Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0771
Dial Post Farm, Unit 5 Dial Post Park, Horsham Road, Rusper, West Sussex, RH12 4QX

DESCRIPTION:
Prior notification for the installation of solar panels on one elevation of existing roof.

RELEVANT PLANNING HISTORY:
None relevant

RELEVANT PLANNING POLICIES
The Town and Country Planning (General Permitted Development) (England) Order 2015.
Schedule 2, Part 14, Class J - installation or alteration etc of solar equipment on non-domestic premises.

REPRESENTATIONS AND CONSULTATIONS RESPONSES
One representation has been received from the Parish Council, supporting the application subject to it meeting the required planning conditions.

EQUALITY AND HUMAN RIGHTS:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT
The main issue is whether prior approval is required for the proposed development under Class J of Part 14 within Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended:-

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.

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;

From the information provided as stated in the application form details, the application would accord with the above criteria.

(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);

N/A

(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;

From the information provided as stated in the application form details, the application would accord with the above criteria.

(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;

N/A

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

N/A

(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.

N/A

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;

N/A

(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

N/A

(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.

N/A

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; and

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

The proposal would cover one elevation of the existing pitched roof, and it is not considered that this would be unusual or harmful given the commercial character and external appearance of the building. The site is set within an industrial/commercial estate and the addition of the solar panels are not considered to have a detrimental impact on the amenity of the area. The proposal is therefore considered acceptable in these regards.

The application form states that the proposed equipment would not exceed 50 kilowatts and there is no other solar PV equipment apparent at the site. The installation is therefore considered to fall within the definition of 'microgeneration' and the prior approval of the LPA, as set out under J.4(2) is not therefore required.

Recommendation: Prior Approval Not Required

Reason:

1. The development would be permitted by Class J of Part 14 within Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended.

Plans list for: DC/24/0771
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	17.05.2024
Floor plan		NONE	17.05.2024

DELEGATED

Case Officer sign/initial Steve Astles Date: 03.07.2024

Authorising Officer sign/initial Guy Everest Date: 11.07.2024