

SCHEDULE 2

Permitted development rights

PART 14

Renewable energy

Class N – installation etc of flue for biomass heating system on non-domestic premises

Development not permitted

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

- (a) the capacity of the system that the flue would serve exceeds 45 kilowatts thermal;
- (b) the height of the flue would exceed either—
 - (i) the highest part of the roof by 1 metre or more, or
 - (ii) the height of an existing flue which is being replaced,whichever is the highest;
- (c) the installation of the flue would result in the installation on the same building of more than 1 flue forming part of either a biomass heating system or a combined heat and power system;
- (d) the flue would be installed on a listed building, within the curtilage of a listed building or on a site designated as a scheduled monument; or
- (e) in the case of a building on article 2(3) land, the flue would be installed on a wall or roof slope which fronts a highway.