

DELEGATED PLANNING APPLICATION REPORT

Ward: Battle

App Ref: PL/24/1505

Address: Exotic EStore, 24A Portman Road, Reading, RG30 1EA

Proposals: Installation of 149 solar PV panels

Case Officer: Sian Hickey

Date received (valid from): 12/11/2024

Target decision date: 10/01/2025

INTRODUCTION



Under Class J, Part 14, of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the 2015 Order”), as amended, the following is 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.*

provided the development is not excluded by virtue of the criteria in Paragraph J.1-J.3 and subject to conditions outlined in J.4 of the 2015 Order. The criteria and conditions outlined in J.1-J.4 will be examined below.

PROPOSAL AND SUPPORTING DOCUMENTS

The proposal is for the installation of 149 Solar Photovoltaics (PV) panels to the roof of Exotic EStore, 24A Portman Road, Reading. The dimensions of the PV panels are 1762mm (L) x 1134 (W) x 30mm (D).

The proposed installation will not alter or restrict the use of the building in any way.

The agent has submitted the following plans/documents:

Location Plan
Impact of solar PV on aviation and airports
PV-ezRack TrapeZoidal Specification Document
PV-ezRack TrapeZoidal Installation Guide
Vertex S Specification Document

Received 12th November 2024

Drawing No. 38212-1 rev B – Block Plan
Drawing No. 38212-2 rev B – Existing and Proposed Isometric View
Drawing No. 38212-3 rev B – Existing and Proposed Roof Plan
Drawing No. 38212-4 rev B – Existing and Proposed South Elevation
Drawing No. 38212-5 rev B – Existing and Proposed East Elevation
Drawing No. 38212-6 rev B – Existing and Proposed West Elevation
Drawing No. 38212-7 rev B – Existing and Proposed North Elevation
Drawing No. 38212-8 rev B – Mounting Details and Example Installation

Received 29th November 2024

RELEVANT POLICIES AND SUPPLEMENTARY PLANNING GUIDANCE

Legal context

Class J allows for Development consisting of:

- 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.*

In assessing these issues, officers must have regard to the NPPF as if the application were a planning application, as set out in Paragraph (8) of Class J, 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).

PLANNING HISTORY

No recent planning history for the site

CONSULTATION RESPONSES

A site notice was erected at the site on 21 November 2024. The 21-day consultation period expired on 12 December 2024. No consultation responses were received.

RBC Transport

This application is for the installation of roof mounted solar PV panels on the Exotic Estore building at 24A Portman Road.

The proposed plans accompanying this application shows the position of solar panels on the roof structure. The proposed solar panels do not protrude the roof.

There are no transport objections to prior approval being granted as it is considered that the solar panels will not be distracting to motorists.

RBC Environmental Protection

No objections

APPRAISAL

Development is not permitted by Class J in the following instances (officer comments follow in bold):

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;

No.

(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);

No.

(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;

No.

(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;

No.

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

No.

(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.

No.

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;

No.

(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

No.

(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.

No.

J.3 Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt.

No.

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; **see below** and*

*(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed. **Confirmed in email from agent dated 29/11/24***

(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.

External Appearance:

Due to the height of the building/roof and the inconspicuous nature of the location to the wider public, the solar panels would not be readily visible from the street scene and are considered to be acceptable.

Glare on occupiers of neighbouring land:

Based on the specifics of modern solar panels, detrimental glare for occupiers of neighbouring land is considered unlikely to result. No residential or business amenity should be impacted due to the height and proposed location of the solar panels.

A glint and glare briefing document has been submitted with the application to help support the case.

DECISION

The described works are considered compliant with Class J, Part 14, of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.

Recommendation: **GRANT** Prior Approval

Conditions

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

Location Plan received 12th November 2024

Impact of solar PV on aviation and airports received 12th November 2024

PV-ezRack Trapezoidal Specification Document received 12th November 2024

PV-ezRack Trapezoidal Installation Guide received 12th November 2024

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Drawing No. 38212-7 rev B – Existing and Proposed North Elevation received 29th November 2024

Drawing No. 38212-8 rev B – Mounting Details and Example Installation received 29th November 2024

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.

Informatives

1. 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.
2. 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.
3. 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.
4. 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.
5. There should be no burning of waste on the site.
6. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.