

## **Renewable Technologies and Planning**

Broadly the term 'microgeneration' has the meaning given in section 82(6) of the Energy Act 2004 which identifies energy generating equipment with an output of up to 50 kilowatts of electricity or 45 kilowatts of thermal (heat) energy.

There are a number of microgeneration renewable energy technologies that can be incorporated into both new developments and existing homes. These can reduce greenhouse gas emissions (which contribute to climate change) and save money by providing cheap energy and reducing the impact of gas and electricity price rises. Anyone intending to install domestic renewable technologies should be advised to first install 'traditional' energy efficiency measures such as cavity wall or loft insulation where possible.

The Town and Country Planning (General Permitted Development) (Domestic Microgeneration) (Scotland) Amendment Order 2011 grants rights to carry out certain limited forms of development on the home, without the need to apply for planning permission. Full details of General Permitted Development Rights for householders can be found here: <http://www.gov.scot/Resource/0038/00388268.pdf>

The scope of the TCP (GPD) Order in Scotland extends to the following microgeneration technologies:

### **Solar PV and solar thermal (roof mounted) is permitted unless:**

- panels protrude more than 200mm when installed
- installed on any part of the external walls of the building if the building contains a flat
- panels, when installed on a flat roof, are situated within 1 metre from the edge of the roof or protrude more than 1 metre above the plane of the roof
- panels, when installed, project higher than the highest point of the roof (excluding the chimney)
- the building is within a conservation area and the solar PV or solar thermal equipment is installed on a roof which forms the front of the building and is visible from the road.

The solar PV or solar thermal equipment must, as far as is reasonably practical, minimise its effect on the amenity of the area and be removed when it is no longer needed or used for domestic microgeneration.

### **Solar PV and solar thermal (standalone) is permitted unless it is:**

- more than 4 metres in height
- above a maximum area of array of 9m<sup>2</sup>
- installed a distance from the boundary of the curtilage of the dwelling house which is less than the height of the array
- within the curtilage of a listed building
- within a conservation area and is visible from the road.

The solar PV or solar thermal equipment must, as far as is reasonably practical, minimise its effect on the amenity of the area and be removed when it is no longer needed or used for domestic microgeneration.

**Wood burning boilers and stoves, and micro-CHP is permitted unless:**

- the flue exceeds 1m above roof height (excluding the chimney)
- installed on the principal elevation and visible from a road in buildings in Conservation Areas
- the flue is situated within an Air Quality Management Area (for biomass fuelled systems).

**Ground source heat pumps:**

Permitted

**Water source heat pumps:**

Permitted

**Micro wind turbines and air source heat pumps (ASHP)**

GPD rights extend to the installation, alteration or replacement of a free-standing micro wind turbines and air source heat pumps (ASHP) within the curtilage of a dwelling, which means a dwellinghouse, a building containing one or more flats or a flat contained within such a building. Written approval re the size and design of a wind turbine must be obtained from the planning authority.

The limitations are that:

- the installation must be not less than over 100 metres from the curtilage of a neighbouring dwelling
- development is not permitted if it would result in the presence within the curtilage of a dwelling of more than one installation of each type of technology.

That still provides potential opportunities for one wind turbine and one ASHP within the same curtilage but not more than one of each using permitted development rights. This allows for a wind turbine to provide the electricity to power a heat pump.

*Most renewable technologies must be installed by an appropriately qualified/registered/approved installer.*

*If planning permission is not required, there are sometimes other approvals that may be required. It is for the individual to ensure that their development complies with relevant legislation. Planning permission is usually required for listed buildings or properties within a conservation area.*