

APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OR DEVELOPMENT DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/04037
APPLICATION TYPE:	Lawful development: Proposed use
SITE ADDRESS:	36 Reybridge, Lacock, SN15 2PF
DEVELOPMENT DESCRIPTION:	Proposed solar panels to an existing roof
RECOMMENDATION:	Approve

PROPOSAL

This application seeks a Certificate of Lawfulness (CLP) under Section 192 of the Town and Country Planning Act 1990 (as amended) for proposed solar panels to an existing roof.

The planning merits of the proposal are not under consideration. The only issue is whether the proposed works constitute “permitted development” (PD) under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) [hereafter referred to as "the GPDO"].

SITE DESCRIPTION

The property is a semi-detached dwelling, situated in a rural area which has been previously extended and altered, with a detached garage sited to the side of the dwelling, parallel to the road. The north elevation (side) of the dwellinghouse runs parallel to the main road. It is not sited within a Conservation Area, or Area of Outstanding Natural Beauty (now known as National Landscape), it is not listed and is not subject to an Article 4 Direction. Planning history research indicates permitted development rights are intact.

The proposal is to install 8 solar panels to the property’s front roof slope (which faces east), 5 solar panels to the rear roof slope (which faces west) and install 5 solar panels to the side roof slope of an existing rear two storey extension (roof slope faces south). The solar panels are all sited linearly and are entirely contained within the existing roof slopes. The solar panel installation may be visible from the road, particularly those on the front elevation, however given the orientation of the dwelling they will have a minimal impact on the amenity of the area and on the external appearance of the dwelling itself.

RELEVANT LEGISLATION AND POLICY

The statutory framework governing CLP’s is set out in Section 192 of the Town and Country Planning Act 1990 (as amended). This section establishes that a proposed development or use is "lawful" if it would not constitute a breach of planning control. A CLP can be granted if the Local Planning Authority is satisfied, on the balance of probabilities, that the proposed development or use would not require planning permission.

The application has been assessed against the relevant criteria set out in Schedule 2, Part 14, Class A GPDO 2015 (as amended). It is worthwhile to note that this legislation has been

amended during the course of this application, and the regulations were updated on the 27th August 2026. The proposal met the legislative requirements on submission of the valid certificate of lawfulness application (15th July 2026), and also complies with the subsequent amendments that came into force on the 27th August 2026.

For completeness, checklists for both the previous requirements and subsequent amendments have been completed (appendix 4 and appendix 4A).

REPRESENTATIONS

There is no legal obligation to consult third parties, including Town/Parish Councils or neighbouring properties, for this type of application.

RELEVANT SITE HISTORY

Proposal / Summary
19/03503/FUL - Full planning permission Decision - Refused Date: 26/6/2019 – Erection of garage and home office
21/01509/FUL - Full planning permission Decision - Approve with Conditions Date: 9/4/2021 – Rear two storey extension plus detached double garage.
PL/2024/05770 - Householder planning permission Decision - Approve with Conditions Date: 5/11/2024 – Single Storey Extension to front elevation
N/89/02310/FUL – Approved with Condition Date: 14/09/1989 - Extensions and Alterations to Dwelling

ASSESSMENT

The proposal seeks to utilise permitted development rights under Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Having completed the detailed assessment checklist at Appendix 1 and 4 (and 4A), and based on the submitted plans, supporting information, and a review of relevant constraints (including planning history, Article 4 Directions, and any planning conditions), it is concluded that:

The proposed development does fall within the scope of permitted development, as defined under Schedule 2, Part 14, Class A of the GPDO. It meets all relevant limitations and conditions, and no restrictions (such as Article 4 Directions or planning conditions) are in force that would remove the permitted development rights relied upon.

The proposed development is considered lawful under Section 192 of the Town and Country Planning Act 1990 (as amended).

CONCLUSION

The proposed development is deemed lawful under Schedule 2, Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore, the proposal is in accordance with relevant statutory provisions and does not require planning permission.

RECOMMENDATION: It is recommended that a Certificate of Lawfulness for Proposed Development be **GRANTED** subject to the following condition set out in A.2 (c) of Class A, Part 14 which requires that the solar PV equipment is removed as soon as reasonably practicable when no longer needed.

Informative:

This decision relates to the following plans/ documents:

- Application Form and Location Plan received 26/06/2026
- Solar Installation Document, Data Sheet and Specification, Survey Plans and Proposed Plans including Block Plan, received 15/07/2026

APPENDIX 1 –

Checklist for Householder permitted development under Parts 1, 2 or 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)

If yes is answered to any of the below questions, then planning permission will be required for the proposal. If not, then proceed to complete the relevant checklist(s) at Appendix 2, 3 and 4.

Constraint	Yes/No/N/A	Notes
Is there an Article 4 Direction removing PD rights for a class within which the proposal falls?	No	
Is there a condition removing PD rights for a class within which the proposal falls?	No	
For the purposes of Part 1, is the property a flat or maisonette?	No	Flats do not benefit from Part 1 PD rights

APPENDIX 4 –

Checklist for Householder permitted development under Part 14 (renewable energy) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)

Checklist Prior to 27th August 2026:

Class A – installation, alteration or replacement of 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.		Yes/No
If yes answer questions below, if no skip to Class B		Yes
Criteria (A.1) – Development is not permitted if:		
(a)	Would the solar PV or solar thermal equipment 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;	No
(b)	In the case of solar PV or solar thermal equipment on a pitched roof, would it 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)?	No
(ba)	In the case of solar PV or solar thermal equipment on a flat roof, would it 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)?	N/A
(c)	In the case of land within a conservation area or which is a World Heritage Site, would the solar PV or solar thermal equipment be installed on a wall which fronts a highway?	N/A
(d)	Would the solar PV or solar thermal equipment be installed on a site designated as a scheduled monument?	No
(e)	Would the solar PV or solar thermal equipment 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?	No
A.2 Development is permitted by Class A subject to the following conditions:		
(a)	Would the solar PV or solar thermal equipment be, so far as practical, sited so as to minimise its effect on the external appearance of the building?	Yes
(b)	Would the solar PV or solar thermal equipment be, so far as practical, sited so as to minimise its effect on the amenity of the area?	Yes
(ba)	Does the proposal require prior approval because the solar PV or solar thermal equipment is installed on a flat roof located on article 2(3) land? <i>Please note that the proposed development is subject</i>	No

	<i>to a prior approval process. As such, a Certificate of Lawfulness cannot be granted unless prior approval has been applied for and either determined as not required or formally approved.</i>	
(c)	Would the solar PV or solar thermal equipment be removed as soon as reasonably practicable when no longer needed?	See condition added

APPENDIX 4A –

Checklist for Householder permitted development under Part 14 (renewable energy) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Checklist From 27th August 2026:

Class A – installation, alteration or replacement of solar PV or solar thermal equipment on:		Yes/No
(a) a dwellinghouse or a block of flats; or (b) a building situated within the curtilage of a dwellinghouse or a block of flats.		
If yes answer questions below, if no skip to Class B		Yes
Criteria A (1) Block of flats – On a block of flats or a building within the curtilage of a block of flats – Development is not permitted if:		
(a)	Would the solar PV or solar thermal equipment 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?	N/A
(b)	In the case of solar PV or solar thermal equipment on a pitched roof, would it 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)?	N/A
(ba)	In the case of solar PV or solar thermal equipment on a flat roof, would it 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)?	N/A
(c)	In the case of land within a conservation area or which is a World Heritage Site, would the solar PV or solar thermal equipment be installed on a wall which fronts a highway?	N/A
(d)	Would the solar PV or solar thermal equipment be installed on a site designated as a scheduled monument?	N/A
(e)	Would the solar PV or solar thermal equipment be installed on a block of flats, or on a building within the curtilage of a block of flats, if the block of flats is a listed building?	N/A

(f)	In the case of plug-in solar, would any part of the plug-in solar be installed on a wooden wall, balcony or enclosure or on any part of the exterior of a block of flats which is clad in timber?	N/A
Criteria A (2) Dwellinghouse – On a dwellinghouse, or a building within the curtilage of a dwellinghouse – Development is not permitted if:		
(a)	In the case of solar PV or solar thermal equipment on a wall, would it result in- (i) where the wall abuts on a highway, the solar PV or solar thermal equipment protruding more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of that wall? or (ii) in any other case, the solar PV or solar thermal equipment protruding more than 0.4 metres beyond the plane of the wall when measured from the perpendicular with the external surface of that wall?	N/A
(b)	In the case of solar PV or solar thermal equipment on a balcony enclosure or roof enclosure, would it result in – (i) where the enclosure abuts on a highway, the solar PV or solar thermal equipment protruding more than 0.2 metres beyond the enclosure when measured from the perpendicular with the external surface of that enclosure? or (ii) in any other case, the solar PV or solar thermal equipment protruding more than 0.4 metres beyond the enclosure when measured from the perpendicular with the external surface of that enclosure?	N/A
(c)	In the case of solar PV or solar thermal equipment on a pitched roof, would it result in either or both of – (i) the solar PV or solar thermal equipment protruding more than 0.2 metres beyond the roof slope when measured from the perpendicular with the external surface of the pitched roof slope; (ii) the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding chimney)?	No
(d)	In the case of solar PV or solar thermal equipment on a flat roof, would it 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)?	N/A
(e)	In the case of land within a conservation area or which is a World Heritage Site, would the solar PV or solar thermal equipment be installed on a wall, balcony or roof enclosure which fronts a highway?	N/A
(f)	Would the solar PV or solar thermal equipment be installed on a site designated as a scheduled monument?	No
(g)	Would the solar PV or solar thermal equipment be installed on a dwellinghouse, or on a building within the curtilage of a dwellinghouse, if the dwellinghouse is a listed building?	No

(h)	In the case of plug-in solar, will any part of the plug-in solar be installed on a wooden wall, balcony or enclosure or on any part of the exterior of a dwellinghouse where that part is clad in timber?	N/A
A.2 Development is permitted by Class A subject to the following conditions:		
(a)	Would the solar PV or solar thermal equipment be, so far as practical, sited so as to minimise its effect on the external appearance of the building?	Yes
(b)	Would the solar PV or solar thermal equipment be, so far as practical, sited so as to minimise its effect on the amenity of the area?	Yes
(ba)	Does the proposal require prior approval because the solar PV or solar thermal equipment is installed on a flat roof located on article 2(3) land? <i>Please note that the proposed development is subject to a prior approval process. As such, a Certificate of Lawfulness cannot be granted unless prior approval has been applied for and either determined as not required or formally approved.</i>	N/A
(c)	Would the solar PV or solar thermal equipment be removed as soon as reasonably practicable when no longer needed?	See condition added