



Northumberland
County Council

General Permitted Development Order 2015

14 Oct 2021

www.northumberland.gov.uk

Aims

- What is the GPDO 2015?
- Navigate the legislation
- Permitted Development & Prior Approval vs Planning Application
- Introduce the NCC Guide
- Further guidance

What is the GDPO 2015?

- Series of Permitted Development Rights (PDRs) that allows certain work
- Don't need planning permission = “permitted development rights”
 - But some require Prior Approval...
- **PDRs = general planning permission granted not by the Local Authority but by Government**
- First GPDO = 1948 (21 Classes) → most recent = 2015 (100s Classes split into 20 Parts)

What to check **BEFORE** giving advice on householder permitted development rights:

Source: Planning Jungle 'Part 1 of the GPDO - Visual Guide (FREE VERSION)'

Is the property a **HOUSE**?

Is the property a **LISTED** building?

Is the property on **ARTICLE 2(3)** land (Conservation Area, AONB, National Park, Broads, WHS)?

Have PD rights been removed by an **ARTICLE 4** direction?

Have PD rights been removed (or affected) by a **CONDITION** on a previous planning permission?

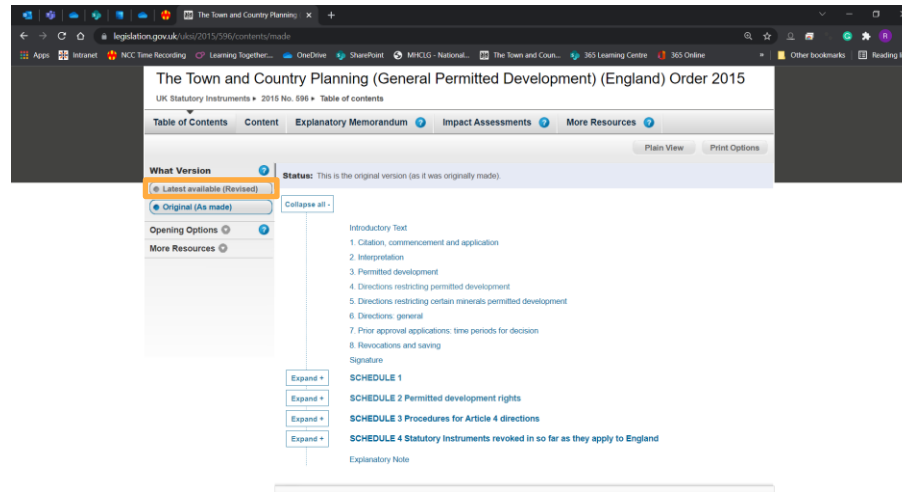
Has the property **PREVIOUSLY** been extended?

Recent updates

- Adequate natural light in all habitable rooms, 1 Aug 2020
- New Part 20 'Upwards extension', 31 Aug 2020
- Temporary structures/change of use, during COVID-19
- Use Class E, 1st Sept 2020
 - some Classes deleted and
 - new Part 3 Class MA, 1st Aug 2021
- National minimum space standards for dwellinghouses, 6th April 2021
- **Not new but consolidated GPDO 2015**
 - = tricky reading!

How to navigate the legislation 1

Type GPDO into Google, click on the “legislation.gov.uk” link (loads of other guides and bulletins will also appear within the search results)



Make sure you are viewing the latest version (orange box) (the legislation changes regularly!)

How to navigate the legislation 2

Schedule 1 Part 1 details Article 2(3) land (relevant to the examples provided later)

The Town and Country Planning (General Permitted Development) (England) Order 2015

UK Statutory Instruments • 2015 No. 596 • Table of contents

Table of Contents Content Explanatory Memorandum Impact Assessments More Resources

Plain View Print Options

What Version

Latest available (Revised)

Original (As made)

Opening Options

More Resources

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (General Permitted Development) (England) Order 2015.

Collapse all

Introductory Text

1. Citation, commencement and application

2. Interpretation

3. Permitted development

4. Directions restricting permitted development

5. Directions restricting certain minerals permitted development

6. Directions: general

7. Prior approval applications: time periods for decision

7ZA. Prior approval applications: modified procedure in relation to call-in of applications

7A. Review

8. Revocations and saving

Signature

SCHEDULE 1

SCHEDULE 2 Permitted development rights

SCHEDULE 3 Procedures for Article 4 directions

SCHEDULE 4 Statutory instruments revoked in so far as they apply to England

Expand +

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Plain View Print Options

What Version

Latest available (Revised)

Original (As made)

Opening Options

More Resources

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SCHEDULE 1

PART 1 Article 2(3) land

1. Land within— (a) an area designated as a conservation area...

PART 2 Article 2(4) land

2. (1) Land within the following areas— (a) a National Park...

PART 3 Article 2(5) land

3. Land within the areas named in column 1 of the...

4. In this Part reference to a map is to one...

SCHEDULE 2 Permitted development rights

SCHEDULE 3 Procedures for Article 4 directions

SCHEDULE 4 Statutory instruments revoked in so far as they apply to England

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Explanatory Note

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The Town and Country Planning (General Permitted Development) (England) Order 2015

UK Statutory Instruments • 2015 No. 596 • SCHEDULE 1 • PART 1

Table of Contents Content Explanatory Memorandum Impact Assessments More Resources

Previous: Signature Next: Part 2

Plain View Print Options

What Version

Latest available (Revised)

Original (As made)

Opening Options

More Resources

Changes over time for: PART 1

15/04/2015

Advanced Features

Show Geographical Extent (e.g. England, Wales, Scotland and Northern Ireland)

Show Timeline of Changes

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Town and Country Planning (General Permitted Development) (England) Order 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

View outstanding changes

PART 1

Article 2(3) land

1. Land within—

(a) an area designated as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1986 (designation of conservation areas);

(b) an area of outstanding natural beauty;

(c) an area specified by the Secretary of State for the purposes of section 41(2) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside);^{F1}

(d) the Broads;

(e) a National Park; and

(f) a World Heritage Site.

F1 1981 c. 69. Section 41 was amended by sections 20 and 24 of, and Schedules 2 and 4 to, the Agriculture Act 1986 (c. 40). Schedule 2 to the Northern and Suffolk Broads Act 1988 (c. 41), Schedule 10 to the Environment Act 1995 (c. 25), and Schedules 11 and 12 to the Natural Environment and Rural Communities Act 2006 (c. 16). There are other amendments not relevant to this Order.

How to navigate the legislation 3

The Town and Country Planning (General Permitted Development) (England) Order 2015

UK Statutory Instruments • 2015 No. 696 • Table of contents

Table of Contents Content Explanatory Memorandum Impact Assessments More Resources

What Version
Latest available (Revised)
Original (As made)

Opening Options
More Resources

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Expand + SCHEDULE 1

Expand + SCHEDULE 2 Permitted development rights

Expand + SCHEDULE 3 Procedures for Article 4 directions

Expand + SCHEDULE 4 Statutory Instruments revoked in so far as they apply to England

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SCHEDULE 2 Permitted development rights

PART 1 Development within the curtilage of a dwellinghouse

Class A – enlargement, improvement or other alteration of a dwellinghouse

A. Permitted Development

A.1. Development not permitted

A.2. In the case of a dwellinghouse on article 2(3) land...

A.3. Conditions

A.4. (1) The following conditions apply to development permitted by Class...

Class AA – enlargement of a dwellinghouse by construction of additional storeys

AA. Permitted development

AA.1. Development not permitted

AA.2. Conditions

AA.3. Procedure for applications for prior approval

AA.4. Interpretation of Class AA

PART 3 Changes of use

Class A – casino, betting office, pay day loan shop or hot food takeaway to commercial, business and service

A. Permitted development

A.1. Conditions

Class AA – drinking establishments with expanded food provision

AA. Permitted Development

Class B – takeaways ... to restaurants and cafes

PART 14 Renewable energy

Class A – installation or alteration etc of solar equipment on domestic premises

A. Permitted development

A.1. Development not permitted

A.2. Conditions

Class B – installation or alteration etc of stand-alone solar equipment on domestic premises

B. Permitted development

B.1. Development not permitted

B.2. Conditions

PART 20 Construction of New Dwellinghouses

Class ZA – Demolition of buildings and construction of new dwellinghouses in their place

ZA. Permitted Development

ZA.1. Development not permitted

ZA.2. Conditions

Class A – New dwellinghouses on detached blocks of flats

A. Permitted development

A.1. Development not permitted

A.2. Conditions

B. Procedure for applications for prior approval under Part 20

C. Interpretation of Part 20

These Parts are deemed most relevant to the target audience so are included in this Presentation

Let's look at an example...

PART 3 Changes of use

A. Permitted development

A.1. Conditions

Class AA – drinking establishments with expanded food provision

AA, Permitted Development

Class B – takeaways ... to restaurants and cafes

Class C – retail, betting office or pay day loan shop or casino to restaurant or cafe

Class D – shops to financial and professional

Class E – financial and professional or betting office or pay day loan shop to shops

Class F – betting offices or pay day loan shops to financial and professional

Class G – commercial, business and service or betting office or pay day loan shop to mixed use

G. Permitted development

G.1. Conditions

G.2. Interpretation of Class G

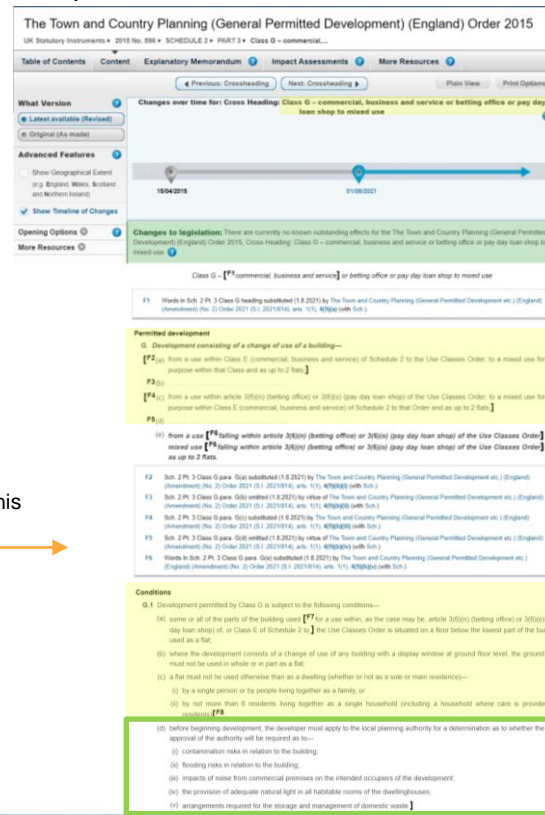
Class H – mixed use to commercial, business and service or betting office or pay day loan shop

H. Permitted development

H.1. Development not permitted

Class I – industrial conversions

| Permitted development



= the Class title

= what is Permitted by the Class

= the Conditions that the is subject to

= Prior Approval conditions

Clicking here opens this
webpage

PD & Prior Approval vs Planning Application 1

- PDRs = general planning permission granted not by the Local Authority but by Government
- Planning Application = start to finish vs PD = finish to start
- Some Classes require application of Local Planning Authority for Prior Approval
- Prior approval procedure
 - Through the Planning Portal (see guidance [here](#))
 - Some Classes require the submission of PDF form (see [webpage](#))
 - 8-week decision period
 - Fees vary (see Planning Portal [webpage](#))

PD & Prior Approval vs Planning Application 2.1

- Planning officer's role/interpretation of prior approval

1. 4th June 2021, Havant (Part 1 Class AA) – allowed

COMPASS (subscription required) summary:

A council in Hampshire had refused to grant prior approval for a second storey extension on an existing two-storey house, finding that it would look out of place in the street of single and two-storey dwellings. Overruling the council, the inspector pointed out that the GPDO refers specifically to the external appearance of the house itself rather than the surrounding area. Concluding that the proposal would not cause unacceptable harm to the external appearance of the dwellinghouse, when viewed by itself, the inspector concluded that it would be in accord with the provisions of Part 1, Class AA.

Key quote:

“GPDO refers specifically to the external appearance of the house itself rather than the surrounding area”

[Link](#) to Appeal Decision (ref: APP/X1735/D/21/3269472)



Existing street scene

PD & Prior Approval vs Planning Application 2.2

- Planning officer's role/interpretation of prior approval

2. 24th Aug 2021, Wandsworth (Part 1 Class AA) – dismissed

COMPASS (subscription required) summary:

Again, Part 1 Class AA. In this case the inspector noted that the proposed materials and roof cover would correspond with the host dwelling. The fenestration pattern would also align with the existing fenestration. However, she found that whilst overall the architectural detailing would match that of the existing dwelling, the additional storey would significantly add to the height of the building. She observed that the resultant eaves and roofline would project obtrusively above that of the neighbouring houses.

Now here is the clever bit. The inspector reasoned that 'By adding an extra floor above, the development as proposed would fundamentally alter the architectural composition of the property within this street context and consequently would have a harmful effect on the external appearance of the dwellinghouse as a result of its inconsistency with the remainder of the terrace.'

Key quote:

"Within this street context and consequently would have a harmful effect on the external appearance of the dwellinghouse"

[Link](#) to Appeal Decision (ref: APP/H5960/D/21/3272567)



Existing street scene

PD & Prior Approval vs Planning Application 2.3

- Planning officer's role/interpretation of prior approval

3. 30th Sept 2021, Lewisham (Part 20 Class A)

COMPASS (subscription required) summary:

The appellant claimed that within the prior approval process, external appearance related solely to the appearance of the building and not its height or impact on area character. The inspector disagreed, prior approval condition interpretation a matter of planning. Judgement given the building's relationship with nearby properties, it was not appropriate to consider the external appearance of the building in isolation. In his opinion, the two storey height would contrast uncomfortably with the massing of nearby blocks and the transition in the scale of buildings in the area, causing significant harm to the external appearance of the building.

Key quote

"Prior approval condition interpretation a matter of planning judgement"

[Link](#) to Appeal Decision (ref: APP/C5690/W/20/3264055)



Existing street scene

This conclusion needs to be tested in planning courts!

NCC's Visual Guide 1

NCC's Guide adapts a Visual Guide prepared by [Planning Jungle](#) which explains Part 1 of the GPDO (householder). This Guide has been extended by NCC to include Parts 3 (change of use), 14 (renewable energy) and 20 (new dwellinghouses)

Planning Jungle Limited

Part 1 of the GPDO - Visual Guide (FREE VERSION)

Last updated: **July 2021** (regular updates not required)

↓ Scroll down



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Part 3 of the GPDO – Visual Guide

↓ Scroll down



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Part 14 of the GPDO – Visual Guide

↓ Scroll down



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Part 20 of the GPDO – Visual Guide

NCC's Visual Guide 2

Using our example of Class G (of Part 3) this demonstrates how PD Rights are presented within the Guide

CLASS G - BETTING OFFICE OR PAY DAY LOAN SHOP TO MIXED USE:

"change of use from betting office (SG) or pay day loan shop (SG) to betting office (SG) or pay day loan shop (SG) plus, up to 2 flats on upper floors"





















CONDITIONS

- Betting office or pay day loan use is situated a floor below that used as a flat
- Ground floor with display window not used as a flat
- Flats used as dwellings i.e.:
 - By single person or household living together, or
 - No more than 6 residents

NCC's Visual Guide 3

Parts 3 and 20 have Prior Approval conditions. Summaries of these are provided at the end of their subsequent sections. See the highlighted example of Class G

Prior Approval Condition	Part 3 Class								Prior Approval Condition	Part 3 Class							
	A	G	M	MA	N	Q	Floorspace ≤ 150m ²	Floorspace > 150m ²		A	G	M	MA	N	Q	Floorspace ≤ 150m ²	Floorspace > 150m ²
 Notification of change of use date	✓						✓		 Completed within 3 years			✓	✓	✓	✓		✓
 Nature of uses							✓		 Design and external appearance			✓		✓	✓		
 Plan indicating which buildings have changed use							✓		 Adequate provision of launderette services (if originally a launderette)			✓					
 Transport and highways impact			✓	✓	✓	✓		✓	 Storage and management of domestic waste		✓						
 Contamination risk		✓	✓	✓	✓	✓		✓	 Impact on character or sustainability of the conservation area (if in conservation area and involves whole or part of ground floor)				✓				
 Flood risk		✓	✓	✓	✓	✓		✓	 Impact on from industry, waste management and storage and distribution				✓				
 Adequate natural light in all habitable rooms		✓	✓	✓	✓	✓			 Impact on the local provision of nursery or health centre (if nursery or health centre)				✓				
 Noise impact from commercial premises		✓		✓					 Fire safety impact (if development meets fire risk condition)				✓				
 Noise impact of the development (on what?)								✓	 Suitability of location for residential						✓		

More NCC guidance



Alerts



General Alert: Missed Refuse Collection



[View all](#)

Do I need planning permission?

Find out whether you need planning permission for your proposal and what to do next.

Scroll down

Pre-application service

Anyone in Northumberland considering development on any scale can obtain our advice before submitting a formal planning application.

This advice cannot be given over the phone, by email or in person as we require specific information in the form of a pre-application enquiry. Our pre-application service can save you time and money, help reduce invalid applications and enable speedier decisions to be made.

Scroll down

Ask us if you need permission

If you are unsure if the works to your home, business or land etc. require permission you can [submit a £40 'do I need permission' pre-application enquiry](#).

Please ensure you have read the advice on our [do I need planning permission page](#) first as this information may answer your question. If you choose to submit a pre-application enquiry to ask us to look into whether or not your proposed works require permission we will respond to you in writing within [20 working days](#). Our response will inform you:

- if your proposal would require planning permission, listed building consent or advertisement consent,
- the fee, plans and reports you will need to submit if permission is required.

This is a basic a yes/no answer option and does not include a site visit. If permission is not needed you may go ahead with the works, however if permission is needed you would then need to formally apply for and obtain planning permission before you can go ahead with the works.

If you need advice on whether or not your proposal is likely to be supported please use the more detailed advice option below. For example as a householder you may want to know if you need permission (or you may already know you do) but you would also like to know whether or not the proposed works are likely to get approval if a householder planning application was submitted. Option 5 at a cost of £60 on the [Schedule of Pre-application Fees](#) will provide this further advice.

To receive advice on whether a proposal goes beyond that permitted by the GDPO, use this [webpage](#)

Any questions?

