

Chichester District Council

Planning Committee

27 March 2024

Response to Government 'Changes to various permitted development rights: consultation'

1. Contacts

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2. Recommendation

- 2.1 That the Planning Committee consider and agree the attached responses to the consultation questions for submission in response to the government 'Changes to various permitted development rights: consultation'**

3. Background

- 3.1 The Government is running a public consultation from 13 February 2024 to 9 April 2024 on proposed changes to the Town and Country Planning (General Permitted Development) Order 2015, as amended. The consultation seeks views on changes to permitted development rights which allow for works to take place without a planning application.
- 3.2 The consultation can be found here:
<https://www.gov.uk/government/consultations/changes-to-various-permitted-development-rights-consultation/changes-to-various-permitted-development-rights-consultation>
- 3.3 The consultation covers:
- 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.

4. Outcomes to be Achieved

- 4.1 To influence the Government's proposals for changes to permitted development rights.

5. Proposal

- 5.1 The purpose of this report is to provide a response to the consultation. The full text of the questions and proposed responses are detailed in Appendix 1. The following highlights the key changes proposed and summarises the responses, using the consultation chapter headings.

The enlargement, improvement or other alteration to homes

- 5.2 The consultation proposes a substantial change to household permitted development rights, significantly relaxing existing limits.
- 5.3 For extensions, it is proposed to allow single storey rear extensions on a detached house to be increased from the current 4m to 5m, and for terraced and semi-detached houses from 3m to 4m. For two-storey rear extensions it is proposed that this increases from 3m to 4m. It is also proposed that single-storey wrap-around L-shaped extensions extending to the side and rear should be allowed.
- 5.4 There is a current restriction which limits the amount of the curtilage which can be extended upon to cover no more than 50%, which helps to secure that adequate garden amenity space is retained, particularly on smaller plots, when people are utilising permitted development rights. The consultation seeks comments on the removal of this restriction.
- 5.5 The consultation proposes allowing the ridge height of the original roof to increase by up to 30cm, where currently no increase would be allowed without a planning application. The current permitted development roof extension volume limits of 40 cubic metres for a terrace house and 50 cubic metres for all other dwellings. It is proposed that the permitted development right for roof extensions also applies to flats.
- 5.6 Officers do not agree with the proposed relaxation of these permitted development rights. The response sets out that the increase in rights would likely result in a detrimental impact on neighbouring amenity as the blanket approach to increase rights would mean that amenities enjoyed by occupiers of neighbouring properties would not be considered.
- 5.7 Removing the existing limitation on the amount of the curtilage which could be built on is likely to have a detrimental impact on occupiers of the existing dwelling in terms of functional amenity space.
- 5.8 Concerns are also raised with regard to the proposed increase in the volume of roof extensions, with the response setting out that the existing allowances are generous, and frequently result in large, prominent, out of character additions to properties

which can also be used as a 'fall-back position' to justify other large roof extensions. Applying this to flats is considered to exacerbate these concerns.

- 5.9 Officers consider the proposed changes to enlargement, improvement or other alteration to homes to be detrimental to the protection of neighbouring amenity by removing the scrutiny of a planning application process, remove the ability for neighbours to comment on some proposals, and offer limited benefits to the householder. The response puts forward that development should be subject to the policy assessment, scrutiny and opportunity to comment of a planning application. It considers that the changes would be at odds with the NPPF, which states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Changes to the permitted development rights for building upwards

- 5.10 Permitted development rights under Class AA of Part 1 and Class A, AA, AB, AC and AD of Part 20) allow for the upward extension of buildings to create new homes and provide additional living space. The current rights do not apply if the building dates before July 1948. The consultation seeks comments on amending the date and feedback on the prior approval process which applies to rights to extend upwards.
- 5.11 The response states that the existing date should not be amended to an earlier date, to minimise the likelihood that the building wasn't a non-designated heritage asset. It is suggested that the existing prior approval process is retained to ensure the existing scrutiny is maintained.

Changes to the permitted development right for demolition and rebuild

- 5.12 Permitted development rights allow for the demolition of detached buildings that are blocks of flats, or in use as offices, research and development and industrial processes that fell within B1(c) use on 12 March 2020, and the replacement of these with a block of flats or single dwellinghouse in their place. The consultation seeks comments on altering the age of buildings that this would apply to and whether the rebuild footprint should be allowed to extend beyond the footprint of the original building. Comments are also sought on whether the existing prior approval process could be streamlined or simplified.
- 5.13 The consultation response raises concerns about extending the right due to discouraging the re-use of buildings capable of conversion in favour of demolition, and that marketing is not required to explore suitable re-use of buildings.
- 5.14 Concerns are raised that the proposed right to allow the rebuild footprint to also benefit from extensions to the original footprint are contrary to the NPPF in terms of development being sympathetic to character and landscape setting, and that this should be assessed on a case-by-case basis through a planning application.

Changes to the permitted development rights for the installation of electrical outlets and upstands for recharging electric vehicles

- 5.15 Existing permitted development rights (under Class D and E of Part 2) allow for the installation of electric vehicle (EV) charging infrastructure in an area lawfully used for off-street parking. To provide further flexibility to individuals and organisations wishing to install EV charging outlets, the consultation proposes to remove limitations so that wall-mounted outlets and upstands can be installed anywhere within an area lawfully used for off-street parking.
- 5.16 The consultation proposes rights for the installation of a unit for equipment housing or storage cabinets and bigger and more powerful EV upstands, up to three metres high, to apply in non-domestic, off-street ground level car parks.
- 5.17 Officers are supportive in principle of the benefits of EV charging. The response is supportive of relaxation of limitations for wall mounted outlets outside of Article 2(3) land. There were concerns raised about the potential for allowing electrical upstands within 2m of the highway due to the potential for visual clutter and it is considered that this should require planning permission.
- 5.18 The consultation also proposes increases in height for electric upstands and limitations for equipment housing in non-domestic car-parks. It was not clear from the consultation that there was a proven requirement for the size increases.

Changes to the permitted development right for air source heat pumps within the curtilage of domestic buildings

- 5.19 Under current Permitted Development rights an air source heat pump must be installed at least one metre away from a property. The consultation proposes removing this limit, with it not being necessary as long as there's an upper limit on the noise at the nearby noise receptor.
- 5.20 The response considers that there isn't sufficient certainty within the consultation document to demonstrate that this would be acceptable with regard to noise. This applies to several questions within that section. Officers are supportive of increasing rights to allow for more than one flat to benefit from an air source heat pump under permitted development, subject to the cumulative impact being assessed.

Public Sector Equality Duty

- 5.38 The consultation asks if the changes proposed in this consultation could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Marriage or Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).
- 5.39 The response considers that it would. The proposed changes would result in some dwellings and facilities being provided in inappropriate locations which would be difficult to access and where an aging population or people with disabilities would

be isolated and removed from the services and facilities required to support their needs.

6. Alternatives Considered

- 6.1 The alternatives are not to respond to this consultation, or to provide different consultation responses.

7. Resource and Legal Implications

- 7.1 There are no resource or legal implications connected with responding to this consultation for this Council.

8. Consultation

- 8.1 This is a public consultation being run by the government.

9. Community Impact and Corporate Risks

- 9.1 There are no community impacts or risks to this council of responding to this consultation.

10. Other Implications

	Yes	No
Crime and Disorder		✓
Climate Change and Biodiversity The proposed changes could impact upon climate change	✓	
Human Rights and Equality Impact The consultation seeks views on the potential impacts under the Public Sector Equality Duty	✓	
Safeguarding and Early Help		✓
General Data Protection Regulations (GDPR)		✓
Health and Wellbeing The proposed changes could impact upon wellbeing	✓	

11. Appendices

Appendix 1: Consultation questions and draft answers for consideration

Appendix 1: Proposed consultation responses

Changes to the permitted development rights for householder development

The enlargement, improvement or other alteration to homes

Q.1 Do you agree that the maximum depth permitted for smaller single-storey rear extensions on detached homes should be increased from 4 metres to 5 metres?

- Yes
- No
- Don't know

Please provide your reasons.

No. The proposed increases to the permitted development rights would allow larger extensions with no regard to the impact on neighbouring properties and the site specific circumstances.

The LPA considers that the benefits to the householder resulting from this relaxation would be limited, and not outweighed by the harm to neighbouring amenity. This is because the larger home extension permitted development rights already allow for a rear extension of up to 8m for detached houses, subject to going through the prior approval process. This requires a consultation period that where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. It is considered that the existing process allows for larger rear extensions in a way that helps to protect neighbouring amenity.

Q.2 Do you agree that the maximum depth permitted for smaller single-storey rear extensions on all other homes that are not detached should be increased from 3 metres to 4 metres?

- Yes
- No
- Don't know

Please provide your reasons.

No. The proposed increases to the permitted development rights would allow larger extensions with no regard to the impact on neighbouring properties and the site specific circumstances.

The LPA considers that the benefits to the householder resulting from this relaxation would be limited, and not outweighed by the harm to neighbouring amenity. This is because the

larger home extension permitted development rights already allow for a rear extension of up to 6m for all other houses except for detached houses, subject to going through the prior approval process. This requires a consultation period that where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. It is considered that the existing process allows for larger rear extensions in a way that helps to protect neighbouring amenity.

Q.3 Do you agree that the maximum depth permitted for two-storey rear extensions should be increased from 3 metres to 4 metres?

- **Yes**
- **No**
- **Don't know**

Please provide your reasons.

No. The proposed increases to the permitted development rights would allow larger extensions with no regard to the impact on neighbouring properties and the site specific circumstances.

Q.4 Do you agree that the existing limitation requiring that extensions must be at least 7 metres from the rear boundary of the home should be amended so that it only applies if the adjacent use is residential?

- **Yes**
- **No**
- **Don't know**

Please provide your reasons.

No. This helps to ensure amenity space is retained for occupiers of the dwelling, regardless of the adjacent use. This also does not allow for consideration of the amenity of future occupiers of the

Q.5 Are there are any circumstances where it would not be appropriate to allow extensions up to the rear boundary where the adjacent use is non-residential?

- **Yes**
- **No**
- **Don't know**

Please provide your reasons.

Yes. This would depend on the site specific circumstances.

Q.6 Do you agree that the existing limitation that the permitted development right does not apply if, as a result of the works, the total area of ground covered by buildings within the curtilage of the house (other than the original house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original house) should be removed?

- Yes
- No
- Don't know

Please provide your reasons.

No. This limitation provides protection to ensure that an area of meaningful amenity space is retained. To remove this limitation would result in permitted development creating poor quality homes which do not have a high standard of amenity for existing and future users and would therefore be directly contrary to the NPPF.

Q.7 Should the permitted development right be amended so that where a two-storey rear extension is not visible from the street, the highest part of the alternation can be as high as the highest part of the existing roof (excluding any chimney)?

- Yes
- No
- Don't know

Please provide your reasons.

No. It is not clear how this would be defined and controlled. For example, it is not clear how this would apply to corner plots or where developments would be visible from one street but not another. Something that is not visible one day may be visible the next as boundary treatments or natural growth may change. This would lead to uncertainty.

A development not being visible from the street doesn't justify poor design and the proposed permitted development right. Occupiers of surrounding properties would still be impacted.

Development should be subject to the policy assessment, scrutiny and opportunity to comment of a planning application. This would be at odds with the NPPF; that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Q.8 Is the existing requirement for the materials used in any exterior work to be of a similar appearance to the existing exterior of the dwellinghouse fit for purpose?

- Yes
- No
- Don't know

Please provide your reasons.

Yes, in part. It serves the purpose for blanket permitted development rights; however it does not cover circumstances where other materials may be acceptable.

If this is to be relaxed it is suggested that removing the requirement for single storey rear extensions to have matching materials would allow for alternative materials to come forward without being detrimental to the wider character of an area given the likely limited impact of a single storey extension. Alternatively a prior approval process for materials could be an option if a householder wished proposed alternative materials.

Q.9 Do you agree that permitted development rights should enable the construction of single-storey wrap around L-shaped extensions to homes?

- Yes
- No
- Don't know

Please provide your reasons.

No. There is significant potential for this to result in development which would adversely impact upon neighbouring amenity from the cumulative built form and proximity to the boundary of the site. This should be assessed on a case-by-case basis through a planning application, applying planning policy and allowing public comment.

Q.10 Are there any limitations that should apply to a permitted development right for wrap around L-shaped extensions to limit potential impacts?

- Yes
- No
- Don't know

Please provide your reasons.

Yes. If this is to be brought in there should be additional restrictions on how close the development could be to the boundary of the curtilage of the property, in the interests of neighbouring amenity.

Q.11 Do you have any views on the other existing limitations which apply to the permitted development right under Class A of Part 1 which could be amended to further support householders to undertake extensions and alterations?

- Yes
- No
- Don't know

Please provide your reasons.

No. The existing rights have been significantly increased in recent years with the introduction of larger home extensions and other additional rights for upwards extensions. There is a need to balance supporting householders with ensuring that development does not adversely impact upon neighbouring amenity and the character of the area.

Additions to the roof (including roof extensions)

Q.12 Do you agree that the existing limitation that any additional roof space created cannot exceed 40 cubic metres (in the case of a terrace house) and 50 cubic metres (in all other cases) should be removed?

- Yes
- No
- Don't know

Please provide your reasons.

No. The existing permitted development rights are generous in this regard and result in large developments that can have significant impacts on a street and character of an area, with minimal regard for the design of the existing dwelling, particularly with large, flat-roof dormers. The existing permitted development rights are frequently used by applicants as a 'fall-back' position for developments with otherwise unacceptable designs or additional overlooking.

Development should be subject to the policy assessment, scrutiny and opportunity to comment of a planning application. Increasing this limitation would be at odds with the NPPF; that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Q.13 Do you agree that the existing limitation requiring that any enlargement must be set back at least 20 centimetres from the original eaves is amended to only apply where visible from the street, so that enlargements that are not visible from the street can extend up to the original eaves?

- **Yes**
- **No**
- **Don't know**

Please provide your reasons.

No. It is not clear how this would be defined and controlled. For example, it is not clear how this would apply to corner plots or where developments would be visible from one street but not another. Something that is not visible one day may be visible the next as boundary treatments or natural growth may change. This would lead to uncertainty.

A development not being visible from the street doesn't justify poor design and the proposed permitted development right. Occupiers of surrounding properties would still be impacted.

Development should be subject to the policy assessment, scrutiny and opportunity to comment of a planning application. This would be at odds with the NPPF; that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Q.14 Should the limitation that the highest part of the alteration cannot be higher than the highest part of the original roof be replaced by a limitation that allows the ridge height of the roof to increase by up to 30 centimetres?

- **Yes**
- **No**
- **Don't know**

No. Development should be subject to the policy assessment, scrutiny and opportunity to comment of a planning application. This would be at odds with the NPPF; that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Q.15 Do you agree that the permitted development right, Class B of Part 1, should apply to flats?

- **Yes**
- **No**
- **Don't know**

Please provide your reasons.

No. Development should be subject to the policy assessment, scrutiny and opportunity to comment of a planning application. Extending this permitted development right to flats would likely give rise to the erosion of the purpose built design approach and visual cohesiveness of flats. This would be at odds with the NPPF; that the creation of high

quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Other alterations to the roof (including roof windows)

Q.16 Should the permitted development right be amended so that where an alteration takes place on a roof slope that does not front a highway, it should be able to extend more than 0.15 metres beyond the plane of the roof and if so, what would be a suitable size limit?

- Yes
- No
- Don't know

Please provide your reasons. If you have answered yes, please provide your alternative suggestion and any supporting evidence.

No. It is not considered that this would achieve meaningful benefits for householders. Typically the type of development which the LPA sees under Class C are for rooflights, which comply with the existing limitations, which are considered to serve a useful purpose with regard to the scale of the rooflights. Roof extensions would be considered under Class B rather than Class C.

Q.17 Should the limitation that the highest part of the alteration cannot be higher than the highest part of the original roof be amended so that alterations can be as high as the highest part of the original roof (excluding any chimney)?

- Yes
- No
- Don't know

Please provide your reasons.

No. This question does not make sense as the consultation suggests that this would provide further flexibility to householders, however the existing limitation and the proposed limitation would be the same.

Buildings etc incidental to the enjoyment of a dwellinghouse

Q.18 Do you agree that bin and bike stores should be permitted in front gardens?

- Yes
- No
- Don't know

Please provide your reasons.

No. It is important that appropriate bin and bike stores are provided and this should be proposed and considered when new dwellings are provided as part of the application process. A blanket permitted development right would not be appropriate. The impact would be exacerbated by the often prominence of front gardens. This would be at odds with the NPPF; that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Development should be subject to the policy assessment, scrutiny and opportunity to comment of a planning application. There are likely impacts with regard to scale, appearance, materials, neighbouring amenity, odour, impact on any designated heritage assets or landscapes, highways safety including pedestrian and vehicle visibility splays, and parking provision.

Q.19 Do you agree that bin and bike stores should be permitted in front gardens in article 2(3) land (which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites)?

- Yes
- No
- Don't know

Please provide your reasons.

No. To remove this restriction would be at odds with the designation of these areas and the advice within the NPPF. To allow such changes would fail to conserve and enhance the natural scenic beauty and tranquil character of these areas. Development should be assessed through the scrutiny of a planning application given sensitivity of these sites.

Q.20 Do you agree that bin and bike stores in front gardens can be no more than 2 metres in width, 1 metre in depth and up to 1.5 metres in height?

- Yes
- No
- Don't know

Please provide your reasons.

No. The size requirement may differ between different authorities. It is not appropriate to have a blanket restriction and each case should be assessed on its own merits through the established planning application process. This should be considered and planned for as part of the residential development.

Q.21 Are there any other planning matters that should be considered if bin and bike stores were permitted in front gardens?

- Yes
- No
- Don't know

Please provide your reasons.

Yes. This should be controlled through a planning application. Other matters for consideration include but are not limited to: scale, appearance, materials, neighbouring amenity, odour, impact on any designated heritage assets or landscapes, highways safety including pedestrian and vehicle visibility splays, and parking provision.

Q.22 Should the existing limitation that in Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites development situated more than 20 metres from any wall of the dwellinghouse is not permitted if the total area of ground covered by development would exceed 10 square metres be removed?

- Yes
- No
- Don't know

Please provide your reasons.

No. To remove this restriction would be at odds with the designation of these areas and the advice within the NPPF. To allow such changes would fail to conserve and enhance the natural scenic beauty and tranquil character of these areas. Development should be assessed through the scrutiny of a planning application given sensitivity of these sites.

Q.23 Should the permitted development right be amended so that it does not apply where the dwellinghouse or land within its curtilage is designated as a scheduled monument?

- Yes
- No
- Don't know

Please provide your reasons.

Yes. It is sensible that this flexibility is removed in these locations

Q.24 Do you think that any of the proposed changes in relation to the Class A, B C and E of Part 1 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?

- Yes
- No
- Don't know

Please provide your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination and which right or rights your comments relate to.

Yes.

a) It is not likely that the number of householder extensions would increase but the size of them may do, which may have a small impact on construction businesses.

b) Loss of application fee income for the LPA. Increased number of planning enforcement complaints from residents regarding neighbouring developments.

c) Detrimental impact from loss of protection of amenity afforded by applying planning policies and the scrutiny of a planning application to proposals.

Changes to the permitted development rights for building upwards

The upward extension of buildings

Q.25 Do you agree that the limitation restricting upwards extensions on buildings built before 1 July 1948 should be removed entirely or amended to an alternative date (e.g. 1930)?

- Yes – removed entirely
- Yes – amended to an alternative date
- No
- Don't know

Please provide your reasons. If you have chosen an alternative date, please specify.

No. To allow for a full assessment through a planning application, as it is more likely that an older building may have potential to be a non-designated heritage asset. A non-designated heritage asset would not have the protection of a Listed Building or being within a Conservation Area.

Q.26 Do you think that the prior approvals for the building upwards permitted development rights could be streamlined or simplified?

- Yes
- No
- Don't know

Please provide your reasons. If you have responded yes, please provide your suggestion and justification, and specify which right(s) you are referring to.

No. The existing steps are necessary to prevent inappropriate development.

Construction of new dwellinghouses on a freestanding block of flats

Q.27 Do you have any views on the operation of the permitted development right that allows for the construction of new dwellinghouses on a freestanding block of flats (Class A of Part 20)?

- Yes
- No
- Don't know

Please provide your reasons.

Don't know. The LPA does not have experience of this PD right being used in practice.

Q.28 Do you agree that the existing limitations associated with the permitted development right for building upwards on a freestanding block of flats (Class A of Part 20) incorporates sufficient mitigation to limit impacts on leaseholders?

- Yes
- No
- Don't know

Please provide your reasons.

Don't know. The LPA does not have experience of this PD right being used in practice.

Q.29 Do you think that any of the proposed changes in relation to the Class AA of Part 1 and Class A, AA, AB, AC and AD of Part 20 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?

- Yes
- No
- Don't know

Please provide your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination and which right or rights your comments relate to.

Yes.

a) Minimal impact

b) Increased workloads for the LPA and loss of application fee income. Loss of infrastructure contributions. Increased number of planning enforcement complaints from residents regarding neighbouring developments.

c) Creation of dwellings in unsustainable locations away from services and facilities. Impact on the character of the area and protected landscapes. Detrimental impact from loss of protection of amenity afforded by applying planning policies and the scrutiny of a planning application to proposals.

Changes to the permitted development right for demolition and rebuild

Q.30 Do you agree that the limitation restricting the permitted development right to buildings built on or before 31 December 1989 should be removed?

- **Yes**
- **No**
- **Don't know**

No. This may discourage the re-use of buildings that are capable of being re-used.

Q.31 If the permitted development right is amended to allow newer buildings to be demolished, are there any other matters that should be considered?

- **Yes**
- **No**
- **Don't know**

Yes. Requiring an appropriate marketing exercise to encourage the re-use of suitable buildings where possible.

Q.32 Do you agree that the permitted development right should be amended to introduce a limit on the maximum age of the original building that can be demolished?

- **Yes – it should not apply to buildings built before 1930**
- **Yes – it should not apply to buildings built before an alternative date**
- **No**
- **Don't know**

Please provide your reasons. If you have chosen an alternative date, please specify.

Yes - it should not apply to buildings built before an alternative date. To allow for a full assessment through a planning application, as it is more likely that an older building may have potential to be a non-designated heritage asset. A non-designated heritage asset would not have the protection of a Listed Building or being within a Conservation Area.

Q.33 Do you agree that the Class ZA rebuild footprint for buildings that were originally in use as offices, research and development and industrial processes should be allowed to benefit from the Class A, Part 7 permitted development right at the time of redevelopment only?

- Yes
- No
- Don't know

Please provide your reasons.

No. To do so would result in development to the detriment on the character and appearance of an area. It would be contrary to the NPPF as it would not secure development that would be sympathetic to local character or landscape setting. It is important that the proposed development is tested on a case-by-case basis and assessed through the established planning application process so that all matters can be considered, mitigated and controlled where necessary.

Q.34 Do you think that prior approvals for the demolition and rebuild permitted development right could be streamlined or simplified?

- Yes
- No
- Don't know

Please provide your reasons and examples where possible.

No. The existing steps are necessary to prevent inappropriate development.

Q.35 Do you think that any of the proposed changes in relation to the Class ZA of Part 20 permitted development right could impact on: a) businesses b) local planning authorities c) communities?

- Yes
- No
- Don't know

Please provide your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

Yes.

a) Loss of business premises

b) Increased workloads for the LPA and loss of application fee income. Loss of infrastructure contributions. Increased number of planning enforcement complaints from residents regarding neighbouring developments.

c) Creation of dwellings in unsustainable locations away from services and facilities. Impact on the character of the area and protected landscapes. Detrimental impact from loss of protection of amenity afforded by applying planning policies and the scrutiny of a planning application to proposals.

Changes to the permitted development rights for the installation of electrical outlets and upstands for recharging electric vehicles

Q.36 Do you agree that the limitation that wall-mounted outlets for EV charging cannot face onto and be within 2 metres of a highway should be removed?

- Yes
- No
- Don't know

Please provide your reasons.

Yes, in principle. Consideration should be given to retaining this limitation on Article 2(3) land.

Q.37 Do you agree that the limitation that electrical upstands for EV charging cannot be within 2 metres of a highway should be removed?

- Yes
- No
- Don't know

No. Due to the scale and potential for clutter this limitation should be retained.

Q.38 Do you agree that the maximum height of electric upstands for EV recharging should be increased from 2.3 metres to 2.7 metres where they would be installed in cases not within the curtilage of a dwellinghouse or a block of flats?

- Yes
- No
- Don't know

Please provide your reasons.

No. There should be a proven requirement for the size increase.

Q.39 Do you agree that permitted development rights should allow for the installation of a unit for equipment housing or storage cabinets needed to support non-domestic upstands for EV recharging?

- Yes
- No
- Don't know

Please provide your reasons.

Yes, in principle. Consideration should be given to retaining this limitation on Article 2(3) land.

Q.40 Do you agree that the permitted development right should allow one unit of equipment housing in a non-domestic car park?

- Yes
- No
- Don't know

Please provide your reasons. If you think that the permitted development right should allow for more than one unit of equipment housing or storage cabinet, please specify a suitable alternative limit and provide any supporting evidence.

Yes. To minimise potential for clutter.

Q.41 Do you agree with the other proposed limitations set out at paragraph 60 for units for equipment housing or storage cabinets, including the size limit of up to 29 cubic metres?

- Yes
- No
- Don't know

Please provide your reasons.

Don't know. It is not clear why those sizes in particular have been chosen. Consideration should be given to restrictions or a prior approval process on Article 2(3) land given the sensitivity of those sites.

Q.42 Do you have any feedback on how permitted development rights can further support the installation of EV charging infrastructure?

- Yes
- No
- Don't know

Please provide your reasons.

No

Q.43 Do you think that any of the proposed changes in relation to the Class D and E of Part 2 permitted development right could impact on: a) businesses b) local planning authorities c) communities?

- Yes
- No
- Don't know

Please provide your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination and which right or rights your comments relate to.

Yes

- a) May increase the flexibility of businesses to provide development under these rights.
- b) Minimal impact
- c) Potential impact on amenity and protected landscapes.

Changes to the permitted development right for air source heat pumps within the curtilage of domestic buildings

Q.44 Do you agree that the limitation that an air source heat pump must be at least 1 metre from the property boundary should be removed?

- Yes
- No
- Don't know

Please provide your reasons.

Don't know. There isn't sufficient certainty provided in the consultation document to demonstrate that this would be acceptable with regard to noise.

Q.45 Do you agree that the current volume limit of 0.6 cubic metres for an air source heat pump should be increased?

- Yes
- No
- Don't know

Please provide your reasons. If you have answered yes, please provide examples of a suitable size threshold, for example, in cubic meters or a height limit, including any supporting evidence.

Don't know. There isn't sufficient certainty provided in the consultation document to demonstrate that this would be acceptable with regard to noise.

Q.46 Are there any other matters that should be considered if the size threshold is increased?

- Yes
- No
- Don't know

Please provide your reasons.

Yes. Visual impact, particularly in designated landscapes.

Q.47 Do you agree that detached dwellinghouses should be permitted to install a maximum of two air source heat pumps?

- Yes
- No
- Don't know

Please provide your reasons.

Don't know. There isn't sufficient certainty provided in the consultation document to demonstrate that this would be acceptable.

Q.48 Do you agree that stand-alone blocks of flats should be permitted to install more than one air source heat pump?

- Yes
- No
- Don't know

Please provide your reasons.

Yes. This would allow more than one flat to benefit from this right, however this could be subject to a prior approval process to allow for the cumulative visual impact to be assessed.

Q.49 Do you agree that the permitted development right should be amended so that, where the development would result in more than one air source heat pump on or within the curtilage of a block flats, it is subject to a prior approval with regard to siting?

- Yes
- No
- Don't know

Please provide your reasons.

Yes. It is important that the cumulative impact is assessed.

Q.50 Are there any safeguards or specific matters that should be considered if the installation of more than one air source heat pump on or within the curtilage of a block of flats was supported through permitted development rights?

- Yes
- No
- Don't know

Please provide your reasons.

Yes. See above with regard to the cumulative impact being assessed.

Q.51 Do you have any views on the other existing limitations which apply to this permitted development right that could be amended to further support the deployment of air source heat pumps?

- Yes
- No
- Don't know

Please provide your reasons.

No

Q.52 Do you think that any of the proposed changes in relation to the Class G of Part 14 permitted development right could impact on: a) businesses b) local planning authorities c) communities?

- Yes
- No

- **Don't know**

Please provide your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

Yes

a) Minimal impact

b) Minimal impact

c) Additional flexibility to utilise permitted development rights. Potential noise impacts if rights are relaxed.

Public Sector Equality Duty

Q.53 Do you think that the changes proposed in this consultation could give rise to any impacts on people who share a protected characteristic (Age; Disability; Gender Reassignment; Marriage or Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?

- **Yes**
- **No**
- **Don't know**

Please provide your reasons.

Yes. The proposed changes could result in some dwellings being provided in inappropriate locations which would be difficult to access and where an aging population or people with disabilities would be isolated and removed from the services and facilities required to support their needs.