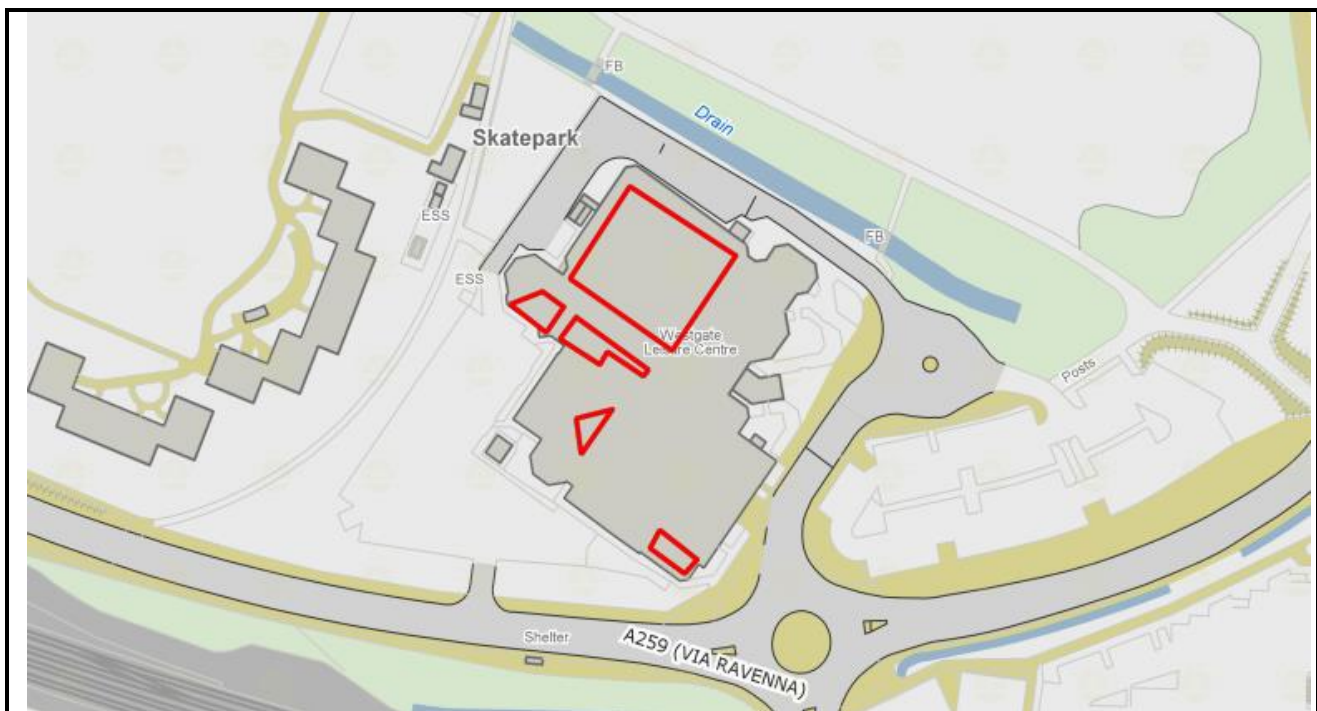


Parish: Chichester	Ward: Chichester Central
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CC/22/00496/PA14J

Proposal	Solar panel installation.		
Site	Westgate Leisure Centre Via Ravenna Chichester West Sussex PO19 1RJ		
Map Ref	(E) 485528 (N) 104455		
Applicant	Chichester District Council	Agent	Mr Martin Cruickshank

RECOMMENDATION PRIOR APPROVAL REQUIRED HEREBY PERMITTED



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SCALE**

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1.0 Reason for Committee Referral

1.1 Chichester District Council is the applicant.

2.0 The Site and Surroundings

2.1 The application site is a leisure centre located within the defined settlement of Chichester. The building is located outside of Chichester Conservation Area, which is to the north of the site.

2.2 The site comprises a large building which includes a swimming pool, fitness gym, exercise studios, sports hall, health suite and café. The building is set back from the A259 which runs along the southern boundary. There are trees along the northern, western and southern boundaries of the site. Car parking is located to the east and west of the building. Accommodation for Chichester College is located further to the west.

3.0 The Proposal

3.1 The application is for prior approval for the installation of solar thermal and solar photovoltaic equipment on the roofs under the permitted development rights afforded by Schedule 2, Part 14 and Class J of the Town and Country (General Permitted Development) Order 2015 (as amended).

3.2 The proposal comprises a mixture of solar thermal and solar photovoltaic equipment on the flat roof element the pool hall, and solar photovoltaic panels in four other groups on the pitched roofs serving the plant room, changing room, fitness suite and equipment store.

4.0 History

84/00812/CC	PER	Outline - Sports and leisure centre.
85/00258/CC	PER	Sports and leisure centre.
88/00698/CC	WDN	One illuminated externally static sign.
85/00478/CC	PER	Minor alterations to position of building - sports and leisure centre and access road.
98/02742/REG3	PER	Extension and alteration to form enlarged health, fitness and creche facilities.
99/02909/REG3	PER	Provision of temporary access by contractors vehicles and personnel involved in the construction of an extension and alterations to the existing leisure centre.

00/01586/REG3	PER	Skate Park/rollerblading facilities, including all weather tarmac surface, 2.4m fencing, lighting, seating and new footbridge to cycle/walkway.
07/04666/ADV	PER	Replacement of 2 no. existing signs with 3 no. individually applied lettering signs.
10/05166/COU	PER	Extension of outside nursery/play area.
15/01481/FUL	PER	Construction of new timber framed, purpose built baby room for Nursery School.
16/01670/ADV	PER	1 no. internally illuminated sign and 2 no. non-illuminated signs.

5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 **Representations and Consultations**

6.1 Parish Council

None received.

6.2 West Sussex County Council Highways

This application is for the installation of solar panels. The site is located on a private access road off of Via Ravenna Roundabout, part of the A259, subject to a speed limit of 30mph in this location.

The proposed solar panels will be located on the roof of the existing building and as such no highway safety concerns would be raised to the proposal. All maintenance vehicles associated with the solar panels would likely service the site via the existing private access and given the use of the site, no intensification of use would be anticipated through service/maintenance of the solar panels.

The proposal is not anticipated to have any impact on the existing parking provision for the leisure centre.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

6.3 Third party comments

The Chichester Society comment that the Executive Committee supports this proposal for the substantial contribution to increasing renewable energy sourcing in Chichester.

7.0 Planning Policy

7.1 The application is for prior approval for the installation of solar thermal and solar photovoltaic equipment on the roofs under the permitted development rights afforded by Schedule 2, Part 14 and Class J of the Town and Country (General Permitted Development) Order 2015 (as amended).

7.2 As such the only relevant considerations are an assessment of the proposal against the requirements of Schedule 2, Part 14 and Class J of the Town and Country (General Permitted Development) Order 2015 (as amended).

7.3 The development subject of this application is permitted by these rights 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. In considering this, the Local Planning Authority must have regard to the National Planning Policy Framework July 2021, so far as relevant to the subject matter of the prior approval.

National Policy and Guidance

7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2021), which took effect from 20 July 2021. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.5 Consideration should also be given to sections 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 16 (Conserving and enhancing the historic environment).

8.0 Planning Comments

8.1 The main issue arising from this proposal is:

i) An assessment of the proposal against the criteria, conditions and relevant considerations within Schedule 2, Part 14 and Class J of the Town and Country (General Permitted Development) Order 2015 (as amended).

8.2 Westgate Leisure Centre currently has electricity and heat provided by a gas-fired Combined Heat and Power Plant. Top-up heating is provided by two condensing gas boilers. The centre also has comfort cooling delivered by centralised chillers and wall-mounted cooling units. The project aims to minimise the site's consumption of fossil-fuel energy sources and to meet some of the site's energy demand from renewable sources. The proposal is to mount solar thermal and PV panels on some of the roofs. This will reduce the need for the Combined Heat and Power Plant and gas boilers to operate.

8.3 Schedule 2, Part 14 and Class J of the Town and Country (General Permitted Development) Order 2015 (as amended) provides permitted development rights for the installation or alteration etc of solar equipment on non-domestic premises. Class J sets out when development would not be permitted by these permitted development rights. This is assessed below:

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;

Complies – The equipment installed on pitched roofs would protrude 0.07m beyond the plane 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);

Complies – The equipment on the pool hall roof will be at two angled heights, which would be 0.3m lower than the highest part of the crown roof.

(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;

Complies – None of the equipment would be installed within 1 metre from the external edge of that roof.

(d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;

Complies – The building is not on Article 2(3) land

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

Complies – The site is not designated as a scheduled monument

(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.

Complies – The equipment would not 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;

Complies – The equipment would not be installed on a 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

Complies – The equipment would not be installed on a wall

(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.

Complies – The building is not on Article 2(3) land

J.3 Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt.

Complies – The electrical generation capacity would not exceed 1 megawatt

- 8.4 The proposed equipment would be visible from outside of the site given the size of the building, however this would be viewed in the context of the existing leisure centre development as well as the development further to the south. The proposed siting on the south-west and south-east facing roofslopes, and the recessed design of the pool hall roof would minimise any potential views from the more open, undeveloped character of the open space to the north and north east, and the proposal is considered to preserve the setting of the conservation area.
- 8.5 It is a standard condition of the permitted development rights that the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed, which would protect the amenity of the area should the equipment no longer be needed.
- 8.6 There is approximately 37m from the closest point of the proposed works and the Chichester College building to the west, with tree screening along the boundary. Having regard to the separation distance and boundary treatment it is not considered that the proposal would have an adverse impact upon amenity through glare.
- 8.7 WSCC Highways have commented that they do not consider that this proposal would have an unacceptable impact on highway safety and officers consider it to be acceptable in this regard.

Conclusion

8.8 Based on the above assessment the proposal complies with the requirements of Schedule 2, Part 14 and Class J of the Town and Country (General Permitted Development) Order 2015 (as amended) and would constitute permitted development. The application for prior approval is therefore recommended for approval.

Human Rights

8.9 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been considered and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PRIOR APPROVAL REQUIRED HEREBY PERMITTED subject to the following conditions and informatives:-

- 1) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN – SITE PLAN	001	V5	14.03.2022	Approved
PLAN – LOCATION PLAN	6085	6085	25.02.2022	Approved

For further information on this application please contact Martin Mew on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R7UT95ER0ZU00>