



Notification Number: 2011/457/UK

THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT (AMENDMENT) (ENGLAND) ORDER 2011

Date received : 05/09/2011

End of Standstill : 06/12/2011

Message

Message 001

Communication from the Commission - SG(2011) D/52090

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2011/0457/UK - Notificare.

No abre el plazo - Nezahtjuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201102090.EN)

1. Structured Information Line

MSG 001 IND 2011 0457 UK EN 05-09-2011 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
Knowledge & Innovation Group
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

3. Originating Department

The Department for Communities and Local Government



4. Notification Number

2011/0457/UK - B00

5. Title

THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT (AMENDMENT) (ENGLAND) ORDER 2011

6. Products Concerned

Suppliers and installers of wind turbines and air source heat pumps on domestic premises.

7. Notification Under Another Act

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8. Main Content

The draft Order includes provisions to grant planning permission to enable householders in England to install wind turbines and air source heat pumps on their properties subject to certain limitations and conditions. These "permitted development rights" make it unnecessary to submit a formal planning application to obtain approval from a local planning authority to install this equipment.

The limitations and conditions restricting the exercise of these rights are imposed to minimise the impact of the installed equipment on neighbours and the environment. For example, controlling the size and siting of the installation will minimise visual impact and limits on noise emitted by the equipment will minimise noise nuisance. The permitted development rights will not apply to some protected areas such as National Parks and areas of outstanding natural beauty and additional restrictions will apply to others (e.g conservation areas and World Heritage Sites) and to listed buildings.

To further reduce the possibility of noise nuisance to occupiers of neighbouring properties, the Order provides that only air source heat pumps and wind turbines that comply with the standards specified in the UK's Microgeneration Certification Scheme (MCS) or equivalent standards and installed in accordance with the standards prescribed for installers certified by the MCS or equivalent standards are 'permitted development'. These requirements also ensure that installations comply with related public safety standards. The MCS has been notified to and approved by the Commission.

9. Brief Statement of Grounds

Microgeneration has the potential to play an increasingly important role in helping the UK meet carbon reduction targets and the UK Government is keen to encourage householders to make more use of these technologies. The current requirement for an application for planning permission involves cost, uncertainty and delay for those wanting to install microgeneration equipment. Because of the specialist nature of the new technologies, local planning authorities tend to require a considerable amount of supporting information to help them to assess the merits of individual proposals. This is especially the case with wind turbines. Householders wishing to install renewable energy technologies presently face uncertainty with regard to the equipment's potential to cause noise and other nuisances and therefore incur additional expense in providing evidence that this will not be a problem. The amendment to the Order will resolve these uncertainties with a consequent saving in costs to the householder. As an application for planning permission will no longer be required, this will make the installation process cheaper, quicker and simpler and therefore more attractive to householders.



As an independent scheme that certifies both microgeneration products and installers of such equipment according to objective criteria, the MCS provides one method of meeting the need for technical information about the performance of wind turbines and will also provide the evidence to assure local planning authorities that the development will meet the prescribed limitations and conditions of the permitted development rights granted by the Order. This will increase efficiency as individual planning applications will no longer be required.

10. Reference Documents - Basic Texts

References of the Basic Texts: 'Permitted development rights for small scale renewable and low carbon energy technologies, and electric vehicle charging infrastructure'. Consultation on Government proposals. Nov 2009.
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/microgenelectriccars.pdf>

'Microgeneration Certification Scheme' : <http://www.microgenerationcertification.org/>

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Yes

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

Catherine Day
General Secretary
European Commission

Contact point Directive 98/34



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

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