

PRIOR APPROVAL APPLICATION: NOTIFICATION UNDER PART 14 CLASS J

APPLICATION REFERENCE:	PL/2026/01126
APPLICATION TYPE:	Prior Approval: Part 14 Class J: Installation or Alteration etc of solar equipment on non-domestic premises
SITE ADDRESS:	Aldi, Langley Park, Foundry Lane, Chippenham, SN15 1JB
DEVELOPMENT DESCRIPTION:	Prior Approval Application for the installation of solar PVs at the existing ALDI Food store
RECOMMENDATION:	Prior Approval Required and should be GRANTED

PROPOSAL

Condition J.4 (2) attached to Schedule 2, Part 14, Class J of the General Permitted Development Order (GPDO), requires the developer intending to install or alter solar equipment on non-domestic premises to apply to the Local Planning Authority (LPA) with a request to determine whether prior approval (PA) will be required as to the design or external appearance of the development. Under those provisions, the developer made this application on 17.02.2026

The submission included the following:

- Plans and written detail showing that the development is for the installation of 268no. solar panels onto the roof of the existing ALDI food store.
- A plan indicating the site and a further plan showing the proposed development
- The developers contact address
- The necessary fee

THE SITE

The application site is an existing food store 'Aldi', north of unclassified 'Foundry Lane' in Chippenham, where the site is highly visible from. Chippenham is a Principal Settlement which benefits from having a defined development framework boundary and made neighbourhood development plan (NDP). There is a 'Travelodge' directly east of the site, existing dwellings directly north-west (at Tugela Road) and a development site for new dwellings (at Mercury Crescent).



Figure 1: map view of site (red) Figure 2: aerial view of site

Figure 3: Officer photo (2026) of site from Foundry Lane

The site is wholly within the defined framework for Chippenham, and a small section (south of the site) is within the Chippenham Conservation Area (CA). The Chippenham CA management plan (2010) indicates that the character area for that part of the CA is Area 3 (Upper New Road). Development guidelines within the management plan include:

- How redevelopment should aim to reinstate active street frontages to Foundry Lane
- New development should seek to maintain, and where possible enhance, the vitality of the area

The site is not designated as a scheduled monument, and the development is not proposed to be installed on a listed building or on a building within the curtilage of a listed building. At the time of writing, there is no article 4 direction affecting the site and, whilst permitted development rights for the gates, fences, walls or other means of enclosure were removed under application 16/04269/FUL, permitted development rights for the installation of solar equipment remains intact.

RELEVANT PLANNING HISTORY (inter alia)

Relevant to the site and scheme:

- 16/04269/FUL granted full planning permission for *The Demolition of Existing Buildings and the Development of a Class A1 Discount Foodstore (1,741sqm Gross Internal Area) with Associated Access, Parking and Servicing Areas, Landscaping and Highways Works to Include Full Traffic Signalling Works to the Little George Roundabout and Other Highways Improvement Works to Foundry Lane* on 19.10.2016

Relevant planning history near the site:

Connect 17, Langley Park:

- 15/08918/PN *Notification for Prior Approval for the Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt* resulted in the decision that PA was not required on 12.10.2015

POLICY CONTEXT AND GUIDANCE

General Permitted Development Order (GPDO)

- Schedule 2, Part 14, Class J: Installation or alteration etc of solar equipment on non-domestic premises

National Planning Policy Framework (NPPF)

Planning Policy Guidance (PPG)

Wiltshire Design Guide

Chippenham Design Guide

Chippenham Conservation Character Appraisal (2023)

RELEVANT DEFINITIONS

GPDO definitions (inter alia):

For the purposes of Part 14—

“microgeneration” has the same meaning as in section 82(6) of the Energy Act 2004
“solar PV” means solar photovoltaics;

Energy Act 2004 section 82

- (6) *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).
- (7) *Those sources of energy and technologies are—*
(a) biomass;
(b) biofuels;
(c) fuel cells;
(d) photovoltaics;
(e) water (including waves and tides);
(f) wind;
(g) solar power;
(h) geothermal sources;
(i) combined heat and power systems;
(j) other sources of energy and technologies for the generation of electricity or the production of heat, the use of which would, in the opinion of the Secretary of State, cut emissions of greenhouse gases in Great Britain.
- (8) *That capacity is—*
(a) in relation to the generation of electricity, 50 kilowatts;
(b) in relation to the production of heat, 45 kilowatts thermal.

ISSUES

Permitted Development (PD)
Prior Approval (PA)

CONSULTATION AND REPRESENTATIONS

Chippenham Town Council was consulted on 24.02.2026 and a site notice was erected near the site on 25.02.2026

At the time of writing no representations have been received.

ASSESSMENT

Permitted Development

Under the provisions of Schedule 2, Part 14, Class J of the GPDO, development consisting of the *installation or alteration etc of solar equipment on non-domestic premises* is PD where it relates to the following:

- 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.

There are limitations to Part 14, Class J permitted development which are outlined as 'development not permitted' under section J.1; there are also specific limitations on PD specifically for *microgeneration solar thermal equipment on a building or microgeneration solar PV equipment on a building* development which are outlined under section J.2. Furthermore, there are set conditions associated with all Class J PD which are listed under section J.4 of the same part.

The scheme proposes the installation of 268 no. solar panels with a total maximum power output of 140KM; the scheme is therefore not microgeneration and consequently relates to Part 14 Class J(c) PD.

For purposes of transparency, given the above and following initial checks made when reviewing the notified scheme (under the "proposal" section of this report) at the notified location (under "the site" section of this report), current GPDO parts which are relevant for further PD assessment have been summarised below.

The development must consist of consisting of the installation, alteration or replacement of other solar PV equipment on the roof of a building,	
Limitations	
J.1 (a)	The solar PV or solar thermal equipment cannot be installed on a pitched roof if it protrudes more than 0.2m beyond the plane of the roof slope when measured perpendicular with the external surface of the roof slope
J.1(c)	The solar PV or solar thermal equipment cannot be installed on a roof within 1m of the external edge of that roof
Conditions	
J.4 (1)(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
J.4 (1)(b)	the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.
J.4(2)	before beginning the development the developer must apply to the LPA for a determination as to whether the PA 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(3)	The PA 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
J.4(9)	The development must not begin before the occurrence of one of the following— (a)the receipt by the applicant from the LPA of a written notice of their determination that such PA is not required; (b)the receipt by the applicant from the LPA of a written notice giving their PA; or (c)the expiry of 56 days following the date on which the PA application was received by the LPA without the authority notifying the applicant as to whether PA is given or refused.

J.4(10)	The development must be carried out— (a)where PA is required, in accordance with the details approved by the LPA; (b)where PA is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the PA application
J.4(11)	The LPA may grant PA unconditionally or subject to conditions reasonably related to the subject matter of the PA.

A site visit was carried out by the LPA on 25.02.2026 and there was evidence to suggest that the development had already commenced. Sufficient detail (including receipt of the necessary fee) has been provided by the developer to allow the LPA to carry out PA assessment.

The provided 'solar panel specification document' indicates that the PV dimensions are 1990X1134X30mm which indicates that the PD requirements of J.1(a) would be met. In addition, the provided roof plan (partially extracted as figure 4 below) indicates that the PV would not be installed within 1m of any external edge of the roof which indicates that the PD requirements of J.1(c) would be met.

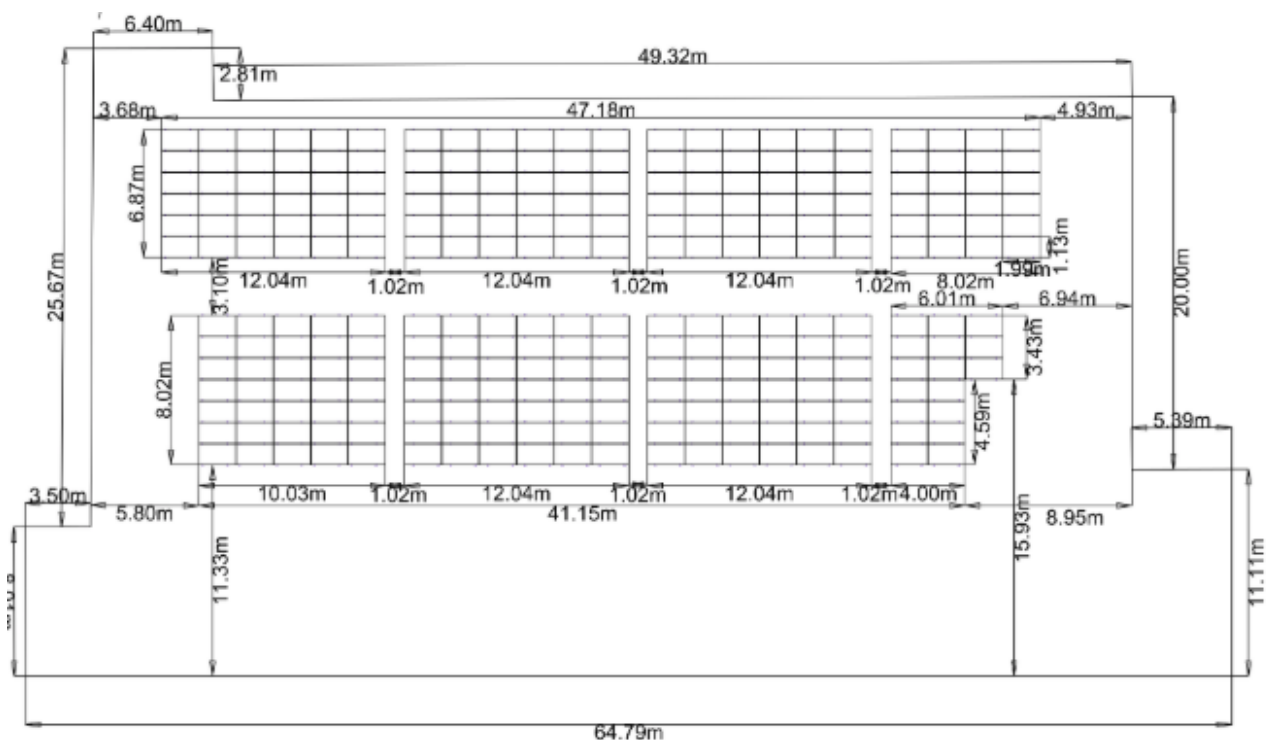


Figure 4: partial extract of roof plan

Based on all detail available, the scheme is PD under the provisions of Schedule 2, Part 14, Class J and the scheme requires the PA of the LPA.

Prior Approval

When considering whether to grant PA the LPA is limited to assessing set subject matters; based on review of the scheme and site the PA assessment on this occasion relates to the following:

- the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land

Design or external appearance

The roof of the application building has a shallow pitch, with the highest point being at the western end, adjacent to the carpark, and the lowest pitch to the east, adjacent to neighbouring hotel 'Travelodge'.

Given the position of the roof slope, some rooms at the adjacent hotel may experience some light-glare from the PV by virtue of the developer's choice of PV (Longi Hi-MO X10 Scientist) not appearing to be fitted with an anti-glare finish. A product with anti-glare technology would result in a lessened impact on amenity levels for hotel guests occupying any affected rooms in the future; however, given that hotel accommodation is intended to be temporary and transient with occupants typically present for short stays, whilst impacts on hostel guests are not disregarded the limited duration and occurrence of light glare does not, on this occasion, represent a reason to refuse PA or a requirement for a conditioned change to the PV finish. Occupants of neighbouring residential units do, however, experience a continuous long-term relationship with their living environment and have a reasonable expectation of a higher level of day-to-day amenity and as such further careful consideration on amenity levels for occupants of nearby dwellings must be made.

Whilst there are new residential units to the north of the site, at Mercury Crescent, some of which are in close proximity to the side wall of ALDI', the height of the building and orientation of the roof slope is such that there would be little-to-no direct sightline from the panels and windows (or amenity area) serving the residential units. The scheme would therefore not result in an unacceptable change to amenity levels should PA be granted.



Figure 5: officer photo (2026) of site & adjacent Mercury Crescent unit

Regarding visual impacts on the CA setting; the post-development site would not appear significantly altered from the existing site situation and is not objectionable on design grounds.

SUMMARY AND CONCLUSION:

The application has been made to determine whether the LPAs PA is required for the installation of roof mounted solar PV at Aldi, Langley Park, Chippenham.

No representations, including from Chippenham Town Council, have been received.

Review of all information provided indicates that the scheme complies with Part 14 Class J PD requirements and it is considered that PA can be granted subject to the conditions contained within the GPDO. On this occasion, no LPA applied conditions are considered necessary.

RECOMMENDATION: Prior Approval is REQUIRED and should be GRANTED

INFORMATIVES TO APPLICANT:

In line with Schedule 2, Part 14, Class J of the General Permitted Development Order, the development must be carried out in accordance with the details provided under application PL/2026/01126, namely:

- A) Application form
- B) Location plan
- C) Cover Letter
- D) Solar Panel Installation Manual
- E) Solar Panel Specification Document
- F) Proposed Roof Plan