

Domestic Solar Panels in Buxton

20 April 2024

As part of its commitment to addressing climate change and improving the environment, Transition Buxton wants to encourage additional domestic solar PV installations in Buxton wherever appropriate*. Solar panels (the most common form of solar photovoltaic (PV) installations) can typically pay for themselves in less than a decade, and contribute significantly to our local and national goals for addressing climate change and improving the environment.

There is sometimes uncertainty about the planning regulations relating to domestic rooftop solar PV installations. This leaflet gives Transition Buxton's understanding of relevant regulations, but this is not professional legal advice. We have asked High Peak Borough Council (HPBC) for its own formal statement. Pending such a statement being issued by HPBC, the following may help clarify the situation for homeowners in Buxton:

- There is no general requirement for planning permission for solar panels installed on the roofs of domestic houses in Buxton, subject to some minimal conditions described below.
- The only exception to this in Buxton is for listed buildings, and the comments below do not apply to them.
- Domestic roof-top installations in conservation areas in Buxton are treated the same as domestic roof-top installations outside of conservation areas, including on roofs facing a road. In other words, there are only minimal conditions for domestic roof-top installations in Buxton, whether inside or outside of conservation areas, as described below.
- There are some special planning restrictions in conservations areas – specified in what is known as an Article 4 Direction - for other types of work in conservation areas. However, for Buxton this does not cover solar PV installations, because of changes introduced by the 2015 Planning Order which made separate regulations related to renewable energy.
- The only conditions which need to be met in Buxton for domestic rooftop installations are minimal, and there is no need for planning permission so long as these are met. These conditions are that:
 - (a) *the solar PV or solar thermal equipment cannot protrude more than 20cm beyond the plane of the wall or a pitched roof slope when measured from the perpendicular with the external surface of the wall or roof slope;*
 - (b) *it cannot result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney) (For flat roofs, solar panels may project by up to 60cm. This was relaxed in December 2023);*
 - (c) *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; and*
 - (d) *solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.*

It would be appropriate for 'all-black' solar panels to be installed especially in conservation areas because they minimize the effect on appearance.

- There are potentially additional restrictions for solar panels installed anywhere other than on domestic roofs, e.g., on walls, on the ground, or by a developer on a flat roof on Article 2(3) land (which includes conservation areas). You can check with the HPBC planning department for such situations.

* Homeowners need to ensure that their houses are suitable for solar panels, e.g., that their roofs can support the additional weight, and that the financial and other implications are acceptable. Transition Buxton makes no recommendations for particular makes of solar PV or for particular installers. Homeowners need to make their own checks on potential suppliers and installers.

Any further questions may be addressed to the HPBC planning department at planningportal@highpeak.gov.uk, or by phone to 01298 28400.

Please let us know about your experiences to info@buxton.energy



Text of the planning regulations related to solar PV installed on domestic properties in England, taken from the Town and Country Planning (General Permitted Development) Order 2015, latest available revised version (including updates from December 2023, as downloaded on 8 April 2024), from the website www.legislation.gov.uk. **Highlighting added.**

PART 14 Renewable energy

Class A – installation or alteration etc of solar equipment on domestic premises

Permitted development

A. The installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on—

- (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

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

- (a) the solar PV or solar thermal equipment would protrude more than 0.2 metres beyond the plane of the wall or, in the case of a pitched roof, the roof slope when measured from the perpendicular with the external surface of the wall or pitched roof slope;
- (b) in the case of solar PV or solar thermal equipment on a pitched roof, it would result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney);
- (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);
- (c) in the case of land within a conservation area or which is a World Heritage Site, the solar PV or solar thermal equipment would be installed on a **wall** which fronts a highway;
- (d) the solar PV or solar thermal equipment would be installed on a site designated as a **scheduled monument**; or
- (e) the solar PV or solar thermal equipment would be installed on a building within the curtilage of the dwellinghouse or block of flats if the dwellinghouse or block of flats is a **listed building**.

Conditions

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

- (a) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;
- (b) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area; ...
- (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
- (c) solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

Non-relevance for solar PV of Buxton Article 4 Direction dated 26 July 1996

The **1996** Article 4 Direction for Buxton overrode the general permitted development permissions given in the Town and Country Planning (General Permitted Development) Order **1995** for Class C of Part 1 of Schedule 2 (alteration to the roof of a dwellinghouse), meaning that the High Peak Borough Council did require planning permission for rooftop solar panel installations in Buxton conservation areas starting in **1996**. However, this changed in **2015** when the **1995** Order was superseded by the **2015** Order, because “the installation, alteration or replacement of solar photovoltaics or solar thermal equipment” was now excluded from this Class [by clause C.1.(d)(ii)], and instead a new Part 14 was added to cover renewable energy. The relevant Class A of Part 14 of the 2015 Order for domestic premises is cited above.

Guidance provided by other local authorities

There are a number of local authorities in England which provide explicit guidance on their websites concerning the installation of solar PV on rooftops in conservation areas. For example, these include (all current as of 8 April 2024):

Medway (https://www.medway.gov.uk/info/200150/planning_guidance/1080/planning_permission_and_solar_panels): “You will not usually need planning permission to install solar panels on the roof of a house or block of flats in a conservation area, even if the roof faces a highway.”

Wirral (<https://www.wirral.gov.uk/solarpanels>): “Placing solar panels on the roof of your house or flat, or on a building within the grounds of your house or flat, is considered in most cases ‘Permitted Development*’, whether this is in a conservation area or otherwise.”

Leicester (<https://www.leicester.gov.uk/planning-and-building/conservation/heritage-conservation/conservation-areas>): If solar panels are installed on a roof slope they should not be installed above the highest part of the roof (excluding the chimney) and should project no more than 200mm from the roof slope.