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[Department for  
Levelling Up,  
Housing &  
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Consultation outcome

# Government response to the consultation on permitted development rights: supporting temporary recreational campsites, renewable energy and film-making

Updated 11 March 2024

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# Introduction

1. The government is committed to ensuring that the planning system is efficient, effective and responsive. Permitted development rights are a national grant of planning permission that allow certain building works and changes of use to take place without having to submit a planning application. They provide flexibilities and planning freedoms to different users, including businesses, local authorities and local communities. They are an important tool to support growth by providing certainty and removing the time and money needed to submit a planning application.

2. The Department for Levelling Up, Housing and Communities published a [consultation \(https://www.gov.uk/government/consultations/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation\)](https://www.gov.uk/government/consultations/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation) on changes to permitted development rights to support temporary recreational campsites, renewable energy and film-making. The consultation was published on 28 February 2023 and open for an eight-week period, ending on 25 April 2023.

3. The consultation sought views on the introduction of a new permitted development right to allow the temporary use of land for recreational campsites and on limitations and conditions to limit any impacts and protect local amenity. It also sought feedback on an amendment to an existing permitted development right allowing development by local authorities, so that bodies working on their behalf can also undertake the works and on amendments to the existing permitted development right allowing the temporary use of land or buildings for film-making to provide further flexibility to production crews and film makers.

4. The consultation proposed several changes to the permitted development rights for solar equipment. It sought feedback on changes to the four existing permitted development rights which allow for the installation of solar equipment on and within the curtilages of domestic and non-domestic buildings. It also sought views on the introduction of a new permitted development right for solar canopies.

5. Following analysis of the responses, changes relating to permitted development rights supporting temporary recreational campsites, local authority led development and temporary film-making were introduced in [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2023 \(https://www.legislation.gov.uk/ukxi/2023/747/contents/made\)](https://www.legislation.gov.uk/ukxi/2023/747/contents/made), which was laid on 5 July 2023. Changes relating to permitted development rights for solar equipment were introduced in [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) \(No. 2\) Order 2023 \(https://www.legislation.gov.uk/ukxi/2023/1279/contents/made\)](https://www.legislation.gov.uk/ukxi/2023/1279/contents/made), which was laid on 30 November 2023.

6. This document sets out a summary of the responses received to the consultation alongside the changes that the government has made in response to the consultation.

## Overview

7. There were 1,052 responses to the consultation. Not all respondents addressed all sections of the consultation or answered every question. We received responses from a broad range of interested parties including from the general public and the public and private sectors. The table below provides a breakdown of responses to the consultation by type of respondents.

Type of organisation	Number of responses
Personal response	565
Local authority (including national parks, the Broads Authority, the Greater London Authority and London boroughs)	79
Neighbourhood planning body, parish or town council	63
Private sector organisation (including housebuilders, developers, housing associations, businesses, consultants)	41
Trade associations, interest groups, voluntary or charitable organisation	103
Other	200
Unknown	1

8. We are grateful to everyone who took the time to respond. We have carefully reviewed and analysed the responses. This document provides detailed analysis and responses to the individual proposals as set out below.

## A new permitted development right for temporary recreational campsites

9. Following the renewed demand for domestic holidays, the government consulted on the introduction of a new permitted development right to allow the temporary use of land for recreational campsites and on limitations to control any impacts and protect amenity. The proposal sought to ensure that holidaymakers could continue to visit and stay in popular destinations around the country and support the local tourism industry, in line with our levelling up ambitions.

**Question 1:** Do you agree that a new permitted development right should be introduced that will allow the temporary use of land for recreational campsites and associated facilities?

10. There were 917 responses to this question. There was considerable support for the introduction of a new permitted development right which respondents felt would support domestic tourism, generate additional income for rural communities and landowners across the country and provide affordable holidays for holidaymakers and families wishing to access the countryside. Some respondents opposed the introduction of the permitted development right as they thought that it could have negative impacts on local amenity and the natural environment.

**Question 2:** Do you agree that the permitted development right should only apply to the placing of tents?

11. There were 891 responses to this question. Around a third of all respondents thought that the permitted development right should only apply to the placing of tents as they thought that tents were more likely to have minimal impact on highways and local communities compared to other overnight accommodation, like motorhomes and caravans. However, other respondents thought that limiting the permitted development right to the placing of tents was too restrictive and that it would disadvantage those with limited mobility who are unable to sleep in tents and need alternative overnight accommodation with additional facilities. These respondents therefore requested that the permitted development right also apply to other accommodation, such as motorhomes.

**Question 3:** Do you agree that the permitted development right should allow up to a maximum of 30 tents to be erected on the land?

12. There were 901 responses to this question. Around a third of all respondents supported allowing up to a maximum of 30 tents to be erected on the land. Respondents thought that this was an appropriate limit to balance economic viability with amenity and environmental impacts. There was considerable opposition to the proposal, with those respondents stating that the limitation was either too high or too low. Among those that judged it to be too

low, some thought that the limit could impact on the viability of the sites and prevent certain outdoor events and festivals from taking place. Those who thought it was too high felt that it would allow large sites which could impact on the amenity of local communities. Some respondents thought that the limitation should relate to the size of the land rather than the number of pitches.

**Question 4:** Do you agree that the permitted development right should be limited to up to 60 days per calendar year?

13. There were 892 responses to this question. Overall, about half of respondents were supportive of a 60 day limit as this would cover the main summer period and provide an income to rural areas, landowners and farmers, whilst balancing the need to manage impacts on the environment and local communities. Some respondents supported a lower limit to reduce potential impacts on the land, while others supported a higher or no overall limit to provide maximum flexibility to landowners.

**Question 5:** Do you agree that the permitted development right should require the provision of temporary on-site facilities to provide waste disposal, showers and toilets?

14. There were 892 responses to this question, of which there was considerable support for this proposal. Respondents thought that facilities were important for visitors and would ensure effective waste disposal and management. Some respondents thought that facilities could give rise to visual impacts. Whilst respondents agreed that waste disposal and toilet facilities should be required, some thought that requiring showers would place a costly and unnecessary burden on landowners which could impact on the viability of some campsites.

**Question 6:** Do you agree that the permitted development right should not apply on land which is in or forms part of sites of special scientific interest, scheduled monuments, safety hazard areas, military explosives storage areas and land within the curtilage of a listed building?

15. There were 897 responses to this question. There was considerable support that the permitted development right should not apply to sites of special scientific interest, scheduled monuments, safety hazard areas, military explosives storage areas or land within the curtilage of a listed building. Some respondents thought that the permitted development right should apply to these areas as temporary campsites could boost incomes at protected sites. Others thought that the right should be excluded from further protected areas to allow decisions to be made on a case-by-case basis through a planning application.

**Question 7:** Are there any other planning matters that should be considered?

16. There were 857 responses to this question and less than half of all respondents thought that there were other planning matters that should be considered through a permitted development right. A wide range of additional matters were put forward, ranging from impacts on the environment, transport, highways, local amenity (such as noise), waste disposal and the need to consider protected areas.

**Question 8:** Do you agree that the permitted development right should require annual prior notification to the local authority of the matters set out above?

17. There were 892 responses to this question. Less than half of respondents supported the inclusion of an annual prior notification. Respondents who were supportive of the proposal generally thought that it would assist in the monitoring of sites, planning enforcement and ensure sites provided adequate facilities. Some respondents thought that it was unnecessary and potentially burdensome, while others thought that it did not go far enough and should instead be subject to a prior approval process to allow the local planning authority an opportunity to consider the potential impacts of the proposed development.

**Question 9:** Do you think that, in areas of flood risk, the right should allow for prior approval with regard to flooding on the site?

18. There were 877 responses to this question. About half of respondents supported this proposal as it would provide a mechanism for the local authority to consider the proposed temporary campsite and site safety. Other respondents thought that this was a disproportionate burden to both the landowner and local planning authority. Some thought that the permitted development right should not apply in areas of flood risk and instead require proposals to be considered on a case-by-case basis through a planning application.

## Impact assessment and Public Sector Equality Duty

**Question 10:** Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could



impact on: a) businesses b) local planning authorities c) communities?

19. There were 884 responses to this question. A considerable number of respondents thought that there could be impacts on all three sectors. Impacts on businesses were generally thought to be positive due to an increase in tourism spend locally, however, others thought that there could be negative impacts on existing campsites. It was generally accepted that the proposal would increase the workload of local authorities, although many thought that this would not be significant, while others thought any impacts would be counterbalanced through increased economic activity locally. Respondents considered that the right could give rise to impacts on communities such as traffic, noise and litter, however others thought that such impacts would be minimal due to the temporary nature of the permitted development right.

**Question 11:** Do you think that proposed changes in relation to a new permitted development right for temporary recreational campsites could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

20. There were 868 responses to this question. Less than half of respondents thought that there would be impacts on those who share protected characteristics. Respondents thought that, if the permitted development right only applied to the placing of tents, it could give rise to impacts on people with limited mobility, such as elderly people or people with disabilities, who are unable to sleep in tents and require campervans etc to stay overnight in campsites. Others thought that the permitted development right would encourage the establishment of affordable, accessible domestic holidays.

## **Government response to Questions 1 - 11 on a new permitted development right for temporary recreational campsites**

21. Following responses received to the consultation, we have introduced a new permitted development right under Class BC of Part 4 of the General Permitted Development Order (GPDO). We proceeded with the proposed limitations and conditions that were consulted on in most cases.

22. We had proposed that the permitted development right would only apply to the placing of tents; however, some respondents thought that this could impact on people with limited mobility, such as the elderly, who are unable to sleep in tents and require campervans etc to stay overnight in campsites. To provide

additional flexibility, while the permitted development right does not permit the use of the land for a caravan site, an exception is provided for when the caravan is a motor vehicle incorporating accommodation (for example, a campervan or motorhome). The limit on caravans is to minimise potential impacts on the land and highways.

23. We had consulted on allowing campsites up to 30 pitches under the permitted development right. Following feedback received to the consultation, the permitted development right instead allows up to 50 campervans, motorhomes or tents. This was considered an appropriate balance to increase potential economic benefits and protect the amenity of local residents to support the viability of temporary campsites.

24. Lastly, the consultation proposed that developers would be required to make on-site provision for temporary facilities including toilets, showers and waste. Many respondents did not believe that mandating showers on sites was necessary for every site and believed it could impact on the viability of some campsites, for example, if they are required to hire showers. Therefore, the permitted development right only requires the on-site provision of moveable toilets and waste disposal facilities.

25. Following responses received to the consultation, we brought forward the limitation that the permitted development right does not apply to land within the curtilage of a listed building, sites of special scientific interest, scheduled monuments, safety hazard areas, military explosives storage areas or where the land would be used for a caravan site (unless the caravan is a motor vehicle incorporating accommodation, for example, a campervan).

26. The developer is required to notify the local planning authority in writing before the commencement of development each calendar year. In notifying the local planning authority, the developer must provide a copy of the site plan, which includes details of the toilet and waste disposal facilities as well as the dates on which the campsite will be in use. The local planning authority must then provide this information to the fire and rescue authority (if they are different bodies).

27. Where the proposed campsite is within Flood Zone 2 or 3, prior approval is required from the local planning authority each calendar year. The developer is required to submit a site-specific flood risk assessment, including a warning and evacuation plan. This will allow the local authority to consider the flood risks on the site; in doing so, they are required to consult the Environment Agency.

28. Lastly, we have amended the existing temporary use of land permitted development right under Class B of Part 4 of the GPDO to disapply the use of land for a recreational campsite other than in connection with a festival and specify that, where the right is being used to provide a festival with camping, the right does not allow for the siting of any caravan except when used as a motor vehicle incorporating accommodation (e.g. motorhomes and campervans). We received feedback that removing recreational campsites from

the temporary use of land permitted development right, under Class B of Part 4, would prevent camping at some festivals so this amendment will continue to allow festivals with camping to operate under the temporary use of land permitted development right. This amendment does not come into effect until the end of 25 July 2024, to ensure local authorities are not liable to pay compensation for the withdrawal of permission. Therefore, a developer can use Class B of Part 4 or Class BC of Part 4 to operate a campsite under permitted development rights until that date.

## Changes to permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings

29. Existing permitted development rights allow for the installation and alteration of solar equipment on both domestic and non-domestic buildings. This includes the installation and alteration of stand-alone solar equipment and rooftop and wall-mounted solar equipment.

30. As part of the British Energy Security Strategy, which was published in April 2022, a commitment was made to review the existing permitted development rights for rooftop solar installations. Solar energy can contribute to the government's efforts in achieving goals crucial for attaining net-zero emissions and offers a cost-effective energy solution that reduces reliance on fossil fuels. We consulted on several proposed changes to the existing permitted development rights with the aim of further facilitating the installation of solar equipment, including the introduction of a new permitted development right for the installation of solar canopies in ground-level off-street car parks in non-domestic settings.

### Solar on domestic buildings

**Question 12:** Should the permitted development right for solar on domestic rooftops be amended so that they can be installed on flat roofs where the highest part of the equipment would be no higher than 0.6 metres above the highest part of the roof (excluding any chimney)?

31. There were 340 responses to this question. There was strong support for this proposal as respondents thought that it would provide further flexibility so

that more households can install rooftop solar and emphasised the importance of this to contributing to net zero targets and maximising renewable energy nationwide. They thought that the change would save households time and expense by removing the need for a planning application. Less than a third of respondents were opposed to the change, with some highlighting the potential visual impacts of the proposal.

**Question 13:** Are there any circumstances where it would not be appropriate to permit solar on flat roofs of domestic premises?

32. There were 330 responses to this question. Less than half of respondents raised circumstances where it would not be appropriate to permit solar on flat roofs of domestic premises. Some respondents thought that additional limitations might be necessary in conservation areas and near or on heritage assets. These respondents emphasised the need to preserve the visual and historical aspects of these locations. Other respondents thought that there should be no additional limitations, advocating for further freedoms to install rooftop solar equipment.

**Question 14:** Do you agree that solar on a wall which fronts a highway should be permitted in conservation areas?

33. There were 333 responses to this question. Less than half of respondents were supportive of permitting solar on a wall which fronts a highway in conservation areas. Those that were supportive recognised the importance of encouraging solar equipment on homes. About half of respondents were opposed to this measure as they believed that solar on walls can be visible from the street and could be harmful to the character and appearance of conservation areas and heritage assets. Many respondents felt that this issue should continue to be assessed on a case-by-case basis as part of a planning application, to allow for the evaluation of potential impacts.

**Question 15:** Do you have any views on the other existing limitations which apply to this permitted development right which could be amended to further support the deployment of solar on domestic rooftops?

34. There were 315 responses to this question. Around a third of respondents expressed views on other existing limitations that could be amended to further support the deployment of solar on domestic rooftops. It was suggested that the maximum installation capacity (currently 50 kilowatts) could be increased. However, about half said that they did not have any specific views on possible amendments to the other existing limitations.

## Stand-alone domestic solar

**Question 16:** Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the dwellinghouse in conservation areas, should be removed?

35. There were 331 responses to this question. Less than half of respondents were supportive of removing the limitation as they thought that it would provide further flexibility on the positioning of stand-alone solar equipment, helping to maximise the number of solar installations. Some respondents considered the existing limitation to be overly restrictive and unnecessary. However, around a third of respondents did not agree with the removal of the limitation as they were concerned that stand-alone solar equipment in conservation areas could impact on visual amenity and harm the character of conservation areas.

**Question 17:** Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone domestic solar?

36. There were 314 responses to this question. Less than a third expressed views on how other existing limitations could be amended to further support the deployment of stand-alone domestic solar. Some respondents raised the need for more generous capacity limits to accommodate larger solar installations and maximise renewable energy generation. There were also differing opinions on stand-alone equipment in conservation areas and World Heritage Sites. However, about half of respondents said that they did not have any specific views on possible amendments to the other existing limitations.

## Solar on non-domestic buildings

**Question 18:** Do you agree that the current threshold permitting the generation of up to 1MW of electricity on non-domestic buildings should be removed?

37. There were 338 responses to this question. There was considerable support for removing the current threshold permitting the generation of up to 1 megawatt (MW) of electricity on non-domestic buildings. Many regarded the current limitation as too restrictive and therefore supported the change, recognising its potential benefits in maximising solar installations and helping to achieve net-zero targets. Less than a third of respondents were against removing the 1MW threshold, with some suggesting that prior approval of the

local planning authority should be required. Other respondents believed that the potential impacts should be assessed on a case-by-case basis as part of a planning application.

**Question 19:** Is the current prior approval for solar equipment on non-domestic rooftops (where equipment is over 50kW but no more than 1MW) effective?

38. There were 324 responses to this question. Less than a third of respondents thought that the current prior approval was effective, while less than a third did not. A considerable number of respondents were unsure. Those that believed the prior approval was effective said it provided an appropriate balance between the need to increase renewable energy generation and the need to safeguard against harm to local amenity, particularly the impact of glare. Many respondents viewed the prior approval as an additional barrier that creates delays in the deployment of solar equipment. Some respondents thought that prior approval adds additional process and time for applications.

**Question 20:** Are there any circumstances where it would not be appropriate to allow for the installation of non-domestic rooftop solar where there is no limit on the capacity of electricity generated?

39. There were 321 responses to this question. Less than a third of respondents had views on circumstances where it would not be appropriate to allow for the installation of non-domestic rooftop solar where there is no limit on the capacity of electricity generated. Some respondents suggested that it may not be appropriate in article 2(3) land, (which includes conservation areas, World Heritage Sites, listed buildings, Areas of Outstanding Natural Beauty and National Parks) due to potential visual and amenity impacts.

**Question 21:** Do you agree that the existing limitations relating to the installation of solar on non-domestic buildings in article 2(3) land – which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?

40. There were 336 responses to this question. About half of respondents were supportive of removing the existing limitations in article 2(3) land so that solar equipment can be installed on roofs and walls which front a highway in these areas. Some respondents supported permitting non-domestic rooftop solar in article 2(3) land as it would maximise rooftop coverage and accelerate the transition to renewable energy. On the other hand, some respondents didn't support allowing wall-mounted solar equipment in article 2(3) land as it could result in visual impacts on that land.

**Question 22:** Do you have any views on how the other existing limitations which apply to the permitted development right could be amended to further support the deployment of solar on non-domestic rooftops?

41. There were 312 responses to this question. Less than a third of respondents had views on how other existing limitations could be amended to further support the deployment of solar on non-domestic rooftops. Recommendations included reducing the number of prior approval requirements, provided there is no adverse impact on the character and appearance of protected areas. Less than half of respondents did not have any specific views on possible amendments to the other existing limitations.

## Stand-alone non-domestic solar

**Question 23:** Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the building in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?

42. There were 332 responses to this question. Less than half of respondents were supportive of removing the existing limitation to provide further flexibility on the positioning of stand-alone solar equipment. Some expressed conditional support for this proposal if a prior approval is in place. Those respondents that opposed the change thought that it could give rise to potential harm to the character and appearance of sites in article 2(3) land. Other respondents emphasised the need to protect and enhance these areas and they recommended that such cases should be assessed on a case-by-case basis as part of a planning application.

**Question 24:** Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone non-domestic solar?

43. There were 310 responses to this question. Less than a third of respondents expressed views on how the other existing limitations could be amended. Of those that provided further suggestions, some thought that the maximum size of installations could be increased. About half of respondents said that they did not have any specific views on possible amendments to the other existing limitations.



## Solar canopies

**Question 25:** Do you agree that permitted development rights should enable the installation of solar canopies in ground-level off-street car parks in non-domestic settings?

44. There were 336 responses to this question. There was strong support for permitted development rights to enable the installation of solar canopies in ground-level off-street car parks in non-domestic settings. Most respondents thought that it was an effective use of non-domestic car parks and would provide broader environmental benefits, including increasing the supply of renewable energy and reducing the need for new solar on greenfield sites. Less than a third of respondents were opposed to the proposal, with some respondents citing the potential visual impact of the structures. Some respondents thought that if a new permitted development right was introduced then it should be subject to limitations that seek to mitigate against potential flooding risks.

**Question 26:** Do you agree that a permitted development right for solar canopies should not apply on land which is within 10 metres of the curtilage of a dwellinghouse?

45. There were 317 responses to this question. About half of all respondents were supportive of the proposal. They believed that the 10-metre limitation was appropriate given the potential impact of solar canopies on residential amenity and the risk of overshadowing. Less than a third of respondents did not agree with the proposal, with some thinking that it would make the new permitted development right overly restrictive.

**Question 27:** Do you agree that a permitted development right for solar canopies should not apply on land which is in or forms part of a site designated as a scheduled monument or which is within the curtilage of a listed building?

46. There were 322 responses to this question. About half of respondents were supportive of the proposal. Many felt that the limitation was necessary to ensure that solar canopies do not impact on protected sites. Around a third of respondents did not agree with the limitation, arguing that car parks are not usually visually attractive and solar canopies would have minimal impact on the overall amenity of a listed building or scheduled monument. They suggested alternative approaches, such as having a required distance from the site or implementing a prior approval requirement, to ensure a balance between promoting solar deployment and protecting heritage assets.



**Question 28:** Do you agree that the permitted development right would not apply to article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites?

47. There were 331 responses to this question. About half of respondents were supportive of the permitted development right not applying to article 2(3) land. Most respondents thought that solar canopies might have an adverse impact on the character and appearance of these sites and should, therefore, be assessed through a planning application. Around a third of respondents did not agree, suggesting that solar canopies do not make an area more unattractive as they would be installed on car parks. Some respondents thought that proposals in article 2(3) land should be subject to prior approval.

**Question 29:** Do you agree that solar canopies should be permitted up to 4 metres in height?

48. There were 324 responses to this question. There was considerable support for the height limitation. The majority felt that 4 metres was appropriate and would not result in a visual obstruction or harm the amenity of the surrounding area. Less than a third of respondents were opposed to the proposal, with some considering it too high and others who felt it should be increased to accommodate larger vehicles and additional equipment.

**Question 30:** Do you think that the right should allow for prior approval with regard to design, siting, external appearance and impact of glare?

49. There were 323 responses to this question. A considerable number of respondents were supportive of a prior approval regarding design, siting, external appearance and impact of glare. Most respondents believed that a prior approval would help to mitigate the risk of adverse impacts on surrounding areas and residential amenity. On the other hand, less than a third of respondents did not agree with there being a prior approval, as they felt it could hinder solar installation and would be burdensome for local authorities.

**Question 31:** Are there any other limitations that should apply to a permitted development right for solar canopies to limit potential impacts?

50. There were 316 responses to this question. Less than a third of respondents had views on other limitations that should apply to a permitted development right for solar canopies. Some respondents recommended included consideration of flooding risk and drainage, exclusion of the right from

sites of special scientific interest and restrictions on distances from residential areas. Additionally, some felt that the right should only apply to surface level car parks due to increased visual disturbance on decked car parks.

## Impact assessment and Public Sector Equality Duty

**Question 32:** Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on: a) businesses b) local planning authorities c) communities?

51. There were 294 responses to this question. About half of all respondents believed that that the proposed changes could impact on businesses. Many stated that it would benefit them financially by reducing the costs for energy and potentially generate income. About half of all respondents believed that the changes would impact on local planning authorities. They believed that the changes could support local authorities to meet their climate change targets and goals. On the other hand, some respondents highlighted that the changes could result in amenity impacts for local communities and reduce their ability to participate in the planning process. Overall, there were mixed views on the impact of the proposed changes on local authorities and whether it would introduce new burdens. About half of all respondents agreed that the changes would have an impact on communities due to potential visual and amenity disturbance and the ability of the community to comment on development.

**Question 33:** Do you think that proposed changes in relation to the permitted development rights for solar could give rise to any impacts on people who share a protected characteristic?

52. There were 286 responses to this question. Less than a third of respondents believed that the proposed changes would give rise to impacts on people who share a protected characteristic. Respondents recommended that consideration be given for parent and child and disability spaces where the siting of a solar canopy may compromise existing level access routes. Similarly, respondents highlighted the potential obscuring of CCTV cameras by solar copies and the impact of this in terms of safety and security, particularly for women and young people.

## Government response to Questions 12 – 33 on changes to permitted development rights for solar equipment on

## **and within the curtilage of domestic and non-domestic buildings**

53. To support our commitment to achieving net zero and reducing reliance on fossil fuels, the government has made changes to help facilitate the rollout of solar equipment. This includes amendments to the existing rights which allow for the installation of solar equipment on and within the curtilages of domestic and non-domestic buildings as well as the introduction of a new permitted development right for solar canopies.

### **Solar on domestic buildings**

54. We have amended the permitted development right for solar on domestic buildings (Class A of Part 14) to permit installations on homes with flat roofs. There was strong support for this proposal, which will allow more domestic rooftops to benefit from this flexibility. Reflecting feedback about the potential visual impacts of development in sensitive areas, proposals in article 2(3) land are subject to prior approval regarding the impact of the appearance of the solar equipment on that land.

55. Some respondents provided feedback that the proposal to permit the installation of solar equipment on the wall of a domestic building that fronts a highway in a conservation area could give rise to impacts on the character of the conservation area. Therefore, we have not brought forward this proposal.

### **Stand-alone domestic solar**

56. We have removed the limitation that the permitted development right for stand-alone solar in domestic buildings (Class B of Part 14) does not apply in conservation areas where the stand-alone solar would be installed closer to the highway than the dwelling. Respondents supporting the proposal recognised that it would provide further flexibility on the positioning of stand-alone solar equipment, however, others were cautious that installations could harm the character of conservation areas. As such, we have introduced a requirement that, in these instances, the solar equipment can be up to 2 metres in height and is subject to prior approval regarding the impact on the appearance of the development on the character of the conservation area.

### **Solar on non-domestic buildings**

57. We have amended the permitted development right for solar on non-domestic buildings (Class J of Part 14) to remove the limitation that solar equipment can generate up to 1MW of electricity, in order to further increase the supply of renewable electricity. The existing prior approval continues to apply for installations above 50 kilowatts.

58. We have also brought forward changes to permit solar equipment on the roof of a non-domestic building which fronts a highway in article 2(3) land. There was considerable support for this proposal as it was recognised that this would maximise rooftop solar coverage. However, respondents thought that wall-mounted solar equipment which fronts a highway in article 2(3) land could result in visual impacts on that land and so we have not brought forward this proposal.

## **Stand-alone non-domestic solar**

59. We have removed the limitation that the permitted development right for stand-alone solar in non-domestic buildings (Class K of Part 14) does not apply on article 2(3) land where solar equipment would be installed so that is closer to the highway than the non-domestic building. As with the Class B right, respondents supporting this proposal agreed that it would provide further flexibility on the positioning of stand-alone solar equipment, however, some respondents thought that it could give rise to harm to the character of protected areas. As such, we included the requirement that, in these instances, the solar equipment is limited up to 2 metres in height and is subject to prior approval regarding the impact of the appearance of the development on article 2(3) land.

## **Solar canopies**

60. We have introduced a new permitted development right for the installation of solar canopies in ground-level off-street car parks in non-domestic settings (Class OA of Part 14). Solar canopies are defined as a canopy structure that is a) installed with solar PV or solar thermal equipment, and b) open on all sides unless adjoining a building. The new permitted development right encourages the efficient use of land and reduces the need to install solar panels on greenfield sites.

61. Following responses received to the consultation, we brought forward the proposed limitations and conditions that were consulted on in most cases. Solar canopies are permitted up to a maximum height of 4 metres from ground level and cannot be within 10 metres of the curtilage of a dwellinghouse or block of flats. Development is not allowed within the curtilage of a dwellinghouse or block of flats, within the curtilage of a listed building or on a scheduled

monument or land within its curtilage. To prevent solar canopies being installed on temporary car parks, development is not permitted where the parking area has been provided under the Class B of Part 4 permitted development right.

62. In response to feedback received to the consultation, we have also introduced additional limitations including that solar canopies cannot be used for advertising, and that where a solar canopy would be installed above a permeable surface, provision must be made to direct run-off water from the solar canopy to a permeable or porous area or surface within the off-street parking area. We have also introduced a requirement that where the development is no longer needed, it must be removed as soon as reasonably practicable and the land must be restored to its original condition so far as reasonably practicable.

63. Prior approval is required from the local planning authority in relation to the solar canopy's siting (which includes consideration of siting regarding non-protected trees in the car park), design and external appearance, in particular the impact of glare on the occupiers of neighbouring premises. We had proposed that the permitted development right would not apply to article 2(3) land, however, we received feedback through the consultation that solar canopies will utilise existing car parks, reducing the new for solar on greenfield sites. Therefore, rather than exclude the permitted development rights from these areas, we have introduced an additional matter for prior approval where the development is in article 2(3) land.

## **Providing further flexibility to allow local authorities to undertake development**

64. An existing permitted development right, under Class A of Part 12 of the General Permitted Development Order, allows local authorities or urban development corporations to undertake certain forms of development, including the installation of electric vehicle charging points as well as information kiosks, public water fountains and public shelters.

65. To provide further flexibility to local authorities installing electric vehicle charging points, as well as other forms of development across their authority area, we consulted on proposals to amend the permitted development right so that, as well as being used by local authorities, bodies working on their behalf can also undertake the works. This would put beyond doubt that local authorities can appoint charge point providers to install public electric vehicle charging points on their behalf in their authority area.

**Question 34:** Do you agree that the permitted development right allowing for development by local authorities should be amended so that the

development permitted can also be undertaken by a body acting on behalf of the local authority?

66. There were 243 responses to this question. There was considerable support for this amendment as it was seen to be a positive change which would remove any doubt that local authorities can appoint private contractors to install public infrastructure under this permitted development right. Many respondents thought it would provide further flexibility to local authorities so that they can install public infrastructure in their authority area and would increase access to public electric vehicle charging points. Some respondents thought that the definition of “local authority” contained in Part 12 should be amended to include National Park authorities and the Broads Authority so that they can also benefit from this permitted development right.

**Question 35:** Do you think that any of the proposed changes in relation to the permitted development right could impact on: a) businesses b) local planning authorities c) communities?

67. There were 200 responses in relation to the question on impact on businesses, of which about half thought that there would be impacts of business. Of the 201 respondents to the question on the impact on local planning authorities, less than half thought that there would be impacts and of the 199 respondents to the question on the impact on communities, about half thought that there would be impacts. Of those that identified impacts, it was generally thought that the change would be helpful for businesses, local authorities and communities as it would support the delivery of public electric vehicle charging points. Some respondents thought there could be impacts on communities if electric vehicle charge point providers did not act within their powers.

**Question 36:** Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?

68. There were 201 responses to this question and less than a third of respondents thought that there would be an impact on those with protected characteristics. Most respondents expressed that there may be positive impacts on those with protected characteristics due to the increased availability of public electric vehicle charging points. Some respondents thought that there could be negative impacts on protected groups if infrastructure was designed and located without taking account of their needs.

## Government response to Questions 34 – 36 on providing further flexibility to allow local authorities to undertake development

69. To provide clarity and further flexibility to support the deployment of electric vehicle charging points, we have amended the permitted development right for local authority development, under Class A of Part 12 of the General Permitted Development Order, so that bodies acting on behalf of the local authority can also undertake the works. This means that local authorities can appoint charge point providers to deliver electric charging points on their behalf without having to submit a planning application.

70. Through the consultation we received additional feedback that the definition of a local authority in Part 12 does not make explicit reference to a National Park authority or the Broads Authority. It was requested that this was amended so that these authorities can benefit from the flexibilities provided in the permitted development right. We have made this change so that a National Park authority and the Broads Authority are included in the definition of local authority in Part 12. This will support these authorities in delivering public infrastructure.

## Changes to support film-making

71. An existing permitted development right (under Class E of Part 4) allows the temporary use of buildings or land for film-making purposes and the provision of temporary structures relating to that use. We received feedback that the permitted development right, although useful for some productions, was too restrictive for the rapidly growing production industry. We subsequently consulted on three changes to the permitted development right to extend the period in which the temporary use can take place, increase the maximum area of land that that right can apply to, and increase the maximum height of any temporary structures that can be erected under the right.

**Question 37:** Do you agree that the maximum period of time land or a building can be used for the purpose of commercial film making should be increased to 12 months in any 27-month period?

72. There were 176 responses to this question, of which there was considerable support for the proposal. Those that supported the proposal thought that it would benefit the film industry and provide wider local benefits such as stimulating opportunities to regenerate areas, provide economic growth locally and encourage tourists to the area beyond the filming period. Some thought that the increased time period did not go far enough and would like to



see this increased further. However, other respondents thought that an increased filming period could give rise to additional noise, light and traffic impacts on local communities.

**Question 38:** Do you agree that the maximum area of land or land on which the building is situated being used for the purposes of film making should be increased to 3 hectares?

73. There were 172 responses to this question, of which there was considerable support for the proposal. Respondents that supported the proposal thought that allowing bigger filming areas would attract larger scale productions, benefitting the film and television industry. Some thought that this would also benefit the wider area, providing greater and more varied economic opportunities to communities. Some felt that the proposal did not go far enough and that the use of a larger area of land should be permitted under the right. However, other respondents thought that a larger filming area could impact on wildlife, ancient woodland and adjacent sensitive sites. Other respondents thought that the changes could result in additional impacts due to the increased use of artificial lighting, footfall or noise.

**Question 39:** Do you agree that the maximum height of any temporary structure, works, plant or machinery allowed for under the right should be increased to 20 metres?

74. There were 168 responses to this question, of which there was considerable support for the proposal. Those that supported the proposal thought that it would allow larger scale productions to utilise the right, with respondents from the production industry providing feedback that the change would allow them to use new film making technology. Respondents also thought that this change could have a positive impact on local communities, by providing economic opportunities locally during both the filming period and beyond. However, other respondents thought that taller structures could impact on visual amenity and on the surrounding area.

**Question 40:** Do you think that any of the proposed changes in relation to the permitted development right could impact on: a) businesses b) local planning authorities c) communities? Yes/No/Don't know. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

75. There were 153 responses in relation to the question on business impacts. More than half of respondents were of the view that the changes would impact business. There were 148 responses in relation to the question on local



authority impacts, of which around a third thought that local planning authorities could be impacted by the proposals. There were 150 responses in relation to the question on community impacts; about half of respondents thought that communities would be impacted by the proposals. Both negative and positive impacts were expressed by respondents. Generally, it was felt that due to the temporary nature of the right, any negative impacts were outweighed by positive benefits to the film industry.

**Question 41:** Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)? Yes/No/ Don't know. If so, please give your reasons.

76. There were 152 responses to the question, of which less than a third thought that the changes could give rise to impacts on people who share a protected characteristic. About half of respondents did not anticipate any negative impacts on protected groups. Some thought that there would be positive benefits to all people, including those with protected characteristics.

## **Government response to Questions 37 – 41 on changes to support film-making**

77. The UK attracts film and television production from all over the world. There has been rapid production growth in recent years, with film and high-end television reaching a record £5.64 billion production expenditure in 2021. The government wants to support production growth and respond to the changing nature of productions, including often tight filming schedules. We have brought forward all the proposed amendments to the permitted development right for temporary film making. These changes will allow the production industry greater flexibility and support the economic growth of the sector.

78. Whilst there was considerable support for all the proposals, some respondents thought that the changes could impact on local and visual amenity, wildlife or on the surrounding area. As the permitted development right relates to the temporary use of land, any impacts will be temporary. The permitted development right is also subject to an existing prior approval which allows for consideration of the transport and highways impacts, noise impacts, light impacts of the development, and flooding risk on site. These prior approvals have been retained.

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