

SUPPORTING STATEMENT

**Application for a Lawful Development
Certificate for a ground mounted solar array
at
HMP Haverigg**

On behalf of Ministry of Justice

October 2021



**CUSHMAN &
WAKEFIELD**

CONTENTS

1.	Introduction	4
2.	Site and Surroundings	5
3.	Proposed Development	6
4.	Permitted Development Regulations Assessment	8
5.	Conclusions	11
	Appendices	12
	Appendix 1 Schedule 2, Part 19 Class A and Class C of the GPDO (2015)	13
	Appendix 2 Copeland Borough Council Pre-application Response	14
	Appendix 3 Associated Equipment, Plant and Machinery Specification	15

Report Disclaimer

This report should not be relied upon as a basis for entering into transactions without seeking specific, qualified, professional advice. Whilst facts have been rigorously checked, Cushman & Wakefield can take no responsibility for any damage or loss suffered as a result of any inadvertent inaccuracy within this report. Information contained herein should not, in whole or part, be published, reproduced or referred to without prior approval. Any such reproduction should be credited to Cushman & Wakefield.

Version	Prepared by	Approved by	Date
Supporting Statement	Sarah Myers MRTPI	Andy Teage MRTPI	October 2021

1. Introduction

- 1.1 Cushman & Wakefield (C&W) has been instructed by the Ministry of Justice (MoJ) to prepare and submit a Lawful Development Certificate application for the proposed installation of a 189kW Solar Photovoltaic (PV) generation system at HMP Haverigg. This is further to pre-application dialogue with Copeland Borough Council, who provided an opinion that the proposed development constitutes Permitted Development in accordance with Class C, Part 19 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.
- 1.2 Section 192(b) of the Town and Country Planning Act 1990 requires the submission of a Lawful Development Certificate to confirm the proposed development constitutes permitted development, for which planning permission is not required.
- 1.3 Article 39 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 specifies the contents of a Lawful Development Certificate application and how it must be submitted. The application must describe precisely what is being applied for (not simply the use class) and the land to which the application relates.
- 1.4 Government guidance and advice on Lawful Development Certificates is provided in the National Planning Practice Guidance (ID17c) noting that a Local Authority on receipt of a Certificate of Lawfulness needs to consider whether on the facts of the case and relevant planning law, the specific matter is or would be lawful. Planning merits are not relevant at any stage in such applications.
- 1.5 This application and the Supporting Statement have been produced to provide Copeland Borough Council with a suitable level of information to properly assess and determine that the proposed development constitutes permitted development and therefore has deemed consent. Accordingly, this Supporting Statement is structured as follows:
 - Site Description – Section 2;
 - Proposed Development – Section 3;
 - Permitted Development Assessment – Section 4;
 - Conclusion – Section 5.
- 1.6 The following plans and information are also submitted in support of the application:
 - Application Forms
 - Site Location Plan DR-A-1600 Rev3
 - Proposed Ground Mounted PV Generation Layout Plan DR-A-1601 Rev3
 - Site Location Plan (illustrating MoJ's wider landownership) DR-A-1602 Rev1
 - Concept Landscape LUC-11357-LD-PLN-112 RevD
 - Letter from MOJ confirming their interest in the site and authorisation to submit the application
 - PV Equipment Specification (included within this Statement)
 - Habitat Regulation Assessment Screening Report
 - Historic Environment Appraisal
 - Landscape and Visual Impact Assessment
 - Arcadis Extended Phase 1 Habitat Survey Memo
- 1.7 An EIA Screening Opinion request is submitted to Copeland District Council to accompany this application.

2. Site and Surroundings

Site Location and Description

- 2.1 The application site is located on Crown land immediately to the south of the main prison complex at HMP Haverigg, which is located 1km to the west of Haverigg village in Cumbria. The parcel of land that is the subject of this application is identified on the accompanying Site Location Plan drawing DR-A-1600 Rev3.
- 2.2 The site extends to 0.64 hectares and is bordered to the north and east by the main Prison security fence and to the south and west by open disused field land that forms part of the MOJ's wider operational landownership (63.13ha please refer to drawing DR-A-1602 Rev1). It is comprised of land that is currently fallow with early vegetation with no signs of hedging and very little scrub.
- 2.3 The surrounding area comprises of arable fields to the north, east and west and the coastline to the south.

Crown Land Operational Purposes

- 2.4 The site is fully within Ministry of Justice (MoJ) ownership (please refer to drawing DR-A-1602 Rev1) and is classified as Crown Land in accordance with Section 293 of the Town and Country Planning Act 1990 – "land in which there is a crown interest or a duchy interest". The definition goes onto to note "(b) an interest belonging to a government department or help in their trust for Her Majesty for the purposes of a government department".
- 2.5 Paragraph 002 of the Planning Practice Guidance 'Crown Development' also states that Operational Crown land is land owned or managed by Crown bodies which is used or held for operational purposes. These purposes relate to the carrying out of the functions of the Crown body. The Ministry of Justice is identified in the PPG as one of those Crown bodies.
- 2.6 As stated previously, the site comprises 0.64 hectares of Crown owned land that has been reserved for operational prison use and is now proposed to be used for the generation of renewable energy to power the main HMP Haverigg prison complex. It will generate 189kWp in total, which will be used solely for the energy requirements of the operational prison facility.
- 2.7 Pre-application advice has been sought from Copeland Borough Council as the Local Planning Authority (LPA) in respect of this proposal and the written response is enclosed with this Supporting Statement. The response confirms that in the LPA's view this would constitute 'permitted development' by virtue of Schedule 2, Part 19 'Development by the Crown or for national security purposes', Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

3. Proposed Development

- 3.1 The accompanying drawing DR-A-1601 Rev3 presents the proposed layout of the Solar PV arrays and associated infrastructure. The main features of the proposed development are:
- the Solar PV Array panels and mounting; and
 - Switch-gear units, inverters, AC isolators, distribution board, generation meter, and cabling;
- 3.2 The ground mounted solar array will be formed of 42 sets of 10 panels spread over 5 tables that will generate 189kW in total, which is 75% of the site's minimum daytime load. The yearly PV energy production is estimated at 180,242kWh, equivalent to 8.5% of the prison's yearly energy usage.
- 3.3 The panels will be mounted in a portrait configuration, with 2 modules on top of each other in groups of 10 panels. The panels will be south facing and inclined to between 30 degrees to capture the most sunlight.
- 3.4 The panels will be laid in rows, with a minimum separation distance of 8 metres to prevent any overshadowing. The panels will be no higher off the ground than 3 metres and will be installed on a 2-post steel support. These will have a minimal impact on the ground and thus will allow the site to be returned to its current state at the end of the installation's lifespan.
- 3.5 The panels will be accompanied by a 60 and 100kW inverter. The inverters will be 0.26 cubic metres in size and will be installed on a concrete hard standing. A power meter will also be installed to monitor the PV generation. The inverters, AC isolators, distribution board and other electrical switchgear shall be located in a GRP enclosure (2.2 cubic metres). The AC SWA cable shall run from the PV generation distribution board to the site's LV switchroom building in a duct via a combination of soft and hard dug trenches, crossing roads or passing under footpaths, fences, etc. A generation meter shall be installed to monitor the PV generation.
- 3.6 On the ground, DC string cables from the solar panels to the inverters shall be contained in dedicated cable trays mounted to the panels mounting system and running on the ground between rows. Load bearing covers shall be used on ground mounted containment. A cable will be laid from the inverter's location at the North side of the compound to the LV switch room building located to the South of the prison. Trenching will be mostly soft and routed internally through the prison.
- 3.7 A new access and maintenance earthen road will be provided around the PV arrays and will connect through an existing gate in the southern security fence to an existing internal access road that connects with the main prison access to the north.
- 3.8 Once operational, only maintenance visits to the solar arrays will be required. The designated contractor will install, operate and maintain the panels throughout their operational life.

Energy Generation

- 3.9 The proposed panels will provide energy solely for the operational prison with the objective of reducing mains energy usage and offsetting carbon emissions. This is a significant driver for the MoJ as the second largest central Government estate, accounting for more than 20% of central Government's total greenhouse gas emissions, which must be reduced to assist the UK government meet its net zero target.

- 3.10 The MoJ has therefore been awarded funding to invest in low carbon technologies on its estate and the proposed development is the first of its prison sites that will benefit from this important initiative.
- 3.11 The proposed development will therefore produce solar energy to generate electricity to power the operational prison complex. The proposed solar arrays are predicted to generate 189kW in total, which is 75% of the site's minimum daytime load. The yearly PV energy production is estimated at 180,242kWh, equivalent to 8.5% of the prison's yearly energy usage.

4. Permitted Development Regulations Assessment

Introduction

- 4.1 The proposed development for the installation of a ground mounted Solar PV installation has been considered against the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (GPDO). In order for permitted development rights to be exercised it is necessary for the LPA to have adopted a screening opinion that the proposed development is not EIA development. A screening opinion has been submitted to Copeland Borough Council (the Council) with this application and a decision is awaited.
- 4.2 As stated previously, pre-application engagement has been undertaken with the Council, and a pre-application response has been received. This is appended to this Statement. The pre-application response confirms that the Council accept that the proposals would constitute 'permitted development' by virtue of Schedule 2, Part 19 'Development by the Crown or for national security purposes', Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
- 4.3 Part 19 of the GPDO makes provision for certain development to be undertaken on Crown Land without the need for planning permission. Class C permits certain other '*developments on operational Crown Land*'. Please refer to Appendix 1 for the full details of Class C.
- 4.4 This statement has previously confirmed that the site is fully within MoJ ownership and is classified as Crown Land, which falls within the operational estate of HMP Haverigg. The application site is located on land that is currently fallow with early vegetation with no signs of hedging and very little scrub. This land has been reserved for operational use, and is now proposed to be used for the generation of renewable energy to power the main HMP Haverigg prison complex. This renewable power will be solely used for the energy requirements of the operational prison facility, generating 75% of the facilities minimum daytime load.

Part 19 Class C

- 4.5 The pre-application advice from Cherwell District Council accepts that the proposed development constitutes 'permitted development' by virtue of Class C under Part 19 of Schedule 2 of the GPDO.
- 4.6 Class C permits development consisting of:
- a) The installation of additional or replacement plant or machinery;
 - b) The provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus; or
 - c) the provision, rearrangement or replacement of a private way, private railway, siding or conveyor.
- 4.7 The PV panels and inverter units/switchgear proposed in support of the Solar PV arrays would fall within the definition of plant or machinery as defined by Class C a). The panels and inverter units will provide the prison complex with renewable energy to ensure its continued operation during the national and local move towards net zero carbon.

- 4.8 In this case the solar PV panels are needed for the purpose of collecting solar energy to power the Prison estate, and the inverters and switchgear will convert and channel the power to the prisons main switchboard.
- 4.9 To assist in confirming that the installation is plant and/or machinery, it is useful to note relevant case law that differentiates between what constitutes a building or not (i.e. plant or machinery). This case law is *Cardiff Rating Authority V Guest Keen Baldwin's Iron and Steel Co 1964* which identifies three tests to be considered, which are as follows:
- a) Whether the size was such that normally it would have to be built on site rather than brought to the site ready made;
 - b) Whether the construction suggested some degree of permanence meaning it could only be removed by pulling down or taking to pieces; and
 - c) Whether the construction was physically attached to the ground.
- 4.10 Taking into account the above tests the solar array installation comprise frames and panels which are brought to site 'ready-made' and installed for a temporary period of time. As is common with most plant and machinery it is often delivered to site for installation rather than having to be built on site.
- 4.11 The installations can be easily removed, and the site restored to its previous condition. The PV arrays and associated plant/machinery, therefore, do not have a permanence to them which would normally be associated with a building.
- 4.12 The solar arrays do not require any traditional foundations as part of the installation and therefore, the equipment is not physically attached to the ground in the same way that a building would be.
- 4.13 The cabling that will connect the PV Solar installation to the main powers will run along the western boundary of the Prison Complex. This will benefit from the provision of Class C b) that permits the provision of a ... cable ... for operational purposes carried out by or on behalf of the Crown.
- 4.14 A further consideration in the assessment of this application is that the GPDO states that development is not permitted by Class C(a) if it would materially affect the external appearance of the premises or would exceed a height of 15 metres above ground level or the height of anything replaced, whichever is the greater.
- 4.15 A Landscape Opinion report is submitted in support of this application. It concludes that taking into consideration the nature and small scale of the proposed development, it is anticipated the proposed solar farm would be relatively imperceptible from views beyond 1km, as vegetation, field boundary fencing and existing built development would provide intervening features. Any unavoidable direct landscape effects through the change in land use from rough ground on the former airfield to a ground mounted solar development and associated access track will therefore be localised due to the small extent and height (3m) of the installation. It is considered that a moderate local effect is likely to be experienced by recreational users the Public Right of Way (PRoW) along Haws Lane (approx.650m to the south-east of the site at its closest). Sections of the PRoW, most notably in the south where the path crosses flat open fields, may have some direct views to the proposed development, however, from other sections of the path the prison buildings and perimeter fencing enclosing the windfarm and prison will provide screening along with some remnant field boundary vegetation. Recreational receptors have a

high sensitivity to change, however, these changes will be seen in the context of the existing prison buildings and both onshore and offshore wind farms. Overall, there will be a moderate change to the character of views from the PRoW with all other potential effects being considered to be minor. Notwithstanding this, the overall conclusion of the Landscape Opinion report is that there will be little material change to the premises when viewed from outside the site, meaning that the proposed installation will not materially affect the external appearance of the premises, i.e. the main prison complex.

- 4.16 The top of the PV panels will be less than 3 meters above ground level, thereby falling within the 15m threshold set out within the conditions of Class C.
- 4.17 This section demonstrates that the proposed development complies with the relevant interpretations and conditions of Class C of Part 19 of the GPDO and can therefore benefit from deemed consent.

Other Considerations

- 4.18 A certificate of lawful development has been granted for HMP Bullingdon by Cherwell District Council in June 2021. The development was permitted under Schedule 2, Part 19, Class C. The Officers Delegated Report stated: *“officers are satisfied that the proposed development would provide the prison with power and would not be for commercial purposes and therefore it is considered that the development would comply with Part C in this regard.*
- 4.19 The Council’s legal team further considered that the installation of solar photovoltaic panels could be defined as ‘plant’ in accordance with part (a) of Class C.
- 4.20 In determining the impact of the development as required by the Class the officer’s report notes:

Given the nature of the development and its siting, it is considered that the development would not materially affect the external appearance of the premises.
- 4.21 The interpretation of the proposed solar PV installation at HMP Bullingdon by Cherwell District Council officers is entirely consistent with the pre-application opinion provided by Copeland Borough Council planning and legal officers.

5. Conclusions

- 5.1 The Ministry of Justice (MoJ) is formally requesting a Lawful Development Certificate from Copeland Borough Council for a proposed PV Solar Array installation and associated plant that is required for operational purposes and is to be located on operational Crown Land directly adjacent to the main HMP Haverigg prison complex.
- 5.2 The site location plan and accompanying documentation demonstrate MoJ's ownership and interest in the site, whilst acknowledging that Cushman & Wakefield have been instructed by the MoJ to submit this application on their behalf in accordance with legislation.
- 5.3 This Supporting Statement and the accompanying plans (DR-A-1600 Rev3, DR-A-1601 Rev3, DR-A-1602 Rev1, and LUC-11357-LD-PLN-112 RevD) determines the exact location and layout of the proposed development and explains why it constitutes permitted development under Schedule 2, Part 19 Class C of the GPDO (2015).
- 5.4 The development conforms with the provisions and interpretations of Class C and therefore benefits from deemed consent under the GPDO.
- 5.5 The proposed panels will provide energy solely for the operational prison with the objective of reducing mains energy usage and offsetting carbon emissions. This is a significant driver for the MoJ as the second largest central Government estate, accounting for more than 20% of central Government's total greenhouse gas emissions, which must be reduced to assist the UK government meet its net zero target. The MoJ has therefore been awarded funding to invest in low carbon technologies on its estate and the proposed development is the first of its prison sites that will benefit from this important initiative. By investing in renewable energies, the MoJ can reduce their energy consumption at HMP Haverigg by up to 8.5% annually, thus contributing towards the national priority to move towards net zero carbon.
- 5.6 To meet these objectives and targets, the proposed development must be substantially installed by the end of March 2022. The timescales for the project are therefore challenging and we respectfully request that a Lawful Development Certificate is issued as soon as possible to ensure this sustainable development can go ahead in line with the necessary project priorities and timescales.

Appendices

- 1. Schedule 2, Part 19 Class C of the GPDO (2015)**
- 2. Copeland Council Pre-application Response**
- 3. Associated Equipment, Plant and Machinery Specification**

Appendix 1 Schedule 2, Part 19 Class C of the GPDO (2015)

Schedule 2, Part 19 of the Town and Country Planning (General Permitted Development) Order (2015) (as amended) – Development by the Crown or for national security purposes.

Class C – Developments on operational Crown Land

C. Development carried out by or on behalf of the Crown on operational Crown Land for operational purposes consisting of –

- (a) the installation of additional or replacement plant or machinery*
- (b) the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus; or*
- (c) the provision, rearrangement or replacement of a private way, private railway, siding or conveyor.*

Development not permitted:

C.1 Development described in Class C(a) is not permitted if-

- (a) it would materially affect the external appearance of the premises; or*
- (b) any plant or machinery would exceed a height of 15 metres above ground level or the height of anything replaced, whichever is the greater.*

Appendix 2 Copeland Borough Council Pre-application Response

Andy Teage/GBR

From: Heather Morrison
Sent: 05 March 2021 12:38
To: Andy Teage/GBR
Cc: Clinton Boyce; Nick Hayhurst
Subject: FW: Proposed Solar PV Site at Haverigg Prison, Cumbria

External

Dear Andy,

I write further to your submission regarding the proposal by the MoJ to install ground mounted solar PV arrays on a site to the immediate west of HMP Haverigg Prison's boundary.

Thank you for providing the additional information requested. Taking this into account and having discussed the matter further with the Council's Solicitor we now accept that the land on which the PV arrays are to be sited constitutes operational crown land, although it has no current specific use we agree it remains as land 'held for' such operational purposes.

I conclude therefore that it is our opinion that the proposal as outlined in the documents submitted on 6 January 2021 with the initial enquiry, together with the additional information provided since, constitutes Permitted Development in accordance with Class C, Part 19 of the Town and Country Planning (General Permitted Development)(England) Order 2015, as amended.

Should you wish to discuss please contact me either by text or by mobile (number below).

Regards,
Heather.

Heather Morrison
Principal Planning Officer
Development Management
Copeland Borough Council

*Please note I am currently working from home and my working days are Monday – Thursday inclusive.



From: Heather Morrison
Sent: 26 February 2021 10:28
To: Andy Teage/GBf
Subject: RE: Proposed Solar PV Site at Haverigg Prison, Cumbria

Dear Andy,

Apologies for the delay – I will progress with our Solicitor following your update below and get back to you with our opinion next week.

Regards,
Heather.

Heather Morrison
Principal Planning Officer
Development Management
Copeland Borough Council

*Please note I am currently working from home and my working days are Monday – Thursday inclusive.



From: Andy Teage/GBf
Sent: 25 February 2021 07:39
To: Heather Morrison
Subject: RE: Proposed Solar PV Site at Haverigg Prison, Cumbria
Importance: High

WARNING: External email, think before you click!

Please report any suspicious email to our [IT Helpdesk](#)

Heather

I'd be grateful for an update on your solicitors opinion as to the use of Schedule 2, Part 19, Class A or Class C of the GPDO for the proposed ground mounted solar array as MoJ are keen to progress the formal application process asap.

In terms of our current CLPD application at Littlehey, the decision has been delayed to deal with a couple of minor issues in tightening the description of development on the certificate and the fact that the case officer has been on leave. I anticipate a decision next week.

We have also been making progress with further ecological advice, which I will also be able to hopefully update on next week.

I look forward to hearing from you.

Kind regards

Andy

Andrew Teage, MRTPI
Partner | Planning | Development



No 1 Marsden Street, Manchester, M2 1HW, United Kingdom

[Facebook](#) | [LinkedIn](#) | [Twitter](#) | [YouTube](#)

Bringing you up to the minute insight on COVID-19: UK real estate perspectives

From: Andy Teage/GBR
Sent: 09 February 2021 09:02
To: 'Heather Morrisor
Subject: RE: Proposed Solar PV Site at Haverigg Prison, Cumbria

Heather

MoJ has confirmed that the land that is proposed for the ground mounted PV installation has not been in use for any activity for many years, it has simply been vacant land held for future operational use. Due to Haverigg being recategorized from C/D to a Cat D open prison (i.e. for prisoners able to take on full time employment outside the prison) security at the establishment is low. As a result, this land has been identified as being required for operational use for the prison and prisoners, with the PV installation being the first operational use to be brought forward.

I trust that this assists with your considerations and I look forward to your further opinion once you have received a view from your solicitor.

I will also inform you when we receive the decision at Littlehey. I spoke with the case officer yesterday and he is finalising his report for approval either later this week or early next.

Kind regards

Andy

Andrew Teage, MRTPI
Partner | Planning | Development



No 1 Marsden Street, Manchester, M2 1HW, United Kingdom

[Facebook](#) | [LinkedIn](#) | [Twitter](#) | [YouTube](#)

Bringing you up to the minute insight on COVID-19: UK real estate perspectives

From: Andy Teage/GBR
Sent: 04 February 2021 19:20
To: Heather Morrisor
Subject: RE: Proposed Solar PV Site at Haverigg Prison, Cumbria

Heather

Many thanks for your response. I am double checking with the MoJ about the current use of the land and will respond further when I get this information.

We are expecting a positive decision on the Littlehey CLPD application next week further to recent correspondence with the case officer.

I have also asked the question about relocating 'inside the wire'. As I anticipated, and as conveyed in our call, this is a different workstream and funding allocation and given programme pressures for spend is not something that can be considered at the current time.

Kind regards

Andy

Andrew Teage, MRTPI
Partner | Planning | Development



No 1 Marsden Street, Manchester, M2 1HW, United Kingdom

[Facebook](#) | [LinkedIn](#) | [Twitter](#) | [YouTube](#)

Bringing you up to the minute insight on COVID-19: UK real estate perspectives

From: Heather Morrisor
Sent: 02 February 2021 12:50
To: Andy Teage/GBR
Subject: RE: Proposed Solar PV Site at Haverigg Prison, Cumbria

External

Andy,

Apologies for taking time to get back to you re this.

I have asked our solicitor for his view as the issue appears to be with definition of crown land 'held for' operational purposes. I have also had a look at your submission to Huntingdonshire D.C. and note that a decision on the LDC is still pending – do you have any indication as to when this is likely to be issued?

It would help at this stage if you were able to inform the current use of the site – from memory it was agricultural grazing (sheep) with adjacent use for motorcross. Is this still the case?

Have you managed to progress the possibility of relocating the site to within the Prison fence with MOJ?

Regards,
Heather.

Heather Morrison

Principal Planning Officer
Development Management
Copeland Borough Council

*Please note I am currently working from home and my working days are Monday – Thursday inclusive.



From: Andy Teage/GBR
Sent: 26 January 2021 08:03
To: Heather Morrisor
Cc: Nick Hayhurs
Subject: RE: Proposed Solar PV Site at Haverigg Prison, Cumbria

WARNING: External email, think before you click!
Please report any suspicious email to our [IT Helpdesk](#)

Heather

Further to our call on 14th January and my follow up email below, I was just wondering whether you had the chance to consider this position further?

Kind regards

Andy

Andrew Teage, MRTPI
Partner | Planning | Development



No 1 Marsden Street, Manchester, M2 1HW, United Kingdom

Bringing you up to the minute insight on COVID-19: UK real estate perspectives

From: Andy Teage/GBR
Sent: 14 January 2021 12:06
To: Heather Morrison
Cc: Nick Hayhurst
Subject: RE: Proposed Solar PV Site at Haverigg Prison, Cumbria

Heather

Thank you for your time and guidance this morning regarding the above proposal.

I confirmed that I would provide you with the statement included within our current CLPD certificate application for HMP Littlehey in relation to the definition of Crown Development Land. This statement is as follows:

"The site is fully within Ministry of Justice (MoJ) ownership and is classified as Crown Land in accordance with Section 293 of the Town and Country Planning Act 1990 – "land in which there is a crown interest or a duchy interest". The definition goes onto to note "(b) an interest belonging to a government department or help in their trust for Her Majesty for the purposes of a government department".

As stated previously, the site comprises 0.79 hectares (1.95 acres) of Crown owned agriculturally improved grassland that has been reserved for operational prison use and is now proposed to be used for the generation of renewable energy to power the main HMP Littlehey prison complex. It will generate 532kWp in total, which will be used solely for the energy requirements of the operational prison facility, generating 75% of the facilities minimum daytime load."

This statement was made on the basis of Paragraph: 002 Reference ID: 44-002-20170728 of the PPG that sets out that operational Crown land is land owned or managed by Crown bodies (Ministry of Justice is specifically referenced) which is used or held for operational purposes and these purposes relate to the carrying out of the functions of the Crown body.

I would be grateful for your consideration of the statement above in the context of your concern over the land in question being 'operational' as well as any other evidence/information you may require to support MoJ's position that this it is operational land.

I will also discuss with MoJ whether there is the possibility for a site to be found inside the prison walls, which you advised the Council would not be able to dispute in terms of being operational land.

Kind regards

Andy

Andrew Teage, MRTPI
Partner | Planning | Development



No 1 Marsden Street, Manchester, M2 1HW, United Kingdom

From: Heather Morrison
Sent: 08 January 2021 17:18
To: Andy Teage/GBR
Cc: Nick Hayhurst
Subject: Proposed Solar PV Site at Haverigg Prison, Cumbria

External

Dear Andrew,

Thank you for your recent enquiry regarding the above, your email to Nick Hayhurst of 6 January 2021 refers.

I have been asked to make contact with you to provide any pre application/ other planning advice that may be required.

Having had a look at the supporting information provided in the email attachments I am yet to be convinced that the proposal constitutes permitted development under Schedule 2, Part 19, Class A or Class C of the GPDO given it's scale and location in relation to the Prison. In view of this and given your timescale, perhaps it would be worth having a discussion either by phone or Teams meeting next week – I am available either next Wednesday or Thursday morning (13th/14th January) or failing that Monday (18th January) afternoon of the following week.

I look forward to hearing from you.

Regards,
Heather.

Heather Morrison
Principal Planning Officer
Development Management
Copeland Borough Council

*Please note I am currently working from home and my working days are Monday – Thursday inclusive.



Copeland - the best place to live in Cumbria This email is confidential and is for the attention of the addressee only. Copeland Borough Council accept no responsibility for information, errors or omissions contained in it. We make every effort to keep our network free from viruses. You should independently check this e-mail and any attachments for viruses, as we can take no responsibility for any computer viruses that might be transferred by way of this e-mail.

The information contained in this email (including any attachments) is confidential, may be subject to legal or other professional privilege and contain copyright material, and is intended for use by the named recipient(s) only.

Access to or use of this email or its attachments by anyone else is strictly prohibited and may be unlawful. If you are not the intended recipient(s), you may not use, disclose, copy or distribute this email or its attachments (or any part thereof), nor take or omit to take any action in reliance on it. If you have received this email in error, please notify the sender immediately by telephone or email and delete it, and all copies thereof, including all attachments, from your system. Any confidentiality or privilege is not waived or lost because this email has been sent to you by mistake.

Although we have taken reasonable precautions to reduce the risk of transmitting software viruses, we accept no liability for any loss or damage caused by this email or its attachments due to viruses, interference, interception, corruption or unapproved access.

Please see our website to view our privacy notice / statement.

Copeland - the best place to live in Cumbria This email is confidential and is for the attention of the addressee only. Copeland Borough Council accept no responsibility for information, errors or omissions contained in it. We make every effort to keep our network free from viruses. You should independently check this e-mail and any attachments for viruses, as we can take no responsibility for any computer viruses that might be transferred by way of this e-mail. Copeland - the best place to live in Cumbria This email is confidential and is for the attention of the addressee only. Copeland Borough Council accept no responsibility for information, errors or omissions contained in it. We make every effort to keep our network free from viruses. You should independently check this e-mail and any attachments for viruses, as we can take no responsibility for any computer viruses that might be transferred by way of this e-mail.

Appendix 3 Associated Equipment, Plant and Machinery Specification

1. Typical PV Panel
2. Typical Panel Support System
3. Typical DC String Connector
4. Typical Inverter
5. Typical Feeder Pillar

HMP Haverigg Associated Equipment, Plant and Machinery Specification

- 1. Typical PV Panel**
- 2. Typical Panel Support System**
- 3. Typical DC String Connector**
- 4. Typical Inverter**
- 5. Typical Feeder Pillar**

1. Typical PV Panel

LG NeON[®]R

LG380Q1C-V5 | LG375Q1C-V5 | LG370Q1C-V5 | LG365Q1C-V5

Mechanical Properties

Cells	6 × 10
Cell Vendor	LG
Cell Type	Monocrystalline / N-type
Cell Dimensions	161.7 × 161.7 mm
# of Busbar	30 (Multi Ribbon Busbar)
Dimensions (L × W × H)	1,700 × 1,016 × 40 mm
Front Load*	5,000Pa
Rear Load*	5,400Pa
Weight	17.5 kg
Connector Type	MC4/MC
Junction Box	IP68 with 3 Bypass Diodes
Cables	1,000 mm × 2 ea.
Glass	High Transmission Tempered Glass
Frame	Anodized Aluminum

*Manufacturer Declaration according to IEC 61215: 2005 (Preliminary)

*Mechanical Test Loads: 5400 Pa / 4000 Pa based on IEC 61215-2: 2016

(Test Load = Design Load × Safety Factor (1.5))

Certifications and Warranty

Certifications	IEC 61215-1/-1-1 / 2:2016, IEC 61730-1/2:2016, IEC 61701:2012 Severity 6 (Salt mist corrosion test), IEC 62716:2013 (Ammonia corrosion test), ISO 9001, ISO 14001, ISO 50001
Module Fire Performance	Class C
Product Warranty	25 Years
Output Warranty of P _{max}	25 years linear warranty ¹⁾

¹⁾ 1) First year min. 98%, 2) After 2nd year max. 0.5% annual degradation, 3) 25 years min. 90.8%

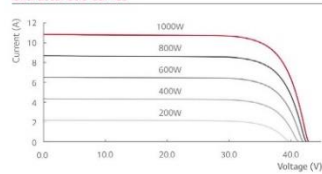
Temperature Characteristics

NMOT	[°C]	44 ± 3
P _{max}	[%/°C]	-0.30
V _{oc}	[%/°C]	-0.24
I _{sc}	[%/°C]	0.037

Packaging Configuration

Number of Modules Per Pallet	[EA]	25
Number of Modules Per 40ft HQ Container	[EA]	650
Packaging Box Dimensions (L × W × H)	[mm]	1,750 × 1,120 × 1,221
Packaging Box Gross Weight	[kg]	473

Characteristic Curves



Electrical Properties (STC*)

Model		LG380Q1C-V5	LG375Q1C-V5	LG370Q1C-V5	LG365Q1C-V5
Maximum Power (Pmax)	[W]	380	375	370	365
MPP Voltage (Vmpp)	[V]	37.4	37.2	37.0	36.5
MPP Current (Impp)	[A]	10.17	10.09	10.01	9.95
Open Circuit Voltage (Voc)	[V]	42.9	42.8	42.8	42.8
Short Circuit Current (Isc)	[A]	10.84	10.83	10.82	10.8
Module Efficiency	[%]	22.0	21.7	21.4	21.1
Operating Temperature	[°C]	-40 ~ +90			
Maximum System Voltage	[V]	1,000			
Maximum Series Fuse Rating	[A]	20			
Power Tolerance	[%]	0 ~ +3			

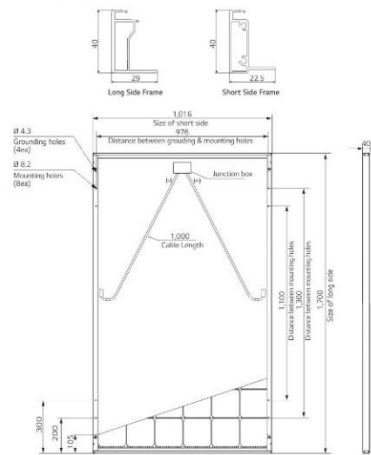
* 1) STC (Standard Test Condition): Irradiance 1,000 W/m², module temperature 25°C, AM 1.5.

Electrical Properties (NMOT*)

Model		LG380Q1C-V5	LG375Q1C-V5	LG370Q1C-V5	LG365Q1C-V5
Maximum Power (Pmax)	[W]	286	282	279	275
MPP Voltage (Vmp)	[V]	37.3	37.1	36.9	36.6
MPP Current (Imp)	[A]	7.67	7.61	7.55	7.51
Open Circuit Voltage (Voc)	[V]	40.3	40.3	40.3	40.2
Short Circuit Current (Is)	[A]	8.73	8.72	8.71	8.70

* NMOT (Nominal Module Operating Temperature): Irradiance 800 W/m², Ambient temperature 20°C, Wind speed 1 m/s, Spectrum AM 1.5

Dimensions (mm)



The distance between the center of the mounting/grounding holes.

EN

The new high performance champion

25 YEARS LG
Product and Performance Warranty

Up to 380 Watts
Contactless cellfront
Aesthetic Design



LG ELECTRONICS U.K. LTD.
Velocity 2, Brooklands Drive
Brooklands, Weybridge, KT13 0SL
United Kingdom
E-Mail: solar-marketing@lge.de
www.lg.com/uk/business/solar

All details in this data sheet comply with DIN EN 50380.
Subject to errors and alterations.
Date: 06/2020
Document: DS-Q1C-V5-EN-202006
Copyright © 2020 LG Electronics. All rights reserved.



LG NeON[®]R
www.lg.com/uk/business/solar

LG NeON[®]R – performance & design with passion

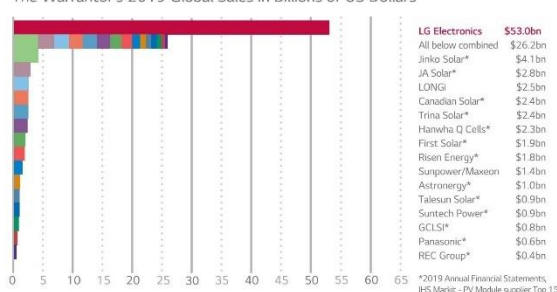
The LG NeON[®]R is the new high-performance solar module from LG. Its aesthetic design and outstanding performance of up to 380Wp is a valuable addition to any roof. The 60 cell solar module can endure a static front load up to 6,000Pa, has an expanded product warranty of 25 years and a once-again improved linear performance warranty.

Local guarantor, global security

LG Solar is part of LG Electronics, a global and financially strong company, with over 50 years of experience.

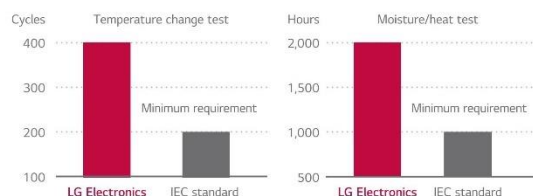
Good to know: LG Electronics is the warrantor for your solar modules.

The Warrantor's 2019 Global Sales in Billions of US Dollars



Excellent quality, independently tested

You can rely on LG. We test our products with double the intensity specified in the IEC standard. This quality is valued by installers across Europe, which is why they have awarded our LG solar modules the Top Brand PV stamp of quality for the highest recommendation rates for the seventh time in a row.



Strong design, powerful performance

The busbars on the new LG NeON[®]R were mounted on the rear of the cells to expose the entire front side to light and therefore generate more electricity. LG creates an innovative and aesthetic cell design by incorporating 30 rear-side busbars instead of the 3 or 4 standard busbars on the cell front, a revolutionary approach that guarantees outstanding module performance.

Powerful design, guaranteed robust (LG Standard)*

With reinforced frame design, LG NeON[®]R can endure a front load up to 6,000Pa (represents snow height of normal snow of more than 1.8 meters) and a rear load up to 5,400Pa (represents wind speed of up to 93 m/s, compare max. wind speed of Hurricane Katrina 2005 of max. 75 m/s).



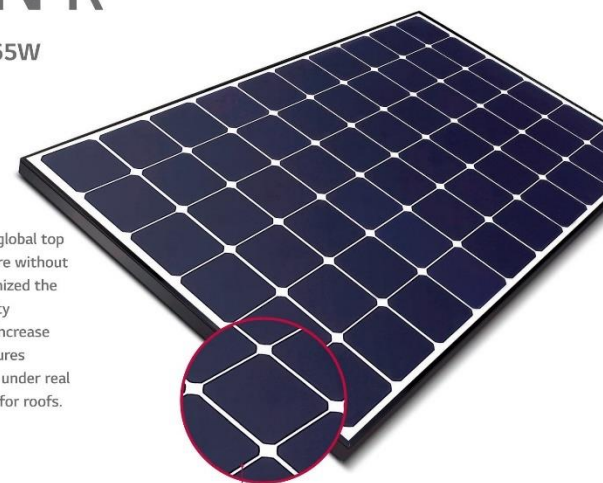
* Module fully complies with the new IEC 61215-2:2016 test procedures which confirmed 5,400 Pa front and 4,000 Pa rear side load. LG made internal tests to confirm 6,000 Pa front and 4,000 Pa rear side load also with new IEC 61215-2:2016 norms. Further tests are on-going. Unless these tests turn out differently, LG confirms 6,000 Pa / 5,400 Pa.
 ** 1) First year: min. 98% 2) From 2nd year: max. 0.3% annual degradation 3) 25 years: 90.8%

LG NeON[®]R

380W | 375W | 370W | 365W

60 cell

LG NeON[®]R is new powerful product with global top level performance. Applied new cell structure without electrodes on the front, LG NeON[®]R maximized the utilization of light and enhanced its reliability. LG NeON[®]R demonstrates LG's efforts to increase customer's values beyond efficiency. It features enhanced warranty, durability, performance under real environment, and aesthetic design suitable for roofs.



No Metal on the Front



Key Features



Enhanced Performance Warranty
 LG NeON[®]R has an enhanced performance warranty. After 25 years, LG NeON[®]R is guaranteed at least 90.8% of initial performance.



Aesthetic Roof
 LG NeON[®]R has been designed with aesthetics in mind: no electrode on the front that makes new product more aesthetic. LG NeON[®]R can increase the value of a property with its modern design.



Better Performance on a Sunny Day
 LG NeON[®]R now performs better on a sunny days thanks to its improved temperature coefficient.



High Power Output
 The LG NeON[®]R has been designed to significantly enhance its output making it efficient even in limited space.



Outstanding Durability
 With its newly reinforced frame design, LG NeON[®]R can endure a front load up to 6,000Pa, and a rear load up to 5,400Pa.



25 Years Product Warranty
 As well as the enhanced performance warranty, LG has extended the product warranty of the LG NeON[®]R from 15 years to 25 years.

About LG Electronics

LG Electronics is a global big player, committed to expanding its operations with the solar market. The company first embarked on a solar energy source research program in 1985, supported by LG Group's vast experience in the semi-conductor, LCD, chemistry and materials industries. In 2010, LG Solar successfully released its first MonoX[®] series to the market, which is now available in 32 countries. The LG NeON[®] (previous MonoX[®] NeON), NeON[®]2, NeON[®]2 BiFacial won the "Intersolar AWARD" in 2013, 2015 and 2016, which demonstrates LG Solar's lead, innovation and commitment to the industry.

2. Typical Panel Support System



2-Post Steel

Flexible Standard

Tables can be designed differently through defined configurations, however by a flexible number of modules. The 2-Post Steel, combines the price of the steel outdoor system with material availability.

Proven New

The system is distinguished by an easy, functional design. The proven Clickstone-technology is used for the module fastening. Depending on the requirements, either posts or foot plates will be available.

Two Post

When it comes to the 2-Post Steel, a higher structural stability is ensured even when soil or load conditions are difficult. By means of foot plates and fixed anchors it is easy to can be mounted. Also lateral inclinations (in east-west direction) up to $\pm 10^\circ$ can be realized with 2 additional components.

High Availability

In order to implement small ground-mounting projects, we have a permanent stock of these components with a delivery time of a few days.

Maximum Service Life

Durability is a substantial feature for the 2-Post Steel. The selected materials provide effective and long-term protection. They guarantee high corrosion resistance for maximum service life.



Open Terrain



Framed Module



Orientation Portrait



Orientation Landscape



Operation Area	Ground mount
PV-Modules	Framed
Module Arrangement	Up to 20 m per rack unit
Module Orientation *	Portrait, 2 modules on top of each other Landscape, 4 modules on top of each other
Work Angle	20° or 25°
Minimum Module Elevation to the ground	70-80 cm ¹
Max. ground inclination	Up to 10° in east-west direction
Distance of the mounting in an east-west direction	After static calculation
Standards	Eurocode 1 – Actions on structures Eurocode 9 – Design of aluminium structures
Setting Options	Cap profile, Foot plates with fix anchors
Frame Profiles	Stahl (S 355/S 350 GD)
Small Parts	Stahl galvanized, Stainless steel, Geomet-coated steel, Extruded aluminum (EN AW 6063 T66)
Foundation	Low-resistance contact resistances between rack components without additional parts accessible
Warranty	10 years ²

Configuration	Module	Foundation	Clamping	
2-Post STEEL 2 portrait	Framed modules	Cap profile, Foot plates	Clickstones	
2-Post STEEL 4 landscape			Clickstones	

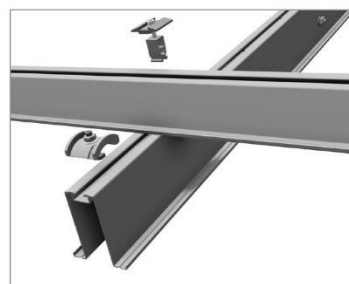
* Other arrangements available on request.



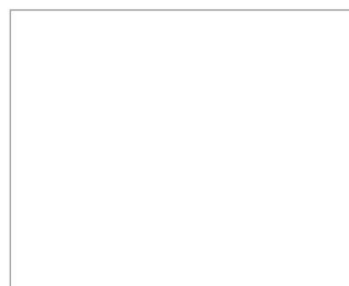
Connection detail support - rafter



Connection detail post



Connection detail module support



Whipstone

2-Post-Steel-TD-BN-2001

¹ Dependent on System, Inclination and Fixation to the Ground. For more details see technical system designs.
² Please find the exact terms in the Mounting Systems GmbH warranty document.

3. Typical DC String Connector

Connection devices PV connectors



With a voltage rating up to 1500 V DC IEC and 1500V DC UL, ABB's MC4-EVO2 PV connectors can be installed in any environment including commercial, industrial and residential rooftop PV installations.

They enable to connect the DC circuits from the inverter to the PV modules, in compliance with the standards IEC 62852:2014 and UL 6703.

Their housing is made in impact-resistant polyamide and can withstand UV radiation, salt spray and ammonia vapors. They are fully compatible with MC4-type PV connectors.



Plug connector

Ø insulation section	Section				Female	Male
4.7-6.1 mm	4-6 mm ²	12-10 AWG	1500V DC (IEC)	1500V DC (UL)	PV-PLUG-F6/6.1	PV-PLUG-M6/6.1
6.1-7.6 mm	4-6 mm ²	12-10 AWG			PV-PLUG-F6/7.6	PV-PLUG-M6/7.6
7.6-8.5 mm	4-6 mm ²	12-10 AWG			PV-PLUG-F6/8.5	PV-PLUG-M6/8.5
7.6-8.5 mm	10 mm ²	8 AWG			PV-PLUG-F10/8.5	PV-PLUG-M10/8.5

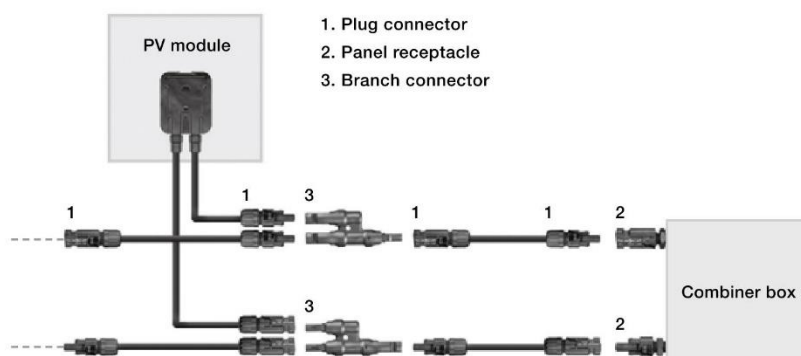
Panel receptacle

Section				Female	Male
4.6 mm ²	12-10 AWG	1250V DC (IEC*)	1000V DC (UL)	PV-RECEP-F6	PV-RECEP-M6
10 mm ²	12-10 AWG			PV-RECEP-F10	PV-RECEP-M10

*MC4-EVO2 version (1500V dc IEC and 1500V dc UL) available at the end of 2016

Branch connector

In / Out			Female	Male
2 females / 1 male	1000V DC (IEC)	1500V DC (UL)	PV-BRANCH-F	-
2 males / 1 female			-	PV-BRANCH-M



4. Typical Inverter



Solis-(50-60)K

Solis Three Phase Inverters



360 degree

Features:

- ▶ Max. efficiency 99%
- ▶ Wide voltage range and low startup voltage
- ▶ 4 MPPT input, each rated current is 28.5A, compatible with high power module
- ▶ THDi<3%, low harmonic distortion against grid
- ▶ Anti-resonance, supporting over 6MW paralleled in one transformer
- ▶ Perfect commercial site monitoring solution
- ▶ Intelligent redundant fan-cooling



Model:

400V: Solis-50K Solis-60K-4G

Datasheet

Model Name	Solis-50K	Solis-60K-4G
Input DC		
Recommended max. PV power	60kW	72kW
Max. input voltage	1100V	
Rated voltage	600V	
Start-up voltage	200V	
MPPT voltage range	200-1000V	
Max. input current	4*28.5A	
Max. short circuit current	4*44.5A	
MPPT number/Max. input strings number	4/12	
Output AC		
Rated output power	50kW	60kW
Max. apparent output power	55kVA	66kVA
Max. output power	55kW	66kW
Rated grid voltage	3/N/PE, 220/380V, 230/400V	
Rated grid frequency	50/60Hz	
Rated grid output current	72.2A/76A	86.6A/91.2A
Max. output current	83.3A	100A
Power Factor	>0.99 (0.8 leading - 0.8 lagging)	
THDi	<3%	
Efficiency		
Max. efficiency	98.8%	99.0%
EU efficiency	98.4%	98.5%
Protection		
DC reverse-polarity protection	Yes	
Short circuit protection	Yes	
Output over current protection	Yes	
Surge protection	Yes	
Grid monitoring	Yes	
Anti-islanding protection	Yes	
Temperature protection	Yes	
Strings monitoring	Yes	
Anti-PID function	Optional	
Integrated AFCI (DC arc-fault circuit protection)	Optional	
Integrated DC switch	Optional	
General Data		
Dimensions (W*H*D)	630*700*357 mm	
Weight	63kg	
Topology	Transformerless	
Self consumption	<1W (night)	
Operating ambient temperature range	-25 ~ +60°C	
Relative humidity	0-100%	
Ingress protection	IP65	
Cooling concept	Intelligent redundant fan-cooling	
Max. operation altitude	4000m	
Grid connection standard	VDE-AR-N 4105, VDE V 0124, VDE V 0126-1-1, UTE C15-712-1, NRS 097-1-2, G98, G99, EN 50549-1/-2, RD 1699, UNE 206006, UNE 206007-1, IEC 61727, DEWA	
Safety/EMC standard	IEC 62109-1/-2, IEC 62116, EN 61000-6-2/-4	
Features		
DC connection	MC4 connector	
AC connection	OT terminal	
Display	LCD	
Communication	RS485, Optional: Wi-Fi, GPRS	

5. Typical Feeder Pillar

Pillar Shells

Lucy Zodion’s Fortress range of Hot Dip Galvanized (HDG) pillar shells are the UK’s leading range of enclosures for external power distribution applications. Sold widely across the street lighting and highways sector, the Fortress pillar shell range provides high quality at an affordable price.

With a number of features, such as detachable roofs and roots, aiding various installation requirements, Lucy Zodion’s range of “Lucy Pillar” shells doesn’t stop at the standard Fortress range. Our dedicated Design Centre can also work with you should a bespoke requirement arise, whether it’s a streamline solution to meet space restrictions or a large double door shell to host more complex electrical specifications, we can help.

Standard Construction	Additional information
• 3mm or 5mm* thick mild steel galvanised to BS EN ISO 1461 • Galvanised and painted variations available for extra durability • Available with detachable roofs and root sections* • 18mm exterior grade plywood backboard • Vandal resistant hinges flush to pillar and door. • IP65 Door Seal rating (slimline, single and double door) • Fitted with locks as standard - Single Door – Tri-head Lock - Double Door – Wedge Lock	• BS or RAL paint colours supplied as per customer specification • G2A paint finishes available for highways applications • Stainless steel construction available upon request (BSEN 10088-1) • Pre-wired services available upon request (tested to BS 7671) • External sockets can be fitted upon request • Cat-flaps and cable management option available • Wide selection of lock options available upon request

* Single and double door pillars only



Product technical information

Power Distribution Shells | Fortress Pillar range

Range Type	Size code	Height Above Ground	Root Section (mm)	Width (mm)	Depth (mm)	Height (mm)	Door Height (mm)	Working Depth (mm)	Shell thickness (mm)	Backboard size (mm)	Weight (kg)	Part no
Single Door Pillars	05	791	350	310	220	791	585	170	3	300x650	36	THM0024653
	06	636	300	400	180	636	410	155	3	390x475	42.5	THM0024656
	08	836	300	600	250	836	610	225	3	590x675	71.5	THM0024658
	09	1088	350	661	281	1088	860	225	3	640x930	84	THM0024664
	10	1194	350	800	350	1194	907	325	3	790x975	108	THM0024666
	12	1294	350	1110	400	1294	1007	375	3	1080x1075	142	THM0024668
Double Door Pillars	14	1300	380	1250	450	1300	980	375	3	1225x1085	176	THM0024672
									5		300	2270030009
	16	1300	380	1500	450	1300	980	375	3	1475x1085	202	THM0024674
									5		350	THM0013839
	18	1300	380	1750	450	1300	980	375	3	1925x1085	234	THM0024676
									5		400	2800244009
	20	1300	380	2000	450	1300	980	375	3	1975x1085	266	THM0024680
									5		420	20-HDG-5
	22	1600	380	1250	450	1600	1280	375	3	1225x1385	201	THM0024682
									5		350	THM0016660
	24	1600	380	1500	450	1600	1280	375	3	1475x1385	231	THM0024685
	26	1600	380	1750	450	1600	1280	375	3	1725x1385	269	THM0024687
Mini Pillars	4810	785	300	113	120	785	510	85	3	90 x 500	11	THM0025272
	4811	785	300	163	120	785	510	85	3	140x500	14	THM0025273
	4812	785	300	163	170	785	510	130	3	140x500	16	THM0027610
	4813	785	300	213	170	785	510	130	3	190x500	19	THM0025275
	4814	785	300	2650	170	785	510	130	3	240x500	22	THM0025276
	4815	985	300	365	170	985	710	130	3	345x700	32	THM0025277
	4816	1000	300	503	250	1000	800	199	3	480x780	47	THM0025279
Slimline Pillars	SL01	800	300	250	160	800	590	106	3	240x765	21	THM0011393
	SL02	950	300	350	235	950	740	181	3	340x915	29	THM0011394
	SL03	1093	300	450	260	1093	740	206	3	440x915	39	THM0011396
	SL04	1100	300	550	275	1100	840	221	3	540x1015	38	THM0011398
	SL05	1150	300	650	300	1150	940	246	3	640x1115	77	THM0011400
	SL06	1150	300	800	325	1150	940	271	3	790x1115	84	THM0011402

