

THREE RIVERS DISTRICT COUNCIL

SOLAR PANELS AND WIND TURBINES

A HOUSEHOLDER GUIDE ON THE NEED FOR PLANNING PERMISSION AND BUILDING REGULATIONS APPROVAL

Introduction

This guidance on the installation of solar water heating and photovoltaics (hereon referred to as solar panels) and wind turbines refers to single family dwellinghouses.

The term “dwellinghouse” does not include residential flats, whether in purpose-built blocks or in converted houses or other buildings.

The guidance provides advice in two parts:

- The need for planning permission, and
- The need for Building Regulations Approval.

The guidance also explains the next steps you need to take in dealing with planning permission or Building Regulations requirements.

1. Do I Need Planning Permission?

Residents living in flats will always require planning permission for the installation of solar panels and wind turbines.

The installation of solar panels and wind turbines on single family dwellinghouses will often be “**permitted development**”, which will not require planning permission.

The guidance below will help you to decide whether or not you need planning permission for the installation of solar panels or wind turbines.

Solar Panels and Planning Permission

It is assumed that solar panels would be installed on the roof of the property rather than on the walls. Solar panels fixed to house walls would not be “**permitted development**”. They would need planning permission and it is likely that they would be refused on visual appearance grounds. There could also be efficiency problems if panels were to be installed on walls.

Solar panels fixed to the roof of a single family dwelling house or associated outbuilding will involve “**development**” but will often be “**permitted development**”, so in the majority of cases planning permission will NOT be required.

However, this is subject to you satisfying **all of the following conditions:**

- The panels should be fixed parallel to the existing roof slopes.
- The panels should project no more above the roof surface than a typical roof light (a ‘velux’ style window).
- There are no restrictions on development to your house (these would normally have been imposed on all planning permissions for new dwellinghouses built within the last twenty to twenty-five years).
- Your property is not a Listed Building.
- Your property is not within a Conservation Area (in most cases you will probably be able to install solar panels without planning permission **but** you should contact the Planning Department to check first.
- You do not live in a flat – whether it is in a purpose-built block of flats or a house or other building converted into flats.

Wind Turbines and Planning Permission

It is assumed that a domestic-scale wind turbine will either be attached to the walls or roof of your single family dwellinghouse, attached to an outbuilding such as a garage or be freestanding in your garden.

The planning position on wind turbines is more complex than with solar panels, and in most cases, planning permission **WILL** be required. It will always be required if your property is a Listed Building.

A domestic-scale wind turbine will not require planning permission **if for each of the three locations below all of the relevant conditions are satisfied:**

1. Fixed to a wall of your dwelling house

- No part of the wind turbine should exceed the height of the highest part of the roof of the original dwelling house.
- No part of the wind turbine should be nearer to any highway than any part of your dwelling house, unless there would be at least 20 metres between the turbine and any highway.
- No part of the wind turbine within 2 metres of your property boundary should be more than 4 metres above ground level.

2. Fixed to the roof of your dwelling house

- No part of the wind turbine should exceed the height of the highest part of your existing roof ridge.
- No part of the wind turbine should extend beyond the plane of any existing roof slope which fronts any highway.
- Your dwelling house is not within a Conservation Area.

3. Freestanding in your garden

- No part of the wind turbine should be nearer to any highway than your dwelling house, unless there would

be at least 20 metres between the wind turbine and any highway.

- No part of the wind turbine is higher than 3 metres, measured from the natural garden level.

NOTE: “highway” includes public footpaths and bridleways.

What Do I Do Next?

I think that my proposal is permitted development

After reading this guidance and you think your proposal may be “**permitted development**” you are advised to submit an application for a **Certificate of Lawful Proposed Development**. The purpose of this is to confirm whether or not your proposal is lawful (in other words to confirm that planning permission is NOT required).

The planning fee for a Certificate application is £67.50 (this is half of the fee for a normal householder planning application).

The benefit of submitting such an application is to give you a formal confirmation that your proposal does not require planning permission. This will be especially useful if you need to provide proof in the future, for example when you sell your property.

You will need to prepare scaled drawings to illustrate your proposals and how they relate to your house. You may need to employ an architect or surveyor to prepare such drawings.

I think that my proposal needs planning permission

If you think that your proposal needs planning permission you should submit a planning application using the Council's **Householder Application Form**. The planning fee for this application is £135.

You will need to prepare scaled drawings to illustrate your proposals and how they relate to your house. You may need to employ an architect or surveyor to prepare these drawings.

Both types of application form can be obtained from the Council's Customer Services Centre, telephone 01923 776611. Applications may also be made online via the Planning Portal: -

www.planningportal.gov.uk

What will happen to my planning application?

If you submit a planning application we will first of all check to see we have all the information we need. We will notify neighbouring residents and ask for their comments. We accept that national planning policies support the development of small scale energy proposals, but we will consider the visual impact of your proposal and whether it would affect the neighbours, for example by excessive noise.

If you need further information please contact the Duty Planner who is available in the Customer Service Centre, Monday to Friday between 10a.m. and 1p.m. for general Planning advice.

2. Do I Need Building Regulations Approval?

Solar Panels and Building Regulations

If you want to know whether Building Regulations Approval is required for solar panel installation, please contact Building Control on telephone 01923 776611.

We need to know from you details of:

- The size and gross weight of the solar panel(s)
- How and where it is to be installed on the roof, including fixing details
- The roof structure
- The proposed electrical installation.

If a Building Regulation application is needed and the cost is under £5,000 then the minimum fee is approximately £220.

Wind Turbines and Building Regulations

The same principles would apply for the installation of wind turbines on your house.

In most cases a Building Regulations application would be necessary as the size, weight and force exerted on fixing points would be considerable.

You would need to prepare scaled drawings to illustrate your proposals and how they relate to your house. You may need to employ an architect or surveyor to prepare such drawings.

If you need to apply for Building Regulations Approval, either for solar panels or a wind turbine, the application form and guidance notes can be downloaded from the Planning and Building Control pages of the Council's website: www.threerivers.gov.uk.

Where Can I Find More Information?

The following websites may be of interest:

The Energy Saving Trust:
www.est.org.uk

The National Energy Foundation:
www.nef.org.uk

The British Wind Energy Association:
www.bwea.com

DTI Low Carbon Building Programme (grants etc.)
www.lowcarbonbuildings.org.uk

Advice is also available at:
www.hertsdirect.org/buildingfutures