
Application number: 2024/0605

Description: Lawful development certificate for proposed fitting of solar panels to roof

Location: Rotherwood, The Green, Penistone, Sheffield, S36 6BL

1. Site Location & Description

- 1.1. The application site comprises of a large, semi-detached corner plot property located on High Street in Penistone. The property is sited adjacent to the junction of High Street, Green Road and the Green.
- 1.2. The application site is also located within the Penistone Conservation area.

2. Proposed Development

- 2.1. The applicant is seeking a certificate of lawfulness for the erection of solar panels under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 14, Class A. The applicant has stated that the solar panels would be fitted to the south elevation of the sloped roof, as such would not front onto any highway.

3. Policy Context

- 3.1. Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).

4. Consultation

- 4.1. A Lawful Development Certificate has no statutory requirement to consult third parties including parish councils or neighbours. Views expressed by third parties on the planning merits of the case, or on whether the applicant has any private rights to carry out the operation, use or activity in question, are deemed irrelevant when determining such applications. the local planning authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is or would be lawful.
- 4.2. Legal Services – No comments have been received.

5. Representations

- 5.1. None

6. Relevant History

- 6.1. 2009/1159 - Erection of detached dormer bungalow – Approved subject to conditions, October 2009.

7. Planning Considerations

7.1. In order for the proposed solar panels to the south elevation roof to be determined as permitted development under Part 14, Class A of Schedule 2 of the GPDO the works proposed should not result in solar panels that would as a result of the works:

- The solar PV or solar thermal equipment would protrude more than 0.2 metres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the wall or roof slope;
- It would result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney);
- In the case of land within a conservation area or which is a World Heritage Site, the solar PV or solar thermal equipment would be installed on a wall which fronts a highway;
- The solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or
- The solar PV or solar thermal equipment would be installed on a building within the curtilage of the dwellinghouse or block of flats if the dwellinghouse or block of flats is a listed building.

7.2. The solar panels would also need to be, so far as practicable, sited so as to minimise its effect on the external appearance of the building, to minimise its effect on the amenity of the area and the thermal equipment is removed as soon as reasonably practicable when no longer needed.

7.3. The proposed solar panels would not protrude more than 0.2m beyond the plane of the wall or roof slope and it would result in the highest part of the solar PV being higher than the highest part of the roof. Whilst the site is in the Penistone Conservation Area the solar PV panels would not be installed on a wall which fronts a highway. The site is not designated as a scheduled monument and would not be installed on a building or curtilage of a listed building.

7.4. Given the above, it is considered that the proposed solar panels would constitute permitted development and accord with the provisions of Part 14, Class A of Schedule 2 of the General Permitted Development Order.

8. Conclusion

8.1. The proposed installation of solar panels to the south elevation roof slope as described in the First Schedule satisfies the requirements for the Part 14, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. As such a Lawful Development Certificate shall be issued.

9. Recommendation

9.1. Certificate granted.