

Application Reference Number:	2025/1085
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Application Type:	Prior Notification – Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings.
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Proposal Description:	Installation of roof mounted 2.24MW solar PV system comprising of 4925 x Canadian Solar 455w modules (Prior Notification)
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Location:	Cranswick Convenience Foods, Valley Park Industrial Estate Meadowgate, Wombwell, Barnsley, S73 0UN
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Applicant:	Cranswick PLC
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Third-party representations:	None	Parish:	None
		Ward:	Wombwell

Site Description

The application site relates to Cranswick PLC which is a large food producer located in Valley Park Industrial Estate in Wombwell, off Wath Road Roundabout. The existing factory is a large building constructed of a mix of materials, including brick, glass and green steel cladding. There is a two-storey office area to the front and large production area behind this. The building has been extended previously and fills most of the site with a parking area to the front/South of the building. Access is from Meadowgate with deliveries directed to the side of the building. The majority of screening is provided by existing tree lined areas adjacent the A6195 and the Trans Pennine Trail to the south. The site is located in the Urban Fabric in what is an established industrial estate. There are a range of building types and uses within the estate, with a variety of building shape/sizes and external materials visible.

In terms of the surrounding area, there are employment units to the west of the site, To the south and east are residential developments and a Premier Inn Hotel. The site is not within or adjacent to a conservation area, and there are no listed buildings on or adjacent to the site. The site is well screened from the A6195 due to extensive planting/trees along the boundaries.

Planning History

B/90/0993/WW - Outline for erection of warehouses/non-food retail units/petrol station/restaurant/public house – Approved with conditions

2006/1392 - Erection of Security Gatehouse – Approved with conditions

2008/0540 - Erection of a single storey extension to factory – Approved with conditions

2015/1103 - Extension to existing factory for dry goods storage – Approved with conditions

2019/0953 - Proposed new boiler house - Approved with conditions

2021/0730 - Two storey extension to existing building and upgrade to existing front elevation – Approved with conditions

2023/0294 - Proposed new ammonia plant room and reception building – Approved with conditions

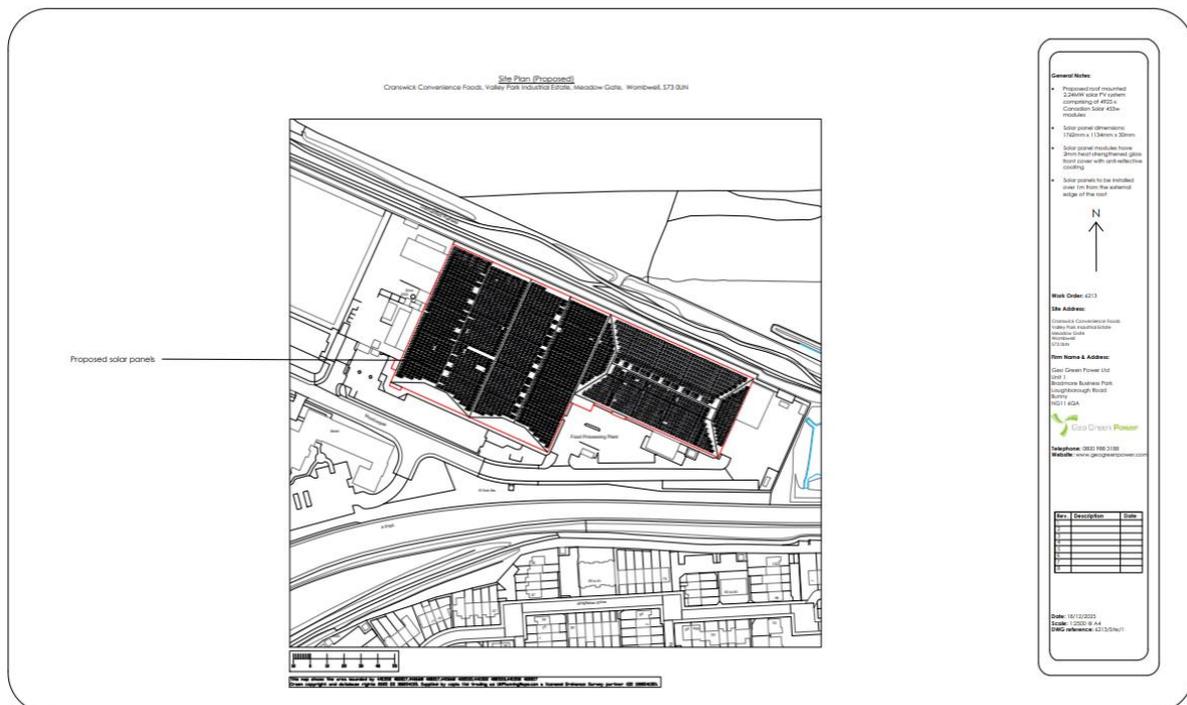
2024/0299 - Creation of façade wall, and replace existing fascias, external cladding to existing facility and alterations to car park – Approved with conditions

Proposed Development

This application has been submitted under Class J, Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).

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 to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land.

The proposal involves the installation of roof mounted 2.24MW solar PV system comprising of 4925 x Canadian Solar 455w modules. The plans show that the panels will not protrude more than 0.2m from the roof plane and are set more than 1m from the edge of the building. Plans have been submitted with the application, including a site plan, block plan, data sheet, elevations and a Construction Method Statement at the request of the Highways Officer.





Relevant Policies

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. 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. 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 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.

(3) The application must be accompanied by—

a. a written description of the proposed development;

b. a plan indicating the site and showing the proposed development;

- c. *the developer's contact address; and*
- d. *the developer's email address if the developer is content to receive communications electronically;*

together with any fee required to be paid.

(4) The local planning authority may refuse an application where, in the opinion of the authority—

- a. *the proposed development does not comply with, or*
- b. *the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with,*

any conditions, limitations or restrictions specified in Class J applicable to the development in question.

(5) Sub-paragraphs (6) and (8) do not apply where a local planning authority refuses an application under sub-paragraph (4) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(6) The local planning authority must give notice of the proposed development—

- a. *by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—*
 - i. *describes the proposed development;*
 - ii. *provides the address of the proposed development;*
 - iii. *specifies the date by which representations are to be received by the local planning authority; or*
- b. *by serving a notice in that form on any adjoining owner or occupier.*

(7) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.

(8) The local planning authority must, when determining an application—

- a. *take into account any representations made to them as a result of any notice given under sub-paragraph (6); and*
- b. *have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.*

(9) The development must not begin before the occurrence of one of the following—

- a. *the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;*

b. *the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or*

c. *the expiry of 56 days following the date on which the application under sub-paragraph (3) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.*

(10) The development must be carried out—

a. *where prior approval is required, in accordance with the details approved by the local planning authority;*

b. *where prior approval is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (3),*

unless the local planning authority and the developer agree otherwise in writing.

(11) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

(12) When computing the number of days in paragraph (6)(a), any day which is a public holiday must be disregarded.

Representations

This planning application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended).

A site noticed has been posted and the application advertised on the Council website. No representations were received.

Consultations

Highways – No objection subject to compliance with submitted Construction Method Statement

Ward Members – Cllr Higginbottom and Cllr Eastwood support the proposal

Planning Assessment

Principle of Development

This application is being considered within the scope of Class J(c), Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended). Class J(c) specifically permits the installation of other solar PV equipment on the roof of a building, if the relevant criteria and conditions are complied with.

Conclusion

Having checked these specifications, the proposed development would comply with the legislation and requirements for permitted development under Class J(c), Part 14 of Schedule 2 of the GPDO.

In terms of consideration of to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land, the proposal does not raise any significant concerns. The panels will be on the roof of the building and to the north it

borders onto open land with a tree lined boundary. To the west is another industrial building and to the south is a hotel with its main windows below the ridge line of the roof of the application site building. To the south are residential properties but they are separated by tree lined boundary and the A6195 so are sufficient distance away. As such it is not considered that the design would be out of character with the surroundings and the external appearance is not considered to have a negative impact on neighbouring uses.

In view of the above it is recommended that further prior approval is not required, and this application should be granted subject to conditions.

RECOMMENDATION: Prior Approval – Granted subject to conditions.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

In dealing with the application, the Local Planning Authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- *To confirm agreement with pre-commencement Highways condition and submission of CMS*

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Conditions:

1. The development hereby approved shall be carried out strictly in accordance with the plans: 6213/Site/1, 6213/Block/1, 6213/ElevA/1, 6213/ElevB/1, Data Sheet, Construction Method Statement, and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

2. The solar PV equipment or solar thermal equipment shall, so far as practicable, be sited to minimise its effect on the external appearance of the building and the amenity of the area.

Reason: In accordance with condition J.4(1)(a) of Class J, Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).

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

Reason: In accordance with condition J.4(1)(b) of Class J, Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).

Informative(s):

The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.