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P26-0603



Vail Williams LLP
2 Noel Street
London
W1 8GB

Tel 020 3589 0050
vailwilliams.com

Wiltshire Council
Monkton Park Offices,
Monkton Hill,
Chippenham,
SN15 1ER

Dear Sir/Madam,

Application to determine if prior approval is required for roof mounted solar PV on non-domestic premises

Knorr Bremse Rail Systems Uk Ltd, Westinghouse Way, Bowerhill, SN12 6TL
Planning Portal Reference: PP-14801944

Vail Williams LLP have been instructed to submit a prior approval for roof mounted solar PV on non-domestic premises under *Schedule 2, Part 14, Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)* on behalf of Knorr-Bremse Rail Systems.

To support this application, alongside this cover letter, the following documents have been submitted:

- Site Location Plan
- Roof Plan - 2026-D_Rev_Solar_KB-M_26_001
- Cross Section Diagram

In accordance with Schedule 2, Part 14, Class J, paragraph J.4(3)(c) and (d) of the GPDO, the developer's contact address and email address (for electronic correspondence) are provided below:

- Jacques Abi Saad
- email: [REDACTED]
- Knorr-Bremse Rail Systems (UK) Ltd., Westinghouse Way, Hampton Park East, Melksham, SN12 6TL

Please contact Vail Williams for any matters relating to this application.

The application proposes the installation of solar PV panels on the northern pitch of the roof the main building at Knorr-Bremse Rail Systems UK Ltd, Westinghouse Way, as well as on both the northern and southern roof pitches of the associated warehouse building. The submitted plans illustrate the proposed panel locations and include an elevation showing the mounting system and associated measurements. The southern roof pitch of the main building already accommodates existing PV panels, as shown on the submitted plans.

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The Google Maps extract above shows the site and its surroundings.

There are a number of criteria which need to be met under Schedule 2, Part 14, Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which we have set out below:

GDPO Criteria	VW comment on compliance
Permitted development	
J. 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, <i>other than a dwellinghouse or a block of flats.</i>	The development proposes the installation of solar PV equipment on the roofs of commercial buildings. The proposals will generate more than 50 kilowatts of electricity so cannot fall under the definition of 'microgeneration'. Therefore, the works fall under J(c) and requires a prior approval to be

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	assessed by the Local Planning Authority.
Development not permitted	
J.1 Development is not permitted by Class J if— (a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would 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;	As shown on the proposed plans, the development will protrude 0.108 metres beyond the roof, which is within the permissible protrusion limit for pitched roofs. Please refer to the submitted plans for full details.
(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);	The development is not proposed on a flat roof, as such this is not applicable.
(c) the solar PV equipment or solar thermal equipment would be installed on a roof and within 1 metre of the external edge of that roof;	The equipment will be positioned at least 1 metre from all external roof edges, as shown on the proposed plan, which include a 1-metre exclusion zone around the perimeter of the roofs.
(d) omitted	n/a
(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or	The site is not a scheduled monument.
(f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.	The buildings are not listed nor are they within the curtilage of 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;	The development is not proposed on a wall, as such this is not applicable.

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(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.	
J.3 omitted	n/a
Conditions	
J.4—(1) Class J development is permitted subject to the following conditions— (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; and (b)the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.	The proposed panels are to be installed on the northern roof pitch of the main building, with the southern pitch already accommodating existing PV panels, and additional panels proposed on both the northern and southern roof pitches of the associated warehouse building. Given the buildings' industrial context and the integration of similar equipment on the opposite roof slope of the main building, the visual impact of the proposal will be minimal. There is also an established visual buffer formed by surrounding industrial buildings, which screens the site from the nearest residential properties to the east, thereby further reducing any potential amenity impacts. The equipment will be removed as soon as reasonably practicable once it is no longer required or operational, in accordance with the requirements.

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(2) Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval 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, and the following sub-paragraphs apply in relation to that application.	This application is submitted in accordance with Class J(c) for the LPA's determination.
(3) The 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.	A description of the proposals and developers contact details have been included within the cover letter although it should be noted that all correspondence in respect of this application should be directed to Vail Williams. The proposed plans to be considered with this application have been listed with this cover letter.
(4) The local planning authority may refuse an application where, in the opinion of the authority— (a) the proposed development does not comply with, or (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in Class J applicable to the development in question.	The proposal complies with all Class J requirements and includes sufficient detail.
(5) Sub-paragraphs (6) and (8) do not apply where a local planning authority refuses an application under sub-paragraph (4) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.	Noted and understood.

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(6) The local planning authority must give notice of the proposed development— (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which— (i) describes the proposed development; (ii) provides the address of the proposed development; (iii) specifies the date by which representations are to be received by the local planning authority; or (b) by serving a notice in that form on any adjoining owner or occupier.	Noted – this will be carried out by the LPA.
(7) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.	Noted – further information will be provided if requested.
(8) The local planning authority must, when determining an application— (a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and (b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.	Noted – procedural matter for the LPA.
(9) The development must not begin before the occurrence of one of the following— (a) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required; (b) the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or (c) the expiry of 56 days following the date on which the application under sub-paragraph (3) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.	No works will commence until one of these conditions is met.

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(10) The development must be carried out— (a) where prior approval is required, in accordance with the details approved by the local planning authority; (b) where prior approval is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (3), unless the local planning authority and the developer agree otherwise in writing.	The works will be undertaken in full accordance with the approved details.
(11) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.	Noted and understood.
(12) When computing the number of days in paragraph (6)(a), any day which is a public holiday must be disregarded.	Noted – procedural matter for the LPA.

I trust you have all the information needed to consider this application, however, if you need anything further, please do not hesitate to contact me.

Yours faithfully,

Sophia Piatto BSc (hons)
Planner
For and on behalf of Vail Williams LLP
Mob: [REDACTED]
Email: [REDACTED]

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