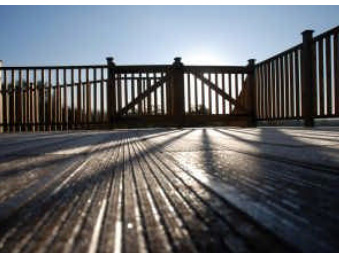




PERMITTED DEVELOPMENT



Permitted Development Overview

'Permitted development' is development for householders that can be undertaken without the need for a planning application being submitted to the local planning authority.

The Government wants to give as much freedom as possible for people to extend their homes, such as building extensions and loft conversions, particularly given current pressures in the housing market.

A public consultation in 2007 looked at ways of reducing bureaucracy for householders seeking to improve their homes while protecting the interests of neighbours, the wider community and the environment.

The objectives of the proposed changes were:

- clarity, simplicity and consistency
- to make the need for specific planning permission proportionate to the impact of the development
- to keep the number of planning applications to a minimum
- to ensure the legislation is and can remain relevant to new technologies and changing lifestyles.

While the overall aim was to relax the planning regime, the review proposals also introduced a need for planning applications for householder developments with potential adverse impacts, which were previously allowed.

The proposals outlined here describe a national legislative framework based on impacts, but importantly the Government is also keen to ensure that local planning authorities (LPAs) have flexibility to amend permitted development rights locally where it is appropriate for their area.

It is very important to check with your LPA whether permitted development rights for your property have been varied or waived before starting any work.

The Government brought forward legislation so as to make these changes on 1 October 2008.

Home energy generation

As part of this review, the Government has recently extended and clarified the scope of permitted development for installing micro-generation equipment in domestic properties.

Wind turbines and air source heat pumps are not yet permitted development. However, once standards have been established to address the potential impacts of noise and vibration these technologies will also enjoy permitted development rights.



Permitted Development Rights

You can make certain types of minor changes without needing to apply for planning permission. These are called "*permitted development rights*" and are best described (for domestic extensions or residential alterations) by visiting the Planning Portal Interactive House at www.planningportal.gov.uk/uploads/hhg/houseguide.html; essentially, they derive from a general planning permission granted not by the local authority but by Parliament.

In some areas of the country, known generally as 'designated areas', permitted development rights are more restricted. If, for instance, you live in a Conservation Area, a National Park, an Area of Outstanding Natural Beauty or the Norfolk or Suffolk Broads, you will need to apply for planning permission for certain types of work which do not need an application in other areas.

There are also different requirements if the property is a listed building.

The general advice is that you should contact your local planning authority and discuss your proposal before any work begins. They will be able to inform you of any reason why the development may not be permitted and if you need to apply for planning permission for all or part of the work.

Permitted Development Rights withdrawn

You should also note that the local planning authority may have removed some of your permitted development rights by issuing an Article 4 direction. This will mean that you have to submit a planning application for work which normally does not need one.

Article 4 directions are made when the character of an area of acknowledged importance would be threatened. They are most common in conservation areas. You will probably know if your property is affected by such a direction, but you can check with the local planning authority if you are not sure.

The proposed regime and designated areas

The Government will restrict development facing onto and visible from a highway in all types of designated area.

Designated areas include National Parks, the Broads, Areas of Outstanding Natural Beauty, conservation areas and, in the future under legislation in the pipeline, World Heritage Sites.

If your property is a *listed building* separate restrictions and controls on development apply and Listed Building Consent is likely to be needed for any work to or near it.

SITING A POOL HOUSE WITHOUT PLANNING PERMISSION. NEW EASIER RIGHTS.

