

**Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**

**REF NO:** Y/20/25/CLP

**LOCATION:** 43 The Pines  
Yapton  
BN18 0EG

**PROPOSAL:** Lawful development certificate for the proposed erection of the 8 No. solar panels on the south facing roof slope.

**DESCRIPTION OF APPLICATION**

This application seeks a lawful development certificate for the proposed erection of the 8 No. solar panels on the south facing roof slope.

**RELEVANT SITE HISTORY**

**REPRESENTATIONS**

**Representations Received:**

**CONSULTATIONS**

**Consultations Responses Received:**

**LEGISLATIVE BACKGROUND**

Section 192(2) of the Town and Country Planning Act 1990 states:-

If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

In this instance the proposed works will be assessed against the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

- Part 14, Class A, which pertains to the installation or alteration of solar equipment on domestic

premises

Provided the proposed works satisfy the relevant criteria, and that no restrictive conditions to development have been imposed on the site, the proposed works will constitute Permitted Development and would not require planning permission. If the works fail to accord with the criteria then planning permission will be required for them to take place.

## CONCLUSION

The installation of the solar panels is considered to fall under Part 14, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

### Permitted development

A. The installation, alteration or replacement of microgeneration 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.

### Development not permitted

A.1 Development is not permitted by Class A if -

- (a) the solar PV or solar thermal equipment would 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;
- (b) in the case of solar PV or solar thermal equipment on a pitched roof, it would 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);
- (ba) in the case of solar PV or solar thermal equipment on a flat roof, it would 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);
- (c) in the case of land within a conservation area or which is a World Heritage Site, the solar PV or solar thermal equipment would be installed on a wall which fronts a highway;
- (d) the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or
- (e) the solar PV or solar thermal equipment would 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.

The property known as 43 The Pines is a detached house within the Main Road/Church Road, Yapton Conservation Area. There are no restrictions on the property's permitted development rights.

The solar panels are situated on a pitched roof, on the front (south) elevation of the dwelling. The panels will not protrude more than 0.2m from the roof slope, or exceed the maximum height of the roof.

The proposed solar panels comply with relevant sections (a)(b)(c) of Part 14, Class A and, as such, the proposal does not require the submission of a full application for planning permission.

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| <b>RECOMMENDATION</b> |
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**PP NOT REQUIRED**

The Arun District Council hereby certify that on 1 April 2025 the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 by reason of compliance with Part 14, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

**FIRST SCHEDULE**

The proposal has been assessed against the following plans:

- Location Plan
- Roof Plan
- Conservation Area Map
- Indicative Roof Plan and Photos
- Proposed South Elevation
- Proposed Panel Layout
- Solar PV Standard Document
- Email from applicaent dated 06/04/2025

**SECOND SCHEDULE**

43 The Pines, Yapton, BN18 0EG.

**EXTENT OF USE**

Installation of 8 No. solar panels on the front (south) roof slope of the dwelling.

**Y/20/25/CLP - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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