



JUDITH DOUGLAS TOWN PLANNING LIMITED

The Stables, Whitewell Road, Cow Ark, Clitheroe. BB7 3DG

Application for a Lawful Development Certificate for a
Proposed Use or Development.

Proposed solar panels
under

The Town and Country Planning (General Permitted
Development) (England) Order 2015

Schedule 2, Part 14 Renewable Energy, Class A.

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1.0 Introduction

- 1.1 This lawful development certificate application has been prepared by Judith Douglas Town Planning Ltd on behalf of the applicant to establish that the installation of solar panels on the garage at The Stables, Whitewell Road, Cow Ark, Clitheroe BB7 3DG meets permitted development rights and do not require planning permission.
- 1.2 The application should be read with the following documents.
- Form.
 - L32.01 Location Plan.
 - PL.00.02 Garage existing and proposed plans and elevations.
 - PL.00.04 Existing and Proposed site plans.

2.0 Site Description and Surrounding Area:

- 2.1 The Stables is situated within the open countryside and the Forest of Bowland National Landscape (Area of Outstanding Natural Beauty). It is one of three dwellings created as a barn conversion. There is a detached garage block of three garages the most southerly belongs to The Stables. To the north of The Stables is the farmhouse Lees House Farm which is a grade 2 listed building. The site is not within a conservation area and is not a World Heritage Site.

3.0 Relevant Planning History

- 3.1 The following applications are relevant to the application. This is not a full record of the planning history of the site. 3/2000/0651 Barns & adjoining land, Lees House Farm, Whitewell Road, Cow Ark, Clitheroe. Conversion of barns into 3 no. Residential dwellings. New detached stable block and use existing outbuildings as garage. Associated external works & garden areas, new sewage treatment plant. Approved with conditions 28/11/2000.
- 3.2 There were conditions attached to this permission removing permitted development rights as follows:
- "2 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that order) any future extensions, external alterations to the dwelling including any development within the curtilage as defined in Schedule 2 Part 1 classes A to H shall not be carried out without the formal consent of the Local Planning Authority.*

3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that order) any future additional structures, hard standing or fences as defined in Schedule 2 Part 1 classes E, F and G and

Part II Class A shall not be carried out without the formal consent of the Local Planning Authority."

3.3 3/2001/0887 Lees House Farm, Whitewell Road, Cow Ark, Nr Clitheroe. Alterations to approved barn conversion scheme 3/00/0651; extend outbuilding and relocate garage space serving dwelling 2 and form snug accommodation in lieu of above. Approved with conditions 13/02/2002.

3.4 There were conditions attached to this permission removing permitted development rights as follows:

"3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that order) any future extensions, external alterations to the dwelling including any development within the curtilage as defined in Schedule 2 Part 1 classes A to H shall not be carried out without the formal consent of the Local Planning Authority.

4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that order) any future additional structures, hard standing or fences as defined in Schedule 2 Part 1 classes E, F and G and Part II Class A shall not be carried out without the formal consent of the Local Planning Authority."

3.5 3/2002/0664 Lees House Farm, Whitewell Road, Cow Ark, Nr Clitheroe. Proposed alterations and extension to existing approved detached garage (approved under 3/01/0887) approved with conditions 04/10/2002. This permission appears to have been implemented. The Officer's report refers to the central garage being altered to accommodate a caravan. See Appendix 1. Officer Report 3/2002/0644. No conditions referring to the removal of permitted development rights were attached to this permission. See appendix 2. Planning permission 3/2002/0664

3.6 3/2026/0372 The Stables, Whitewell Road, Cow Ark, Clitheroe. BB7 3DG. Certificate of lawfulness for proposed solar panels and air source heat pump.

3.7 A lawful development certificate was granted recently for solar panels on the roof of the dwelling indicating that the proposed solar panels on the garage are also permitted development. The planning permission for the construction of the garage was a separate permission and did not remove permitted development rights.

4.0 Permitted development assessment.

- 4.1 It is proposed to install 6, 2.76kw solar panels on the southwest elevation of the garage. The proposed solar panels have been considered against Schedule 2 Part 14 Class A – installation or alteration etc of solar equipment on domestic premises.

This gives permitted development rights for

“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.”

The building which is to receive the solar panels is a garage which is within the curtilage of a dwellinghouse.

Development is not permitted 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;

The submitted drawing shows the solar panels will not protrude more than 0.2 metres beyond the plane of the 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);

The solar PV is below the ridge of the garage.

- (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);

The solar PV is not proposed on a flat roof

- (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;

The land is not within a conservation area or a World Heritage Site

- (d) the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or

The site is not a scheduled monument

- (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 site is not within the curtilage of a listed building.

Conditions

A.2. Development is permitted by Class A subject to the following conditions—

- (a) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

The solar PV is to be placed on the southwest elevation of the garage. A public footpath passes to the northeast of the garage so that the solar equipment will not be visible from the public footpath. The panels are also positioned away from the edge of the roof and do not cover the whole of the roof.

- (b) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area;

The solar PV minimises its effect on the amenity of the area by being positioned on the roof slope that faces away from the public footpath.

- (ba) in the case of solar PV or solar thermal equipment installed on a flat roof located on article 2(3) land, 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 solar PV or solar thermal equipment on that land;

Although the site is in the National Landscape and is therefore on article 2 (3) land, the solar PV is not proposed on a flat roof, so this condition does not apply

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

Not applicable

- (c) solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

This condition is acknowledged.

5.0 Conclusion

- 5.1 It is considered that the proposal meets the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2025 Schedule 2 Part 14 Class A – installation or alteration etc of solar equipment on domestic premises. The solar equipment will be sited on the southwestern elevation of the garage which faces away from the public footpath which runs past the north-eastern side of the garage. The solar panels will not be particularly visible in the landscape being on a low height outbuilding and would not have a detrimental impact upon the host dwelling or the surrounding National Landscape.

Appendices

Appendix 1 Officer Report 3 2002 0664

Appendix 2. Planning Permission 3 2002 0664