

Solar Photovoltaics (PV) – Planning and Building Regulations

A guide produced by Bedford Borough Council to support who are wishing to install a solar PV system.

Planning

You can perform some types of work without needing to apply for planning permission. These are called permitted development rights. Permitted development rights are granted under an act of Parliament. However, different types of development have different limitations and conditions that your proposal must comply with in order to qualify as permitted development.

Placing solar panels on the roof of your house or flat, or a building within the grounds of your house or flat, is considered in most cases to be 'permitted development'. This means that in most cases there is no need to seek planning permission from your local planning authority (LPA) to proceed, subject to certain conditions being met.

To install solar panels and equipment under permitted development rights on a house, a block of flats, or on a building within the grounds of a house or flats you must comply with the following conditions:

- Panels cannot be installed above the highest part of the roof (excluding the chimney) and should project no more than 200mm from the roof slope or wall surface
- The panels must not be installed on a listed building or a building that is within the garden or grounds of a listed building
- If your property is in a conservation area, panels must not be fitted to a wall which fronts a highway. This includes roads, paths and public rights of way
- Equipment on a building should be sited, so far as is practicable, to minimise the effect on the external appearance of the building and the amenity of the area (see further guidance on this below)
- When no longer needed equipment should be removed as soon as reasonably practicable

If there is any doubt regarding compliance with the above, it is recommended that you apply for pre-application planning advice or a Certificate of Lawful Proposed Development before starting works.

Where the above cannot be met, or where there is an 'Article 4' direction which removes these permitted development rights and covers the area in which your property is located, an application for planning permission may be required. See below 'other restrictions' with regard to Article 4 Directions.

How to minimise the effect on the external appearance of the building and the amenity of the area?

In identifying suitable locations to position panels, the installer will need to consider the location based on where the panels will be exposed to the most sunlight to maximise their efficiency.

Of the possible locations identified, the visual impact of the panels will be most significant when positioned on roof slopes visible from public views. Wherever possible, panels should be positioned where they are least visible.

Alongside their location, there are additional ways in which the visual impact of panels can be reduced:

- Place panels behind parapets or roof features where possible (such as chimneys), and where these features do not cause shading issues;
- Ensure panels are evenly spaced on the roof slope and not in irregular patterns;
- Ensure the position of the panels maintain even distances to the roof edges (ridge, eaves, party walls);
- Run cabling in a position to minimise visibility;
- Use cabling and ducting which is in keeping with the colour of the building exterior.

Stand-alone Solar Panels on domestic premises (building or flats)

Freestanding solar panels are subject to extra restrictions. The following limits are applicable:

- Only the first stand-alone solar installation will be permitted development. Further installations will need planning permission.
- No part of the installation should be higher than four metres.
- The panel installation should be at least 5m from the boundary of the property.
- The size of the array should be no more than 9sqm or 3m wide and 3m deep
- Panels cannot be installed within the boundary of a listed building or a scheduled monument.
- If your property is in a conservation area, or in a world heritage site, then no part of the solar installation should be nearer to any highway surrounding the house, than the part of the house that is nearest to that highway.
- Stand-alone solar must be, so far as practicable, sited so as to minimise its effect on the amenity of the area.
- Stand-alone solar must be removed as soon as reasonably practicable when no longer needed.

Note – if you are a leaseholder you may need to get permission from your landlord, freeholder or management company.

Listed building consent

Listed building consent will be required if you wish to place solar panels on a listed building (this includes buildings within the curtilage of the listed building which pre-date July 1948). An application for this will need to be made to the Council. This is in addition to the need for planning permission if that is required subject to the guidance above.

Other restrictions

Article 4 directions are made when the character of an area of acknowledged importance would be threatened. They are most common in conservation areas.

You will also need to check that there are no restrictions on development at the property as a result of:

- Any conditions imposed on the original planning permission (you can check a building's planning history here: <https://www.bedford.gov.uk/planning-and-building/planning-applications/search-plans-page/>)
- It being covered by an Article (4) direction

Either of the above could have removed 'permitted development' rights for certain types of development.

At time of publishing (June 2022), there are no areas in Bedford Borough covered by an Article 4 Direction which remove permitted development rights relating to solar panels

Building regulations

If you wish to install solar panels on your roof, building regulations will normally apply. The ability of the existing roof to carry the load (weight) of the panels will need to be checked and proven. Some strengthening work may be needed. Building Regulations also apply to other aspects of the work such as electrical installation.

More information

For more information on planning matters please visit Bedford Borough Council website and the Planning Portal.
<https://www.planningportal.co.uk/>

Historic England have produced a useful guide to the installation of solar panels on historic buildings: Historic England - Energy Efficiency and Historic Buildings: Solar Electric (Photovoltaics)
<https://historicengland.org.uk/images-books/publications/eehb-solar-electric/>

This guidance relates to: The Town and Country Planning (General Permitted Development) (England) Order 2015, specifically Schedule 2, Part 14, Renewable Energy <https://www.legislation.gov.uk/ukSI/2015/596/contents/made>