

Conservation Area planning requirements

First, do study the information available on the Tonbridge and Malling Borough Council Planning Portal website:

<https://www.tmbc.gov.uk/planning/planning-regeneration-planning/3>

and also the UK Planning Portal:

https://www.planningportal.co.uk/info/200125/do_you_need_permission

If you require any further, more detailed advice on your specific enquiry, the Borough Council charges for advice, details of which can be found on Borough Council's website:

<https://www.tmbc.gov.uk/planning-applications-appeals/planning-pre-application-advice>

Another source of help is CPRE (Council for the Protection of Rural England). Plaxtol Parish Council belongs to the Tonbridge and Malling District Group and the Parish Council Planning team are always ready to help.

Definition of a conservation area

Local authorities have the power to designate any areas of special architectural or historic interest as conservation areas, allowing them extra powers to control works and demolition of buildings to protect or improve the appearance of the area. These are reviewed from time to time to determine whether any further areas should be designated accordingly.

What determines a conservation area?

A conservation area can be so deemed due to its historic or architectural qualities, making it an area of particular historic interest. The classification for conservation areas relies on:

- archaeological interest (holds evidence of past human activity worthy of expert investigation);
- architectural and artistic interest (interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures, or other human creative skills);
- historic interest (provide meaning for communities derived from their collective experience, symbolising wider values such as faith and cultural identity).

The special character of these areas is not just made up of buildings, it is also defined by other features which contribute to particular views and to the familiar local scene:

- the way roads, paths and boundaries are laid out
- characteristic building and paving materials
- the way buildings are used
- public and private spaces, such as gardens, parks and greens
- trees and street furniture

Exclusions

Gaining this permission does not allow for the demolition of listed buildings, scheduled monuments or a building in ecclesiastical use.

The demolition of an unlisted building in a conservation area, without the permission of the Local Planning Authority is a criminal offence

PV Panels & Wind Turbines permissions

Planning Permission: Solar equipment mounted on a house or a block of flats or on a building within the curtilage.

All the following conditions must be observed:

- equipment on a building should be sited, so far as is practicable, to minimise the effect on the external appearance of the building and the amenity of the area;
- when no longer needed equipment should be removed as soon as reasonably practicable.

All the following limits must be met:

- panels should not be installed above the highest part of the roof (excluding the chimney) and should project no more than 200mm from the roof slope or wall surface;
- the panels must not be installed on a building that is within the grounds of a listed building or on a site designated as a scheduled monument;
- if your property is in a conservation area, or in a World Heritage Site, panels must not be fitted to a wall which fronts a highway.

From <https://www.planningportal.co.uk/permission/common-projects/solar-panels/planning-permission-solar-equipment-mounted-on-a-house-or-a-block-of-flats-or-on-a-building>

Planning Permission: Stand alone solar equipment (panels not on a building but within the grounds of a house or a block of flats)

All the following conditions must be observed:

- stand-alone solar equipment should be sited, so far as is practicable, to minimise its effect on the amenity of the area;
- when no longer needed equipment should be removed as soon as reasonably practicable.

All the following limits must be met:

- only the first stand alone solar installation will be permitted development. Further installations will require planning permission;
- no part of the installation should be higher than four metres;
- the installation should be at least 5m from the boundary of the property;
- the size of the array should be no more than 9 square metres or 3m wide by 3m deep;
- panels should not be installed within the boundary of a listed building or a scheduled monument;
- if your property is in a conservation area, or in a World Heritage Site, no part of the solar installation should be nearer to any highway bounding the house than the part of the house that is nearest to that highway.

From <https://www.planningportal.co.uk/permission/common-projects/solar-panels/planning-permission-stand-alone-solar-equipment-panels-not-on-a-building-but-within-the-grounds-of-a-house-or-a-block-of-flats>

Planning Permission: Building mounted wind turbines

The installation, alteration or replacement of a building mounted wind turbine can be considered to be permitted development, not needing an application for planning permission, provided ALL the limits and conditions listed below are met.

Limits to be met:

- permitted development rights for building mounted wind turbines apply only to installations on detached houses (not blocks of flats) and other detached buildings within the boundaries of a house or block of flats. A block of flats must consist wholly of flats (e.g. should not also contain commercial premises);
- development is permitted only if the building mounted wind turbine installation complies with the Microgeneration Certification Scheme Planning Standards (MCS 020) or equivalent standards;
- the installation must not be sited on safeguarded land;
- only the first installation of any wind turbine would be permitted development, and only if there is no existing air source heat pump at the property. Additional wind turbines or air source heat pumps at the same property require an application for planning permission;
- no part (including blades) of the building mounted wind turbine should protrude more than three metres above the highest part of the roof (excluding the chimney) or exceed an overall height (including building, hub and blade) of 15 metres, whichever is the lesser;
- the distance between ground level and the lowest part of any wind turbine blade must not be less than five metres;
- no part of the building mounted wind turbine (including blades) must be within five metres of any boundary;
- the swept area of any building mounted wind turbine blade must be no more than 3.8 square metres;
- in Conservation Areas, an installation is not permitted if the building mounted wind turbine would be on a wall or roof slope which fronts a highway;
- permitted development rights do not apply to a turbine within the curtilage of a Listed Building or within a site designated as a Scheduled Monument or on designated land* other than Conservation Areas.

In addition, the following conditions must also be met. The wind turbine must:

- use non-reflective materials on blades;
- be removed as soon as reasonably practicable when no longer needed for microgeneration;
- be sited, so far as practicable, to minimise its effect on the external appearance of the building and its effect on the amenity of the area.

From <https://www.planningportal.co.uk/permission/common-projects/wind-turbines/planning-permission-building-mounted-wind-turbines>

Planning Permission: Stand alone wind turbines

The installation, alteration or replacement of a stand alone (not building mounted) wind turbine within the boundaries of a house or block of flats can be considered to be permitted development, not needing an application for planning permission, provided ALL the limits and conditions listed below are met. A block of flats must consist wholly of flats (e.g. should not also contain commercial premises).

Limits to be met:

- development is permitted only if the stand alone wind turbine installation complies with the Microgeneration Certification Scheme Planning Standard (MCS 020) or equivalent standards;
- the installation must not be sited on safeguarded land;
- only the first installation of any wind turbine would be permitted development, and only if there is no existing air source heat pump at the property. Additional wind turbines or air source heat pumps at the same property require an application for planning permission;
- the highest part of the stand alone wind turbine must not exceed 11.1 metres;
- the distance between ground level and the lowest part of any wind turbine blade must not be less than five metres;
- an installation is not permitted if any part of the stand alone wind turbine (including blades) would be in a position which is less than a distance equivalent to the overall height of the turbine (including blades) plus 10 per cent of its height when measured from any point along the property boundary;
- the swept area of any stand alone wind turbine blade must be no more than 3.8 square metres;
- in Conservation Areas, development would not be permitted if the stand alone wind turbine would be installed so that it is nearer to any highway which bounds the curtilage (garden or grounds) of the house or block of flats than the part of the house or block of flats which is nearest to that highway;
- permitted development rights do not apply to a turbine within the curtilage of a Listed Building or within a site designated as a Scheduled Monument or on designated land* other than Conservation Areas.

In addition, the following conditions must also be met. The wind turbine must:

- use non-reflective materials on blades;
- be removed as soon as reasonably practicable when no longer needed for microgeneration;
- be sited, so far as is practicable, to minimise its effect on the external appearance of the building and its effect on the amenity of the area.

* Designated land includes national parks and the Broads, Areas of Outstanding Natural Beauty, and World Heritage Sites.

From <https://www.planningportal.co.uk/permission/common-projects/wind-turbines/planning-permission-stand-alone-wind-turbines>