

## **REA Response: Permitted development rights: supporting temporary recreational campsites, renewable energy and film-making consultation.**

The Association for Renewable Energy & Clean Technology (REA) is pleased to submit this response to the above consultation. The REA represents a wide variety of organisations, including generators, project developers, fuel and power suppliers, investors, equipment producers and service providers. Members range in size from major multinationals to sole traders. There are over 500 corporate members of the REA, making it the largest renewable energy trade association in the UK.

The REA EV Forum represents nearly 100 companies operating across the electric vehicle charging infrastructure value chain, from public Charge Point Operators to energy suppliers, eMobility Service Providers, roaming hubs, installers, manufacturers, and financiers. The REA's EV Forum has been active since 2018 and in 2020 the UK Electric Vehicle Supply Equipment Association merged its operations into those of the REA.

The REA Solar and Storage Forum similarly represents developers, installers, and financiers across the UK. It includes around 50 engaged companies who are directly involved in solar and storage developments sites across the UK at all scales.

### **REA summary of members views of this response**

This consultation response focuses on the key issues of concern to REA members. It does not offer comment on proposals that do not impact the business sectors covered by our membership.

This consultation response therefore focuses on:

- Supporting proposed amendments to permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings.
- Supporting the installation of solar canopies through the introduction of permitted development rights.
- Ensuring solar canopy installation is far reaching and ensure they support local grid capacity at areas of high demand for EV charging.
- Ensuring the application and installation process is streamlined and applications for new installations are only rejected with good reason.
- Encouraging the Government to work with stakeholders to further consider chargepoint utilisation at popular tourist destinations like Areas of Outstanding Natural Beauty.
- Ensuring solar canopy installation will not impede on safety measures at chargepoints like CCTV cameras which empower some groups like women to charge their vehicle.

## Consultation Questions

### **Part 3: Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings**

**Q12. Should the permitted development right for solar on domestic rooftops be amended so that they can be installed on flat roofs where the highest part of the equipment would be no higher than 0.6 metres above the highest part of the roof (excluding any chimney)?**

**Yes**/No/Don't Know. Please give your reasons.

The REA are supportive of removing barriers to deployment and believe requirements for not being above 0.6 meters of the highest part of the roof to be an appropriate threshold. We understand that this will allow for solar modules of one meter width to be installed at a 37-degree angle, which should be acceptable to useful development.

**Q13. Are there any circumstances where it would not be appropriate to permit solar on flat roofs of domestic premises?**

Yes/No/Don't Know. Please give your reasons.

REA not intending to respond.

**Q14. Do you agree that solar on a wall which fronts a highway should be permitted in conservation areas?**

**Yes**/No/Don't know. Please give your reasons.

The REA are supportive of removing barriers to deployment and we believe it is appropriate that this limitation be reviewed to allow for panels to be installed when fronting onto highways. In general, modern solar systems have a lower visual impact and are unlikely to cause concern, making such installation acceptable.

**Q15. Do you have any views on the other existing limitations which apply to this permitted development right which could be amended to further support the deployment of solar on domestic rooftops?**

REA not intending to respond.

**Q16. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the dwellinghouse in conservation areas, should be removed?**

**Yes**/No/Don't know. Please give your reasons.

The REA believe this requirement is over prescriptive and has the potential to lead to sub-optimal sighting decision in terms of operation, we are supportive of seeing the existing limitation removed.

**Q17. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone domestic solar?**

Yes/No/Don't know. Please give your reasons.

We would also encourage the review of the limitation of only allowing 9 m<sup>2</sup> of stand alone solar on domestic sites. This is typically only sufficient for 1.5 kW of capacity, while average size of domestic systems, when on roofs, is 3 – 4 kW. Given the decision to ground mount suggesting advantages to using the space efficiently, it seems wrong to be restricting potential generation. We would encourage Government to consider allowing development rights up to 24 m<sup>2</sup>, to align roof top and domestic installation potentials.

**Q18. Do you agree that the current threshold permitting the generation of up to 1MW of electricity on non-domestic buildings should be removed?**

Yes/No/ Don't Know. Please give your reasons.

Given potential for solar capacity potential on commercial rooftops, and the fact that prior approval from local authorities for sites above 50 kW will continue to be required, we are strongly supportive of seeing the 1 MW threshold removed. This should allow commercial sites greater ability to unlock the potential of their roof top space.

Given continuing improvements in solar system design, we can also expect greater capacities from smaller roof top footprints. As such, it is appropriate to avoid restrictions on such developments which could come about from the 1MW restriction.

**Q19. Is the current prior approval for solar equipment on non-domestic rooftops (where equipment is over 50kW but no more than 1MW) effective?**

Yes/No/ Don't Know. Please give your reasons.

We believe the requirement for local authority approval above 50 kW to be sensible, however, this must be supported by appropriately resourced planning departments that are able to reach decisions on applications in a timely manner. Current planning delays can be a major barrier to deployment and should not hold up roof top solar developments.

**Q20. Are there any circumstances where it would not be appropriate to allow for the installation of non-domestic rooftop solar where there is no limit on the capacity of electricity generated?**

Yes/No/Don't Know. Please give your reasons.

REA are not intending to respond.

**Q21. Do you agree that the existing limitations relating to the installation of solar on non-domestic buildings in article 2(3) land - which includes conservation areas,**

**Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?**

Yes/No/Don't know. Please give your reasons.

The REA are supportive of removing barriers to deployment and we believe it is appropriate that this limitation be reviewed to allow for panels to be installed when fronting onto highways. In general, modern solar systems have a lower visual impact and are unlikely to cause concern making such installations acceptable.

**Q22. Do you have any views on how the other existing limitations which apply to the permitted development right could be amended to further support the deployment of solar on non-domestic rooftops?**

Yes/No/Don't know. Please give your reasons.

REA are not intending to respond.

**Q23. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the building in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?**

Yes/No/Don't know. Please give your reasons.

The REA believe this requirement is over prescriptive and has the potential to lead to sub-optimal sighting decision in terms of operation, we are supportive of seeing the existing limitation removed.

**Q24. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone non-domestic solar?**

Yes/No/Don't know. Please give your reasons.

We would also encourage the review of the limitation of only allowing 9 m<sup>2</sup> of standalone solar on domestic sites. This is typically only sufficient for 1.5 kW of capacity, while average size of standalone non-domestic systems, are considerably larger. Given the decision to ground mount suggesting advantages to using the space efficiently, it seems wrong to be restricting potential generation. We would encourage Government to consider allowing development rights up to 24 m<sup>2</sup>, aligned with what we propose for domestic stand-alone systems in question 17.

**Q25. Do you agree that permitted development rights should enable the installation of solar canopies in ground-level off-street car parks in non-domestic settings?**

Yes/No/Don't Know. Please give your reasons.

**The REA is supportive of permitted development rights enabling the installation of solar canopies.**

However, we would further support the installation of solar canopies, where viable, for all car parks. The Government's Energy White Paper in 2020<sup>1</sup> highlighted the significant increase in energy demand we will see by 2030 as a result of EV and heat pump roll out, more than doubling current energy demand. As uptake of EV's rise and the Government look to see 80% of new car sales as Zero Emissions Vehicles, predominantly EVs in 2030 and 100% in 2035<sup>2</sup> (as it stands) the installation of on-site renewables will become more important to help with local grid capacity. Particularly as the CCC estimate there will be 5.6m EVs on the road in 2025, 15.9m in 2030, and 27.6m in 2035<sup>3</sup>. The REA would encourage the Government to consider the potential for solar canopies across all public car parks rather than only ground level off street car parks to enable the UK to reach its full potential for solar power and the roll out of EV's.

**Q26. Do you agree that a permitted development right for solar canopies should not apply on land which is within 10 metres of the curtilage of a dwellinghouse?**

**Yes/No/Don't Know. Please give your reasons.**

While the REA recognise the concern related to having solar canopies near to the curtilage of dwelling houses, we would suggest that an outright ban may be over prescriptive. Rather, developments within 10m could be required to seek permission from local authorities, ensuring the development is suitable and allowing each site to be considered on a case by case basis.

**Q27. Do you agree that a permitted development right for solar canopies should not apply on land which is in or forms part of a site designated as a scheduled monument or which is within the curtilage of a listed building?**

**Yes/No/Don't Know. Please give your reasons.**

REA is not planning a response to this question.

**28. Do you agree that the permitted development right would not apply to article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites?**

**Yes/No/Don't Know. Please give your reasons.**

The REA is supportive of preserving the visual landscape of the areas above as this is what makes them so popular to UK residents and tourists every year and provides a significant boost to the local economy in these areas.

<sup>1</sup> <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future>

<sup>2</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1147356/zev-mandate-co2-emissions-regulation-consultation-document.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1147356/zev-mandate-co2-emissions-regulation-consultation-document.pdf)

<sup>3</sup> <https://www.theccc.org.uk/publication/2022-progress-report-to-parliament/>

However, we would encourage the Government to work with stakeholders in these areas to ensure that these areas are equipped to deal with rising number of EV drivers on UK roads which will see a significant rise in demand for charging infrastructure at these locations.

**29. Do you agree that solar canopies should be permitted up to 4 metres in height?**

**Yes/No/Don't Know. Please give your reasons.**

We suggested at least 4 meters to be a sensible threshold. This will allow canopies to also cover car parking areas for larger vehicles such as most trucks and tractors. This includes potentially being beneficial for the agricultural sector, with larger vehicles, and making use of yard space.

**30. Do you think that the right should allow for prior approval with regard to design, siting, external appearance and impact of glare?**

**Yes/No/Don't Know. Please give your reasons.**

The REA believe that Local Authorities are always best placed to support in the roll out of infrastructure in their constituency. However, we would be cautious of empowering Local Planning Authorities with prior approval as it stands. We would support prior approval for Local Planning Authorities if mandated to provide detailed evidence for their dismissal of any new solar canopies.

Planning departments must also be appropriately resourced so they are able to reach decisions on applications in a timely manner. Current planning delays can be a major barrier to deployment and should not hold up roof top solar developments.

**Q.31. Are there any other limitations that should apply to a permitted development right for solar canopies to limit potential impacts?**

**Yes/No/Don't Know. Please give your reasons.**

The REA would be supportive of ensuring that solar canopies do not impact on PAS 1899<sup>4</sup> or the Consumer Experience at Public Chargepoints regulations which enable accessibility and safety at public chargepoints. Installation of solar canopies should not obscure CCTV cameras or where they do additional cameras should be installed to enable the public to feel safe when charging their vehicle.

**32-33.** REA is not planning a response to these questions.

**Section 4: Providing further flexibility to allow local authorities to undertake development**

**Q34. Do you agree that the permitted development right allowing for development by local authorities should be amended so that the development**

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<sup>4</sup> <https://www.bsigroup.com/en-GB/standards/pas-1899/>

**permitted can also be undertaken by a body acting on behalf of the local authority?**

**Yes/No/Don't Know. Please give your reasons.**

The REA sees significant potential for allowing local authorities to empower charge point operators with this amendment. With the Government launching the Local Electric Vehicle Infrastructure Fund in 2022, providing £450 million in funding for local authorities to roll out charging infrastructure, we see a significant opportunity for this proposed change in planning laws to aid local authorities in fast paced chargepoint rollout.

**Q35. Do you think that any of the proposed changes in relation to the permitted development right could impact on: a) businesses b) local planning authorities c) communities?**

**Yes/No/Don't know. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.**

REA is not planning a response to this question.

**Q36. Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?**

**Yes/No/ Don't know. If so, please give your reasons.**

Further to our answer to question 31, the roll out of solar canopies, which we strongly support, should not impede on the ability to safely charge an EV. We hope that PAS 1899 and the Consumer Experience Regulations will encourage particularly women to feel safe when charging their vehicle. It is vital that to improve uptake of EV's among women we ensure that adequate CCTV coverage and lighting is available at all public chargepoints.

Research by Keele University into the experience of women at public chargepoints in the UK cited by heycar in their public charging safety campaign highlights how pivotal such safety measures are to improve the experience of women at public chargepoints<sup>5</sup>. Car park owners should ensure that additional CCTV and lighting is installed alongside solar canopies to enable a safe charging experience.

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<sup>5</sup> <https://heycar.co.uk/blog/ev-charging-safety>