
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995(1) (“the 1995 Order”) in relation to Wales. Article 3 of and Schedule 2 to the 1995 Order confer permitted development rights in respect of certain development. Where such rights apply, no specific application for planning permission is required.

Articles 2 and 3 of this Order amend Parts 6 (agricultural buildings and operations) and 7 (forestry buildings and operations) of Schedule 2 to the 1995 Order. The amendments clarify that permitted development rights apply to buildings on agricultural or forestry land to house microgeneration equipment, and in particular to house hydro-turbines, to house biomass boilers and anaerobic digestion systems, and to store associated fuel and waste as long as the fuel or waste is produced on the agricultural or forestry land or by the boiler or system.

Article 4 and the Schedule to this Order insert a new Part 43 of Schedule 2 to the 1995 Order. The new Part 43 confers permitted development rights for the installation of specified types of microgeneration equipment on or within the curtilage of buildings other than dwellinghouses or blocks of flats subject to certain criteria. It introduces six new classes of permitted development rights to install certain types of microgeneration equipment, specifically solar panels (Class A), stand alone solars (Class B), ground source heat pumps (Class C), water source heat pumps (Class D), biomass heating system flues (Class E) and combined heat and power system flues (Class F).

An impact assessment has been prepared in relation to this Order. Copies may be obtained from the Planning Division of the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

(1) S.I. 1995/418. Relevant amendments were made by S.I. 1997/366, S.I. 2009/2193 (W.185) and S.I. 2012/1346 (W.167).