

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2087	Case Officer:	Caroline Grist
Application Type:	Prior Not. Solar Panels on Non-domestic		
Proposal:	To install 320 JAM 72D40 LB solar panels, each 590 watts, on the roof of the Jubilee Community Centre, providing 182,277 kWh per year. These solar panels to be connected to inverters and battery storage.		
Site:	Jubilee Community Centre, Charlwoods Road, East Grinstead, West Sussex, RH19 2HL, , ,		
Validation Date	18 Aug 2025	Overall Expiry Date:	10 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Prior Approval Is Not Required	Recommendation Date:	9 Oct 2025
Target Date:	13 Oct 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	10 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2087

**Jubilee Community Centre, Charlwoods Road, East Grinstead, West Sussex, RH19 2HL, ,
To install 320 JAM 72D40 LB solar panels, each 590 watts, on the roof of the Jubilee Community
Centre, providing 182,277 kWh per year. These solar panels to be connected to inverters and
battery storage.**

Mr David Pennington

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

No responses have been received from consultees.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

This application seeks prior approval for the installation of solar panels on the roof of the Jubilee Community Centre, Charlwoods Road, East Grinstead.

RELEVANT PLANNING HISTORY

GR/129/86 - Fire reinstatement of factory - single storey with pitched roof. Permission.

GR/247/86 - Erection of 1st floor office/storage/laboratory internally to factory. Permission.

06/02467/COU - Change of use from Class B1 factory to Class D1 Church Centre. Permission.

08/03916/FUL - Part Change of use from Church Centre (Use Class D1) to mixed use (Use Classes A2, B1 and D1). Permission.

10/00934/COND - Variation of condition 8 of planning permission 06/02467/COU which reads 'The proposed premises shall be used for Church Centre and for no other purpose (including any other purpose in Class(es) D1 of the schedule to the Town and Country Planning (Use Classes) Order, 1987), to an unfettered Class D1 use to give the necessary flexibility for the community uses within the building. Permission.

10/00935/COND - Application to vary condition 3 of planning permission 08/03916/FUL which reads, 'the use hereby permitted shall not be operated on Sundays or Public Holidays or at any time otherwise than between the hours of 08:00 and 18:00 Mondays to Fridays and 08:00 and 13:00 Saturdays' to allow for 24 hour use by Meridian Radio. Permission.

DM/20/1140 - Addition of shed and changes to two windows to a large window and a door. Permission.

SITE AND SURROUNDINGS

The application relates to the Jubilee Community Centre, which is situated on a corner site. It is a two storey building that is constructed of red brick and has areas of cladding. The roof forms vary, with some sections having a pitched roof and others having a flat roof.

The site lies within the built up area of East Grinstead and is identified as an Existing Employment Site. Neighbouring industrial properties are to the south and residential dwellings are to the west. The highway lies to the north and east.

APPLICATION DETAILS

The proposal seeks to install 320 solar panels, of which, each would be 590 watts. The submission sets out that the panels are to be split across the building. Two rows are to be sited across the front section of the building and a further four rows of panels are to be located on the rear part of the building. The proposal is to generate 182,277 kWh of power per year.

LEGAL FRAMEWORK

The proposal falls to be assessed against Class J, Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended):

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

Permitted development

J. 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.

Development not permitted

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.

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.

(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.

(3) The application must be accompanied by—

- (a) a written description of the proposed development;
- (b) a plan indicating the site and showing the proposed development;
- (c) the developer's contact address; and
- (d) the developer's email address if the developer is content to receive communications electronically; together with any fee required to be paid.

(4) The local planning authority may refuse an application where, in the opinion of the authority—

- (a) the proposed development does not comply with, or
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in Class J applicable to the development in question.

(5) Sub-paragraphs (6) and (8) do not apply where a local planning authority refuses an application under sub-paragraph (4) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(6) The local planning authority must give notice of the proposed development—

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—
 - (i) describes the proposed development;
 - (ii) provides the address of the proposed development;
 - (iii) specifies the date by which representations are to be received by the local planning authority; or
- (b) by serving a notice in that form on any adjoining owner or occupier.

(7) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.

(8) The local planning authority must, when determining an application—

- (a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and
- (b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

(9) The development must not begin before the occurrence of one of the following—

- (a) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
- (b) the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or
- (c) the expiry of 56 days following the date on which the application under sub-paragraph (3) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.

(10) The development must be carried out—

- (a) where prior approval is required, in accordance with the details approved by the local planning authority;
- (b) where prior approval is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (3), unless the local planning authority and the developer agree otherwise in writing.

(11) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

(12) When computing the number of days in paragraph (6)(a), any day which is a public holiday must be disregarded.

ASSESSMENT

The Town and Country Planning (General Permitted Development) (England) Order 2015, allows, for the installation, alteration or replacement of Solar Photovoltaics (PV) equipment on the roofs of non-domestic buildings, up to a capacity of 1 megawatt, subject to certain limitations.

A review of the planning history shows that the front section of the building was re-built in the 1980s following a fire. Planning permission was granted for this under application GR/129/86. The following condition was imposed on this consent:

'4. Notwithstanding the provisions of the Town and Country Planning General Development Orders 1977 and 1985, the building shall not be extended or altered in any way, including the installation of a mezzanine floor unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow vehicle parking and cause harmful environmental effects'.

When the condition was imposed, the building was a factory unit and was used for the production of pharmaceutical products. The report at the time notes concern regarding hazardous materials and the reason for imposing the condition clearly sets out that the restriction was to prevent an intensification of the site. As the proposal relates to the installation of solar panels, which would not enlarge or increase the building in any way, it is considered that it was not intended to prevent this form of development.

The application form confirms that the solar panels are to be sited on pitched roofs and the panels would not protrude more than 0.2 metres beyond the plane of the roof slope. They are also to be set back a minimum of 1.0 metre from the edge of the roof. It also confirms that the total output would not exceed 50 kilowatts of energy. As such, it is considered that the proposal would comply with the limitations set out within the above legislation.

In order to benefit from this permitted development right, before beginning the development, the developer is required to notify the Local Planning Authority (LPA) who is then required to notify the immediately adjoining owners/occupiers.

The local planning authority must determine 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 (J.4(2)).

In this case, no letters of objection have been received from the adjacent properties. Whilst it is noted that there are residential properties to the west of the application site, the relevant part of the building is some 20 metres from this shared boundary. The closest dwelling is also orientated at an angle away from the community centre.

It is noted that there are public views to the building from the highway, however not all of the panels would be visible from these positions. Additionally those proposed closest to Durkins Road, to the north, are to be set further back onto the roof slope. As such it is considered that there would not be a significantly harmful impact to the character of the area or to neighbouring residential amenities.

CONCLUSION

In conclusion the proposed development is considered to comply with Class J of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and prior approval is not required.

Decision: Prior Approval Is Not Required

Case Officer: Caroline Grist