DECISION DELEGATED TO HEAD OF PLANNING
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Application No:	**H18-1022-23**	**Applicant:**	**Mr M Everitt**
Proposal:	Installation of roof mounted solar panels		
Location:	The Curlew Centre 51 Bridge Road Sutton Bridge		
Terminal Date:	17th January 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2023

Town & Country Planning (General Permitted Development Order) 2015

Part 14 - Class J - Installation or alteration etc of solar equipment on non-domestic premises

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a prior approval application for the installation of 98 solar panels on the roof of The Curlew Centre, Sutton Bridge.

Site Description

The site lies within the settlement boundary of Sutton Bridge as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). It is located to the west of St Matthews Church and along the main Bridge Road. There is vehicle parking to the front and side with a large open field with a

play area and memorial park.

History

H18-1465-89 - Continuation of use of land for siting of portacabin - Approved

H18-1137-01 - New Community Centre to replace existing - Approved

H18-0501-06 - New Community Centre to replace existing (renewal of H18/1137/01) - Approved

H18-0055-12 - Part use of first floor accommodation (Rooms B, C, D and E) as either office space for business use (Class B1) or for a purpose ancillary to the community centre - Approved

H18-0098-12 - Removal of Condition 5 of H18-0793-10 relating to erection of timber fencing - Approved

H18-0418-12 - Variation of Condition 4 of H18-0793-10 to allow extension of hours for events - Approved

H18-0903-19 - Works to Sutton Bridge Tree Preservation Order No. 15, 1994 - Approved

H18-0609-23 - Works to Sutton Bridge Tree Preservation Order No. 15 1994 - Approved

Consultation Responses

Sutton Bridge Parish Council

At a meeting of Sutton Bridge Parish Council it was resolved to support the application as the installation would generate green energy and improve the sustainability of the building.

South Holland District Council Conservation Officer

I do not wish to object to this proposal. The Curlew Centre is not listed, nor is there a conservation area established for Sutton Bridge. The proposed solar panels will not appear out of character with the modern host structure, and the proposal site is situated far enough away from nearby heritage asset for a reasonable assessment to conclude that this proposal will not risk harming the special interest in those listed buildings.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Planning Considerations

Class J, Part 14 of the General Permitted Development Order (2015) (as amended)

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.

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;

(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.

When assessed against the above criteria the following can be observed -

J.1. (a) The panels do not protrude more than 0.2m beyond the plane of the roof slope.

J.1 (b) No solar equipment is to be installed on a flat roof.

J.1 (c) None of the solar equipment is within 1 metre of any rood edge.

J.1 (d) This criteria has been omitted by a previous amendment to the order.

J.1 (e) The solar panels will not be installed on a scheduled monument.

J.1 (f) The solar panels will not be installed on a listed building or within the curtilage of a listed building.

J.2 (a) The solar equipment will not be installed on a wall.

J.2 (b) The solar equipment will not be installed on a wall.

J.2 (c) The solar equipment will not be installed on a building on Article 2 (3) land.

J.3 This criteria has been omitted by a previous amendment to the order.

The proposal accords with all of the relevant prior approval criteria.

Planning Balance

The proposal accords with criteria within Class J, Part 14 of the General Permitted Development Order (2015) (as amended).

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or

other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.