
2025/0773

True Refrigeration, Fields End Business Park, Drovers Dale Road, Goldthorpe, Rotherham, S63 9EU

Application to determine if prior approval is required for a proposed installation of Solar Photovoltaics (PV) equipment on the roof of the existing building under Schedule 2, Part 14, Class J of the GDPO.

Site Description

The application relates to the warehouse which is currently used by True Refrigeration located at Field End Business Park, Drovers Dale Road, Goldthorpe, Rotherham, S63 9EU.

The surrounding area is predominantly commercial in character with a large number of warehouse units surrounding the site. However, there are residential dwellings close to the site located on Gosling Gate Road, within Goldthorpe. The site is accessible via road links and

Planning History

- 2016/1362 - Incorporation of part of highway into site and installation of sliding security gate and barrier – Approved subject to conditions
- 2016/1500 - Erection of single storey side and front extensions to existing factory unit. – Approved subject to conditions.
- 2022/0834 - Installation of solar pv system to roof of building (Prior Approval) – Prior approval granted.

Proposed Development

This application has been submitted under Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). This will determine if the development would require prior notification before installation.

The installation, alteration or replacement of other solar PV equipment on the roof of a building is permitted development under Class J(c), Part 14 of Schedule 2 of the GPDO subject to condition J.4(2), which requires the developer to apply to the Local Planning Authority for a determination as to whether prior approval is required.

The application shows that 315no. solar PV panels would be installed on the roof of the application building with an electricity generation capacity of 460W. This application is to assess if prior notification is required for the installation of the PV panels.

Policy Context

No special restrictions or designations affecting the proposal are considered to apply to this site, such as permitted development rights having been removed, or listed status etc.

Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) order 2015 as amended, permits the installation or alteration etc of solar equipment on non-domestic premises. Within this are the following categories:

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.

‘Microgeneration’ has the same meaning as in section 82(6) of the Energy Act 2004 and covers all solar PV equipment with a capacity of which to generate electricity that does not exceed 50 kilowatts. The proposal would result in a total electricity generation capacity of more than 50 kilowatts and is therefore considered to fall under category *J(c) other solar PV equipment on the roof of a building.*

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;*
- 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);*
- c. the solar PV equipment or solar thermal equipment would be installed [F1 on a roof and] within 1 metre of the external edge of that roof;*
- d.*
- e. the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or*

- 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.*

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;*
- 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*
- 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.*

As this application falls under Class J(c), paragraph J.2 is not relevant to this application.

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

(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.

Consultations

Highways – No objections.

Representations

A site notice was displayed opposite the application site. No representations were received from members of the public.

Assessment

Class J, Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) order 2015 as amended, permits the installation or alteration etc of solar equipment on non-domestic premises, and Class J(b) specifically permits the installation of microgeneration solar PV equipment on a building, if the relevant criteria and conditions are complied with.

The proposal meets the criteria set out above of Schedule 2 Part 14 Class J.4 of the GPDO, and therefore, before beginning the development, the applicant must apply to the LPA for prior approval as to the design or external appearance of the development. The relevant material considerations have been considered through the below planning assessment.

Design and external appearance

The roof-mounted solar panels are proposed to be positioned in a number of locations on the roof of the building. Due to the height of the building, the proposed solar panels will be limited to the view of the public. This is considered to be acceptable as there are no directly adjacent residential buildings. There would also not be any loss of residential amenity or resulting glare from the panels for neighbours and as such this is in accordance with Class J.4(2). The scheme is assessed as being acceptable both in terms of design and residential amenity considerations, in line with Section 12 of the NPPF.

Highways

The proposals involve the installation of a number of rows of solar PV panels on the roof of an existing large commercial unit. The highways officer has been consulted and has concluded that due to the height of the building, the panels would not be visible to vehicular traffic, as such, users of the public highway would not be subjected to any glint or glare.

In view of the above, the proposals are acceptable from a highway's development control perspective.

Conclusion

The scheme would result in the erection of solar panels to the roof of the warehouse building in Goldthorpe. The application has been made under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 14, Class J for the installation, alteration or replacement of solar photovoltaic (PV) equipment on the roofs of non-domestic buildings, for which prior approval is not required for a proposal of this nature. As outlined within the planning assessment, this will not cause any negative cumulative effects on either the building on which it is sited or the surrounding areas' amenity, and the solar PVs will be removed as soon as reasonably practicable when no longer needed.

Recommendation -

Prior not required