

15 August 2022

Report of	Assistant Director of Place and Client Services	Author	Simon Cairns ☎ 506477
Title	Guidance Note on Permitted Development		
Wards affected	All wards		

1. Executive Summary

- 1.1 This report provides a summary on permitted development and prior approval processes. It is intended to clarify the position for Members and the general public.
- 1.2 If agreed the guidance note will be circulated and added to the Council website.

2. Recommended Decision

- 2.1 The Committee are asked to agree the content of the Guidance Note.

3. Reason for Recommended Decision

- 3.1 To provide guidance on the numerous sections of the General Permitted Development Order (as amended).

4. Alternative Options

- 4.1 Not to publish the Guidance Note or to revise it prior to publication.

5. Background Information

- 5.1 National policies allow certain changes of use and works to take place under permitted development. In some instances, no application is required and in others “Prior Approval” is required. Prior approval means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant Parts in Schedule 2 to the General Permitted Development Order 2015 (as amended). A local planning authority cannot consider any other matters when determining a prior approval application.
- 5.2 There are a considerable number of different categories of permitted development granted by order of the Secretary of State. This is in effect a blanket national conditional planning permission. In some cases, no further application is required to be submitted and the council may have no further involvement e.g. permitted change from a dwelling to a small HMO. In some cases, applicants may still choose to apply for a certificate of lawful development to confirm that the development is lawful. In such cases a strict legal interpretation is required on the facts and representations received by the Council cannot influence the outcome.
- 5.3 In many cases an application for ‘prior approval’ may be required and the order sets out the matters that the Local Planning Authority (lpa) must take into account. Listed in the Guidance Note are the most commonly used categories of permitted development (including changes of use) together with the relevant processes and prescribed matters that are applicable to the consideration of applications for prior approval under the order.
- 5.4 It was agreed by Planning Committee that a summary of the matters within the scope of each category of such applications would be provided for member guidance to assist with briefing interested parties on the regulations pertinent to each application category. This briefing note is intended to provide Councillors and members of the public with a summary of this background information.

6. Equality, Diversity and Human Rights implications

- 6.1 N/A as this relates to national regulations.

7. Strategic Plan References

- 7.1 The Strategic Plan is relevant, in particular in contributing towards priorities under the themes:
- Delivering homes for people who need them; and
 - Growing a fair economy so everyone benefits.

8. Consultation

- 8.1 N/A

9. Publicity Considerations

- 9.1 N/A

10. Financial implications

10.1 N/A

11. Health, Wellbeing and Community Safety Implications

11.1 N/A

12. Health and Safety Implications

12.1 N/A

13. Risk Management Implications

13.1 N/A

14. Environmental and Sustainability Implications

14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. This involves meeting the needs of the present without compromising the ability of future generations to meet their own needs.