
STATUTORY INSTRUMENTS

2023 No. 1279

The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023

Amendments to Class K of Part 14 of Schedule 2

7.—(1) Class K (installation or alteration etc of stand-alone solar equipment on non-domestic premises) of Part 14 of Schedule 2 is amended as follows.

(2) In paragraph K.1 (development not permitted)—

- (a) in sub-paragraph (b)(i), after “height” insert “or, in the case of stand-alone solar installed on article 2(3) land so that it is nearer to any highway which bounds the curtilage than the part of the building which is nearest to that highway, 2 metres in height”;
- (b) omit sub-paragraph (b)(ii).

(3) In paragraph K.2 (conditions)—

- (a) at the end of sub-paragraph (a), omit “and”;
- (b) after sub-paragraph (a), insert—

“(aa) in the case of stand-alone solar installed on article 2(3) land nearer to any highway which bounds the curtilage than the part of the building which is nearest to that highway, 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 stand-alone solar on that land;

(ab) in relation to an application under sub-paragraph (aa), paragraphs J.4(3) to J.4(12) of this Part apply as if “Class K” substitutes the reference to “Class J” in paragraph J.4(4); and”.