

Received Date:	24 March 2026
Expires:	19 May 2026
Application Number:	260440
Site:	Parcel Q - Blocks A-D (Bridle House, Kirkpatrick House, Carriage House, And Saddle House)", Millard PI, RG2 9YP
Application:	Application for a certificate of lawfulness for the proposed installation of replacement solar photovoltaic panels on the roofs of Blocks A - D (Bridle House, Kirkpatrick House, Carriage House, and Saddle House).

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
140977	2,000 new dwellings	02/04/2014	CA	None
172005	Construction of 114 apartments	22/01/2018	CA	None

2. Site Description

Four blocks of flats.

3. Land/ Property Designations

- There are no listed buildings at the site and the property is not within 'Article 2(3) land' (Town and Country Planning (General Permitted Development) Order 2015).
- The site is not subject to any wildlife or habitat designations.

4. Legislation

Town and Country Planning Act 1990 (as amended)

- s.55 Provides that '*development*' includes the carrying out of building operations on land, and '*building operations*' includes structural alterations or additions to buildings.
- s.57 Planning permission is needed for all development of land.
- s.187a Enforcement for breach of conditions
- s.192 Applications for Certificates of Lawfulness of proposed use or development.
- s.191 Defines operations as 'lawful' if:
- (a) No enforcement action may be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and
- (b) They do not constitute a contravention of any of the requirements of any enforcement notice then in force.

Town and Country Planning (General Permitted Development) Order 2015 (GPDO)

- Article 3 In conjunction with Schedule 2 (Part 1) (Class A) grants planning permission for the "*enlargement, improvement or other alteration of a dwellinghouse*".
- Article 4 Provides that the planning authority may give direction to restrict the effect of Article 3.

5. The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership,

pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

6. Relevant details of the proposal:

Replacement solar photovoltaic panels.

7. Assessment against legislation:

			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3 (4)	3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
Art.3 (5)	4	Are the building operations involved in the construction of the dwellinghouse lawful?	✓	
Art.4	5	Is there an 'Article 4 Direction' in effect for the site?		✓

On buildings

Sch.2 Pt. 14 A	6	Would the development comprise the installation, alteration or replacement of solar PV or solar thermal equipment on: A dwellinghouse, a block of flats or A building situated within the curtilage of a dwellinghouse?	✓	
A.1(a)	7	Would the solar PV or solar thermal equipment protrude more than 0.2 metres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the wall or roof slope?		✓
A.1(b)	8	Would it result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney)?		✓
A.1(c)	9	If in a conservation area or world heritage site , would the solar PV or solar thermal equipment be installed on a wall which fronts the highway?		✓
A.1 (d) (e)	10	Would the solar PV or solar thermal equipment be installed on a building within the curtilage of the dwellinghouse which is a listed building , or on a site designated as a scheduled monument ?		✓

PART A.2 APPRAISAL

A.2 Development is permitted by Class A subject to the following conditions:

a)solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

The scale, form and siting of the proposed installation are consistent with the existing roof form and would not result in any unacceptable visual prominence or harm to the appearance of the buildings. The panels would be set in from the roof edges and positioned down from the ridge line, thereby reducing their visibility and

prominence within the wider roofscape. The proposed works would not appear materially more prominent than the existing installation. Overall, the character and appearance of the blocks would remain largely unchanged.

(b)solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area; F5...

The solar PV equipment is located on the roofs of existing buildings within a predominantly residential area, where similar installations are already present. Given their scale, position and design, the panels would not adversely impact the amenity of neighbouring occupiers, in terms of outlook or overbearing effect. It is also not considered that the development would result in any unacceptable levels of glare or other disturbance.

Accordingly, the requirements of this condition are considered to be satisfied.

[F6(ba) in the case of solar PV or solar thermal equipment installed on a flat roof located on article 2(3) land, before beginning development the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required with respect to the impact of the appearance of the solar PV or solar thermal equipment on that land;

The Site is not located on article 2(3) land. An application for prior approval is not required.

(bb) in relation to an application under sub-paragraph (ba), paragraphs J.4(3) to J.4(12) of this Part apply as if “Class A” substitutes the reference to “Class J” in paragraph J.4(4); and]

Not relevant to the proposed development.

(c)solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

This requirement is acknowledged by the Applicant – the solar PV equipment will be removed from the buildings as soon as reasonably practical when no longer needed.

8. Conclusion

The proposed installation of replacement solar photovoltaic panels constitutes development and thus requires planning permission. Permission is available under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal being in accordance with Schedule 2 (Part 14) (Class A) of the Order.

DRAFT APPROVED *MC*

Development Management Team Leader

Date: 28.04.2026