



## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/26/2037/0F1
2.	<b>Proposed Development:</b>	APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR 124.5 KWP ROOF-TOP SOLAR PV INSTALLATION COMPRISING OF 249 X 500WP PV PANELS
3.	<b>Location:</b>	CO-OP SUPERMARKET, LECONFIELD STREET, CLEATOR MOOR
4.	<b>Parish:</b>	Cleator Moor
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change
6.	<b>Publicity Representations &amp;Policy</b>	See Report.
7.	<b>Report:</b>	<p><b>Site and Location</b></p> <p>This application relates to The Coop supermarket which is located in a central location within Cleator Moor. Access is taken from the North of the site on to the car park, off Leconfield Street.</p> <p>St Johns Church and Crossfield Community Centre are located to the East of the site with residential dwellings on Little Croft to the West.</p> <p><b>Relevant Planning History</b></p> <p>4/92/0515/0 - RETAIL FOOD SUPERMARKET WITH ASSOCIATED CAR, PARKING AND SERVICING – Approve</p> <p>4/93/0473/0 - SUPERMARKET, SERVICE YARD, CAR PARKING AND, ACCESS. - Approve</p> <p><b>Proposal</b></p> <p>This application seeks prior approval for the installation of roof-mounted Solar PV panels at</p>

The Coop Supermarket, Cleator Moor with a maximum installed capacity of 124.5 kWp comprising of 249 x 500Wp PV panels.

The panels will be installed on an existing sloped roof and will be fitted using a low-rise mounting kit which would not exceed 0.2m in height from the existing roof plane, or extend beyond 1m from the edge of the roof junction.

### **Consultation Responses**

#### Cleator Moor Town Council

No objections.

#### Environmental Health

There are no objections to this proposed development from Environmental Health.

Whilst the inverter units associated with the solar panels can produce some low tonal humming noise during daylight hours as the electrical current is converted from DC to AC, the premises is of detached configuration and there are no dwellings immediately close by so that noise disturbance is unlikely. The local acoustic environment will be dominated by background road traffic noise also.

#### Public representations

The application was advertised by way of a site notice and neighbour notification letters were issued to 6 properties.

No objections have been received in response to this consultation.

### **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.



## Cumberland Council

### **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 2021- 2016.

The following policies are relevant to this proposal:

Strategic Policy DS1: Settlement Hierachy

Strategic Policy DS2: Settlement Boundary

Policy DS4: Design and Development Standards

Strategic Policy R4: The Key Service Centres

### **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 panels at The Coop Supermarket, Cleator Moor with a maximum installed capacity of 124.5 kWp comprising of 249 x 500Wp PV panels is considered to be permitted development under Schedule 2 Part 14 Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015.

This order sets out certain conditions for the prior approval of the installation or alteration of solar equipment on non-domestic premises. It requires the submission of an application to the Local Planning Authority to determine if prior approval will be required as 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 the Coop Supermarket, Cleator Moor.

In respect of the provisions of A.1 :-

(a) the solar PV equipment would be installed on a pitched roof and would 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;

(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 Coop Supermarket 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 Coop Supermarket 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 required to be submitted, 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 required to determine the application.

(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 panels at The Coop Supermarket, Cleator Moor with a maximum installed capacity of 124.5 kWp comprising of



## Cumberland Council

	<p>249 x 500Wp PV panels.</p> <p>The panels will be installed on an existing slope and hipped roof and will be fitted using a low-rise mounting kit which would not exceed 0.2m in height from the existing roof plane or extend beyond 1m from the edge of the roof junction.</p> <p>Whilst the location of the proposed panels will likely be seen from various public vantage points due to their overall scale, it is considered that their design and arrangement is acceptable for this site.</p> <p>Appropriately worded planning conditions are proposed to ensure works are carried out in accordance with the documents provided.</p> <p>No objections have been received in response to the application.</p> <p><b>Conclusion</b></p> <p>The requirements of the provisions of Schedule 2 Part 14 Class J of the GPDO 2015 are achieved. The siting and appearance of the development is acceptable.</p> <p>Taking the above into account, whilst it is likely that the solar installation will be seen from various public vantage points due to the overall scale of the scheme, on balance it is considered unlikely to cause any material harm to the landscape or residential amenity given the separation distances from the nearest residential dwelling.</p> <p>It will also have no significant effect on the design and appearance of the host building due to the proposed location on an existing roof slope.</p> <p>As such it is considered that prior approval is not 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.</p>
8.	<p><b>Recommendation:</b> Approve</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"><li data-bbox="159 1753 1493 1827">1. The development hereby permitted shall be carried out within a period of 5 years from the date of this permission.  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).</li><li data-bbox="159 2011 1390 2040">2. Permission shall relate to the following plans and documents as received on the</li></ol>

respective dates and development shall be carried out in accordance with them: -

- Application Form, received 2<sup>nd</sup> February 2026;
- Site Location Plan, scale 1:1250, received 2<sup>nd</sup> February 2026;
- Existing Site Plan, scale 1:300, received 2<sup>nd</sup> February 2026;
- Existing and Proposed Elevations, scale 1:250, received 2<sup>nd</sup> February 2026;
- PV Layout, received 2<sup>nd</sup> February 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.

**Informative Note**

**Development Low Risk Area – Standing Advice – Mining Remediation Authority**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242 Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

**Case Officer: Demi Crawford**

**Date : 24/03/2026**

**Authorising Officer: N.J. Hayhurst**

**Date : 24/03/2026**

**Dedicated responses to:- N/A**