

PLANNING STATEMENT IN SUPPORT OF AN APPLICATION
FOR A LAWFUL DEVELOPMENT CERTIFICATE

PROPOSED INSTALLATION OF SOLAR PANELS ON
ROOFSpace OF COMMERCIAL PROPERTY

46 WINDSOR STREET, BURBAGE, LEICESTERSHIRE,
LE10 2EF

FOR NWMP LTD



1. Introduction

- 1.1 This planning statement is submitted in support of an application for a Lawful Development Certificate relating to the proposed installation of solar panels at 46 Windsor Street, Burbage, Leicestershire, LE10 2EF.
- 1.2 Photograph p.1 below shows the front elevation of the building. The proposed solar panel installation will be sited on the roof space pictured. Picture p.2 shows a birds eye view of the roof space and picture p.3 shows the proposed layout of the solar panels.

p.1



p.2



p.3



2. Planning status of the Site

2.1 The application site is not within:

- A Conservation Area;
- An area of outstanding natural beauty;
- An area specified in Section 41(3) of the Wildlife and Countryside Act 1981;
- The Broads; OR
- A World Heritage Site

2.2 46 Windsor Street is not included on the statutory List of buildings of Special Architectural or Historic Interest maintained by Historic England.

3. The Proposed Installation

3.1 The proposed development is the installation of solar panels on the roof elevation covering an area approximately 40.42m². This project is partially funded by the Business Prosperity Grant through Hinckley & Bosworth Borough Council and a certificate of lawful development is required to satisfy the grant requirements.

4. Permitted Development

4.1 It is contended that the installation of the solar panels is permitted development and therefore does not require planning permission because it satisfies the relevant criteria of the General Permitted Development Order.

4.2 The relevant criteria are contained in Schedule 2, part 14 of The Town and Country Planning (General Permitted Development)(England) Order 2015 concerning “*the installation or alteration etc of solar equipment on non-domestic premises*” and are set out below together with the reasons why the proposed development is compliant.

J- It is proposed that the installation of the solar V equipment is classed as permitted development under class J.

“The installation, alteration or replacement of—

- a) (a) microgeneration solar thermal equipment on a building;*
- b) (b) microgeneration solar PV equipment on a building; or*
- c) (c) other solar PV equipment on the roof of a building,*

other than a dwellinghouse or a block of flats.”

J.1

- a) the solar PV equipment or solar thermal equipment is being installed on a pitched roof but **will not** 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;
- b) the solar equipment or solar thermal equipment **is not** being installed on a flat roof and
- c) **is not** being installed on a flat roof within 1 metre of the external edge of that roof;
- d) the building **is not** located on article 2(3) land;
- e) the solar PV equipment or solar thermal equipment **is not** being installed on a site designated as a scheduled monument;
- f) the solar PV equipment or solar thermal equipment **is not** being installed on a listed building or on a building within the curtilage of a listed building.

J.2

- a) the solar PV equipment or solar thermal equipment **is not** being installed on a wall;
- b) the solar PV equipment or solar thermal equipment **is not** being installed on a wall within 1 metre of a junction of that wall with another wall or with the roof of the building; or
- c) the building is not located on article 2(3) land.

J.3 the capacity of the solar PV equipment or solar thermal equipment does not exceed 1 megawatt.

J.4- (1) *Class J development is permitted subject to the following conditions—*

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

The solar equipment will be sited on the roof. Other properties on Windsor Street already have solar panels installed and therefore the effect on the external appearance of the building and the amenity of the area will remain in keeping with the local area. As the solar equipment is intended to remain sited for many years to come but could be removed if no longer needed in the future, condition (b) does not apply.

5. Conclusion

Although the property usage has been classified as non-domestic for a number of years, the building itself was originally residential and therefore the roof space is consistent with the other residential properties on the street. Some of these other properties along with the church next to our building, already have solar panels installed without the need for planning or a certificate of lawful development to be obtained and it is therefore proposed that a precedent has been set both on Windsor Street but also in the surrounding village of Burbage where solar panels are prevalent.

The installation of solar panels is also a positive step towards Hinckley & Bosworth Borough Councils ambition to be a net zero borough by 2050.

It is therefore our opinion that a Certificate of Lawful Development should be granted.