



Planning Committee

16 January 2025

Report of: Assistant Director for Planning

Reference Number: 24/01019/GDOPV

Proposal: Installation of 125 solar PV panels on the flat roofs at Waterfield Leisure Centre.

Site: Waterfield Leisure Centre, Dalby Road, Melton Mowbray, LE13 0BG

Applicant: Melton Borough Council

Planning Officer: Alex Coy

Report Author:	Alex Coy , Planning Policy Officer
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Chief Officer Responsible:	Sarah Legge , Assistant Director for Planning
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Corporate Priority:	Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	Councillor Alison Freer, Councillor Allen Thwaites (Melton Warwick Ward)
Date of consultation with Ward Member(s):	15 November 2024
Exempt Information:	No

Reason for Committee Determination: The prior approval notification is required to be considered by the Committee because the applicant is Melton Borough Council.

Web Link:

<https://pa.melton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SMDTLOKOH8100>

What 3 words: <https://w3w.co/crowds.stay.labels>

Site Location Plan:



RECOMMENDATION(S)

1. It is recommended that no prior approval of the matters listed in Part 14, Class J are required (see section 8 below)

1 Executive Summary

- 1.1 This report addresses a 'Prior Notification' for the installation of 125 Solar PV panels on the flat roofs at Waterfield Leisure Centre. It is not a planning application as such; the legal basis for the Notification and the Council's responsibilities in this respect are explained below.
- 1.2 The Notification is required to be considered by the Committee because it is submitted by Melton Borough Council.

Main Report

2 The Site

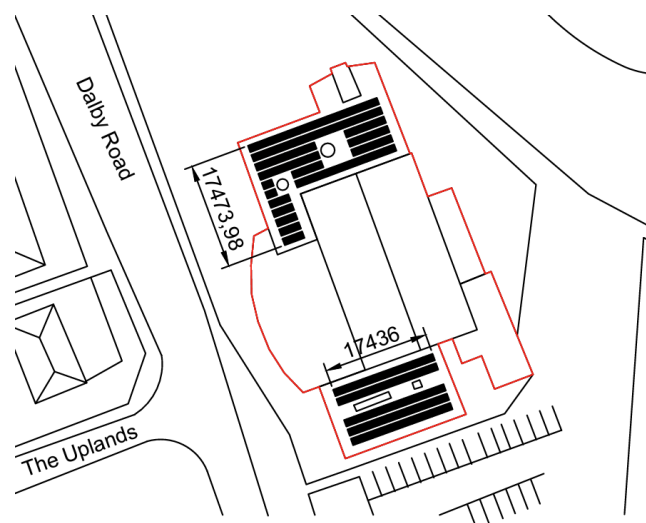
- 2.1 The site is the Waterfield Leisure Centre located within Melton Mowbray and accessed via Dalby Road, adjacent to the River Eye. The premises include the main building and an extension that was added in the 1990's. The building features two large expanses of flat roofs to the north and south of the curved roof.
- 2.2 The site is located outside the conservation area of Melton Mowbray. The land to north and east of the leisure centre is a series of public parks and Dalby Road is located to the west of the site.

3 Relevant Planning History

- 3.1 1345/63 - Construction of a swimming pool and formation of an access – Permitted - 03.07.1963
- 3.2 88/01013/FUL - Leisure pool extension – Permitted - 10.04.1989

4 Proposal

- 4.1 The proposal is a prior approval notification for the installation of 125 Solar PV panels on the flat roofs at Waterfield Leisure Centre. The prior approval notification has been supported by block plans, elevations and specifications of the solar panels.
- 4.2 The proposal would see 125 Solar PV Panels installed on the flat roof areas of the leisure centre to the north and south of the building (see plan below). The panels would be mounted on a Van der Valk mounting system to raise them to a more effective angle of 300mm from the flat roof surface. Each panel would measure 1.7m by 1.1m. The specification of the solar panels are Canadian Solar Inc., TOPHiKu6 445W.



5 Amendments

5.1 No amendments have been submitted to the initial proposal.

6 Planning Policy

6.1 The Council's role in the consideration of the prior approval notification is to establish whether all of the qualifying criteria have been met, and whether grounds exist to require a prior approval. It is a matter of fact whether it is permitted development which would not require a full planning application considering the legislation under Part 14, Class J of the GPDO 2015 (as amended) as explored below.

6.2 For the reasons set out above, no consideration of Local Plan policies is necessary with prior approval notifications.

7 Consultation Responses

7.1 Summary of Technical Consultation Responses

7.1.1 Due to the nature of a prior approval notification, there is no requirement to consult with Statutory Consultees.

7.2 Summary of Representations

7.2.1 Ward Member(s)

a) Agree with the proposal

7.3 Response to Consultations and Representations

7.3.1 N/A

8 Planning Analysis

8.1 Main Considerations

8.1.1 The prior approval notification relates to the installation of Solar equipment on a non-domestic premises and therefore falls under Class J of Part 14 of the General Permitted Development Order (GPDO) 2015 (as amended). Each criteria of the regulations are responded to in bold below.

8.2 Part 14 Class J Criteria

8.2.1 Class J – installation or alteration etc of solar equipment on non-domestic premises

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.

The proposal is for microgeneration solar PV equipment on a Leisure Centre building and therefore meets the criteria listed above.

8.2.2 Development not permitted

8.2.3 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;

The solar panels would be installed on a flat roof therefore this criteria is not relevant.

8.2.4 (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);

The highest part of the solar panel would be 300mm from the surface of the flat roof therefore this criteria is met.

8.2.5 (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;

At all points of the installation the solar panels would be installed a distance greater than 1m of the external edge of the roof.

8.2.6 (e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or

The site is not designated as a scheduled monument.

8.2.7 (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.

The site is not a listed building or within the curtilage of a listed building.

8.2.8 J.2 Development is not permitted by Class J(a) or (b) if –

8.2.9 (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;

The solar panels would be installed on a flat roof not a wall.

8.2.10 (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

The solar panels would be installed on a flat roof not a wall.

8.2.11 (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.

The building is not located within article 2(3) land (Conservation Area)

8.3 Part 14 Class J Conditions

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

8.3.2 (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

It is considered that the public visibility of the panels the solar panels proposed for the north flat roof would be minimal and not significantly impact the external appearance of the building and the amenity of the area due to the minimal height of the solar panels (300mm) and the placement on a flat roof.

It is considered that the solar panels proposed for the south flat roof would have public visibility from Dalby Road due to site levels, however this would be the only place they would be viewed from because the site sits lower than the road. However given the nature of the premises, the limited height of the proposed solar panels and that solar panels are commonplace it is considered that the impact on the appearance of the building and amenity of the area would be minimal.

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

This is condition as part of the permitted development regulations therefore the development would be required to meet this to comply with conditions of Part 14 Class J.

- 8.3.4 (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.

This prior approval notification meets the first part of this criteria, the design is considered to have minimal impact on the external appearance. The orientation of the solar panels with the angle facing the south is considered not to impact neighbouring land with the nearest residential property being over 70m away and the neighbouring land being a car park. In addition, the solar panels would have a 3.2mm tempered glass front cover with anti-reflective coating to reduce the glare.

9 Conclusion & Reason for Recommendation

- 9.1 The proposed development accords with the criteria set by Part 14, Class J of the Planning (General Permitted Development) Order 2015 (as amended) and the matters subject of conditions specified by part J.4 of this legislation are not applicable to the circumstances of the case.
- 9.2 Therefore, it is recommended that a decision letter is issued to the applicant stating that prior approval is not required.

10 Planning Conditions

- 10.1 No additional planning conditions can be placed on this type of notification. The proposal is subject to the conditions stated within the Class J of the Planning (General Permitted Development) Order 2015 as detailed at part 8.3 of this report.

11 Financial Implications

- 11.1 There are no financial implications associated with this planning application.

Financial Implications reviewed by: N/A

12 Legal and Governance Implications

- 12.1 The Notification requires consideration by the Committee as it is submitted by the Council for its own development, (Constitution Chapter 2, Part 9, 'Planning Committee functions and procedures.

Legal Implications reviewed by: Deputy Monitoring Officer