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Camden Council
Development Management,
Camden Town Hall Extension,
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Application for determination of permission to install solar panels at Fitzjohn's Primary School

02 April 2024

Dear Sir/Madam

Re: Application for planning permission for the installation of Photovoltaics (PV) equipment on the roofs of Fitzjohn's Primary School, 86a Fitzjohn's Avenue, Hampstead, London NW3 6NP.

We are aware that whilst the Town and Country Planning (General Permitted Development) Order 2015 under Part 14 Class J allows for permitted development of solar PV panels with a generating capacity of up to 1 megawatt on the roofs of non-domestic buildings, there are a number of restrictions, limitations and conditions.

The criteria have been considered and whilst the proposed development of solar panels meets some of them it fails to meet two of these conditions, so we are seeking Full planning and Listed building consent for the installation.

Below we have addressed the following:

- *To show that the proposed installation does constitute permitted development in terms of much of its design.*
- *To highlight why planning permission is being sought and*
- *To illustrate how the proposed installation meets with the national policy to encourage decarbonisation but maintains the integrity of the area.*

To assist in the planning approval process, this application is also accompanied by supporting documents, including:

- 00 Full planning & Listed building consent application form
- 01 Design and Access Supporting Statements
- 01A Heritage statement
- 02 Proposed design
- 03 Site & building location plan
- 04 Scaled map
- 05 Supporting images

- 06 Roof Cross Section
- 07 Example of a standard panel data sheet
- 08 Arrangement of Panels

Permitted development assessment:

Given that the solar panels would be installed on the flat roofs of the school buildings (see Proposed design 02), the proposed development can be considered under Part 14, Class J (c,) as *"the installation, alteration or replacement of other solar PV equipment on the roof of a building"*.

Site

Fitzjohn's Primary School is located south of Hampstead an area in London. It is a community primary school that was established in 1953 which took over buildings and some of the grounds that were previously part of the estate belonging to Royal Soldiers' Daughters' Home. The school occupies a small area of nearly 0.5 hectares of land in the midst of residential properties. The only access into the school can be achieved from Fitzjohn's Avenue in the west, its entrance is at least 50 metres away from the school buildings so the school site is practically hidden and so will the proposed installation. None of the surrounding properties also have visibility towards the roofs considered for installation. Therefore, the likelihood of the panels being seen and affecting the amenity of the area is impossible.

Neither the school building, nor its curtilage, are in a Conservation Area, National Park, AONB or a World Heritage site. Although there is a Grade II listed building in the curtilage of the school site, only the roofs further south from it with panels positioned south are proposed, the chances of the said installation in any way being detrimental towards the listed building would be highly unlikely.

The aim of the proposed installation is to enhance the school building and appeal of being a modern learning centre looking towards the future and creating a vision of sustainability for students.

Under most circumstances such an installation could be considered as Permitted Development, but the proposed development does not meet the one-meter margin rule for permitted development on a non-residential building and has a listed building on-site, so for this reason planning approval is being sought.

National policy for decarbonisation

The proposed installation is in keeping with the school's ambition to install solar panels which will deliver zero-carbon solar electricity and an energy literacy educational programme. This is in line with the government's drive to encourage public sector decarbonisation and the installation of solar panels on publicly owned buildings.

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Description of the proposed development

The proposed development is for around 101 panels on the flat roofs with a total install capacity of around 45kWp.

To meet the school's ambitions to maximise the opportunity to generate as much zero-carbon on-site electricity as possible on its roofs and the government targets for decarbonisation: the panels on the buildings considered for installation are as close to the edges as possible.

Design of the proposed development

The layout of the panels of the proposed installation are spatially arranged in such a way that the appearance will adhere to most permitted development and prior notice requirements and where not, as detailed below:

A. One metre margin
B. How the development fits with most Permitted Development criteria
C. Why Planning permission is required

(A) One metre roof margin:

Under permitted development criteria on a non-residential building there is a requirement for a 1 metre margin. This requirement does not exist for residential properties with flat roofs. The proposed development on the school building therefore follows permitted development criteria for residential properties with panels which are permitted to go less than one meter to the edges of the flat roof plane, a system that maximises the opportunity for the school on their flat roofs. (04, 05,06 & 08).

(B) How the development would fit with Permitted Development:

The solar panels which will be installed on the school's flat roofs (Roof Cross section 06), can be considered under Part 14, Class J (c,) as "the installation, alteration or replacement of other solar PV equipment on the roof of a building".

In terms of design, the arrangement of the panels meets with most of the criteria for permitted development.

The panels will be mounted on ballasted frames that rest on padding to protect the underlying roof membrane at an angle of 10 degrees. At no point are the panels higher than 1 metre above the highest point of the roof (excluding chimneys); in fact, according to the proposed tilt of the panels they will be less than 0.3 metres high (see Roof cross section 06); so Part 14 J.1 Part (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)" will be complied with.

The solar panels are of standard design (07) and are proposed to run in rows, positioned on the roof facing towards the south.

(C) Why Planning Permission is required:

To be compliant with permitted development the layout of the panels on the flat roof areas would need to be spatially arranged in such a way that the solar panels would be set back by at least 1 metre from the external edge of the roofs (04 Scaled map), J1. Part (C): "the solar panels would need to be off-set by at least 1 metre from the external edges of the roof" and with no equipment within 1 metre of a roof junction for Part 14 (J.1.) (C) or (J.2.) (B) to be complied with, this is where the design fails to meet the criteria for permitted development on a non-domestic building.

The proposed panels on Fitzjohn's Primary School will not have the 1 metre margin to a roof junction or edge. The roofs of the school are being treated like a residential property solar installation under permitted development where there is no 1 metre-margin rule. So, like a residential property, the maximum roof area possible can be used for the benefit of the residents of the building, in this case the school. But given that this is a non-domestic property, we are seeking planning approval for the installation.

The exact number of the panels and total capacity will depend on the panels and their wattage at the time of installation, but the project will involve the roof areas indicated in the Proposed design (02). Any changes from this proposal will be 'de minimus' i.e., of a such a small scale to not be materially different to this planning application.

Listed property: Image and conservation of character

Whilst there is a Grade II Listed building on the school site the possibility of the proposed installation affecting the existing character of the building would be almost impossible. The roofs considered are further south of the listed building with the panels also facing south so it cannot possibly deter from the existing architecture of the listed building and will only aid in the development of the school to become an up-to-date centre for learning while being an example for its students and other schools on the concept of on-site clean, renewable electricity.

Adding positively to the school's image

It is considered that the proposed solar panels would be complementary to the character of the school, depicting a "sustainable and green future" that the school wants to adopt. The visual appearance of the solar panels is considered appropriate for the school building enhancing the visionary appearance of the site as a modern learning centre, creating responsible citizens for tomorrow's world with an appreciation towards their surroundings and a duty of care for the environment while maintaining its historic asset. The panels enable the school to further improve its decarbonisation journey, teaching and learning how to live more sustainably. It is considered that the panels would have a positive impact on the character of the building and no overall detrimental impact on the surrounding area.

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Impact on Neighbouring Land uses

The school buildings cannot be seen from any roadway or surrounding property since they are further inside. Neighbouring and residing properties do not have proper visibility towards the roofs considered for installation. Hence there is no possible impact from the proposed solar arrays towards the residing land occupiers.

Summary

Although the proposed scheme to install 101 solar panels on the roofs of Fitzjohn's primary School meets most of the criteria for permitted development under Part 14 Class J (c) of the Town and County (General Permitted Development) Order 2015, there is no 1 metre margin on the school roofs (just like residential solar power permitted development) to maximise the opportunity to generate solar electricity. So given the design of the panels on the school roofs and the presence of a listed building on site, planning permission for the installation is being sought.

In terms of the design and appearance of the solar panels to be installed on the roof areas indicated, they are of standard design; they will have no adverse impact on either the character of the surrounding area or residents; nor on the amenities of the occupiers of adjacent properties to the site (neighbouring land uses).

In addition, the installation would be in keeping with the character and goals of the school, helping it builds its ambitions to use its buildings and land, as a centre of learning and beacon of sustainability and student wellbeing helping decarbonise its activities and reduce its impact on the local environment.

We would be grateful for your written confirmation that the proposed installation could be granted planning permission so the panels can start to generate low-carbon electricity for the school, which in addition to cutting carbon, is supported by an energy literacy programme for students.

Yours faithfully,

Ardesh Sarangam
Planning Project Manager
Solar Options for Schools Limited