

East Herts Council Non-Key Decision Report

Date: 14 March 2024

Report by: Councillor Vicky Glover-Ward – Executive Member for Planning and Growth

Report title: Changes to Various Permitted Development Rights: Response to Consultation

Ward(s) affected: All

Summary

- The report proposes East Herts Council's response to the 'Changes to various permitted development rights: consultation' (February 2024).

RECOMMENDATIONS FOR DECISION: That the Department for Levelling Up, Housing, and Communities be informed that East Herts Council:

- (A) Welcomes the opportunity to comment on the proposed changes to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended; and
- (B) Submits the responses to the consultation questions included at Appendix A to this report as its detailed response to the 'Changes to various permitted development rights: consultation'.

1.0 Proposal(s)

- 1.1 The purpose of this report is to advise Members of the implications of the government's consultation on changes to various permitted development rights, and to agree this Council's response to the consultation.

2.0 Background

2.1 The consultation seeks views on the government's proposed changes to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

2.2 It covers the following five areas:

- Changes to certain permitted development rights which enable householders to improve and enlarge their homes.
- Changes to the building upwards permitted development rights which enable the upward extension of a range of existing buildings.
- Changes to the permitted development right which allows for the demolition of certain buildings and rebuild as homes.
- Changes to the permitted development rights which enable the installation of electrical outlets and upstands for recharging electric vehicles.
- Changes to the permitted development right for the installation of air source heat pumps.

2.3 The Department of Levelling Up, Housing, and Communities is seeking views on 53 specific questions, which are detailed in the consultation document (see background papers). **Appendix A** to this report contains the Council's response to the consultation questions.

2.4 The consultation began on the 13 February 2024 and closes on the 9 April.

3.0 Reason(s)

Introduction:

3.1 The government is committed to ensuring that the planning system is efficient, effective, and responsive. Permitted development rights can provide flexibility and planning freedoms to different users, including householders and businesses.

3.2 Permitted development rights are set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended ("the General Permitted Development Order"). They are subject to limitations and conditions to manage impacts and protect local amenity.

Scope of the consultation:

- 3.3 The consultation seeks views on proposals relating to changes to various permitted development rights.
- 3.4 In particular, the government is seeking views on proposed changes to the permitted development rights which allow householders to enlarge their homes, make alterations or extensions to the roof, and construct buildings incidental to the enjoyment of the main house, such as bin and bike stores.
- 3.5 They are also proposing amendments to certain rights that allow for the upward extension of a range of existing buildings and allow for the demolition of certain buildings and rebuild as homes. The proposed changes will increase the scope of buildings that can benefit from the right. In addition, the government is seeking views on whether the prior approval process for these permitted development rights can be simplified or streamlined to improve efficiency.
- 3.6 The government is also consulting on changes to the permitted development rights that allow for the installation of off-street electric vehicle charging infrastructure. This includes amending the rights to allow the installation of wall-mounted and upstand electrical outlets within 2 metres of a highway and the installation of larger upstands. The government is also seeking feedback on whether permitted development rights should allow units for equipment housing or storage cabinets.
- 3.7 Finally, the consultation seeks views on proposed changes to the permitted development right that allows for the installation of air source heat pumps on domestic premises.
- 3.8 The proposals can be viewed in full here:
[Changes to various permitted development rights: consultation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/consultation-changes-to-various-permitted-development-rights)

The Council's response to the consultation

- 3.9 **Appendix A** to this report contains the Council's response to the 53 specific questions raised in the consultation document.

- 3.10 The Council welcomes the opportunity to comment on the proposed changes to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.
- 3.11 Whilst the Council is generally supportive of the need to update and modernise the outdated GPDO there are several areas where more clarity is required or where the Council cannot agree the proposals without further modification. Some of the proposals clearly undermine both the principles set out in NPPF and Local Plan policies which encourage good design and protect local amenity.

Next Steps

- 3.12 The Council will submit the response at **Appendix A** to the Department for Levelling Up, Housing, and Communities, before the consultation closes on 9 April 2024.

4.0 Options

- 4.1 The Council could choose not to respond to the consultation.

5.0 Risks

- 5.1 Not responding to the consultation will mean that the Council misses the opportunity to respond to the government in relation to key concerns about the proposed changes to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

6.0 Implications/Consultations

- 6.1 This report sets out the Council's response to the government's consultation changes to various permitted development rights.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

There are no financial implications of responding to the consultation.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

All

7.0 Background papers, appendices and other relevant material

- 7.1 Changes to various permitted development rights: consultation - [Changes to various permitted development rights: consultation - GOV.UK \(www.gov.uk\)](#)

Contact Member

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