

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

**APPLICATION FOR PRIOR APPROVAL UNDER CLASS J, SCHEDULE 2 PART 14 OF
THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015**

To: Kingspan Energy Ltd
Unit 2 Greenfield Business Park
Holywell
Flintshire
CH8 7GJ

Application No: 200146
Application type: Solar equip - S2 P14 Class J

Applicant: Tesco Express

READING BOROUGH COUNCIL as Local Planning Authority **GRANT PRIOR APPROVAL** for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Notification for Prior Approval for the Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt. Town and Country Planning (General Permitted Development) (England) Order 2015 - Schedule 2, Part 14, Class J

At: Tesco Superstore Portman Road Reading RG30 1AW

Subject to such conditions and for such reasons as may be attached

**OTHER STATUTORY CONSENTS MAY BE REQUIRED
PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE**

Date: 22/05/2020



BCN

Head of Planning, Development
& Regulatory Services

Application At: Tesco Superstore Portman Road Reading RG30 1AW

Application No: 200146

Application type: Solar equip - S2 P14 Class J

CONDITIONS & REASONS

1. The development shall be carried out in accordance with the details provided on the following submitted plans:

Site Overview

Tesco Site Plan

Drwg No. READ-5528-13.1-DES-MECH-GA-EQUIP ELEV1 Elevations and Details

Drwg No. READ-5528-12.1-DES-MECH-GA-PLANT LAYOUT1 PV General Arrangement

Drwg No. READ-5528-12.0-DES-MECH-GA-PLANT LAYOUT0 Provisional Layout Drawing

Received 30th January 2020

unless otherwise agreed in writing by the Local Planning Authority.

2. 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.
3. In order to comply with the provisions of paragraph J4.(11) of Class J of Part 14 of Schedule 2 of the Town and County Planning (General Permitted Development) Order 2015 (as amended) development under Class J must be completed within a period of three years starting from the prior approval date.
4. Notwithstanding the approved plans and particulars, no works shall commence on-site until a schedule of materials (including manufacturers details) and a schedule of ancillary equipment have been submitted to and approved by the Local Planning Authority in writing. The submitted materials schedule must include details of colour, materials, retinal irradiance (W/cm²) and potential for an after image as experienced at angles relevant to the residential dwellings located above the Tesco Superstore. These materials shall be assessed for glare to ensure there is no detrimental impact upon the residential amenity of land adjacent to the solar panels. The development shall be carried out and thereafter maintained in accordance with the details so approved, unless otherwise approved in writing by the Local Planning Authority.

REASON: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity, public safety and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

Date: 22/05/2020



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INFORMATIVES

1. Please be aware that all trees within the Portman Road Tesco site are subject of Tree Preservation Orders 103/003 and / or 46/002. Care should be taken to ensure the trees are not damaged or struck during the build project and associated lifting operations. Storage of materials in relation to the build should be on existing areas of hard standing and well away from trees and areas of soft landscaping on site where protected trees may be rooting.
2. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.
3. It is likely that the works set out in this application will also require approval from the Council's Building Control office to ensure compliance with any relevant building regulations. It is therefore assumed that concerns about fire safety, means of escape, ventilation and sound insulation will be reviewed and addressed by Building Control if works proceed. Please contact Building Control on 0118 937 2449 for advice.
4.
 - i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
 - ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
5. Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.

There should be no burning of waste on the site.

6. The Local Planning Authority has worked positively and proactively with the applicant to allow permission to be granted within the prescribed target timescale for the decision to be issued.

Date: 22/05/2020

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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the Council's decision on the application you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against the Council's decision on your application, you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (or 12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If the above circumstances do not apply, any appeal must be made within the following time limits.

If this is a householder application and you want to appeal against the Council's decision then you must do so within 12 weeks of the date of this notice. If this is an advertisement application and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice. If you want to appeal against your local planning authority's decision for any other type of application (which is not a householder or advertisement application, or an application for a Certificate of Lawfulness) then you must do so within 6 months of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Appeals must be made via the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, tel. 0303 444 5000, or online at <https://acp.planninginspectorate.gov.uk/>

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.