



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

5 December 2024



### S24/1881

Proposal:	Installation a solar photovoltaic system and associated works on the existing flat roof
Location:	The Picture House, Council Offices, St Catherines Road, Grantham, NG31 6TT
Applicant:	South Kesteven District Council
Agent:	N/A
Application Type:	Application to determine if prior approval is required for a proposed: Installation of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 14, Class J
Reason for Referral to Committee:	South Kesteven District Council are the applicant
Key Issues:	Design and external appearance Impacts on residential occupiers in particular glare
Technical Documents:	

#### Report Author

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**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Grantham St Wulfram's**

**Reviewed by:**

Adam Murray – Principal Development Management Planner

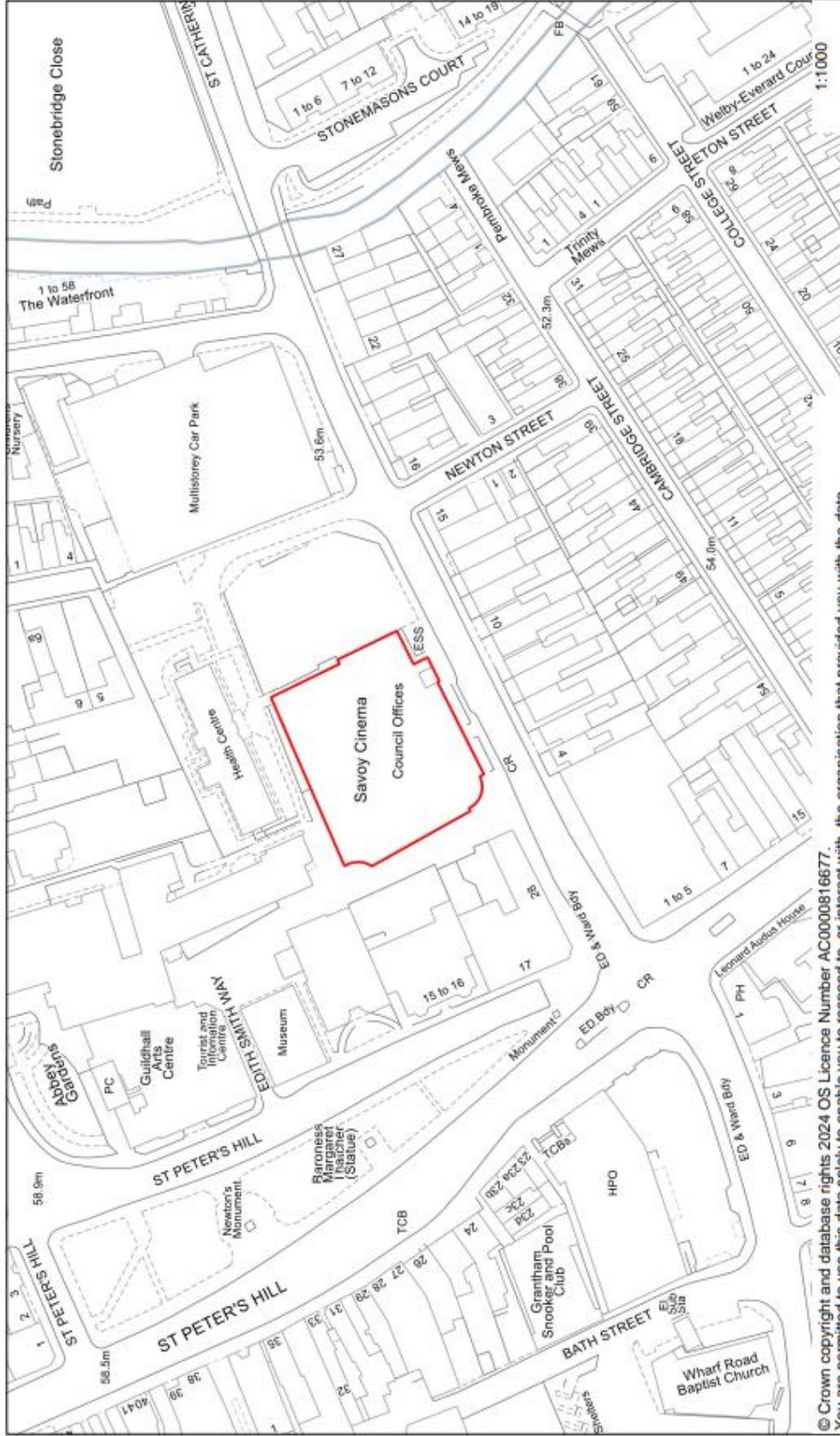
25 November 2024

#### Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT prior approval



SKDC Offices, The Picture House,  
St Catherine's Road, Grantham  
- Location Plan



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## **1 Description of Site**

- 1.1 The application site is the SKDC Offices, The Picture House located on the north side of St Catherines Road, Grantham.

## **2 Description of Proposal**

- 2.1 The application is for prior approval for the installation of solar panels under the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 14, Class J.

## **3 Policy Considerations**

### **3.1 SKDC Local Plan 2011 – 2036**

Policy SD1 'The Principles of Sustainable Development in South Kesteven'  
Policy DE1 'Promoting Good Design'

### **3.2 National Planning Policy Framework (NPPF)**

Chapter 9 'Promoting Sustainable Transport'  
Chapter 12 'Achieving well-designed places'

### **3.3 Supplementary Planning Document:**

Design Guidelines for Rutland and South Kesteven (November 2021)

## **4 Representations received**

### **4.1 LCC Highways & SuDS**

- 4.1.1 Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

### **4.2 Grantham Town Council**

- 4.2.1 No objections.

### **4.3 Environmental Protection**

- 4.3.1 No objections.

## **5 Representations as a Result of Publicity**

- 5.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and no letters of representation have been received.

## **6 Evaluation**

### **6.1 Background**

6.1.1 This is an application for Prior Approval for the installation of Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt, subject to certain limitations under the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 14, Class J. The application proposes the installation a roof mounted 52.955kW solar PV system comprising of 119 x JA Solar 445w modules. Each panel size is 1762mm x 1134mm x 30mm. The panels would be installed in sections and mounted onto the flat roof of The Picture House (Council Offices).

## 6.2 **Assessment**

6.2.1 The application needs to be assessed to establish if the works are classed as permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO) Schedule 2, Part 14, Class J.

6.2.2 Part 14, Class J states permits 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.

6.2.3 Development is not permitted by Class J.1 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.

The application states that there would not be any part of the solar PV equipment higher than 1 metre above the highest part of the roof, and no part of the solar PV equipment would come within 1 metre of the external edge of the roof. The solar panels would be installed on the flat roof that is not within a Conservation Area and notwithstanding this the panels would be screened by a parapet that surrounds this part of the roof. The site is not a designated Scheduled Monument. The site is not a Listed Building or in the curtilage of a Listed Building.

6.2.4 Development is not permitted by Class J.2 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.

The proposed solar PV equipment is not to be installed on a wall and as such Class J.2 not applicable.

6.2.5 Class J.3 relating to maximum generating capacity has been deleted from the legislation.

6.2.6 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.

Having assessed the submitted information, the proposed solar panels would meet the provisions set out above and is considered to be permitted development.

## **7 Crime and Disorder**

7.1 It is considered that the proposal would not result in any significant crime and disorder implications.

## **8 Human Rights Implications**

8.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

## **9 Conclusion**

9.1 The Local Planning Authority is satisfied that the developer in applying for prior approval as set out in J.4 (above) have complied with the conditions set out within the GDPO. Having assessed the submitted information, the design and external appearance of the proposed solar panels and their impact upon neighbouring occupiers, particularly the impact of glare on occupiers, would meet the provisions set out above and it is considered to be permitted development and that no further information is required.

## **10 Recommendation**

To authorise the Assistant Director – Planning to GRANT prior approval.

# Proposed Site Plan



## SKDC Offices, The Picture House, St Catherine's Road, Grantham - Location Plan



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