
STATUTORY INSTRUMENTS

2023 No. 1279

The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023

Amendments to Class A of Part 14 of Schedule 2

4.—(1) Class A (installation or alteration etc of solar equipment on domestic premises) of Part 14 (renewable energy) of Schedule 2 is amended as follows.

(2) In paragraph A.1 (development not permitted)—

(a) in sub-paragraph (a)—

(i) after the first occurrence of “wall or” insert “, in the case of a pitched roof,”;

(ii) after the second occurrence of “wall or” insert “pitched”;

(b) in sub-paragraph (b), at the beginning, before “it” insert “in the case of solar PV or solar thermal equipment on a pitched roof,”;

(c) after sub-paragraph (b), insert—

“(ba) in the case of solar PV or solar thermal equipment on a flat roof, it would result in the highest part of the solar PV or solar thermal equipment being more than 0.6 metres higher than the highest part of the roof (excluding any chimney);”.

(3) In paragraph A.2 (conditions)—

(a) at the end of sub-paragraph (b), omit “and”;

(b) after sub-paragraph (b), insert—

“(ba) in the case of solar PV or solar thermal equipment installed on a flat roof located on article 2(3) land, before beginning development the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required with respect to the impact of the appearance of the solar PV or solar thermal equipment on that land;

(bb) in relation to an application under sub-paragraph (ba), paragraphs J.4(3) to J.4(12) of this Part apply as if “Class A” substitutes the reference to “Class J” in paragraph J.4(4); and”.