Development Management – Delegated Officer Report

Application Number: NOTICE/0004/21 **Recommendation – Prior Approval Not Required**

Site: **Unit 1 Tesco, Holmbush Centre, Upper Shoreham Road**

Proposal: **Notification for Prior Approval for the installation of Solar Photovoltaics (PV) Panels across whole of roof of Tesco Extra.**

Site visit: no visit carried out.

Site and surrounds

The application site comprises the Tesco supermarket building within the Holmbush shopping centre. The A27 Shoreham By Pass is to the north, residential properties are to the east south and west some of which are separated from the application site by the road to the west and the large car park to the south.

Proposal

The proposal seeks to install Solar PV equipment across the roof of the building. The agents Design and Access Statement states that the installation of PV panels may be completely removed after 25 years when the solar panels have reached their life expectancy and beneficial use, with the site returned to its original state. The area covered will be 2370.8 m2 with the panels positioned no less than 1000mm away from the eaves and ridge. The height will not protrude from the flat roof by more than 1000mm. The solar panels will be mounted to the roof by use of a ballasted flat roof mounting system. The panels will be poisoned at an angle with the highest point being 0.31m from the surface of the roof.

Representations: None

Consultations: -

South Downs National Park Authority**: -** The submitted plans indicate that the pv units would be arranged centrally across the buildings flat roof which is located on all elevations behind a hidden/false pitched roof, and will not be discernible in public views from the National Park. As such no concerns are raised in regard to impacts on the National Park or its setting.

Planning Assessment

Part 14 Class J of the General Permitted Development Order states:

Permitted development

J. The installation, alteration or replacement of—

(a) microgeneration solar thermal equipment on a building;

(b) microgeneration solar PV equipment on a building; or

(c) other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats.

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;

(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);

(c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that 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;

(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.

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.

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 application proposal meets the tests of J1 and J2 since the equipment would be installed on a flat roof above which the application details confirm it would be no higher than 1 metre and would not be within 1 metre of the edge of that roof and the site is not on article 2(3) land, a scheduled monument or listed building. The application details that the PV equipment would generate an estimated 433300 kWh per year and so meet the requirements of J3.

Consideration of the planning merits of the application is restricted to those set out in J4 (2):

Class J(c) development is permitted subject to the condition that before 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.

3) The application must be accompanied by— (a) a written description of the proposed development; (b) a plan indicating the site and showing the proposed development; (c) the developer's contact address; and (d) the developer's email address if the developer is content to receive communications electronically; together with any fee required to be paid.

Although this is a large installation of PV panels, it is considered that in the context of the setting of the host building this can be supported. The original building design where in this case the flat roof is enveloped by the surrounding tiled dummy pitch roof along the edge of the roof and other design detailing detracting from the central flat roof area. This combined with the limited height of the mounting and depth of panels would not cause any significant visual harm in terms of its design and external appearance.

The concept of efficient solar power is to absorb as much light as possible while reflecting as little light as possible. Having regard to the height of the roof compared with surrounding residential properties the roof equipment would be not be readily visible from the majority of surrounding dwellings which are generally one or two-storey.

The angle of the sun and the direction any reflection travels is also a consideration. Where light travels in a straight line and reflects at an angle equal to which it strikes the panel, when the sun is overhead and above the panels, any reflection would be directed upwards. When the sun is low in the sky the reflection could be at a low angle, and thus towards neighbouring dwellings, but the glare direct from the sun itself would likely override any glare from reflection. It is considered that this impact is acceptable.

It is considered that sufficient information has been submitted with this application in relation to any conditions, limitations or restrictions relevant to the development and that the requirements set out within Class J have been met.

Conclusion

Prior Approval not required.

The installation of solar PV equipment as indicated on the details submitted on 1st February 2021 would be permitted development in accordance with Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015. The development shall be undertaken in accordance with the restrictions and conditions contained within that legislation.

Case Officer: Hannah Barker Date: 23rd March 2021

Authorising Officer: Peter Barnett Date: 23 March 2021