

Permitted developments

Do I need planning permission?

The part of planning which deals with planning permission is often referred to as 'Development Management' (or Development Control). Planning permission is required for most new 'development' where there is the construction of new buildings, the alteration of existing buildings or a significant change in how land is being used (e.g. from retail to residential).

Some building work does not count as development (e.g. internal changes to buildings), whilst other minor developments are automatically granted permission using 'Permitted Development Rights' to ease blockage in the planning system.

It is important to remember that:

- All new developments must meet building regulations.
- Additional consents, such as Listed Buildings Consent, may be required regardless of whether planning permission is required
- Permitted development rights which apply only to dwellings do not apply to flats, maisonettes or other buildings
- Permitted development rights are more restricted in designated areas, such as conservation areas or national parks.

It is always advisable to check with your local authority to see if the change you want to make (such as putting up a solar panel) is a permitted development or not. National government guidance on whether you need planning permission can be found here: www.planningportal.gov.uk/permission

Permitted sustainable energy developments

Changes to the General Permitted Development Order for renewables were brought into force in September 2011 in England. The following information gives an idea of what may be permitted and the associated conditions. This cannot be taken as definitive, so be sure to check with your local planning authority. Be aware that outside England different regulations often apply.

Solid wall insulation

The definition of solid wall insulation is now constituted as an 'improvement' rather than an 'enlargement' to a 'dwellinghouse', a term used for all homes excluding flats. This means it is permitted even if it fronts a highway or forms the principal or side elevation of original dwellinghouse. Consent and permissions are likely required if your house is in a protected area (National Parks, the Broads, areas of outstanding natural beauty, conservation areas, and land within World Heritage Sites) or is listed.

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Solar panels (roof or wall mounted)

Every installation should minimise its effect on the building and the local area, and be removed when no longer in use. Only one installation per property is allowed under the permitted development regulations, and these permitted development rights do not apply to listed buildings and scheduled monuments.

Other conditions include:

- 1 Where roof mounted, they cannot be installed above the ridgeline, and they cannot project more than 200mm from the roof or wall surface.
- 2 If a property is listed, listed building consent will be requested even where planning permission is not.
- 3 If property is within a conservation area solar panels must not be positioned on either the principal or side elevation of a wall where they are visible from a public highway, or on a building in the grounds where they are visible from the highway (this includes rights of way).

Solar panels (free-standing)

As above, plus the following conditions:

- No higher than 4m
- At least 5m from boundaries
- Dimensions of array cannot exceed 3m in depth or width
- Not within the boundary of listed building
- Within conversation area/World Heritage Site should not be visible from public highway
- Only one stand alone solar installation is permitted per property

Roof-mounted and free-standing wind turbine

There are now some instances where these have permitted development rights, but they are complicated and best checked on the planning portal website and with your local planning authority.

Air source heat pumps

Not permitted for non-domestic buildings. For dwellings planning permission is not always required, but again these are complicated and best checked on the planning portal website and with your local planning authority.

Ground source heat pumps and water source heat pumps

These are permitted but it's best to check with your local authority for local policy restrictions, especially if property is listed or within a conservation area.

Withdrawal of permitted development rights

It is possible for a local authority to remove some of your permitted development rights by issuing an Article 4 Direction for a specific area. This means that you have to submit a planning application for development which would normally not need one. Local authorities would typically issue an Article 4 Direction when the character of an area of acknowledged importance would be threatened. They are most common in conservation areas.