

# Planning Permission

A homeowner's guide to the planning process

## Householder development

Planning requirements for common home improvement projects

## Above board

Approvals you will need before works commence

## Gone to appeal

How to appeal a planning decision

## Greener homes

Planning permission and renewables

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# Introduction

## Welcome to Planning Permission

A homeowner's guide to the planning process.



Most new buildings or major changes to existing buildings or to the local environment need consent known as planning permission. Without a planning system everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people who live and work in their area.

Finding practical guidance on the technical requirements and approvals needed before beginning any building work can be challenging, despite an abundance of information on how to enhance your living space and make your home more attractive.

The aim of this publication is to provide homeowners with a better understanding of the main principles of the planning process and the approvals you might need before works begin. Almost half of all homeowner planning applications fall at the first hurdle because the right information has not been submitted; this publication should help you to get your application right the first time around.

Please be aware that as a homeowner it is your responsibility to make sure you have the correct planning permission in place. You must not start work before you have the relevant planning permission approved, if this is required. Section 2 of this guide explains how to find out if you need planning permission.

If you go ahead with your development without the required permission, the local planning authority for your area may ask you to make a retrospective planning application and if not granted, may require you to put your development back to its original form.

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Disclaimer – The information in this guide is for general guidance only and is not a definitive source of legal information. Planning guidance is based on national legislation, but additional local rules may apply. You should check what rules apply to your project before you start any work by contacting your local Planning Department. It is important to note that legislation is subject to change, and you should ensure you are referencing current regulations. Note, Planning Policy in Wales may differ.

# Section 1

## What is planning permission?

Most new buildings or major changes to existing buildings or to the local environment need consent – known as planning permission. Without it everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people who live and work in their area. This article explains how it works...





Planning ensures that the right development happens in the right place at the right time, benefitting communities and the economy. It also plays a critical role in identifying what development is needed and where, what areas need to be protected or enhanced and in assessing whether proposed development is suitable.

While district and borough councils oversee the majority of planning affairs, in some areas unified authorities hold jurisdiction over planning matters at both the district and county levels. Within national parks, planning responsibilities fall under the remit of the park authority.

Your local planning authority is responsible for deciding whether a development, anything from an extension on a house to a new shopping centre, should go ahead.

### Local Plans

Planning decisions are based on local authority's Local Plan. Local Plans are the key documents through which local planning authorities can set out a vision and framework for the future development of the area, engaging with their communities in doing so. Local Plans address needs and opportunities in relation to housing, the local economy, community facilities and infrastructure. They should safeguard the environment, enable adaptation to climate change and help secure high quality accessible design. The Local Plan also provides a framework for guiding decisions on individual planning applications.

Some types of development may already be permitted nationally under permitted development rights, and for these there is no need to apply for planning permission locally. Permitted development rights are, however, typically subject to conditions and limitations that control development impacts.

If the development proposed does not meet with the conditions and limitations of permitted development then it is necessary to apply to the local planning authority for full planning permission. (See article on page 7 for more information about permitted development)



# Key decision makers



Local government administers much of the planning system, preparing Local Plans, determining planning applications and carrying out enforcement against unauthorised development.

Where they exist, parish and town councils play an important role in commenting on planning applications that affect their area. The government wants to see planning decisions taken at the lowest level possible and has introduced the ability for parish and town councils to produce neighbourhood plans which, once in force, will form part of the policies used to make decisions on applications, and neighbourhood development orders which grant permission for development directly. Where parish or town councils do not exist, representatives of the local community may apply to establish a neighbourhood forum to prepare a neighbourhood plan or order.

## **Councillors**

The role of councillors in borough, district, county or single tier councils will vary depending on whether they sit on the planning committee (which makes decisions on planning applications) or not.

## **Officers**

Local planning authorities appoint planning officers to assist with the operation of the planning system. Most

minor and uncontroversial planning applications – around 90% received by most local planning authorities – will be decided through delegated decision-taking powers, which means they are dealt with by local planning authority officers. Larger and more controversial developments are often decided by planning committee, informed by officers' recommendations.

## **Secretary of State for Levelling Up, Housing and Communities**

The Secretary of State oversees the planning system as a whole as well as having a more direct role in a small number of decisions on planning applications that are deemed of significant public interest or have strategic national importance.

## **Planning Inspectorate**

The Planning Inspectorate for England and Wales is an executive agency of the Ministry of Housing, Communities and Local Government. Planning inspectors are responsible for deciding most planning and enforcement appeals on behalf of the Secretary of State, and play a role in relation to nationally significant infrastructure and plan-making.

For more information on the purpose of the planning system, click here:

[www.tinyurl.com/ydbakh6f](http://www.tinyurl.com/ydbakh6f)

# Section 2

## Do I need planning permission?

This section provides an overview of which planning permission is likely to be required, as well as information on permitted development rights, which allow for certain types of work to be carried out without applying for planning permission.



## Different types of planning applications are required depending on the development in question. This article breaks down the types of application by who may need to use them, and scenarios you may find yourself in.

This information acts as guidance to inform your choice of application type (see next section for more information on specific consent types). However, if you require confirmation on what type of application you will need, then you will need to speak to your Local Planning Authority (LPA).

### Householder planning permission

Householder planning applications provide a simplified process for proposals to alter or enlarge a single house, including works within the boundary/garden. This does not apply to applications affecting flats, more than one house or changes of use. For these a Full Planning Permission request will be necessary.

Householder planning permission is used if you are a homeowner wishing to complete work on your home. This type of permission covers many types of 'householder developments'. Some of the most popular include:

- Extensions
- Conservatories
- Loft conversions
- Dormer windows
- Garages
- Outbuildings
- Swimming pools

- Walls and fences
- Porches

Our Common Projects section (see page 46) provides more information on planning requirements by project type, and the Planning Portal provides planning information for more than 50 common projects.

For more information, click here:  
[www.tinyurl.com/29zk76ra](http://www.tinyurl.com/29zk76ra)

### Permitted Development Rights

Permitted changes to a house could fall under the remit of permitted development rights. Permitted development rights are national rights laid down by the government which allow for certain types of work to be performed without applying for planning permission.

However, completing work under permitted development rights will require you to adhere to specific criteria. Additional local rules may also affect what permissions are needed.

Examples of work which may be contained in permitted development rights include:

- Small extensions to your home
- Building a porch
- Replacement of chimneys
- Internal alterations
- Loft conversions and roof lights



Extensions to your house, for example, are often considered permitted development, provided certain limits and conditions are met, but certain types of rear and upward extensions may require you to apply for 'Prior Approval' before commencing development. For more information, click here: [www.tinyurl.com/ycez973](http://www.tinyurl.com/ycez973)

The Planning Portal's 'mini guides' provide further planning guidance for all types of extensions.

For more information, click here: [www.tinyurl.com/2b9zfje](http://www.tinyurl.com/2b9zfje)

The Government has also produced technical guidance on permitted development rights for householders. For more information, click here: [www.tinyurl.com/8vv474s9](http://www.tinyurl.com/8vv474s9)



### **What is a Lawful Development Certificate?**

To provide peace of mind, and to be sure that any existing or proposed work or use is legal and does not require planning permission, you can apply for a Lawful Development Certificate (LDC). An LDC is confirmation your works do not require planning permission and come under permitted development. More information is available here:

[www.tinyurl.com/2rekdmj](http://www.tinyurl.com/2rekdmj)

### **When do I need full planning permission?**

A full planning application is required when making detailed proposals for developments which are not covered by a householder application or permitted development rights. This is commonly the case for new buildings of any kind and any 'commercial' project

For example, popular uses of full planning permission can include:

- New commercial buildings
- Works relating to a single flat, or more than one house or flat

- The creation of dwellings (as new build or through conversion)
- Changing the use of a building
- Demolition of buildings

### **Householder vs Full planning permission**

Householder planning applications should be used for a single house (but not a flat) when it is being enlarged or altered, including works within the boundary/garden. However, you will require a Full planning application for any work to a flat, bigger developments (i.e. to more than one house), building new houses, or changing the use of a property.

### **Outline planning permission**

Full planning applications can be made when all the details are known and the development is already considered viable. Outline planning applications on the other hand are used to gain an understanding as to whether the nature of a development is acceptable, this can help ensure viability up front. Specific details, known as 'reserved matters', can then be confirmed later.



### Change of use

The permission for changing the use of a property will depend on its 'Use Class' ie the category a building's current and future use fall into. Changes of use within the same class or category generally do not require planning permission. Some changes of use between classes are granted through permitted development, providing they meet specific conditions and limitations.

If the change of use you wish to apply does not fall under permitted development rights, then you will be required to apply for full planning permission. You should also check if any work associated with the change of use (e.g. changes to the external appearance of a building) will require an application.

Further information is available here:

[www.tinyurl.com/7d2uhd3y](http://www.tinyurl.com/7d2uhd3y)

### Other approvals

Even if a planning application is not needed, other consents may be required under other regulatory regimes. The following list is not exhaustive but

illustrates some of the other permissions or consents that may need to be obtained before carrying out development.

- Building regulations
- Party Wall Act
- Listed building consent
- Works to protected trees

The above approvals are explained further in Section 4: Seeking approval (see page 22 for more information).

### Other restrictions/consents

Your proposal may require additional consents depending on the type of development and its location. Some of these can be applied for as part of a full planning application, for example, work affecting listed buildings in a conservation area. Individual applications can also be made. Some proposals will require separate applications to be made, for example works to trees if protected by a preservation order or situated within a conservation area.

Further information on consent types is available here:

[www.tinyurl.com/ddac98yh](http://www.tinyurl.com/ddac98yh)

# Before you start work

**There are many kinds of alterations and additions to houses for which you do not need to apply for planning permission. Whether or not you need to apply, you should think about the following before you start work.**



## Neighbours

Let your neighbours know about work you intend to carry out to your property. They are likely to be as concerned about work which might affect them as you would be about changes which might affect your enjoyment of your own property. For example, your building work could take away some of their light or spoil a view from their windows.

If you do need to make a planning application for the work you want to carry out, the council will ask your neighbours for their views. If you or any of the people you are employing to do the work need to go on to a neighbour's property, you will, of course, need to obtain his or her consent before doing so.

## Design

Planning regulations require new extensions to be designed so that their appearance matches, as far as is practical, the existing house. A well designed building or extension will be much more attractive to you and to your neighbours. It is also likely to add more value to your house if you decide to sell it. Your local planning authority may have a guidance note that can assist you in choosing appropriate materials and colours.

## Crime Prevention

Alterations and additions to your house may make you more vulnerable to crime than you realise. For example, an extension with a flat roof, or a new porch, could give access to upstairs windows which previously did not require a lock.

## Lighting

If you are planning to install external lighting for security or other purposes, you should ensure that the intensity and direction of light does not disturb others. Security lights fitted with passive infra-red detectors (PIRs) and/or timing devices should be adjusted so that they minimise nuisance to neighbours and are set so that they are not triggered by traffic or pedestrians passing outside your property.

## Covenants

Covenants or other restrictions in the title to your property or conditions in the lease may require you to get someone else's agreement before carrying out some kinds of work to your property. This may be the case even if you do not need to apply for planning permission. As covenants are not material planning considerations you will need to check this yourself or consult a solicitor.



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A modern, dark-colored house with a large, leafy tree in the background. A paved path leads from the foreground towards the house. The scene is set during sunset or sunrise, with a warm, golden light. The house has a prominent dark grey or black facade with a large, recessed entrance area. A large, leafy tree with golden-brown leaves stands in the background. A paved path leads from the foreground towards the house. The scene is set during sunset or sunrise, with a warm, golden light.

# Section 3

## Consent types

This section gives a brief overview of the main planning consents that could apply to householders looking to carry out development work in or around their homes. The following planning consents can all be applied for online at the Planning Portal.



## Householder

Householder planning permission is for householder works (extensions, loft conversions, outbuildings etc) that exceed the permitted development criteria. This is only applicable for applications relating to single dwelling houses. Applications relating to two or more dwelling houses require full planning permission. Works to flats or a non-residential site (such as a shop) also require full planning permission.

For further information on householder planning consent, including possible exclusions, information required, timelines and fees, click here:

[www.tinyurl.com/3c4u82rc](http://www.tinyurl.com/3c4u82rc)





### Full planning permission

Full planning permission is for a variety of proposals – primarily works to flats and non-residential sites (such as a shop), as well as the creation of new residential units and changes of use.

For further information on full planning consent, including exclusions, information required, timelines and fees, click here: [www.tinyurl.com/57wtj4jt](http://www.tinyurl.com/57wtj4jt)

### Lawful development certificate

You can apply for a certificate for confirmation your works do not require planning permission and come under permitted development.

There are two types of certificate – proposed and existing

#### Proposed

If you haven't yet started work, or have started but the works are not substantially complete, and seek confirmation that building works or a change of use do not require planning permission.

#### Existing

This type of lawful development certificate is used to confirm the lawful use of a site and/or to confirm building works or a

change of use which have been carried out are lawful, or whether activities or work is in breach of a planning condition.

For further information on lawful development certification, including possible exclusions, information required, timelines and fees, click here: [www.tinyurl.com/2rekdmjp](http://www.tinyurl.com/2rekdmjp)

### Approval (discharge) of conditions

In most circumstances planning permission is granted subject to conditions; these will be detailed in full on your decision notice.

Sometimes it is necessary to submit details for the LPA to approve in order to discharge the condition at a point during the development, such as before works begin. Whether this is required will be explained in each condition on the decision notice.

Failure to meet with a condition could result in planning permission being void and in some cases the LPA will consider the suitability of taking enforcement action.

For further information on Approval of Conditions, including possible exclusions, information required, timelines, fees, and to apply click here: [www.tinyurl.com/3dd4rwwu](http://www.tinyurl.com/3dd4rwwu)



### **Non-material amendment**

Sometimes an approved application needs to be amended. It can only be considered as a non-material amendment to the original application so long as it does not significantly vary from the original application. If the amendment is not considered minor by the Local Planning Authority, a new planning application will be required.

For further information on non-material amendments, including information required, timelines, fees, and to apply click here: [www.tinyurl.com/78d69jxi](http://www.tinyurl.com/78d69jxi)

### **Removal/variation of conditions**

This application can be made to vary the terms of a condition attached to a planning consent, or to remove the condition entirely. The LPA will consider why the condition was originally applied and whether there have been any changes in circumstances which may allow that condition to be varied or removed.

For further information on removal/variation of conditions, including conditions attached to listed building consent, information required, timelines and fees, please click here: [www.tinyurl.com/cn6792wy](http://www.tinyurl.com/cn6792wy)

### **Outline planning permission**

Applications for outline planning permission look to establish whether the scale and nature of a proposed development would be acceptable. Once outline permission has been granted you may then need to apply to have the details of the scheme approved (these relate to 'reserved matters' see below for more details – and are access, appearance, landscaping, layout and scale).

For more information on outline planning consent including information required, timelines and fees, click here: [www.tinyurl.com/bdhhdhhf](http://www.tinyurl.com/bdhhdhhf)

### **Reserved matters**

Reserved matters applications always 'follow up' on an outline application and include the outstanding matters not covered in the outline permission.

These details fall into five categories:

- Access
- Appearance
- Landscaping
- Layout
- Style

# Are you looking for a tradesperson to carry out work in your home?



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For more information on reserved matters, including information required, timelines and fees, click here:

[www.tinyurl.com/2hscn8aj](http://www.tinyurl.com/2hscn8aj)

### Listed building consent

You will need to apply for listed building consent if you are undertaking works to a listed building (Grade I, II or II\*).

Information on listed buildings is held by Historic England. Carrying out unauthorised works to a listed building is a criminal offence – you are strongly advised to seek pre-application advice before starting any work.

You will likely need to apply using a combined full planning and listed building consent application form if you are making external changes to the listed building. Internal changes likely require a listed building consent application only.

For more details, including information required, timelines and fees, click here:

[www.tinyurl.com/6e2vcmn8](http://www.tinyurl.com/6e2vcmn8)

### Prior approval

Certain types of development are granted planning permission by national legislation without the need to submit a planning application. This is known as 'Permitted Development'. In order to be eligible for these permitted development rights, each 'Class' specified in the legislation has associated limitations and conditions that proposals must comply with.

One such condition on certain classes of permitted development is the need to submit an application to the Local Planning Authority for its 'Prior Approval'; or to determine if it's 'Prior Approval' will be required.

This allows the Local Planning Authority to consider the proposals, their likely impacts in regard to certain specific factors (e.g. transport and highways) and how these may be mitigated.

For more information, including the different types of prior approval, information requirements, timelines and fees, click here:

[www.tinyurl.com/6e2vcmn8](http://www.tinyurl.com/6e2vcmn8)



**Works to a tree(s) subject to a Tree Preservation Order (TPO) or in a conservation area**

Protected trees subject to a TPO or in a conservation area require permission to be trimmed, cut or felled. It is a criminal offence to undertake works to a protected tree without permission from the local authority.

For more information, including information required, timelines and fees, click here: [www.tinyurl.com/59vud9uv](http://www.tinyurl.com/59vud9uv)

**Planning permission for relevant demolition in a conservation area**

This type of application should be used for proposals which involve substantial demolition of any unlisted building or structure in a conservation area, if

permission is required. The boundaries are defined as the need to:

- Demolish a building with a volume of 115 cubic metres or more
- Demolish any gate, fence, wall or other means of enclosure with:
  - A height of one metre or more if next to a highway (including a public footpath or bridleway), waterway or open space
  - A height of two metres or more elsewhere

For more information, including possible exclusions, information requirements, timelines and fees, click here: [www.tinyurl.com/2kpy6k35](http://www.tinyurl.com/2kpy6k35)



## Hybrid applications

A local planning authority may accept a 'hybrid' application; that is, one that seeks outline planning permission for one part and full planning permission for another part of the same site.

The fee for each part would have to be calculated separately on the appropriate basis, subject to any relevant maximum, and the total (which would not be subject to any maximum) would then be chargeable.

Following a discussion an authority may also allow an application to be separated into core elements, so that permission for separate elements can be given priority, for example site preparation works.

Whether to accept a proposal in hybrid form is at the discretion of the local planning authority, not something on which an applicant may insist. Please note, in the interest of good planning a local planning authority is empowered to require details even when the application is in outline. The term 'hybrid application' is not defined in statute.

It is recommended that you discuss your hybrid proposal with the relevant local planning authority prior to submitting an application. This will minimise the risk of the local planning authority refusing to register the hybrid application.

Please note: You cannot currently make hybrid applications through the Planning Portal.

# Section 4

## Seeking approval

Even when it is not necessary to make a planning application, there are other consents and approvals that may be required before your development can go ahead. This section highlights some of the most common...

If a planning application is not needed, other consents may be required under other regulatory regimes. The following list is not exhaustive but illustrates some of the other permissions that may need to be obtained before carrying out development.

- Building regulations
- Party Wall Act
- Listed building consent
- Works to protected trees



## Building regulations

Building regulations approval is not the same as planning permission and you might need both. Building regulations are the detailed technical standards set by the Government to ensure that all homes are built to a reasonable standard and are safe, warm and dry. Regulations also cover areas such as fire safety, energy consumption and accessibility.

Further information about building regulations and when you will need building regulations approval, is available here:

[www.tinyurl.com/3ucydcjy](http://www.tinyurl.com/3ucydcjy)



# Building regulations and planning permission: What's the difference?

**Planning and building regulations are two separate but related processes that are used to control the development and use of land.**



The planning process is primarily concerned with the use and development of land, and involves considering factors such as the proposed use of the land, its impact on the surrounding area, and any potential environmental impacts. This process typically involves applying for planning permission from the local planning authority, which will then assess the application and make a decision on whether to grant permission.

Building regulations, on the other hand, focus on the construction and design of buildings, and are in place to ensure that certain standards are met in terms of health and safety, energy efficiency, and accessibility. When you make a Building Regulations application, you are submitting detailed plans and specifications for your development, which will then be checked by the local authority building control team to ensure that they comply with the relevant regulations.

In most cases, but not all, a proposed development will require both planning

permission and building regulations approval. This means that you will have to make two separate applications and pay two separate fees to have your proposals considered.

It is common practice for designers to first seek planning permission before making a building regulations application, as the requirements of building regulations can have a significant impact on the design and layout of a building. However, it is important to consult with both building control and staff before making any applications, particularly for complex projects. This can help ensure that your proposals are in line with all relevant regulations and can also help to make the process smoother by getting the right advice and information early on. Additionally, having a preapplication discussion with both planning and building control staff will ensure that other interested agencies such as the Fire Service are involved in the process as necessary to give best possible advice.

## Party Walls

Your building project may also affect your neighbour's property. The law specifies how you inform them in advance and how to resolve any disputes. If you're planning any building work that could affect party or boundary walls, or if you're digging excavations near neighbouring buildings, you need to be aware of your requirements in law before you start work. Matters related to party walls are nothing to do with planning or building control.

A "party wall" is a legally recognised term for a wall that straddles the boundary between two or more properties or is used by two or more owners to separate their buildings. (wooden fences and hedges are not "party walls".)

The Party Wall Act provides a legal framework to prevent potential disputes between you and your neighbours over building work, and to resolve any issues that occur. It gives reassurance to your neighbours that you've considered the impact that your building work may have on them, and establishes a formal agreement between you before you start work.

The homeowner must give at least two months' notice to adjoining neighbours before starting any of the kinds of building work covered by the Party Wall Act. The Act also specifies how this notice should be given (in writing, with a full description of the proposed work and the start date, plus other details).

If a neighbour then objects to your proposed project, the Act provides a mechanism for resolving matters to everyone's satisfaction.

You can find more information on the Party Wall Act here: [www.tinyurl.com/buhczap7](http://www.tinyurl.com/buhczap7)

## Listed building consent

Listed building consent is a type of planning control, which protects buildings



of special architectural or historical interest. These controls are in addition to any planning regulations which would normally apply. Listed building status can also result in the requirement for planning permission where it wouldn't ordinarily be required – for example, the erection of means of enclosure.

The controls apply to any works for the demolition of a listed building, or for its alteration or extension, which is likely to affect its character as a building of special architectural or historical interest.

## Grades of listed buildings

Listed buildings are classified into grades as follows:

- Grade I – buildings of exceptional interest
- Grade II\* – particularly important and more than special interest
- Grade II – buildings of special interest, warranting every effort being made to preserve them (this is the most common)

Please note, it is a criminal offence to carry out work which needs listed building consent without obtaining it beforehand.

Further information on listed building consent is available here: [www.tinyurl.com/6e2vcmn8](http://www.tinyurl.com/6e2vcmn8)



### Works to Trees

Before works are carried out on protected trees you will normally need to contact your Local Planning Authority.

Protected trees include those covered by a Tree Preservation Order (TPO) or those which grow in a conservation area. You will need to contact the LPA if you wish to prune branches overhanging from a neighbour's protected tree.

### What is a Tree Preservation Order?

A Tree Preservation Order (TPO) is placed on a tree, group of trees or woodland with the aim of protecting them through prohibiting, without the Local Planning Authority's (LPA) consent:

- Felling
- Topping

- Lopping
- Uprooting
- Wilful damage/destruction

Owners of the trees must maintain their trees, and an LPA will often encourage good tree management. However, they are unable to require maintenance work just because a tree falls under a TPO.

### Section 211 notice

A section 211 notice is required when performing work on trees which are in a conservation area which are not subject to a Tree Preservation Order (TPO).

The local authority can reply by providing a TPO or by allowing the work to go ahead. As it is not an application for consent, it cannot be refused or accepted with conditions.



### **When consent is not required**

Consent is not required when a tree is dangerous or dead, however, you should be prepared to prove that the works fall within an exemption. You are still advised to speak with your Local Planning Authority about any proposed work, especially in the case of felling.

### **Who can carry out tree work?**

When deciding who should prune or fell your tree you should bear in mind that tree work is a dangerous activity and should be carried out by trained, competent and appropriately insured arborists

Tree work should be carried out to a good standard. Local Planning Authorities (LPA) will usually require the work to comply with BS 3998 recommendations for tree work.

You may wish to contact your LPA for guidance on selecting a contractor in your area.

The Local Planning Authority can prosecute when work is carried out without their consent on a preserved tree, without the required notice on a tree in a conservation area or when exemptions are misused.

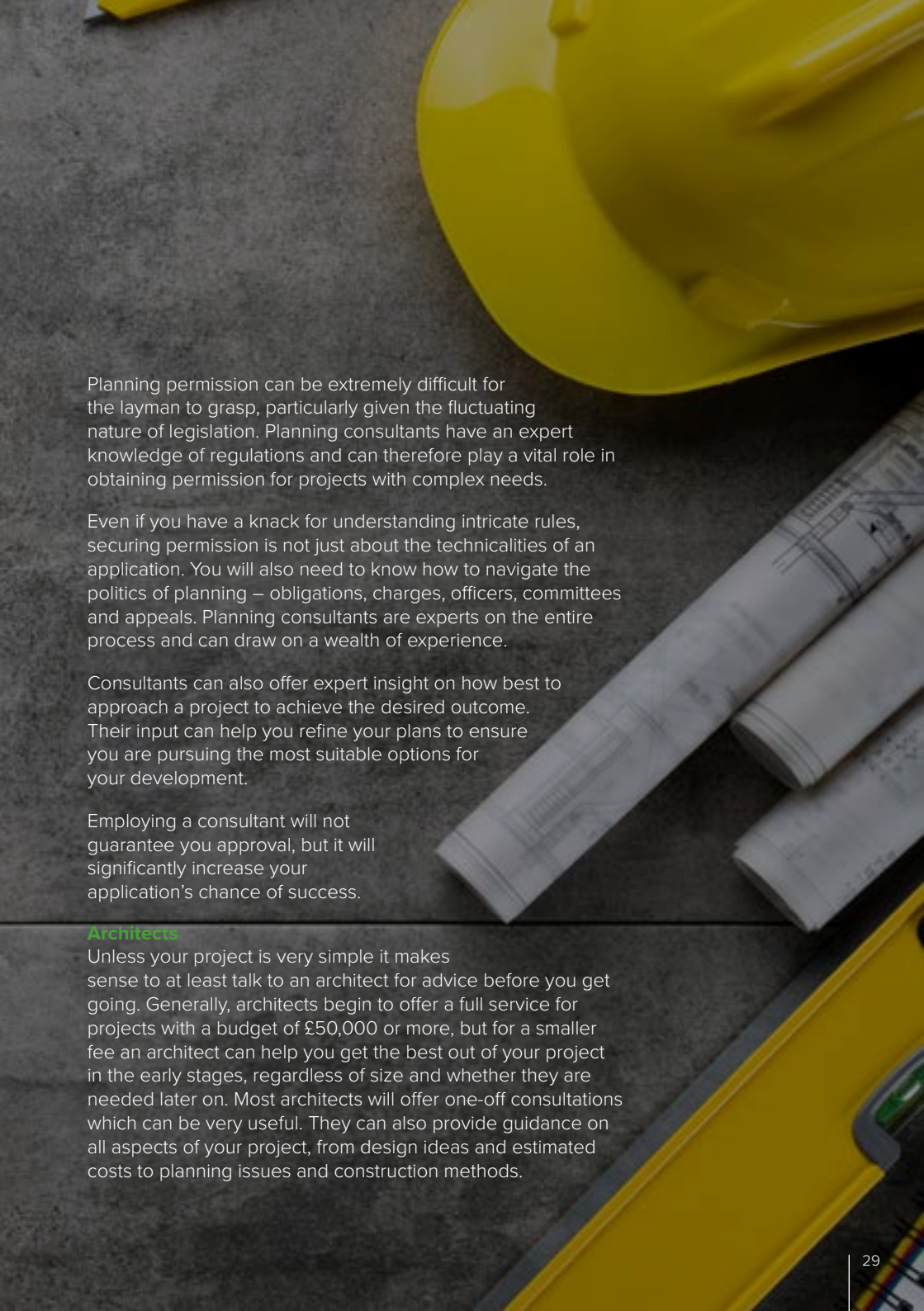
Further information on carrying out work to trees is available here: [www.tinyurl.com/298zc7cx](http://www.tinyurl.com/298zc7cx)

The Government has produced guidance which explains the legislation governing Tree Preservation Orders and trees in conservation areas. For more information, click here: [www.tinyurl.com/7scp6zk8](http://www.tinyurl.com/7scp6zk8)

# Section 5

## Ask the experts

Once you have decided on your project you will need to take the next steps to begin work. This may involve creating architectural plans and drawings, understanding the impact on the natural environment, submitting an application or, if your project meets all the necessary permitted development limits, beginning your building work. In all of these cases, working with a trade professional will allow you to move your project forward.



Planning permission can be extremely difficult for the layman to grasp, particularly given the fluctuating nature of legislation. Planning consultants have an expert knowledge of regulations and can therefore play a vital role in obtaining permission for projects with complex needs.

Even if you have a knack for understanding intricate rules, securing permission is not just about the technicalities of an application. You will also need to know how to navigate the politics of planning – obligations, charges, officers, committees and appeals. Planning consultants are experts on the entire process and can draw on a wealth of experience.

Consultants can also offer expert insight on how best to approach a project to achieve the desired outcome. Their input can help you refine your plans to ensure you are pursuing the most suitable options for your development.

Employing a consultant will not guarantee you approval, but it will significantly increase your application's chance of success.

### **Architects**

Unless your project is very simple it makes sense to at least talk to an architect for advice before you get going. Generally, architects begin to offer a full service for projects with a budget of £50,000 or more, but for a smaller fee an architect can help you get the best out of your project in the early stages, regardless of size and whether they are needed later on. Most architects will offer one-off consultations which can be very useful. They can also provide guidance on all aspects of your project, from design ideas and estimated costs to planning issues and construction methods.

## Builders

Once you have finalised the details of your project and are happy with your knowledge of the process going forward, you will have to make one of your most important decisions – who will carry out the building works. Finding a reputable builder is going to be key to the overall success of your project.

If you're prepared to undertake some background research, tracking down a professional builder should not be too difficult, although you may have to wait a while before they can start – a good builder will always be busy and often have jobs lined up months in advance.

Recommendations from a family member or friends are probably the best way to find a good builder – if they've done a good job before, then there's no reason to think they won't do again.

Online trade directories can be a useful resource for finding local builders, but the wide choice can be confusing, so it's worth checking builders' websites for further information, previous work, testimonials etc.

Trade association websites can be another good source for finding professional builders (see article 'Choosing a Builder' opposite).

## When should you use a planning consultant?

You should engage a planning consultant if securing permission for your project will not be straight forward, especially if it will require the interpretation of planning policy and local development plans. Having an expert on board will not only help the planning process run more smoothly, it will also provide you with a valuable sense of reassurance.

It's important to bring a consultant on at the beginning of the process, since if a plan is refused permission the first time around its chances of success later on are greatly diminished.

Some people chose to rely on their architects to manage the application process. If you are having difficulty with permission due to design issues, it's certainly important to consult your

architect. However, you should not assume that your architect will be able to navigate planning permission in complex cases.

If you're considering a site for potential building, you should contact a planning consultant to help you assess viability. This kind of assessment is known as a Feasibility Study. The consultant will decide on the potential for success with regards to planning policies both locally and nationally.

Here are some examples of the work consultants can help with:

- Applications
- Appeals
- Impact studies and feasibility studies
- Research
- Urban and rural design.

# Choosing a builder

**Finding a decent, reliable builder is crucial to the success of your project. But how do you go about looking for one?**



## **Rely on recommendations**

A personal recommendation from a family member, friend or neighbour is probably the best reassurance that you are working with a professional. Other tradespeople are also a good source of advice, as they should have access to a network of local builders.

## **Trade associations**

The Federation of Master Builders (FMB) is perhaps the most well-known trade association in the building industry. As well as having their references checked, new members are expected to uphold certain standards and follow a code of conduct.

## **Warning signs**

You should be cautious with builders that can either start straight away or submit extremely low bids, as they may cut corners or add extra charges once your project is underway.

Whichever method you use to look for your ideal builder, it is worth getting at

least three quotes before you make any decisions. Make sure that every quote includes materials, labour, timeframes, responsibilities, including all subcontracting, and of course, VAT.

## **Payments**

Never pay all the money for a job up front. Set up an agreed payment schedule and only pay the final amount when you are satisfied that the work has been completed to a satisfactory standard. You will save yourself a lot of hassle in the long run by agreeing to a contract in writing. This will avoid any unexpected costs cropping up at the end of the project.

## **Contracts**

Having a good contract in place with your builder and securing adequate insurance can protect you and help to cover the cost of rectifying issues during or after construction.

For more information, click here:

[www.tinyurl.com/yyey4mr2](http://www.tinyurl.com/yyey4mr2)

# Build-over CCTV drain surveys

## Pre & Post conditional drainage surveys explained

CCTV drainage surveys are becoming increasingly popular with surveyors, engineers and architects.

From an architects point of view, the most important issues are Pre & Post Conditional drainage surveys for building extensions, this applies to both domestic and commercial properties but why are they so important?

### The pre-conditional CCTV survey

The Pre-Con survey is designed to identify the current drainage system at any property which is due to be extended, it will map the drainage layout, identify drainage system ownership be that water company, private or a combination of both. It will also help to determine the drain depth and flow direction plus identify pipe size, shape, diameter and its condition. These are all very important factors and this is considered to be critical information required by architects in the planning stage as a new design cannot be properly completed until this information has been obtained.

The new drainage system layout is typically designed once this information has been provided.

### The planning meeting

In many cases the drainage surveyor will be asked to consult on the new system layout and design, this is often referred to as the planning meeting which normally takes place on site with all parties.

### The post-conditional CCTV survey

The Post conditional survey (Post-Con) is carried out once the new drainage system has been constructed, this is to ensure



the new drainage system has been laid correctly by the building contractor and is fit for purpose. It will also ensure that the new system does not have any miss-connected drainage which can cause pollution to the connecting local water course i.e river, canal and streams and that the Part H of the building regulations have been adhered to.

### Drainage surveys require due diligence

Pre & Post conditional drainage surveys are part of the due diligence process of any building project and should never be overlooked.

Always ensure that you are using fully certified drainage surveyors to undertake this work in compliance with industry best practice and standards.

### Contact qualified drainage contractors

If you require CCTV drainage surveys and going forward would like to use Drain Safe approved contractors, click here:

[www.drainsafe.org](http://www.drainsafe.org)

# Finding professionals

The Planning Portal has teamed up with the Chartered Institute of Architectural Technologists (CIAT), the Federation of Master Builders (FMB), the Royal Institute of British Architects (RIBA) and the Royal Town Planning Institute (RTPI) to help you find a professional who can assist you in progressing your project and achieving your aims. Simply click on the logos below to start your search for a professional.

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## Find a Chartered Architectural Technologist

- Find a Chartered Architectural Technologist in your area to work with you on your project
  - Chartered Architectural Technologists are qualified and competent to offer full design services and manage building projects from conception to completion.
  - Chartered Architectural Technologists are the lead for the technological and technical design of a project; forming the link between concept, innovation and realisation.
  - Members abide by a Code of Conduct and hold mandatory professional indemnity insurance
  - Search over 1,600 CIAT Chartered Practices
- 



## Find a builder

- Choose from over 8,000 Master Builders across the UK
  - Members are independently inspected and vetted before joining
  - Free use of our Government-approved dispute resolution service
  - Master Builders can offer contracts and warranties on their work
  - Connecting consumers with quality builders since 1941
- 



## Find an architect

- Not only do architects design buildings but they also oversee projects from conception to completion
  - Highly-skilled, professionally-educated, quality-assured
  - Your architect will help you get the most from your investment
  - Search over 3,900 RIBA-accredited Chartered Practices
  - Find an architect that's right for your project – and for you
- 



## Find a planner

- All listings employ members of the RTPI
- Official RTPI directory of planning consultants
- Free to use site with over 465 firms listed
- Quick and easy to use search function
- All highly qualified and accountable
- Access specialist planning advice





# Section 6

## Get it right, first time

Every year Local Planning Authorities receive thousands of planning applications from homeowners looking to improve their homes, but almost half fall at the first hurdle because the correct information has not been submitted. The following guide to making a planning application should help ensure your application is correct and validated the first time of asking.

Every planning application goes through a validation process – this means it is checked to make sure everything is present and correct. If there is something missing or incorrect, an application will be deemed invalid, delaying your application being determined.

First, you must ensure you apply for the correct consent type, otherwise your application will be invalid. The Planning Portal provides guidance in selecting the correct application type, but it is also a good idea to check the consent type required with your local planning authority. They should also be able to advise about possible local constraints where you're proposing work and any other permissions that may be required. This is called pre-application advice.

Some local planning authorities charge for this service so it's a good idea to check first. It is also a question you have to answer in the application form and can assist the local authority in dealing with your application.

Pre-application advice is encouraged as it can:

- Verify the list of local requirements each planning authority can require, read more about local and national requirements
- Reduce the likelihood of submitting invalid applications
- Help you understand how planning policies and other requirements affect your proposals
- Highlight any areas of concern, improvements or constraints e.g. flood risk
- If you are meeting a planning officer you should be fully prepared to describe your proposals and show plans.

You can:

- Ask for an assessment of whether there seems a reasonable chance of getting permission

- Discuss site problems such as roads, footpaths, power cables, watercourses, sewers and telephone lines
- Ask about potential problems such as noise and traffic and whether the council might impose conditions to overcome these problems rather than refuse planning permission
- The level of preparation required depends on what you propose to do. In simple cases it should be sufficient to look at the main issues governing the grant of permission and decide which of these are relevant to your application.

It is important that you say why you think your proposed development should be allowed to go ahead. Please bear in mind that planning applications will normally be decided in accordance with the development plan, therefore you will need to justify any proposals which would constitute an exception to the plan.

### What to submit

Your planning application must be made up of:

- The necessary plans of the site
- The required supporting documentation
- The completed form
- The correct fee

### Plans

The documents required to submit a full planning application will vary depending on the type of work proposed. Most applications will require a:

- Site/Block plan
- Design and access statement
- Location plan

You will also need to submit other supporting information; this may vary depending on the size of the development. Applications may require:

- Current and past use of the development site
- Flood risk assessment

- Access report
- The materials which are to be used
- Information concerning waste storage and collection
- Foul sewage report
- Employment and hours of opening
- Past and proposed industrial uses
- For large housing developments this may include an affordable housing statement, environmental statement or site waste management statement.

Most planning applications will require at least two plans to be submitted as supporting documents:

- Location plan – which shows the site area and its surrounding context
- Site Plan (sometimes known as a block plan) – which shows the proposed development in detail.

Plans and drawings are required with most application types to show the Local Planning Authority (LPA) the existing property and proposed development. The drawings needed will vary depending on the work. It is important the drawings

meet the required quality standards to be deemed valid. More information on these standards is available here: [www.tinyurl.com/2u3n365x](http://www.tinyurl.com/2u3n365x)

### Supporting information

A planning application requires supporting information to demonstrate how it meets specific requirements. The Local Planning Authority can request these documents are provided or you may feel submitting them will help them understand your proposal. For example, you may submit other relevant information, a covering letter or photographs which support your case.

### Privacy

Local councils will make details of your planning application available online, often including the applicants name and address, so that people can look at it and make comments. So you need to consider carefully what information you want to include when you submit your application.

For more information on supporting documentation, click here: [www.tinyurl.com/2txbf7vd](http://www.tinyurl.com/2txbf7vd)





### Mandatory documents

There are two levels of mandatory documents, national and local. If you're applying online, the Planning Portal service will tell you what mandatory documentation you need to provide and allows you to attach the relevant documents.

An application for planning permission must be accompanied by:

- Plans and drawings
- Ownership Certificate and Agricultural Land Declaration
- Design and Access Statement (for some planning applications).
- Fire Statement (for some planning applications made after 1 August 2021).

In addition, there are specific requirements in relation to Outline planning applications and applications that are subject to Environmental Impact Assessment.

More information on mandatory documents is available here:

[www.tinyurl.com/bpanzyr3](http://www.tinyurl.com/bpanzyr3)

### Local level requirements

In addition to the national list, your LPA may produce a list which details any specific documentation that is required to accompany the application. The requirements may vary according to the type of application, ie. household, full, outline, etc. If you are applying online, this list is available from the supporting documents screen. Alternatively, the local

requirements can be found on your LPA's website.

Find your Local Planning Authority here: [www.tinyurl.com/2hhjpcpe](http://www.tinyurl.com/2hhjpcpe)

### What next?

Once you have submitted your application online and payment has been received, you will receive an email receipt. This will contain both your unique payment reference number and your unique Planning Portal application reference number. Your application reference number should be quoted in all correspondence with your local authority regarding your application.

You will receive another email from the Planning Portal once the local authority acknowledges receipt of your application.

Once the authority has received your application it will validate it within its normal workflow processes and timescales.

A decision on an application should be made within eight weeks. This begins when the Local Planning Authority accepts the application as valid. On major developments this may take 13 weeks, or 10 weeks for applications for Technical Details Consent.

For more information about making a planning application, click here: [www.tinyurl.com/mrvf9c3y](http://www.tinyurl.com/mrvf9c3y)



## About biodiversity gain

**Biodiversity net gain** is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. The objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). It is important biodiversity net gain is considered throughout the planning process. The National Planning Policy Framework emphasises that plans should identify and pursue opportunities for securing measurable net gains for biodiversity

Failure to comply with the biodiversity gain condition by commencing development without approval of the Biodiversity Gain Plan will be a breach of planning control.

What information must an applicant submit as part of a planning application

Where an applicant believes the development would be subject to the biodiversity gain condition, the application must be accompanied by minimum information:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s)
- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application
- a statement whether activities have been carried out prior to the date of application
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

If this information has not been provided, the local planning authority will likely refuse to validate the application. Within the planning application form applicants will be asked to confirm whether this information accompanies the application.

NOTE: Please visit the [Government website](#) for more information on exemptions regarding householder applications and some self-build projects.

To find out more about Bio Diversity Net Gain and whether it may apply to your project, click here:

[www.planningportal.co.uk/planning/sustainability-and-planning/biodiversity-net-gain](http://www.planningportal.co.uk/planning/sustainability-and-planning/biodiversity-net-gain)

# Section 7



# Reaching a decision

The Planning Portal will help you find out whether you need planning permission, guide you through the application process and calculate any fees that might apply. But what happens once your application has been received by the Local Planning Authority?





Planning staff at the council should acknowledge your application within a few days. They will place it on their online Planning Register so that it can be inspected by any interested member of the public. They will also either notify your neighbours or put up a notice on or near the site. In certain cases, applications are also advertised in a local newspaper. The council may also consult other organisations.

The planning department may prepare a report for the planning committee, which is made up of elected councillors, or the council may give an officer in the planning department the responsibility for deciding your application on its behalf.

You are generally entitled to see and have a copy of any report submitted to the planning committee. You are also entitled to see certain background papers used in the preparation of reports. The background papers will generally include the comments of consultees, objectors and supporters that are relevant to the determination of your application. Such material should normally be made available at least three working days

before the committee meeting.

### **Planning considerations**

The councillors or council officers who decide your application must consider whether there are any good planning reasons for refusing planning permission or for granting permission subject to conditions. The council cannot reject a proposal simply because many people oppose it. It will look at whether your proposal is consistent with the development plan for the area. The kind of planning issues it can also consider include potential traffic problems, the effect on amenity (for example, any impact on the privacy or outlook of neighbours) and the impact the proposal may have on the appearance of the surrounding area. Moral issues, the personal circumstances of the applicant or the effect the development might have on nearby property prices are not relevant to planning and will not normally be taken into account by the council.

### **How long will it take to get a decision?**

The council should decide your application within eight weeks. After that time your application for permission will

be granted (possibly subject to certain conditions) or refused. If it cannot do so, it should obtain your written consent to extend the period. If it has not done so, you can appeal to the Government. But appeals can take several months to decide and it may be quicker to reach an agreement with the council.

### **If permission is granted**

The authority grants/refuses planning permission by sending you a letter notifying you of its decision.

Planning permission runs with the land. This means that land or buildings can usually be sold or let with the benefit of planning permission. Occasionally, however, planning conditions may limit the use or occupation of land or premises to a named person or company.

If you wish to sell or let a building or land which is subject to such a conditional permission you will need to apply to the LPA to remove or vary the condition. The application to vary/remove the condition following the grant of planning permission can be applied for online via the Planning Portal.

By law, any planning permission granted expires after a certain period. Generally, unless your permission says otherwise, you have three years from the date it's granted to begin the development. If you haven't started work by then, you will probably need to reapply.

If the permission is subject to conditions, for example, requiring you to submit for approval details of a specified aspect of the development which was not fully described in the application, these must be dealt with before the development can begin.

If outline permission has been granted, you will need to submit a further application for approval of anything that was not covered by the outline application (known as "reserved matters" before starting work. This must be done within three years of the grant of outline permission.

You may also need to get other approvals such as listed building or planning permission for relevant demolition in a conservation area (both of which can be applied for online) before you can start work. Both of these application types can be applied for via the Planning Portal. Please note multiple consents can also be applied for using the online service, for example, full planning consent and listed building consent or planning permission for relevant demolition in a conservation area.

It may be possible for you to make minor changes as you proceed but you should check the position with the LPA first. Any significant variation would require a further planning application. If, following a grant of planning permission, you need to make minor amendments to the application; this can be achieved by submitting a non-material amendment application (which can be applied for online).

### **What can I do if planning permission is refused or conditions are imposed on the permission or if the council do not issue a decision?**

If the council refuses permission or imposes conditions, it must give reasons. If you are unhappy or unclear about the reasons for refusal or the conditions imposed, talk to the planning department. Ask them if changing your plans might make a difference. A fee would be payable for any new or revised scheme.

# OFTEC promoting excellence in heating



**Using a heating business registered with a government approved Competent Person Scheme such as OFTEC, is the best guarantee that your new heating system will run safely and efficiently.**

All of OFTEC's 9,000 registered technicians have been trained, assessed and are regularly inspected to ensure their work meets the latest building regulations and industry best practice guidance.

Once the installation work is complete, you will receive a certificate of compliance – no need to pay for an inspection visit from your local building control department. Plus, the installation will be covered by OFTEC's free workmanship warranty.

OFTEC's registration scheme covers the following technologies:

- Oil and renewable liquid fuels
- Solid fuel
- Solar thermal
- Heat pumps
- Biomass
- Electrical Part P

Businesses can also opt to add MCS or PAS2030 to their OFTEC registration.

For more information or to find your local registered technician, visit [www.oftec.org](http://www.oftec.org) or call **01473 626 298**

# Planning appeals



You can appeal a decision made by a local authority on a planning application if you disagree with it or if the application wasn't determined within eight weeks (for a typical householder development) or 13 weeks for major developments.

The applicant of any type of planning application is usually entitled to appeal the decision of the local planning authority (LPA). This is usually where an application is refused by the LPA, but there are also other rights of appeal in respect of other matters.

However, there are no third party rights of appeal - so if you have objected to a planning application and it is approved by the LPA then you cannot appeal that decision. Only applicants or their appointed agents can appeal.

Planning appeals are administered and undertaken by the Planning Inspectorate,

which is independent of the local planning authority (LPA).

The appeal process lets the Planning Inspectorate consider all the material planning considerations that are relevant to the case, and from all parties, including from the LPA, the applicant and from those who might have made representations on the application.

There is a strict process and timeframe for the submission and processing of appeals.

More information on the appeal process can be found here:

[www.tinyurl.com/4x7p9yd9](http://www.tinyurl.com/4x7p9yd9)

Further guidance on making an appeal is also available on the Planning Portal website. For more information, click here:

[www.tinyurl.com/rvhkuuf](http://www.tinyurl.com/rvhkuuf)



# Section 8

## Common projects

Are you looking for planning information for your home improvement project? The Planning Portal has produced helpful guides to planning rules, permitted development limits and building regulations requirements for more than 50 common building work projects for the homeowner – from extensions, loft conversions and outbuildings to basements, porches and walls and fences. Below is a selection of some of the most popular...





### Extensions

Rules, known as ‘permitted development’ rights, allow you to extend a house without needing to apply for planning permission but only if specific limitations and conditions are met. So if you want to exceed these, then it is likely that an application for householder planning permission will be required.

Under permitted development rules, a rear wall of a detached home can be extended by 4m to the rear if it is a single storey extension, and 3m if it is double storey.

There are also height restrictions. A single storey extension cannot be higher than 4m to the ridge. Ridge heights of any extension must not be higher than the existing property. Double storey extensions mustn’t be closer than 7m to the rear boundary.

There are also other conditions that must be met. For example, if the extension is more than half the area of land around the original house, you will need planning permission, and extensions must be built with materials that are similar in appearance to the existing property.

The Planning Portal has produced interactive miniguides which explain the limits and conditions of permitted development rights on all types of extensions, as well as other home improvement projects. For further information, click here:

[www.tinyurl.com/bdfbhw44](http://www.tinyurl.com/bdfbhw44)

Detailed technical advice on complying with these rules, illustrative examples and further explanations of the terminology used is also provided by the government. For more information, click here:

[www.tinyurl.com/8wv474s9](http://www.tinyurl.com/8wv474s9)

You are strongly advised to read this guidance to help understand how permitted development rules apply to the specific circumstances of any proposal.

### Conservatories

If you want to add a conservatory to a house, then this falls within the same set of planning rules as any other home extension, as described in the Extensions section above.

These rules, known as ‘permitted development rights’, allow you to extend a house without needing to apply for planning permission if specific limitations and conditions are met.



If you want to exceed these, then it is likely that an application for householder planning permission will be required.

If you are unsure, you are advised to contact your Local Planning Authority for guidance before starting any work.

More information on planning requirements for conservatories is available here:

[www.tinyurl.com/3pc9457h](http://www.tinyurl.com/3pc9457h)

### Loft conversions

Planning permission is not normally required for loft conversions, unless you are extending the roof space or if you live within a conservation area or in a listed property. It's best to check with your local planning department to understand what you are allowed to do.

Most loft conversions are viewed as permitted developments, as long as any additions don't exceed 50 cubic metres in a detached or semi-detached house, or 40 cubic metres for terraced houses.

There are also other limits and conditions on any proposed loft alterations including.

Materials must be similar in appearance to the existing house and roof

Must not exceed the height of the existing roof

The principal elevation of the house (where it fronts a highway) must not extend beyond the existing roof slope

Must not include verandas, balconies or raised platforms; or installation, alteration or replacement of any chimney, flue, or 'soil and vent pipe'

Side-facing windows must be obscure-glazed; and, if opening, to be 1.7 metres above the floor of the room in which they are installed.

Further information about planning permission requirements on loft conversions is available here:

[www.tinyurl.com/mwtj9fey](http://www.tinyurl.com/mwtj9fey)

### Protected species

Work on a loft or a roof may affect protected species such as bats. You need to consider protected species when planning work of this type. A survey may be required, and if bats are using the building, a licence may be required.

Further information and resources regarding protected wildlife are available here:

[www.tinyurl.com/y5de3hwf](http://www.tinyurl.com/y5de3hwf)





## Outbuildings

Planning rules governing outbuildings apply to sheds, playhouses, greenhouses and garages as well as other ancillary garden buildings such as swimming pools (see opposite), ponds, sauna cabins, kennels, enclosures (including tennis courts) and many other kinds of structure for a purpose incidental to the enjoyment of the dwellinghouse.

Outbuildings are considered to be permitted development, not needing planning permission, subject to the following limits and conditions:

- No outbuilding on land forward of a wall forming the principal elevation
- Outbuildings and garages to be single storey with maximum eaves height of 2.5 metres and maximum overall height of four metres with a dual pitched roof or three metres for any other roof



- Maximum height of 2.5 metres in the case of a building, enclosure or container within two metres of a boundary of the curtilage of the dwellinghouse
- No verandas, balconies or raised platforms (a platform must not exceed 0.3 metres in height)
- No more than half the area of land around the 'original house' would be covered by additions or other buildings. The term "original house" means the house as it was first built or as it stood on 1 July 1948 (if it was built before that date).

On designated land, which includes national parks and the Broads, Areas of Outstanding Natural Beauty, conservation areas and World Heritage Sites, buildings, enclosures, containers and pools at the side of properties will require planning permission. Any outbuilding within the boundary of a listed building will also require planning permission.

The Planning Portal's 'miniguide' on Outbuildings is available here: [www.tinyurl.com/yj56aa39](http://www.tinyurl.com/yj56aa39)



### Swimming pools

The addition of a swimming pool can make an attractive and eye-catching centrepiece to a home. Domestic pools can be built inground or above the ground, indoor or outdoor and by different construction methods, such as vinyl liner, concrete tiled or a one-piece fibreglass shell.

If you are planning on adding an indoor pool to your home inside a new building,

known as a pool hall, first check if planning permission for the building will be required.

The addition of a pool hall, regarded as an outbuilding, to your property is considered to be permitted development, not requiring an application for planning permission, subject to certain limits and conditions. During the design of the pool hall and pool be sure to allow sufficient space for a plant room.



Planning permission is not usually required to install an outdoor domestic swimming pool as a pool is often considered as a garden project. It is always recommended that you check with your Local Planning Authority before carrying out any building works, particularly if your property or the surrounding area is on designated or greenbelt land; is listed or lies in a conservation area.

The planning rules on swimming pools also apply to hot tubs housing and sauna cabins.

For more information on the planning requirements for swimming pools, click here: [www.tinyurl.com/42razykv](http://www.tinyurl.com/42razykv)



### Doors and windows

You do not usually need to apply for planning permission for repairs, maintenance, and minor improvements, such as repainting window and door frames, or the insertion of new windows and doors that are of a similar appearance to those used in the construction of the house. However, a new bay window will be treated as an extension and may require planning permission.

If new windows are in an upper-floor side elevation they must be obscure-glazed and either non opening or more than 1.7 metres above the floor level.

Please note, there are different rules for installing roof/skylights. More information is available here:

[www.tinyurl.com/mr2dj995](http://www.tinyurl.com/mr2dj995)

Occasionally, you may need to apply for planning permission for some of these works because your council has made an Article 4 Direction withdrawing permitted development rights.

### Listed buildings and designated areas

If you live in a listed building, you will need listed building consent for any significant works – internal or external. If your house is in a designated area (conservation area, national park, area of outstanding natural beauty) there may be additional restrictions in place.

In all these cases, you are strongly advised to check with your local planning authority before carrying out any work.

### Walls and fences

You do not need to apply for planning permission for the construction of a new fence, wall, or gate, or for alterations, maintenance, improvements, or removal of an existing one, as long as the following conditions are met:

- The height of the fence, wall, or gate does not exceed 1 metre if it is next to a roadway for vehicles or pedestrians, or 2 metres elsewhere. If an existing fence, wall, or gate exceeds these limits, its height may not be increased
- The site is not a listed building or within the curtilage of a listed building, and the fence, wall, gate or any other boundary involved, does not form a boundary with a neighbouring listed building or its curtilage
- The right to construct or alter fences, walls, and gates has not been removed by an Article 4 direction or another planning condition.

If any of the above conditions are not met, then you will need to apply for planning permission.

In a conservation area, you might need permission to take down a fence, wall or gate. Find out more about conservation areas and when permission may be required here: [www.tinyurl.com/3mpxdvbs](http://www.tinyurl.com/3mpxdvbs)

If the garden wall is classed as a 'party fence wall', and depending on the type of building work you intend to carry out, you must notify the adjoining owner of the work in respect of the Party Walls Act etc 1996. This does not include wooden fences.

Further guidance on party walls and the Party Wall Act etc 1996 is available here: [www.tinyurl.com/buhczap7](http://www.tinyurl.com/buhczap7)

## Porches

Adding a porch to any external door of your house is considered to be permitted development, ie not requiring an application for planning permission, provided:

The ground floor area (measured externally) would not exceed three square metres

No part would be more than three metres above ground level (height needs to be measured in the same way as for a house extension)

No part of the porch would be within two metres of any boundary of the dwellinghouse and the highway.

Further guidance on permitted development rights and porches is available here:

[www.tinyurl.com/4bs2h6bh](http://www.tinyurl.com/4bs2h6bh)

## Basements

The planning regime covering the creation of living space in basements is evolving and under review.

This said, converting an existing basement into a living space, in most cases, is unlikely to require planning permission but you will almost certainly need planning permission if you are making any structural changes or altering the external

appearance of the property, or if the building is listed or in a conservation area.

You should also check with your local planning authority whether a Basement Impact Assessment is required. Due to a growing number of concerns from homeowners about potential structural and water damage to their properties, some councils now require the submission of a Basement Impact Assessment during the planning application stage.

If you are making structural changes and share a wall with your neighbour, you may also need an agreement under the Party Wall etc. Act 1996 where you must give adjoining property owners notice of any works.

Further guidance on party walls and the Party Wall Act etc 1996 is available here: [www.tinyurl.com/buhczap7](http://www.tinyurl.com/buhczap7)

In all circumstances you are advised to contact your local planning authority for guidance on local policy before starting any work.

The Planning Portal provides lots of advice about converting an existing basement or adding a new basement to your property. For more information, click here: [www.tinyurl.com/49d84vby](http://www.tinyurl.com/49d84vby)



# Section 9

## Greener Homes

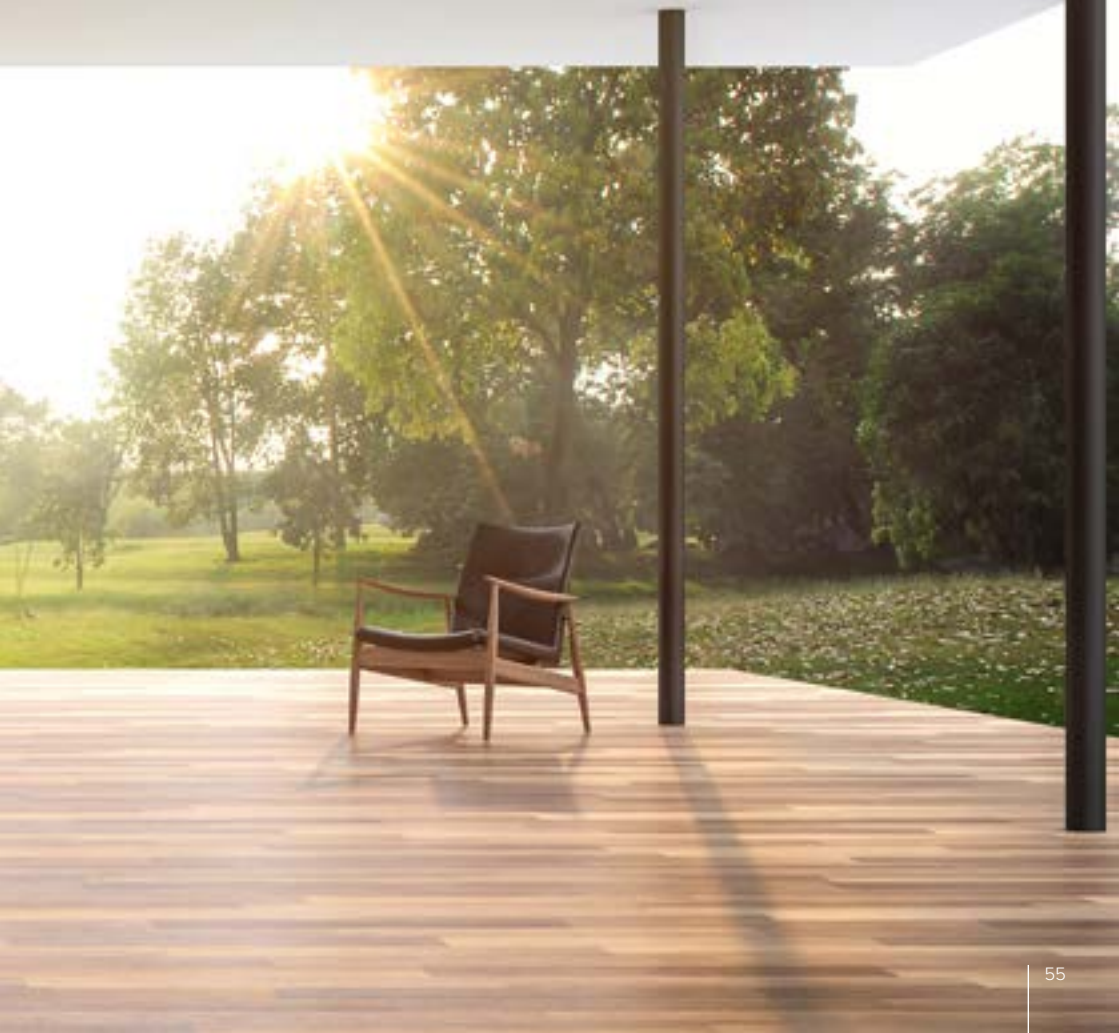
Climate change is one of the biggest challenges facing the planet and we all need to do our bit to reduce the amount of CO2 that our homes produce. Making changes to your home and its surroundings can be the perfect time to incorporate changes to reduce your home's energy and water use and enhance its value to nature.



Reducing CO2 emissions from your home will also help cut your fuel bills. With fuel prices increasing, it has never been a better time to improve the energy efficiency of your home and make it environmentally sustainable.

It is also why renewable energy technologies such as solar panels, wind turbines, and biomass heaters are becoming increasingly popular – more than 1 million homes in the UK are already generating electricity from either solar or wind. Renewables are effective alternatives to fossil fuels and will help you to meet your own energy requirements and reduce your home's carbon dioxide emissions.

The Energy Saving Trust provides further guidance on generating renewable energy at home, how the technologies work and the different types available. Click here: [www.tinyurl.com/28ptpyzf](http://www.tinyurl.com/28ptpyzf) for more information.





## Planning

In most cases external installation, alteration or replacement of a renewable energy technology would be considered as ‘development’ for the purposes of planning, and therefore require you to apply to your local planning authority for permission.

However, there are some types of ‘development’ that do not require planning permission – and fall under the remit of permitted development rights. Some micro-generation renewable energy technologies have been given this status, and therefore do not require permission. But there are a number of conditions and thresholds to whether they are given this status.

It is important that you always contact your local planning authority in the first instance for the current requirements for your particular technology.

## What should I check first?

Before installing a micro-generation technology, it is important to first check whether your house is:

- Located in a conservation area or a World Heritage Site as different rules apply in these designations, meaning there are greater restrictions on the types of equipment that can be installed, particularly on the wall of a building facing a highway
- A listed building identified for its historic or architectural interest
- Subject to an Article 4 Direction, or a condition on the original planning permission which removes permitted development rights.

In these cases, special provisions apply and you should seek further advice from your local planning authority. The remainder of this article will focus on some of the most popular forms of microgeneration.

### Solar photovoltaic (PV) and solar thermal panels

Solar Photovoltaic (PV) uses energy from the sun to create electricity to run appliances and lighting. PV requires only daylight, not direct sunlight, to generate electricity.

PV systems now come in a variety of shapes and colours, ranging from grey 'solar tiles' that look like roof tiles, to panels and transparent cells that you can use on conservatories and glass to provide shading as well as generating electricity.

Solar panels are not light and the roof must be strong enough to take their weight, especially if the panel is placed on top of existing tiles (Click here: [www.tinyurl.com/3rxaks3y](http://www.tinyurl.com/3rxaks3y) for more information).

Solar PV installations should always be carried out by a trained and experienced installer.

The Energy Saving Trust provides more information on how solar PV works, costs, maintenance and other considerations. Click here: [www.tinyurl.com/mswjnn65](http://www.tinyurl.com/mswjnn65) for more information.

### Solar Thermal (Water Heating)

Solar water heating uses energy from the sun to work alongside your conventional water heater.

Solar water heating can be used in the home or for larger applications, such as swimming pools. You will need 3-4 square metres of southeast to southwest facing roof receiving direct sunlight for the main part of the day for a domestic system.

You'll also need space to locate an additional water cylinder if required.

For more information on how solar water heating works, different types, costs, maintenance and other considerations, click here: [www.tinyurl.com/muppatrf](http://www.tinyurl.com/muppatrf)

Solar PV and thermal panels are considered permitted developments and often don't require planning permission. Providing your house is not covered by any of the above you can install, alter or replace the solar PV and thermal panels on any existing pitched roof or walls of your house or flat or an outbuilding within your garden, with up to 100% coverage, subject to the following limits and conditions.





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.
- On a flat roof, panels should not be more than 0.6 metres higher than the highest part of the roof.
- 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

Stand alone (free standing panels)

- PV and solar thermal panels are allowed within the boundary of a house or flat provided they are set back from

the highway by at least 5m and do not exceed 2m in height anywhere within 5m of the property boundary, or 4m in height elsewhere. You have one stand alone solar array (one frame for the collection of panels).

- The total surface area of the panels must not exceed 9m<sup>2</sup> and the array (including any housing) must not exceed 3m in any dimension.

For more information on planning requirement for solar panels, click here: [www.tinyurl.com/bd3se3t6](http://www.tinyurl.com/bd3se3t6)





### Heat pumps

Although we may not realise it heat pumps are very familiar to us, fridges and air conditioners are two examples. Ground source heat pumps (GSHP) transfer heat from the ground into a building to provide space heating and, in some cases, to pre-heat domestic hot water.

For every unit of electricity used to pump the heat, 3 to 4 units of heat are produced. As well as ground source heat pumps, air source and water source heat pumps are also available.

Lengths of pipe are buried in the ground, either in a borehole or a horizontal trench. The pipe is usually a closed circuit and is filled with a mixture of water and antifreeze, which is pumped round the pipe absorbing heat from the ground.

The heat pump (via an evaporator, a compressor and a condenser) transfers the heat to a hot water tank which feeds the heating distribution system.

The Energy Saving Trust provides more information on how heat pumps work, options, costs and other important considerations. Click here: [www.tinyurl.com/2s38jjnk](http://www.tinyurl.com/2s38jjnk) for more information.



### Planning

Both ground and water source heat pumps are generally allowed under permitted development rights anywhere within the boundary of your house or flat.

Air source heat pumps (ASHPs) are allowed providing that noise levels comply with the MCS Planning Standard 020, which requires a noise limit below 42 dB and the compressor (including any housing) does not exceed 1.5m<sup>3</sup> for a house and 0.6m<sup>3</sup> for a block of flats, and that any part of the ASHP is not installed within 3 metres of the boundary of the curtilage and the ASHP is used solely for heating purposes.

For more information, click here: [www.tinyurl.com/2dnc7czn](http://www.tinyurl.com/2dnc7czn)



### Wind turbines

Small scale wind turbines use the wind's lift forces to turn aerodynamic blades that turn a rotor which creates electricity. Individual turbines vary in size and power output from a few hundred watts to 2 or 3 megawatts. As a guide, a typical domestic system would be 2.5 to 6 kilowatts, depending on the location and size of the home.

Please note that the electricity generated at any one time by a wind turbine is highly dependent on the speed and direction of the wind. If you are in any doubt about the suitability of your proposed site, please consult a suitably qualified professional.

For more information on how wind turbines work, suitable siting, connection to the grid, costs, maintenance and other considerations, click here to see the Energy Saving Trust information page.

In some cases it is possible to install domestic wind turbines without the need for an application for planning permission, so long as specified limits and conditions are met.

Always check with your local planning authority about planning issues before you have a system installed.

### Building mounted wind turbines

Permitted development rights for building mounted wind turbines apply only to installations on detached houses or blocks of flats. Installations must comply with Microgeneration Certification Scheme Planning Standards (MCS 020) or equivalent standards. Read more about the scheme here:

[www.tinyurl.com/y3d8nhmx](http://www.tinyurl.com/y3d8nhmx)

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 wind turbine must 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.

It must use non-reflective materials on the blades and the turbine must be removed as soon as reasonably practicable when no longer needed for microgeneration.

There are also limitations regarding the height of the turbine and the width of the blades. Click here: [www.tinyurl.com/9a6z8dh7](http://www.tinyurl.com/9a6z8dh7) for more details.

You may wish to discuss with the Local Planning Authority for your area whether all of these limits and conditions will be met. Always check with your local planning authority about planning issues before you have a system installed.

### **Biomass**

Biomass is produced from organic materials, either directly from plants or indirectly from industrial, commercial, domestic or agricultural products.

It is often called 'bioenergy' or 'biofuels'. For small-scale, domestic use the fuel usually takes the form of wood pellets, wood chips or wood logs.

Producing energy from biomass has both environmental and economic advantages. It is a carbon neutral process as the CO<sub>2</sub> released when energy generated from biomass is balanced by that absorbed during the fuel's production. Biomass can also contribute to waste management by harnessing energy from products that are often disposed of at landfill sites.

There are two main ways of using biomass to heat a domestic property:

Stand-alone stoves providing space heating for a room. These can be fuelled

by logs or pellets but only pellets are suitable for automatic feed. Generally they are 6 to 12 kilowatts in output, and some models can be fitted with a back boiler to provide water heating.

Boilers connected to central heating and hot water systems. These are suitable for pellets, logs or chips, and are generally larger than 15 kilowatts.

For more information on how biomass systems work, suitability, costs, maintenance and other considerations, click here: [www.tinyurl.com/yck94dp2](http://www.tinyurl.com/yck94dp2)

### **Planning permission**

Installing a biomass system within a house typically doesn't require planning permission as long as the work is internal. However, if an external flue is needed, it is usually considered permitted development if it meets the following conditions:

Flues on the rear or side of the building do not exceed one metre above the roof's highest point.

For listed buildings or those located in designated areas, it's recommended to check with the local planning authority





prior to installing a flue. Consent may also be required for internal changes.

In conservation areas or World Heritage sites, the flue should not be installed on the main or side elevation if it is visible from a highway.

If the project also requires an outside building to store fuel or related equipment the same rules apply to that building as for other extensions and garden outbuildings.

### **Micro combined heat and power**

A Combined Heat and Power (CHP) device simultaneously generates both heat and power and is a mature technology widely used in industry.

Recovering the heat from a power generating process leads to high overall efficiencies.

Micro-CHP systems for individual homes are a relatively recent development but units resembling gas-fired boilers can now provide not only heat for space and water heating but also electricity to power domestic lights and appliances.

Micro-CHP is now a relatively straightforward replacement for the domestic boiler and because of the small size can be 'dropped in' to most homes.

For more information on CHP, click here: [www.tinyurl.com/hrvpd33j](http://www.tinyurl.com/hrvpd33j)



### Planning permission

Planning permission is not normally needed when installing a micro-combined heat and power system in a house if the work is all internal. If the installation requires a flue outside, however, it will normally be permitted development if the conditions outlined below are met:

Flues on the rear or side elevation of the building are allowed to a maximum of one metre above the highest part of the roof.

If the building is listed or in a designated area, even if you enjoy permitted development rights, it is advisable to check with your local planning authority before a flue is fitted. Consent is also likely to be needed for internal alterations.

In a conservation area or in a World Heritage Site the flue should not be fitted on the principal or side elevation if it would be visible from a highway.

### Hydro electricity

Hydroelectrical power systems use running water turning a turbine to produce

electricity. A micro hydro plant is one that generates less than 100 kilowatts.

Improvements in small turbine and generator technology mean that micro hydro schemes are an attractive means of producing electricity. Useful power may be produced from even a small stream.

For houses with no mains connection but with access to a micro hydro site, a good hydro system can generate a steady, more reliable electricity supply than other renewable technologies at a lower cost. Total system costs can be high but often less than the cost of a grid connection and with no electricity bills to follow.

It should be noted that in off-grid applications the power is used for lighting and electrical appliances. However, space and water heating can be supplied when available power exceeds demand.

For more information on how small scale hydro power systems work, costs and other important considerations, click here: [www.tinyurl.com/yxnd7btw](http://www.tinyurl.com/yxnd7btw)

# Hydroelectric: Environmental issues



Key features of a small hydro scheme include:

- A hydraulic ‘head’ – vertical distance from the water source to the turbine
- A water intake above a weir or behind a dam
- A pipe or channel to take water to the turbine
- A turbine, generator and electrical connection
- An outflow, where the water returns to the watercourse

These elements raise a number of important planning issues and planning permission will usually be needed. The elements of a small-scale hydro electricity scheme create potential impacts on:

- landscape and visual amenity
- nature conservation
- the water regime.

Some form of environmental assessment is essential when it comes to applying for planning permission and environmental licenses.

Under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988, the planning application for any development that the planning authority considers likely to have a significant impact on the environment must be accompanied by an Environmental Statement.

This document provides an assessment of the project’s likely environmental effects, together with any design, construction, operational and decommissioning measures that are to be taken to minimise them.

It would typically cover such issues as flora, fauna, noise levels, traffic, land use, archaeology, recreation, landscape, and air and water quality.

It should be noted that the Environment Agency must also be consulted about water extraction licences because the water is not owned by the landowner.

For more information on planning permission and licences for hydroelectric systems, click here:

[www.tinyurl.com/y6ybz9hp](http://www.tinyurl.com/y6ybz9hp)

# EV Charging points

If you are renovating or extending your home, it is worth considering installing an electric vehicle charging point if you think you may be buying an electric or hybrid vehicle now, or in the near future.

The government encourages the use of electric vehicles by providing funding towards up to 75% of the cost of installing an electric charging point at a residential property, through the EV Chargepoint Grant. Click here:

[www.tinyurl.com/43je8s77](http://www.tinyurl.com/43je8s77) for more information.

Planning permission is not normally required for the installation of a wall mounted electrical outlet or electrical upstand, but this depends on a number of conditions including whether your house is a listed building, where on the property the equipment would be installed, and whether the area is lawfully used for off-street parking.

For more information on planning requirements for electric vehicle charging points, click here:

[www.tinyurl.com/vmpc82b5](http://www.tinyurl.com/vmpc82b5)



# PlanningPermission

A homeowner's guide to the planning process

**Local Authority Council**

Address 1, Address 2, Town Postcode

t 01474 337391 e [planning.validation@gravesham.gov.uk](mailto:planning.validation@gravesham.gov.uk)