DELEGATED APPLICATION REPORT
Ward: Whitley Ward
App Ref: PL/24/1196 Prior approval Part 14 Class OA: The installation, alteration or replacement of a solar canopy within an area lawfully used as off-street parking other than for a dwellinghouse or a block of flats
Address: Madejski Stadium, Voco Reading Hotel, Shooters Way, Reading, RG2 0FL
Proposal: Application to determine if prior approval is required for a proposed: The installation, alteration or replacement of a solar canopy within an area lawfully used as off-street parking other than for a dwellinghouse or a block of flats - The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 14, Class OA
Applicant: SNRG Ltd
Received date: 12 September 2024
Target Decision date: 7 November 2024
Case Officer: Anthony Scholes

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1. SITE DESCRIPTION

The site is an open carparking area associated with the Voco hotel, located on land adjacent to the Madejski Stadium, Shooters Way, Reading.

2. PROPOSAL AND SUPPORTING INFORMATION

Application to determine if prior approval is required for a proposed: The installation, alteration or replacement of a solar canopy within an area lawfully used as off-street parking other than for a dwellinghouse or a block of flats - The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 14, Class OA.

Plans considered
19144-OS-VH-DR-2003 – Proposed Typical Car Park Layout
19144-OS-VH-DR-2000 – Site Location & Block Plan
19144-OS-VH-DR-2001 – Existing Car Park
19144-OS-VH-DR-2002 – Proposed Car Park
19144-OS-VH-DR-2004 – Proposed Typical Solar Car Port
Received 12 September 2024

3. CONSULTATIONS

A site notice was displayed in the vicinity of the proposal.

No letters of representation have been received.

4. RELEVANT PLANNING HISTORY

970432 (97-01036-FUL) - 146 bedroom hotel

011498 (01-01166-FUL) - Extension of the hotel bedroom provision, conference and banqueting facilities, the provision of live-in staff facilities, and the construction of a road realignment and retaining wall

051351 (05-00313-FUL) - Extension to existing hotel to form new entrance and add 61 bedrooms

240120/SOL - Prior Approval For erection of solar canopy within off-street commercial parking - The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 14, Class OA. Prior Approval Given

5. EQUALITIES ACT 2010

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

6. LEGAL AND PLANNING POLICY CONTEXT

Under Class OA, Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) (England) Order 2015, as amended, the following is permitted development:

OA. The installation, alteration or replacement of a solar canopy within an area lawfully used as off street parking other than for a dwellinghouse or a block of flats

In assessing these issues, officers must have regard to the NPPF as if the application were a planning application, and also have regard to the Local Development Framework (the NPPF states that due weight should be given to the adopted policies of the Local Development Framework according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

7. APPRAISAL

Class OA states: Development not permitted

OA.1.Development is not permitted by Class OA—
(a) if any part of the development—
(i) exceeds 4 metres in height above ground level; **Complies**
(ii) is within 10 metres of the curtilage of a dwellinghouse or a block of flats; **Complies**
(b) within the curtilage of a dwellinghouse or a block of flats; **Complies**
(c) on a site designated as a scheduled monument or on land within the curtilage of a scheduled monument; **Complies**
(d) within the curtilage of a listed building; **Complies**
(e) for the display of an advertisement; or **Complies**
(f) if the off-street parking area is in use by virtue of Class B (temporary use of land) of Part 4 (temporary buildings and uses). **Complies**

Conditions
OA.2.—(1)Development is permitted by Class OA subject to the following conditions.
(2) In the case of development above a permeable surface, provision is made to direct run-off water from the solar canopy to a permeable or porous area or surface within the off-street parking area.

The proposal plans indicate a central gutter for the back-to-back PV canopies. All other solar canopies will have runoff directed within the site. As such, this condition is met.

(3) 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—
(a) the solar canopy's siting, design and external appearance, in particular the impact of glare on the occupiers of neighbouring premises; and

The appearance of the structures supporting the PV is considered acceptable.

The siting of the canopy would re-align some parking spaces to reduce the total provision. However, there are no restrictions on any past planning permission which requires the number of parking spaces to be maintained as currently in place. As such, the siting is acceptable.

It is not considered that the structures would result in undue glare that would impact highway safety or neighbouring premises.

(b) in the case of a solar canopy on article 2(3) land, the impact of the appearance of the solar canopy on that land.

Not applicable.

(4) Paragraphs J.4(3) to J.4(12) of this Part apply in relation to an application under sub-paragraph (3) as if "Class OA" substitutes the reference to "Class OA" in paragraph J.4(4).
(5) Development must be completed within a period of 3 years starting with the date on which—
(a) prior approval is given; or (Page 174 of 278)
(b) a determination that such approval is not required is given or the period for giving such a determination set out in paragraph J.4(9)(c) of this Part has expired without the applicant being notified whether prior approval is required, given or refused.
(6) Where the solar canopy is no longer needed, it is removed as soon as reasonably practicable and the land is restored to its condition before the development took place so far as reasonably practicable

8. CONCLUSION

The proposed solar installation complies with the requirements for it to be considered permitted development, and the appearance is considered acceptable.

9. RECOMMENDATION

Give Prior Approval.