

DELEGATED REPORT

Report by Helen Pressley	Date of report: 30/01/2026	Ref: 72683/PRNPV
Registration: 22/12/2025	LDfC: 28/01/2026	Expiry Date: 16/02/2026
Site Visit: 07/01/2026	Site Notice: 07/01/2026	Press Date: N/A
Objections:	Con Area:	Adv Type: PI
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: NREQ

Proposal: Prior approval for proposed installation of 165.5kwp solar panel system on the roof

Location: The Food Warehouse (Iceland), Park 66, Pilsworth Road, Bury, BL9 8RS

Description

Prior approval for proposed installation of 165.5kwp solar panel system on the roof.

Relevant Planning History

59548 - Prior notification of proposed demolition of Vue Cinema, Megabowl Bowling Alley, Pizza Hut, Frankie & Bennys and Chiquitos - Approve with Conditions 12/02/16

60998 - Mixed use development comprising 6046 m2 light industrial (Class B1(c), general industrial (Class B2) and storage/distribution (Class B8); 1340 m2 foodstore (Class A1); 2843 m2 other retail floorspace (Class A1); 2179 m2 gymnasium (Class D2); 2 No. 413 m2 cafe/hot food takeaway units (Class A3/A5) with drive thru facilities; Associated parking spaces, alterations to site access and associated works - Approve with Conditions 23/11/17

62243 - Vary third criterion of condition 15 of approved planning application 60998 to read: "Unit C shall comprise a predominantly non-food unit in Class A1 of 1,394 sq.m GIA, including, for the avoidance of doubt, any mezzanine floorspace, of which no more than 30 per cent shall be used for the sale of food, non-alcoholic and alcoholic beverages, newspapers and magazines; and" - Approve with Conditions 16/01/18

62616 - Variation of conditions 2 (approved plans), 14 (overall retail floorspace) and 15 (use and floorspace of individual retail units) of permission 62243 to reduce the number of retail units from 4 to 3 as follows:

Unit A - a predominantly non-food unit in Class A1 of 2,084 sq.m GIA, including any mezzanine floorspace, of which no more than 30% shall be used for the sale of food, non-alcoholic and alcoholic beverages, newspapers and magazines;

Unit B - a foodstore in Class A1, the size of which shall be limited to 1,340 sq.m GIA, including any mezzanine floorspace, of which no more than 10% shall be used for the sale and display of comparison (non-food) goods;

Unit C - a non-food unit in Class A1 of 816 sq.m GIA, including any mezzanine floorspace - Approve with Conditions 25/04/2015

62773 - Non-material amendment following grant of planning permission 62616: Relocate door along rear wall of Retail Unit B.62616 - Approve with Conditions 11/05/18

63213 - Non-material amendment following grant of planning permission 60998 (amended by 62616): Changes to KFC drive thru including relocation of kiosk along south elevation, reconfiguration of windows on north elevation, addition of illuminated drive-thru canopy, and a new materials palette. - Approve with Conditions 29/08/2018

63712 - Vary condition 15 of 62616 to read: Notwithstanding the terms of the Town and Country Planning Act (Use Classes) Order 1987 (as amended) and the Town and Country

Planning (General Permitted Development) (England) Order 2015 (as amended), the 'main town centre uses' in this application shall be disaggregated into up to six units, as follows: . Unit A shall comprise a predominantly non-food unit in Class A1 of 2,084 sq.m GIA, including, for the avoidance of doubt, any mezzanine floorspace, of which no more than 30 per cent shall be used for the sale of food, non-alcoholic and alcoholic beverages, newspapers and magazines; and . Unit B shall comprise a foodstore in Class A1, the size of which shall be limited to 1,340 sq.m GIA, of which no more than 10 per cent shall be used for the sale and display of comparison (non-food) goods; . Unit C shall comprise up to four units in Class A1 with a minimum floorspace of 116 sq.m GIA. The total floorspace of Unit C shall not exceed 816 sq.m GIA including, for the avoidance of doubt, any mezzanine floorspace. The units shall be used for the sale of non-food goods, with the exception of a single unit of 116 sq.m GIA which can be used for the preparation and sale of sandwiches, confectionery, savoury products, snacks, soft drinks, beverages and associated food and drink items; and a single unit of up to 141 sq.m which can be used for the preparation and sale of sandwiches, snacks, confectionery and soft drinks. - Approve with Conditions 01/05/2019

63633 - 1 No. non-illuminated double sided freestanding totem sign and 2 no. non-illuminated directional signs (attached to a pair of poles) - Approve with Conditions 07/02/2019

64320 - (Units 3 and 4) 3 No. internally illuminated lightboxes, 3 no. flags and poles, 1 no set of non illuminated letters and 1 no. internally illuminated post sign - Approve with Conditions 22/07/2019

64850 (Units 3 and 4) Erection of 23 no. individual storage units in 3 no. buildings - Approve with Conditions 28/04/2020

Publicity

Site notice 07/01/2025. No representations received

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Development Plan and Policies

Issues and Analysis

Under Class J there are three types of development permitted subject to either the prior approval of the local planning authority and or the limitations and conditions laid out therein:

- 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.

The proposed installation would be development under Class J (c).

Any development under Class J is not permitted 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;

(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);

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(c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;

(d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;

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

(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.

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;

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

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.

The panels would be installed on a shallow, dual pitched roof and it is considered that the panels would not be readily visible from the ground given the height of the building. A car park, associated with the host building is located to the north east, and a commercial property with associated access and loading bays located to the south west. Given the surrounding land uses it is considered that the proposal would not have a detrimental impact on the neighbouring properties.

It is therefore considered the panels would be sited to minimise their effect on the external appearance of the building and the amenity of the area and have been proposed to minimise the impact of glare on neighbouring occupiers.

The proposed PV panels would therefore comply with all the limitations and conditions laid out under Class J.

Recommendation: Prior Approval Not Required

Conditions and Reasons:

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 30/01/2026		DM 30/01/2026	