Householder Permitted Development Rights

Changes from 06 February 2012

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Introduction

On 6 February 2012, changes were made to the rules on whether alterations and extensions to houses and flats need planning permission. The Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 sets out the new regulations. The aim of the new legislation is to remove minor developments from planning control, giving householders more freedom to develop their properties. It also means that as a planning authority we can free up resources and concentrate on more significant planning matters.

What is Permitted Development?

Permitted Development Rights are granted so that instances of small alterations and extensions can be carried out without the need to submit an application for permission. These rights are written to protect the amenity of neighbours and the character of conservation areas whilst still allowing some limited development without needing to apply.

Main Changes

- The old classes 1 to 6 of the Order have been replaced by classes 1A to 3E; A class 4A allows some limited alterations to flats without planning permission;
- The concept of a principal elevation is used in many of the classes. Development in front of the principal elevation always needs planning permission;
- There are classes for development covering porches, decking and access ramps and so greater clarity on when these need permission;
- A 1m 'bubble' allows alterations such as solar panels and satellite dishes to be added without permission provided it is not in a conservation area;

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- More generous permitted development rights for extensions and freestanding buildings;
- Hardstanding must be porous or have run off to porous or permeable surfaces. Otherwise they will need planning permission; and
- More controls in conservation areas. Most householder development in conservation areas will need planning permission apart from small buildings such as huts behind the principal elevation.

Where can I find out more information?

The Scottish Government Householder Permitted Development Rights webpage can be found here at the following link:

How do I find out if I need planning permission?

Follow these steps if you are not sure if planning permission is required:

1. Look at the Scottish Government legislation or contact us to discuss your proposal to see if planning permission is required.
2. If you need planning permission, make an application online at https://eplanning.scotland.gov.uk/WAM/ or by printing off the Householder application form at https://eplanning.scotland.gov.uk/WAM/paperforms.htm

Any questions?

Contact us at:

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