 3/2021/1002 | Graphical user interface, text, application  Description automatically generated |
| **Date Inspected:** | N/A |
| **Officer:** | SH |
| **DELEGATED ITEM FILE REPORT:**  | **APPROVAL** |
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| **Development Description:** | Prior notification for the installation of Solar PV array to pitched roof of existing agricultural building.  |
| **Site Address/Location:** | Withgill Farm, Clitheroe Lane, Withgill, Clitheroe. BB7 3LW |
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| **CONSULTATIONS:**  | **Parish/Town Council** |
| N/A |
| **Additional Representations:** |
| N/A |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** |
| The proposal is assessed against the provisions of Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). |
| ***Relevant Planning History:***No relevant planning history.  |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**The proposal relates to a farmstead in Withgill. The proposal site contains a complex of agricultural buildings and dwellings, situating in the open countryside between Clitheroe and Chaigley, approximately 0.3 miles from the River Hodder. The existing agricultural building in question is a modern agricultural building located in the North of the farmstead’s curtilage. The farmstead is located at the end of a track, leading off Whalley Road, that serves the site. The residential development at Withgill Fold, which arose from the conversion of traditional buildings that originally belonged to the farm, is situated to the South-East of the complex and is served by a separate access road.  |
| **Proposed Development for which consent is sought:**Consent is sought for the affixing of Solar Photovoltaic panels to the pitched roof of an existing agricultural building. The applicant seeks a determination as to whether the above proposal requires prior approval by the Council.  |
| **Principle of Development:**Assessment of the proposal against Schedule 2 Part 14 Renewable energy, Class J**Observations/Consideration of Matters Raised/Conclusion:**Permitted development rights are a right to make certain changes to a building or land without the need to apply for planning permission. These derive from a general planning permission granted from Parliament, rather than from permission granted by the local planning authority. In some circumstances local planning authorities can suspend permitted development rights in their area. Local planning authorities have powers under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 to remove permitted developmentrights. While article 4 directions are confirmed by local planning authorities, the Secretary of State must benotified, and has wide powers to modify or cancel most article 4 directions.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 proposed solar panels will be installed on a pitched roof, however according to the plans: PV Panel layout & proposed fixing details – 4118-P-003, the panels will protrude 0.05m off the existing roofline.***(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 proposed solar panels would be installed on a pitched roof.***(c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;***According to the roof plan, the proposed solar panels would be installed approximately 2.4m from the external edge of the roof, therefore will not be within 1 metre.*** (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 proposed development would not be installed onto a site within the AONB or a Conservation Area, however it will be visible from the AONB.*** (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.***The proposed solar panels would not be installed on a site designated as a scheduled monument, a listed building or on a building 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;***The proposed solar panels would not be installed on a 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***The proposed solar panels would not be installed on a wall.***(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.***The proposed development would not be installed onto a site within the AONB or a Conservation Area.***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.***The capacity of the proposed solar equipment would not exceed 1 megawatt.***The proposal meets the above criteria to be classed as permitted development under Schedule 2, Part 14, Class J. The visual impact of this development has been kept to a minimum due to it not being able to be sited from long distance views, and by the installation of the panels to the middle of the roof. The location of the panels on site are in the best location in relation to the greatest amount of solar gain, hence not being installed at ground level. A site notice was erected on the 13/10/2021 regarding the proposal and no objections have been received. On the basis of the above, prior approval is not required for the proposed development. |
| **Observations/Consideration of Matters Raised/Conclusion:**The proposal meets all of the criteria set out within Part 14, Class J of the Town and Country Planning (General Permitted Development) Order 2015; therefore, prior approval is not required. |
| **RECOMMENDATION**: | Prior approval not required. |