SCHEDULE Article 5

"PART 43

INSTALLATION OF NON-DOMESTIC MICROGENERATION EQUIPMENT

Class A

Permitted development

A. The installation, alteration or replacement of solar PV or solar thermal equipment on a building other than a dwellinghouse or a block of flats.

Development not permitted

A.1. Development is not permitted by Class A if—

(a) the solar PV or solar thermal equipment would be installed on a wall or pitched roof and would protrude more than 200 millimetres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the wall or roof slope;

(b) the solar PV or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV or solar thermal equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);

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

(d) the solar PV 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;

(e) in the case of a building on article 1(5) land, the solar PV or solar thermal equipment would be installed on a wall or roof slope which fronts a highway;

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

(g) the solar PV or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

Conditions

A.2. Development is permitted by Class A subject to the following conditions—

(a) solar PV or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building;

(b) solar PV or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the amenity of the area; and

(c) solar PV or thermal equipment no longer needed for microgeneration must be removed as soon as reasonably practicable.

Class B

Permitted development

B. The installation, alteration or replacement of stand alone solar within the curtilage of a building other than a dwellinghouse or a block of flats.

Development not permitted

B.1. Development is not permitted by Class B if—

(a) in the case of the installation of stand alone solar, the development would result in the presence within the curtilage of more than one stand alone solar;

(b) any part of the stand alone solar—

(i) would exceed four metres in height;

(ii) would, if installed on any article 1(5) land, be installed so that it is nearer to any highway which bounds the curtilage than the part of the building which is nearest to that highway;

(iii) would be installed within five metres of the boundary of the curtilage;

(iv) would be installed within the curtilage of a listed building; or

(v) would be installed on a site designated as a scheduled monument; or

(c) the surface area of the solar panels forming part of the stand alone solar would exceed nine square metres or any dimension of its array (including any housing) would exceed three metres.

Conditions

B.2. Development is permitted by Class B subject to the following conditions—

(a) stand alone solar must, so far as practicable, be sited so as to minimise its effect on the amenity of the area; and

(b) stand alone solar which is no longer needed for microgeneration must be removed as soon as reasonably practicable.

Class C

Permitted development

C. The installation, alteration or replacement of a ground source heat pump within the curtilage of a building other than a dwellinghouse or a block of flats.

Conditions

C.1. Development is permitted by Class C subject to the following conditions—

(a) the total area of excavation must not exceed 0.5 hectares;

(b) the development must not result in the presence within the curtilage of more than one ground source heat pump; and

(c) a pump which is no longer needed for microgeneration must be removed as soon as reasonably practicable and the land shall, as far as reasonably practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.

Class D

Permitted development

D. The installation, alteration or replacement of a water source heat pump within the curtilage of a building other than a dwellinghouse or a block of flats.

Conditions

D.1. Development is permitted by Class D subject to the condition that the total surface area covered by the water source heat pump (including any pipes) must not exceed 0.5 hectares.

Class E

Permitted development

E. The installation, alteration or replacement of a flue, forming part of a biomass heating system, on a building other than—

(a) **a dwellinghouse or a block of flats; or**

(b) **a building situated within the curtilage of a dwellinghouse or a block of flats.**

Development not permitted

E.1. Development is not permitted by Class E if—

(a) the capacity of the system that the flue would serve exceeds 45 kilowatts thermal;

(b) the height of the flue would exceed either—

(i) the highest part of the roof by one metre or more, or

(ii) the height of an existing flue which is being replaced,

whichever is the highest;

(c) the installation of the flue would result in the installation on the same building of more than one flue forming part of either a biomass heating system or a combined heat and power system;

(d) the flue would be installed on a listed building, within the curtilage of a listed building or on a site designated as a scheduled monument; or

(e) in the case of a building on article 1(5) land, the flue would be installed on a wall or roof slope which fronts a highway.

Class F

Permitted development

F. The installation, alteration or replacement of a flue, forming part of a combined heat and power system, on a building other than—

(a) **a dwellinghouse or a block of flats; or**

(b) **a building situated within the curtilage of a dwellinghouse or a block of flats**.

Development not permitted

F.1. Development is not permitted by Class F if—

(a) the capacity of the system that the flue would serve exceeds 45 kilowatts thermal;

(b) the height of the flue would exceed either—

(i) the highest part of the roof by one metre or more, or

(ii) the height of an existing flue which is being replaced,

whichever is the highest;

(c) the installation of the flue would result in the installation on the same building of more than one flue forming part of either a biomass heating system or a combined heat and power system;

(d) the flue would be installed on a listed building, within the curtilage of a listed building, or on a site designated as a scheduled monument; or

(e) in the case of a building on article 1(5) land, the flue would be installed on a wall or roof slope which fronts a highway.

Interpretation of Part 43

G. For the purposes of Part 43—

"block of flats" means a building which consists wholly of flats;

"microgeneration" has the same meaning as in section 82(6) of the Energy Act 2004(**1**);

"solar PV" means solar photovoltaics;

"stand alone solar" means solar PV or solar thermal equipment which is not installed on a building; and

"water source heat pump" means a heat pump where the collecting medium is water."

(**1**) 2004 c. 20.