**Prior Approval for the Installation of 676No. roof mounted solar PV panels of total installed capacity 300.82kWp on Cirencester Leisure Centre roof at Cotswold Leisure Centre Old Tetbury Road Cirencester Glos GL7 1US**

| **Prior Approval Notification (Solar Panels)<br>24/01915/SPANOT** | |
|---|---|
| Applicant: | Cotswold Leisure Centre |
| Agent: | Solarsense UK Ltd |
| Case Officer: | Kristina Carter |
| Ward Member(s): | Ray Brassington |
| Committee Date: | 11 September 2024 |
| **RECOMMENDATION:** | **Prior Approval Not Required** |

## 1. Main Issues:

(a) Whether prior approval is required as to the design or external appearance of the development and the impact of glare on the occupiers of neighbouring land

## 2. Reasons for Referral:

2.1 The application site is occupied by a Council-owned building.

## 3. Site Description:

3.1 This application relates to the Cotswold Leisure Centre, a modern building located on Tetbury Road on the edge of the town centre of Cirencester. The application site is located within Cirencester Development Boundary.

3.2 The site lies outside of a conservation area. The boundary of Cirencester (The Park) Conservation Area is located approximately 40m to the north-west of the application building. The boundary of the Grade I Cirencester Park Registered Park and Garden is also located approximately 40m to the north-west of the leisure centre.

3.3 Long Barrow and Roman Amphitheatre and Cemetery Scheduled Ancient Monument is located approximately 30m to the south-east of the application building.

3.4 The application site is located outside of the Cotswolds National Landscape.

## 4. Relevant Planning History:

4.1 17/01662/FUL - Installation of 2 no. external combined heat and power plant with 250mm dia. flue and compressor unit within secure open air external compound, permitted 30.05.2017

4.2 21/04248/SPANOT - Prior approval notification for the installation of Solar Photo-Voltaic panels (total installation 114kwp), approved 14.12.2021

## 5. Planning Policies:

- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- INF10 Renewable & Low Carbon Energy Development

## 6. Observations of Consultees:

N/A.

## 7. View of Town/Parish Council:

7.1 *'No objection to installation of roof mounted solar PV panels on Cirencester Leisure Centre roof. CTC welcomes the installation of PV panels, enabling generation of renewable energy. CTC would like to see steps taken to avoid bird damage to the solar panels, in light of the recent serious Bristol Museum roof fire, apparently caused by bird damage to solar panels.'*

## 8. Other Representations:

8.1 Cirencester Civic Society: General comments:

*'It is clearly desirable for buildings such as this to maximise opportunities for generating renewable energy. It is assumed that the solar panels that will cover most of the remaining areas of roof will not be visible from ground level, as no elevations of the building have been provided. In the light of the recent serious Bristol Museum roof fire, apparently caused by bird damage to solar panels, will access from inside the building be possible to allow regular inspections to be made without the need for specialist equipment to be brought in to obtain access from the outside?'*

## 9. Applicant's Supporting Information:

- Proposed Plans

## 10. Officer's Assessment:

### Proposed Development

10.1 This application is seeking to establish whether prior approval is required for the installation of 676 solar panels to the roof of the Cotswolds Leisure Centre. The panels proposed are monocrystalline solar PV panels, with a total installed capacity of 300.82 kWp. The 2015 General Permitted Development Order sets out the following requirements in regard to this type of development:

***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.*

10.2 Because of the level of power generated, the development falls within the J(c) class of development.

**(a) Whether prior approval is required as to the design or external appearance of the development and the impact of glare on the occupiers of neighbouring land**

10.3 The installation of solar panels on a non-domestic building does not require the benefit of planning permission subject to their installation according with the requirements of Schedule 2 Part 14 Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). If such requirements are satisfied the Council must determine whether prior approval is required as to the design or external appearance of the development, and the impact of glare on occupiers of neighbouring land.

10.4 In the case of this proposal, the proposed panels, would be installed on a low-pitched roof and would not protrude more than 0.2 metres above the slope nor be installed within 1 metre from the edge of the roof. The proposal meets the requirements of the aforementioned Order in these respects.

10.5 Whilst the application building is not a heritage asset nor is it sited within a conservation area, it is noted that it lies just outside Cirencester (The Park) Conservation Area, located approximately 40m to the north-west, and Cirencester Town Centre Conservation Area, 110m to the east. Furthermore, there is a Scheduled Ancient Monument (SAM) 'Long Barrow And Roman Amphitheatre And Cemetery' to the south-east of the application site and registered park and garden to the north-west.

10.6 The application building is a modern structure, with a low-pitched roof and is located adjacent to other recently completed office development, a ring road and a footbridge. The design and position of the panels is considered to be in keeping with the plain and functional form of the host building and its immediate surroundings, and would therefore not have an adverse impact on the character and appearance of the area, nor on the setting of the nearby heritage assets. It is further noted that solar panels have already been installed on the roof of the building following the 2021 application, therefore the introduction of further solar panels is not inconsistent with the existing building.

10.7 The solar panels are of a design/form which can be removed in the future, and are obligated under the terms of the Order to be removed when 'no longer needed'. The development is therefore reversible and allows the building to be returned to its current status if required.

10.8 The solar panels are designed to absorb sunlight in order to maximise their efficiency and to reduce the potential for reflection/glare and the submitted plans declare the panels to be of a black coloured lower reflectivity type, or similar. Whilst the height of the site building roof relative to the office building to the north means that there is the potential for glare at certain times of the day/year, the use of black, low reflectivity panels is considered to adequately limit that impact on occupiers of neighbouring land.

10.9 The comments made by the Cirencester Town Council (CTC) and Cirencester Civic Society (CCS) regarding the safety of the solar panels and the measures necessary to prevent bird damage that might lead to fire risk is noted, however, this would fall outside the remit of the prior approval application so is not a matter than can be considered.

10.10 It is considered that the design and external appearance of the development will not have an adverse impact on the application building or designated heritage assets and that the scheme will not cause a materially harmful level of glare that would adversely affect the amenity of the occupiers of neighbouring land.

## 11. Conclusion:

11.1 Overall, it is considered that the proposed scheme accords with the requirements of Schedule 2 Part 14 Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015. It is considered that prior approval is not required for the proposal. An informative shall be attached to the decision to remind the applicant that this conclusion is contingent on the use of the specified black low reflectivity panels, or 'similar' panels of a dark colouring and low reflectivity rating.