

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02929/LDCP	Installation of 12 no. photovoltaic panels on the south facing roof of the existing pavilion building	Kimpton Recreation Ground High Street Kimpton Hertfordshire SG4 8RA

Submitted Plan Nos

Location plan P01 P02

1.0 Policies

- 2.0 **Site History**
- 2.1 **23/00509/FP** Refurbishment of existing sports pavilion to include relocation of an existing window and the replacement of external doors **CONDITIONAL PERMISSION**
- 2.2 **23/02190/FP** Refurbishment of existing sports pavilion to include relocation of an existing window and the replacement of external doors (as a variation of planning permission 23/00509/FP granted 18.04.2023) **CONDITIONAL PERMISSION**
- 3.0 **Representations**
- 3.1 N/A
- 4.0 **Planning Considerations**
- 4.1 **Site and Surroundings**
- 4.1.1 The site is a single storey sports pavilion with a pitched roof, that also includes a small community hall space. The pavilion is at the back of a public recreation ground, and is on a higher ground level than an adjacent football pitch to the north which is part of the recreation ground. The site extends south from the High Street to where the pavilion is, which is near the recreation ground and agricultural land.
- 4.2 **Proposal**
- 4.2.1 A Certificate of Lawfulness (proposed) is sought for the installation of solar panels to existing roof.
- 4.3 **Key Issues**
- 4.3.1 The key issues for consideration are whether the proposed development would require a specific planning permission or be considered 'permitted development' in line with the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1 as amended.

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

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 proposed solar PV equipment will not 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 and so complies with this criterion.

(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 solar equipment is proposed to a pitched roof and so complies with this criterion.

(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;

The details submitted show the proposed solar equipment be located more than 1 metre from the external edge of the roof and so complies with this criterion.

(d) omitted as of 2023 amendment.

(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 and so complies with this criterion.

(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 designated as a Listed Building and so complies with this criterion.

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.

The proposed solar PV equipment is proposed to a roof slope not a wall and so complies with these criterion.

J.3 omitted as of 2023 amendment.

Conditions 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.

The proposal complies with this criterion.

(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 subparagraphs apply in relation to that application.

The proposal complies with this criterion.

4.4 Conclusion

- 4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed installation of solar panels to existing roof constitutes permitted development by virtue of Class J, Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Signed  Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 19 January 2026	