

DELEGATED APPLICATION REPORT

Ward: Coley

App Ref: PL/24/0089 Lawful development: Proposed use

Address: 25 Downshire Square, Reading, RG1 6NN

Proposal: PV Solar panels to roof

Applicant: Mr Adam Doberski

Received date: 03/01/2024

Target Decision date: 03/05/2024 (extended to 04/10/2024)

Case Officer: James Schofield

Introduction and Proposal

Plans Submitted

The applicant supplied the following;

- Location Plan

- 3D Render (*not scaled*)

- Block Plan

- As received 24th of January 2024

- Location Plan

- Solar Panel technical information sheet

- Panel positioning information sheet (*not scaled*)

- Photo mock-up

- Profile view of solar panel attachment/height (*scaled*)

- As received 25th of April 2024

- Location Plan

- Block Plan

- Plan

- Dwg No. Doberski25-001 Elevation and roof plans (*scaled but no scale bar included*)

- As received on 22nd of August 2024

Relevant Planning History

No relevant planning history.

Summary of Consultations

No consultations were undertaken as it is not required for an application of this type.

Relevant Planning Policy and Guidance

National Planning Practice Guidance

The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO)

Permitted development rights for householders – Technical Guidance April 2019

Assessment

A Certificate of Lawfulness for a proposed development has been submitted as the applicant considers the proposal falls within the permitted development rights of the property.

The proposed must be assessed to ensure that it complies with the conditions of Class A, Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to the 'installation of solar panels'.

The relevant conditions of the GPDO for solar panels, which is not listed but is in a conservation area, are as follows:

With regard to the proposed solar panels:

A. The installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on—

- (a) a dwellinghouse or a block of flats; or
- (b) a building situated within the curtilage of a dwellinghouse or a block of flats.

Development not permitted

A.1 Development is not permitted by Class A if—

- (a) the solar PV or solar thermal equipment would protrude more than 0.2 metres beyond the plane of the wall or, in the case of a pitched roof, the roof slope when measured from the perpendicular with the external surface of the wall or pitched roof slope;

Complies, supporting information indicates it will protrude 180mm.

- (b) in the case of solar PV or solar thermal equipment on a pitched roof, it would result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney);

Complies.

- (ba) in the case of solar PV or solar thermal equipment on a flat roof, it would result in the highest part of the solar PV or solar thermal equipment being more than 0.6 metres higher than the highest part of the roof (excluding any chimney);

Not applicable.

- (c) in the case of land within a conservation area or which is a World Heritage Site, the solar PV or solar thermal equipment would be installed on a wall which fronts a highway;

Complies, as the panels are proposed for the roof.

- (d) the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or

Complies, as the site itself is not scheduled.

- (e) the solar PV or solar thermal equipment would be installed on a building within the curtilage of the dwellinghouse or block of flats if the dwellinghouse or block of flats is a listed building

Complies, as the proposed site is the main dwellinghouse.

Conditions

A.2 Development is permitted by Class A subject to the following conditions—

- (a) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

Complies, the applicant has made the case that the front slope is south facing, while the rear is north facing. Without the front slope, he makes the argument that there is no point

in proceeding with the scheme as the resulting solar gains would not pay for the cost of installing the panels within their predicted lifetime. It is the view of the planning officer that this meets the bar of 'so far as practicable'.

(b) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and

Complies, same as the above point.

(ba) in the case of solar PV or solar thermal equipment installed on a flat roof located on article 2(3) land, before beginning development the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required with respect to the impact of the appearance of the solar PV or solar thermal equipment on that land;

Not applicable, the proposal site is not a flat roof.

(bb) in relation to an application under sub-paragraph (ba), paragraphs J.4(3) to J.4(12) of this Part apply as if "Class A" substitutes the reference to "Class J" in paragraph J.4(4); and

Not applicable.

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

Not yet applicable.

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class A, Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

It can be confirmed that the proposed operation would be lawful for planning purposes on the basis of the drawings received on the:

22nd of August 2024

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed.

Informatives

Building Regulations

Encroachment and Party Wall Act

Construction and Demolition