

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2396/0F1
2.	Proposed Development:	APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED FOR THE INSTALLATION OF PV SOLAR PANELS ON ROOF
3.	Location:	WHITEHAVEN ACADEMY, CLEATOR MOOR ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location This application relates to Whitehaven Academy; a secondary school located on Cleator Moor Road in Whitehaven. There are playing fields surrounding the site with The Haven Club to the northwest and residential dwellings on the opposite side of Cleator Moor Road. Access is taken to the northwest of the school building with parking to the north. Relevant Planning History 4/19/2327/0F1 PHASED DEMOLITION OF EXISTING SCHOOL BUILDING AND REPLACEMENT WITH NEW SCHOOL BUILDING AND SPORTS HALL 4/24/2149/0F1 PROPOSED DINING AND CHANGING ROOM EXTENSION 4/25/2342/0F1 VARIATION OF CONDITION 2 (PLANS) FOR VARIATION IN DESIGN OF PLANNING APPLICATION 4/24/2149/0F1 PROPOSED DINING & CHANGING ROOM EXTENSION	

Proposal

This application seeks to establish if prior approval is required for the installation of roof-mounted Solar PV panels at The Whitehaven Academy, Whitehaven.

The panels will be installed on an existing flat roof and would not exceed 0.6m in height or extend beyond 1m from the edge of the roof junction. They would have a maximum installed capacity of 204.73 kWp (347 PV modules) and be positioned at a 10 degree angle

Consultation Responses

Whitehaven Town Council

No response received to date

Public representations

Neighbour notification letters were issued to 112 properties. No objections have been received in response to this application.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria. Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland. The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only. The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council. The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001- 2016.

The following policies are relevant to this proposal:

Strategic Policy DS2: Settlement Boundary

Strategic Policy DS3: Planning Obligations

Policy DS4: Design and Development Standards

Strategic Policy R3: Whitehaven Town Centre

Other Material Planning Considerations

National Planning Policy Framework (2024)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Assessment

The installation of roof-mounted Solar PV at The Whitehaven Academy, Whitehaven with a maximum installed capacity of 204.73 kWp (347 PV modules), at a 10 degree angle is considered permitted development under

Schedule 2 Part 14 Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015 sets out certain conditions for the prior approval of the installation or alteration of solar equipment on non-domestic premises which requires. This application seeks to determine whether prior approval will be required in relating to the siting and appearance of the development.

The provision of Schedule 2, Part 14, Class J of the GPDO 2015 are considered in turn below:

In respect of the provisions of J:- The proposal comprises the installation of roof-mounted solar panels on the roof of Whitehaven Academy.

In respect of the provisions of J.1 :-

- (a) Not applicable as the solar panels are not to be installed on a pitched roof;
- (b) Not applicable as the solar panels are not to be installed higher than 1 metre above the highest part of the flat roof (excluding any chimney);
- (c) Not applicable as the solar panels are not to be installed on a roof within 1 metre of the external edge of that roof;
- (d) Not applicable as the Whitehaven Academy is not on article 2(3) land;
- (e) Not applicable as the site is not designated as a scheduled monument;
- (f) Not applicable as the site is not a listed building or the panels would not be installed on a building within the curtilage of a listed building.

In respect of the provisions of J.2:-

- (a) the solar PV equipment or solar thermal equipment would not be installed on a wall that 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 not 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) Not applicable as the Whitehaven Academy is not on article 2(3) land;

(2) An application to determine if prior approval is required (current application) has been submitted and the development has not commenced.

(3) The application is accompanied by the relevant details and fee payable.

(4) Sufficient information has been provided and any conditions, limitations or restrictions specified in Class J applicable to the development in question have been complied with.

(5) Not applicable.

(6) The local planning authority have given notice of the proposed development by way of a site notice and neighbour notification letters issued to all nearby properties.

(7) The application includes the relevant information.

(8) No objections were received in response to this application.

(9) The development has not yet commenced.

(10) Conditions will be included to secure these details.

(11) Conditions will be included to secure these details.

(12) Not applicable

The proposed works include the installation of roof-mounted Solar PV at The Whitehaven Academy, Whitehaven with a maximum installed capacity of 204.73 kWp (347 PV modules), at a 10 degree angle on a flat roof. They will be no higher than 0.6m in height above the highest point of the roof (excluding chimneys) and are coated with anti-glare technology.

The existing parapet on the existing roof will limit the visibility of the panels which will limit their impact on the visual amenities of the building or surrounding area. The siting and appearance of the proposed works are therefore considered acceptable for this site.

Appropriately worded planning conditions can be imposed on any decision notice to ensure works are carried out in accordance with the documents provided.

Conclusion

The requirements of the provisions of Schedule 2 Part 14 Class J of the GPDO 2015 are achieved.

Taking the above into account, whilst there may be glimpses of the solar installation due to its considerable scale, on balance it is considered unlikely to cause any material harm to the landscape, general amenity and important views. It will also have no significant effect on the design and appearance of the host building. Due to its location, on an existing low pitch roof



Cumberland Council

	with a surrounding parapet, it is unlikely to be seen from nearby and ground level views. As such it is considered that prior approval is required and the submitted details are sufficient to approve the proposals subject to the imposition of planning conditions securing completion of the works in accordance with the submitted details and specifications.	
8.	Recommendation: Prior Approval Approved	
9.	Conditions: 1. The development hereby approved must be carried out within a period of 5 years from the date of this decision. Reason To comply with the requirements of Part 14 Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - <ul style="list-style-type: none">- Application Form, received 24th November 2025;- Site Location Plan, scale 1:2500, received 24th November 2025;- Site Block Plan, scale 1:500, received 24th November 2025;- Solar Panel Details, received 24th November 2025;- Module Layout Plan (amended), scale 1:100, received 16th January 2026; Reason To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.	
Case Officer: Demi Crawford		Date : 19/01/2026
Authorising Officer: N.J. Hayhurst		Date : 19/01/2026
Dedicated responses to:- N/A		