
Site Address:	Unit 5, Dunsbury Park, Fitzwygram Way, Havant		
Proposal:	Prior approval for installation of solar photovoltaics equipment on the roof of a commercial building.		
Application Type:	Prior Approval PV Equip on Non-Domestic		
Application No:	APP/24/00287	Expiry Date:	22/05/2024
Applicant:	Donald Eide Watson Marlow Fluid Technology Solutions		
Agent:	Heather Boodle Solar Voltaics Ltd	Case Officer:	Robert Riley
Ward:	Barncroft - Expired		

Recommendation:

1 Site Description

- 1.1 The application site comprises of an industrial unit located in Havant currently being occupied by Fatface.

2 Planning History

APP/19/00239 - Application for non-material change to Planning Permission APP/18/00357 (Plot 3 B) relating to revisions to northern elevation to change from three loading bay doors to four and addition of canopy above central loading bay doors., PERM,13/03/2019

APP/19/00365 - Please see covering letter, UNK,

APP/19/01066 - Display of 7No. internally illuminated monolith signs., PERM,12/12/2019

APP/12/00338 - Hybrid planning application comprising a part outline application relating to development for employment uses and a hotel with conference facilities and a part detailed application for a new access link road with bus gate to Woolston Road; together with landscaping, infrastructure and associated works (approved 19.02.14). Request to discharge conditions A5, A10, A11, A12, A13, A14, A16, A17, A18, B4 and B10 (05.01.16)., PERM,19/02/2014

APP/20/00508 - Approval of Reserved Matters in respect to Phase 1 Plot 4a of APP/17/01324 (new employment uses, hotel and access road) comprising construction of 11,622 sqm B2 commercial premises for plot access, layout, scale, appearance & landscaping and Condition B5 Other Matters criteria a to h inclusive.(15.10.20). Request to discharge conditions 2 & 3 (05.01.21).Request to discharge condition 4 (18.06.21)., PERM,15/10/2020

APP/21/01267 - Approval of Reserved Matters in respect to Phase 1 Plot 5 of APP/17/01324 (new employment uses, hotel and access road) comprising construction of 3no. B8 storage and distribution units totalling 6,877sqm for Condition B3(i) - (v) plot access, layout, scale, appearance & landscaping; Condition B5 Other Matters criteria (a) - (i) inclusive; and Discharge of Conditions A3, A5, A10, A17, A18, B9 & B10; incorporating revisions to previously approved Parameter Plans forming part of the Environmental Statement dated March 2012 for APP/12/00338, as amended by APP/17/01324 (approved 23.12.2022). Request to discharge condition 7 (17/03/2023). Request to discharge condition 6 (28.03.23)., PERM,23/12/2022

APP/17/01324 - , PERM,13/12/2018

APP/22/00757 - Application for Non-material amendments to Planning Permission APP/21/01267 to the following conditions: - Condition A19 (Approved Plans as regards Building Heights Parameter Plan) - Condition A14 (Contaminated Land as regards the timing for submission of any land verification report)., ,

APP/22/00693 - Application for Non-material change for minor changes to the as installed mechanical services including: - Ventilation louvre positions shifted and an omission of 1 louvre. - Two plant enclosure reduced slightly in size, PERM,25/08/2022

APP/23/00284 - Please see Savills covering letter, UNK,

APP/23/00379 - Reserved Matters in respect to Phase 1 Plot 5 of APP/17/01324 (new employment uses, hotel and access road) comprising construction of 3No. B2/B8 storage and distribution units totalling 6,877sqm for Condition B3(i) - (v) plot access, layout, scale, appearance & landscaping; Condition B5 Other Matters criteria (a) - (i) inclusive; and Discharge of Conditions A3, A5, A10, A11, A14, A17, A18, B9, B10 and B11; incorporating revisions to previously approved Parameter Plans forming part of the Environmental Statement dated March 2012 for APP/12/00338, as amended by APP/17/01324. (Revised application APP/21/01267)., PERM,11/10/2023

3 Proposal

There is one element being proposed to the application site

- Prior approval for installation of solar photovoltaics equipment on the roof of a commercial building.

4 Policy Considerations

- 4.1 This Prior Notification Application is to be considered under Part 14 Class J of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

5 Statutory and Non Statutory Consultations

Former Councillor Pamela Crellin - Barncroft

No comments received

Former Councillor Yvonne Weeks - Barncroft

No comments received

Ecologist, Planning Policy Team

Thank you for consulting me on this application.

I have no comments to make on this proposal.

Environmental Health Manager, Community Group

Thank you for consulting the Environmental Protection Team on this application. Please note these comments relate to noise only. We note the installation of 13 x 3 phase inverter units as part of the development, and would like more information about the noise that may arise from these units, and any other associated plant (e.g., air cooling plant) that could cause a noise problem to residents east of the development site.

Following communication between the agent and Environmental Health.

Thank you for the additional information from the applicant which confirms the inverters will be positioned internally within the building. Taking this into consideration, there should be no noise impact from the development, and for this reason we do not object to the proposal from a noise point of view.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 38

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Planning considerations
- (iii) Ecology
- (iv) Impact on residential amenity

- (i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Planning Considerations

- 7.3 The proposed installation of PV equipment on the roof of the premises is the subject of recent changes to the General Permitted Development Order (GPDO) which have given general permitted development rights for such changes to take place with only a 'prior approval' process to go through. As the proposed equipment is to be installed on non-domestic premises, then it is deemed the application can be considered under Part 14, Class J of the GPDO. Consequently the principle of the proposal use is considered acceptable.
- 7.4 The legislation states that J1 development is not permitted by Class J if -
- 7.5 (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; - *The panels were confirmed in an email dated 16/5/2024 and uploaded 20/5/24 to be installed on a slightly pitched roof and the agent confirmed that it would not protrude more than 0.2 metres from the roof surface and therefore would accord.*
- 7.6 (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); - *The panels would be installed on a pitched roof.*
- 7.7 (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; - *The minimum distance from the external edge of the roof was confirmed by the agent in an email dated 16/5/2024 and uploaded 20/5/24 to be 1.15 metres and would accord with this.*
- 7.8 (e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; - *The site is not designated as a scheduled monument.*
- 7.9 (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 premises on which the equipment is to be installed is not a listed building or within the curtilage of a listed building.*
- 7.10 J.2 Development is not permitted by Class J(a) or (b) if—
- 7.11 (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; - *The equipment is to be installed on the roof of the premises.*
- 7.12 (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; - *The equipment is to be installed on the roof of the premises.*
- 7.13 (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 building is not on article 2(3) land.*

7.14 Having regard to the relevant conditions under J.4— (1) of the GPDO it is considered that the main issues arising from this application are:

(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 the impact of glare on the occupiers of neighbouring land.

7.15 The agent confirmed that *"The PV array has been sited so as to minimise the effect on the external appearance of the building and the amenity of the area. The PV panels will not be visible from the ground due to the height of the building"*. Officers agree with this.

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

7.16 The agent confirmed that *"The panels will be removed as soon as reasonably practical when they are no longer needed"*.

(iii) Ecology

7.17 The ecologist was consulted as part of this application, the ecologist commented *"I have no comments to make on this proposal."* in light of this, officers are satisfied with this proposals potential impact upon ecology.

(iv) Impact on neighbouring amenity

7.18 Environmental Health was consulted as part of this application, whereby they stated "We note the installation of 13 x 3 phase inverter units as part of the development, and would like more information about the noise that may arise from these units, and any other associated plant (e.g., air cooling plant) that could cause a noise problem to residents east of the development site. In light of this, communication between the agent and the officer was undertaken confirming that the inverters will be positioned internally within the building. Regarding this, Environmental Health stated *"Thank you for the additional information from the applicant which confirms the inverters will be positioned internally within the building. Taking this into consideration, there should be no noise impact from the development, and for this reason we do not object to the proposal from a noise point of view"*. In light of these comments officers are satisfied with the impact upon noise from the proposal.

7.19 Paragraph J.4 (2) of Part 14 Class J of the GPDO 2015 (as amended) required the LPA to consider the impact of glare on occupiers of neighbouring land, owing to the orientation of the building, the height of the eaves, saw toothed roof design and separation distances to neighbouring properties officers do not consider there would be an adverse impact as a result of glare from the panels.

8 Conclusion

8.1 The proposed installation of PV equipment would comply with the requirements of Part 14 Class J of the GPDO 2015 (as amended), . There are considered to be no adverse impacts relating to its siting, external appearance, impact of glare on neighbouring land and duration of the installation created by this proposal. With regards to this, prior approval is **required and granted** subject to relevant conditions.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PRIOR APPROVAL** for application APP/24/00287 subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

SOLAR ARRAY LAYOUT: Uploaded 16/4/24
SPECIFICATION OF PANELS : Uploaded 20/5/24
LOCATION PLAN: Uploaded 16/4/24
CORRESPONDENCE BETWEEN AGENT AND OFFICER: Uploaded 20/5/24
FURTHER INFORMATION OF HEIGHT: Uploaded 14/6/24
PANEL INFORMATION: Uploaded 22/5/24

Reason: To ensure provision of a satisfactory development.

- 2 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.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.