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**2024/0939**

The Brook Group

Installation of solar panels on roof of building (Prior Notification)

Fountain Inn, Wellthorne Lane, Ingbirchworth, Sheffield, S36 7GJ

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### **Site Location and Description**

The site is located to the north side of Wellthorne Lane at the eastern edge of the settlement of Ingbirchworth. The site is currently occupied by the Fountains Inn Public House and associated car parking to the east.

The Fountains Inn is a large, rendered public house and restaurant. The property is two storey in height with a number of single storey extensions evident. The property has a mix of pitched and lean to roof forms. The site is surrounded by modern newly built residential properties and is allocated as urban fabric. The residential property Fountain Fold is located directly to the rear of the property facing Wellthorne Lane.

The land to the north and west is green belt with Ingbirchworth Reservoir located to the west of the site and accessed from Wellthorne Lane.

### **Planning History**

2022/0478 Discharge of condition 14 (hard and soft landscaping) of application  
2021/0819 Ground floor infill extension to form wc – Approve  
2021/0765 Discharge of Conditions Discharge of conditions 3 (boundary treatment), 4 (materials), 5 (broadband), 7 (Ecology), 8 (drainage), 14 (landscaping), 15 (trees), 16 (highway details), and 21 (construction method statement) for application 2021/0315 (Refurbishment of public house and erection of 9 dwellings) – Approve  
2021/0315 Refurbishment of the Fountain Inn Public House, including improvements to external seating area and the demolition of extensions to the rear, and residential development comprising 9 dwellings - Approve with Conditions  
2020/0474 Demolition of public house and redevelopment of site for 13 dwellings - Refuse  
B/02/0551/PR Erection of two-storey extension to form an additional seven en-suite bedrooms and breakfast/function room.  
B/99/1173/PR Erection of single-storey extension.  
B/96/1373/PR Single-storey function room and bedrooms extension to Public House plus additional car park.  
B/94/1177/PR Erection of single storey store/preparation room extension  
B/92/0448/PR Erection of dry goods store  
B/89/1326/PR Extension to form beer cellar, bottle store and extension to kitchen/preparation area  
B/87/0072/PR/AD Illuminated sign  
B/85/1057/PR/AD Illuminated sign  
B/84/0743/PR Extension to public house  
B/82/0072/PR Renewal of temporary permission for siting of residential caravan  
B/82/0040/PR Formation of children's play area and beer garden and erection of coal store

B/81/0860/AD/PR Erection of illuminated sign  
B/80/0860/AD/PR Illuminated post-mounted box sign and two lantern units  
B/80/1147/PR Temporary siting of residential caravan  
B/80/1207/PR Extensions and alterations to public house  
B/78/0124/A/PR Advance warning sign-board  
B/76/0380/PR Erection of extension to kitchen

## **Proposed Development**

This application seeks confirmation whether prior approval is required in accordance with the conditions set out in Schedule 2, Part 14, Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Class J relates to the installation or alteration etc of solar equipment on non-domestic premises.

The proposal is for the installation of PV panels on the roof of the Fountain Inn, Ingbirchworth. The size of the system is a 20.21 KW PV system consisting of 31 x 430 w panels and 2 x SunSynk 3 phase 10Kw converter.

## **Publicity/Representations**

Schedule 2, Part 14, Class J Paragraph J.4(6) requires Local Planning Authorities to give notice of the proposed development by either site notice or serving notice on any adjoining owner or occupier.

In this instance, both a site notice and neighbours letters were used to publicise the development. 3 neighbour objections have been received in response to the publicity with concerns relating to potential noise issues.

## **Consultations**

Pollution Control – There shouldn't be any noise associated with the panels, assuming they are correctly installed. There is a possible noise emitted from the inverter but as I understand it these do not usually emit more than 45dB and they do not emit any noise outside of daylight hours. A noise assessment is not necessary.

## **Planning Assessment**

### Regulations

Planning regulations relating to this prior notification are set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Schedule 2, Part 14, Class J of the order allows for development consisting of:

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.

The proposed development falls within the definition of Part C above by constituting solar PV equipment which is to be installed upon the roof of a non-residential building.

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) (deleted in regs)

(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.

#### Assessment

Paragraph J.1 sets out the criteria for permitted development which is assessed as follows:

(a) The panels will sit 132mm above the roof slope and therefore below the 200mm threshold.

(b) The panels will not be more than 1m higher than the flat roof.

(c) The applicant confirms that the panels will be more than 1m away from the external edges of the roof.

*(d) Paragraph deleted in regs.*

(e) The site is not a scheduled monument.

(f) The building is not listed nor within the curtilage of a listed building.

Paragraph J.4 sets out the relevant conditions as follows:

(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.

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 to the amenity of the area.

There has been some concern from neighbouring properties regarding the potential noise pollution from the solar panels and equipment. The Council's Environmental Health department were consulted and stated that there should not be any noise associated with the panels, assuming they are correctly installed. There is a possible noise emitted from the inverter but these do not usually emit more than 45dB and they do not emit any noise outside of daylight hours. For this reason a noise assessment was not deemed necessary.

Due to the positioning of the solar panels and the location of the neighbouring windows, the glare impact should be negligible to neighbouring properties. The solar equipment has been located on the elevation facing away from the nearest neighbouring properties, therefore there would be no substantial impact on the outlook or appearance as a result of the solar panels. It is acknowledged that the panels will be visible from Wellthorne lane, however given the nature of the building and the fact the panels are for the most part limited to the elevation facing the car park it is considered that the development accords with conditions set out in j.4 in terms of appearance and amenity and prior approval is not required subject to the standard conditions.

### Conclusion

Based on the information submitted within this application, it is considered that the development would comply with the legislation of Schedule 2 Part 14 Class J (c) of the GDPO 2015 (as amended) and prior approval is not required subject to the standard conditions.

### **Recommendation**

Prior Approval Granted – subject to conditions.