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| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | SH | **Date:** | 16/11/2021 | **Manager:** |  | **Date:** |  |
| **Site notice displayed** | N/A | **Photos uploaded** | N/A |  |
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| **Application Ref:** | 3/2021/1128 | 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:** | Installation of a solar panel system consisting of 237 Solar PV panels to generate 88.88 kWh electricity. |
| **Site Address/Location:** | Unit B Venture Buildings, Pendle Trading Estate, Chatburn, BB7 4JY |
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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:***3/2014/0287:Minor alterations to existing external openings including creation of additional emergency exits as part of internal reorganisation of existing industrial remises and car parking. (Approved) |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**The proposal relates to an Industrial Unit known as the Valley Hydraulics Building, situated within Venture Buildings to the North of the Pendle Trading Estate. The site is found within a small area of development, situated along Clitheroe Road on the edge of Chatburn. The Northern elevation of the building in question fronts the trainline, is within close proximity to Shackleton’s Garden Centre on the Eastern side of Clitheroe Road. The Trading Estate benefits from its own private road entrance off the adjacent highway.  |
| **Proposed Development for which consent is sought:**Consent is sought for the affixing of Solar Photovoltaic panels to the dual pitched roof of an existing industrial 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 the Southern facing roof planes on a dual pitched roof, and the fixing details plan shows that the panels would protrude approximately 0.12m beyond the plane of the roof slope.*** (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;***The roof plan outlining the proposal shows that the panels will be installed within 2.7m from the Eastern and Western edge of the roof scape, and within 1m from the ridge line and eaves.*** (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 Forest of Bowland 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 generate 88.88kWh and would therefore not exceed 1 megawatt.***The proposal meets the above criteria to be classed as permitted development under Schedule 2, Part 14, Class J. Consideration has been made regarding the visual impact of the development, as the topography of the land means the proposal will be visible from the Forest of Bowland AONB. However, due to the orientation of the Solar PV panels being positioned on the South facing roof planes of the building, opportunities for glint and glare will be minimised. In terms of location, the applicant would achieve the highest level of solar gain with panels positioned on the roofscape, hence would not be beneficial to be constructed at ground level. No objections have been received in relation to this application. 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 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. |