Development Control – Delegated Officer Report

Application Number: NOTICE/0023/24 **Recommendation: Prior Approval Not required**

Site: Worthing College 1 Sanditon Way Worthing

Proposal: **Notification for Prior Approval for the installation of a 195.315kWp Solar PV array on existing building rooftop.**

Date of site visit: 21.01.2025

Neighbours checked: Y

Additional neighbour notifications: Site notice posted 21.1.2025

Site and Surroundings

The application site comprises the Worthing College site located to the west of Sanditon Way, accessed via Hill Barn Lane to the east of the site. The main college building is the subject of this application, specifically its main northern section and projecting southern wing at its eastern end, where there are flat roofs. These parts have three storeys above ground and a lower ground/basement level. There are metal railings to the edges of the roof. Car parking areas surrounding the buildings and there are playing fields and sports pitches to the south of the building, with mature trees and vegetation to much of the boundaries to the college site. There are houses in close proximity to the north of the building and to the immediate east there is a three storey building comprising of flats with a further parking area and access/turning to the college site.

Proposal

The application seeks a determination as to whether prior approval is required for the proposed installation of a Solar PV array on the roof, as required by Schedule 2 Part 14, Class J of the GPDO. The proposal is to install Solar PV equipment across the whole of the northern section and projecting south wing at its eastern end, using 1.762m by 1.134m panels mounted on a flat roof ballast system. The panels would be set in from the edges of the two roof sections by between 1.27 and 7.7 metres. Panels would be mounted with the highest part of the equipment protruding 322mm from the surface of the flat roof including the mounting system.

Relevant Planning History:

NOTICE/0010/20 - Notification for Prior Approval for the installation of Solar Photovoltaics (PV) Panels across whole of roof of Worthing College.
STATUS: NOPA 21st August 2020.

AWDM/0364/11 - Alterations and change of use of existing office buildings (class B1) to education use (class D1) including the provision of a mini round-a-bout access with

other associated highway improvements, pedestrian crossings and new pedestrian footpath link from Grove Lodge round-a-bout, 227 car parking spaces, 200 cycle spaces and 28 motor cycle spaces plus an additional sports pitch, the provision of 5 tennis/4 netball courts (flood lit) and landscaping. Amendments - minor changes to internal footpath, removal of additional trees, provision of and improvement to pedestrian and cycle routes, changes to Hill Barn Lane, details of toucan and puffin crossings.
STATUS: APP 24th May 2012.

Consultations:
None relevant

Representations:
None received

Planning Assessment

The application is made under the Prior Approval procedure and consideration is restricted to the limitations and conditions as set out in respect of Class J, Part 14 of Schedule 2 of the GPDO.

Class J – installation or alteration etc of solar equipment on non-domestic premises

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 on a roof and within 1 metre of the external edge of that roof;

(d) omitted

(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 omitted.

Conditions

***J.4**—(1) Class J development is permitted subject to the following conditions—*

(a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and

(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

(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.

(4) The local planning authority may refuse an application where, in the opinion of the authority—

(a) the proposed development does not comply with, or
(b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with,

any conditions, limitations or restrictions specified in Class J applicable to the development in question.

(5) Sub-paragraphs (6) and (8) do not apply where a local planning authority refuses an application under sub-paragraph (4) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(6) The local planning authority must give notice of the proposed development—

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—

(i) describes the proposed development;
(ii) provides the address of the proposed development;
(iii) specifies the date by which representations are to be received by the local planning authority; or

(b) by serving a notice in that form on any adjoining owner or occupier.

(7) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.

(8) The local planning authority must, when determining an application—

(a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and

(b)have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.]

(9) The development must not begin before the occurrence of one of the following—

(a) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
(b) the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or
(c) the expiry of 56 days following the date on which the application under sub-paragraph (3) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.

(10) The development must be carried out—

(a) where prior approval is required, in accordance with the details approved by the local planning authority;
(b) where prior approval is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (3),

unless the local planning authority and the developer agree otherwise in writing.

(11) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

(12) When computing the number of days in paragraph (6)(a), any day which is a public holiday must be disregarded.

Assessment

The application proposals meets the tests of J1 and J2 since the equipment would be installed on a flat roof and the application details confirm it would be no higher than 1 metre and would not be within 1 metre of the edges of the roof, and the site is not on article 2(3) land, a scheduled monument or a listed building.

Consideration of the planning merits of the application is restricted to those matters sent out in J4 (1) and (2):

The previous prior approval application (NOTICE/0010/20) does not appear to have been implemented and expires in August this year. The previous application considered the impact of a similarly large installation of PV panels not to cause any significant visual harm. As was the case previously, in the context of the height of the flat roof area in relation to surrounding vantage points, the appearance of the existing flat roof and railings with some existing protruding elements, and, given that the proposed panels would be set in from the edges of the roof and would have a relatively low profile, this would minimise the visual impact of the current proposals on the building and wider area.

The application details state that ‘Solar PV employs glass panels that are designed to maximise absorption and minimise reflection to increase electricity production efficiency. To limit reflection, solar PV panels are constructed of dark, light-absorbing materials and covered with an anti-reflective coating. Today’s panels reflect as little as 2% of the incoming sunlight. This is slightly more than black asphalt, about level with bodies of water, and much below bare soil, vegetation, rooftops, glass, snow or metal.’

Although the edge of the college roof may be visible from some second floor windows of the flats to the east, the positioning, height, and orientation of the panels would limit any impact including glare, with the angle of reflection being equal to the angle that the light strikes the panel, and having regard to the height of the roof compared with the majority of surrounding residential properties which are generally two storey, the full extent of PV equipment would not be readily visible.

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.

Recommendation

Prior Approval is not required

Is recommendation contrary to letter(s) of representation? N

Case Officer: Rebekah Hincke Date: 26.2.2025

Authorised by: Louise Prew Date: 27/02/2025