



Officer Report

Application Number: HGY/2024/0018
Application Type: Lawful development: Proposed use
Address: Coolhurst Lawn Tennis And Squash Racquets Club, Courtside, Hornsey, London, N8 8EY
Proposal: Certificate of lawful development (proposed) for the proposed installation of solar panels on the roof of Coolhurst Lawn Tennis & Squash Racquets Club.
Case Officer: Nathan Keyte
Valid Date: 03/01/2024
Applicant: James Wilson
Agent:

RECOMMENDATION

Approve

DETAILS OF PROPOSAL

Certificate of lawfulness for the proposed installation of 96 solar panels across 2 existing roofs, flat and pitched, with a total generation capacity of 41.8kW.

SITE DESCRIPTION

The site contains the Coolhurst Lawn Tennis & Squash Rackets Club, and consists of four principal buildings and a number of outdoor courts with ancillary infrastructure.

The buildings are not a listed building, though the site is within the Crouch End Conservation Area.

PLANNING HISTORY

OLD/1985/0243,

Address: Coolhurst Lawn Tennis & Squash Rackets Club, Coolhurst Road, London, N8, London

Proposal: 7/12/84 Replacement of existing club house by new construction for the same purpose.,

Decision Date: 5 February 1985

Decision: Approve with Conditions

OLD/1985/0244,

Address: Coolhurst Lawn Tennis & Squash Rackets Club, Coolhurst Road, London, N8, London

Proposal: 25/2/85 Construction of new single storey club house on the site of existing tennis court.,

Decision Date: 30 April 1985

Decision: Approve with Conditions

HGY/1996/1335,

Address: Coolhurst Lawn Tennis & Squash Rackets Club, Coolhurst Road, London, N8, London

Proposal: Demolition of existing clubhouse and ancillary outbuildings and erection of a new squash court with adjacent two storey building containing changing rooms and fitness areas.,

Decision Date: 26 November 1996

Decision: Approve with Conditions

HGY/2010/1365,

Address: Coolhurst Lawn Tennis and Squash Racquets Club,, Courtside, London, N8 8EY, London

Proposal: Demolition of existing single storey shed and erection of sports building with 4 squash courts including modification of clubhouse.,

Decision Date: 12 November 2010

Decision: Approve with Conditions

HGY/2010/1366,

Address: Coolhurst Lawn Tennis and Squash Racquets Club,, Courtside, London, N8 8EY, London

Proposal: Conservation Area Consent for demolition of existing single storey shed and erection of sports building with four squash courts including modification of clubhouse.,

Decision Date: 12 November 2010

Decision: Approve with Conditions

HGY/2012/1478,

Address: Courtside, Coolhurst Road, Hornsey, London, N8 8EY, London

Proposal: Conversion of existing undercroft space into new accommodation for multi-purpose club facilities,

Decision Date: 7 December 2012

Decision: Approve with Conditions

RELEVANT PLANNING LEGISLATION

The application has been made under section 192 of the Town and Country Planning Act 1990 and relevant amendments. This not a planning application but instead the applicant seeks confirmation that the proposed development is lawful. As such, the impact of the proposed development of the neighbour's amenities or the character of the area cannot be taken into consideration for this submission.

This application has been made under Schedule 2 Part 14 (renewable energy), Class J (installation or alteration of solar equipment on non-domestic premises) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).

'Microgeneration' has the same meaning as in section 82(6) of the Energy Act 2004, which states:

For the purposes of this section "microgeneration" means the use for the generation of electricity or the production of heat of any plant—

(a) which in generating electricity or (as the case may be) producing heat, relies wholly or mainly on a source of energy or a technology mentioned in subsection (7); and

(b) the capacity of which to generate electricity or (as the case may be) to produce heat does not exceed the capacity mentioned in subsection (8).

Subsection 8 states:

That capacity is—

(a) in relation to the generation of electricity, 50 kilowatts;

(b) in relation to the production of heat, 45 kilowatts thermal.

As the proposed generation of electricity is 41.8 kW, the application does not fall within Class J(c) and therefore does not require prior approval to be sought.

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

A Certificate of Lawfulness for the installation, alteration or replacement of microgeneration solar PV or solar thermal equipment other than on a dwellinghouse or block of flats can be issued if the proposal meets all the criteria under Schedule 2 Part 14 (renewable energy), Class J (installation or alteration of solar equipment on non-domestic premises) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposal will be assessed against these requirements as follows:

J.1. Development is not permitted by Class J if —

(a) the solar PV or solar thermal equipment would 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;

Complies.

(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);

Complies.

(d)[omitted]

Complies.

(e) the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or

Complies. The site does not contain a scheduled monument.

(e) the solar PV or solar thermal equipment would be installed on listed building or on a building within the curtilage of a listed building.

Complies. The site does not contain 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.

Not applicable – no solar equipment proposed on the walls of the building.

Conditions

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;

Complies.

(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; and

Complies.

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

This condition only applies if the equipment is no longer required.

SUMMARY AND CONCLUSION

The proposed outbuilding is considered to comply with all the relevant restrictions and conditions set out above. The proposed development therefore does constitute permitted development by virtue of Schedule 2 Part 14 (renewable energy), Class J (installation or alteration of solar equipment on non-domestic premises) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is therefore considered to be lawful.

RECOMMENDATION

Grant Certificate for the following reason(s):

The proposed development constitutes permitted development by virtue of Schedule 2 Part 14 (renewable energy), Class J (installation or alteration of solar equipment on non-domestic premises) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is considered to be lawful.

Informatives:

The proposed development constitutes permitted development by virtue of Schedule 2 Part 14 (renewable energy), Class J (installation or alteration of solar equipment on non-domestic premises) of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is considered to be lawful.

Solar PV or solar thermal equipment is to be removed as soon as reasonably practicable when no longer needed.