

the Architects-column

By Nick Belderbos Chartered RIBA Architect and director of Heswall based architects-direct.com

The Planning Minefield

The papers, radio and television have recently been reporting on National 'changes' to the planning rules with attention grabbing headlines such as:

'Homeowners in England are being given the green light to build larger extensions without planning permission.' (BBC)

Headlines of this nature are misleading and give the impression to homeowners that they can carry out large scale alterations without the need for any form of permission. This leads to unrealistic expectations from clients wishing to extend their properties and greater anxiety for people living near someone proposing to extend their home.

Our column in the 'Heswall Magazine' (December 2018) outlined the planning requirements for extending your home. The column can be viewed on page 43 at:
www.heswallmagazine.co.uk/december-2018

We have been in regular contact with the national 'Planning Portal' since our column in December to try and establish if the deadline of the end of May 2019, for Prior Approval schemes would be extended. Anyone building extensions under prior approval were being left in limbo unsure if their extensions needed completing by the deadline. In December we were advised, by the Planning Portal, that a decision would be made at the end of January 2019 however that decision was only made last week, at the very last minute.

Essentially the rules dictating permitted development have not changed they have simply been made permanent. It now means that larger extensions requiring Prior Approval do not need to be completed by the end of May 2019. Although the news reporting of the increased limits on extensions gives the impression that such works are 'Permitted Development' they do, in actual fact, require a form of Application known as Prior Approval. (see Dec 2018 Column)

The introduction of the increased limits should not be hailed as a success. It has only caused confusion in the already complicated world of Planning Policy. It would be far better for the Government to look at abolishing all forms of permitted development and require planning applications for any development of your home. However this could only work if there was consistency in planning policy across the country. Currently, interpretation of national planning guidelines varies from Council to Council and even within the same council interpretation can vary between officers. This leads to a form of 'Planning Lottery' with the likelihood of success dependent on where you live and the individual officer dealing with your application. The reason this grey area occurs is because many policies are recommendations leaving them open to individual interpretation.

The recent changes have essentially created 3 tiers of Planning for domestic properties:

- Permitted Development
- Prior Approval
- Householder Planning Permission

Permitted Development:

This allows some works to be carried out without the need for any planning permission. Wirral Council have previously been able to confirm if your proposed work is 'Permitted Development' through the simple method of submitting a Pre-Planning Advice Application. Wirral are now unable to process 'Permitted Development' confirmations in this way. A formal application for a Certificate of Lawfulness is now required through the National Planning Portal System. This has hiked the fee from £27 to £123.

We have been advised that if it is believed a proposal is permitted the client has two choices:

1. Simply build the extension
2. Submit the above Application if formal confirmation required.

We would **not** recommend simply building an extension in the belief it is permitted development. There are occasions where permitted development rights have been removed from properties and this could lead to potential issues further down the line.

Prior Approval:

A Prior Approval Application is required for the increased extension sizes. This is currently **free** but will go through much of the process of a Householder Planning Application. These applications will put extra strain on the already over stretched planning departments creating a greater workload for no fee. No doubt fees for such applications will soon be introduced.

Householder Planning Applications:

A Householder Planning Application will be required for all works not falling into one of the two categories above.

Back to Brick

There has been a sharp increase in the number of properties being remodelled using render and dark grey windows. These can look very crisp and modern however if the current trend continues there will be little variety in our built environment. When considering an extension don't dismiss the possibility of brickwork. Brickwork has excellent weathering properties and can be used in traditional and contemporary ways.



for more advice contact us on 0151 342 7748 or call in and see us at our new office 47 Telegraph Road, Heswall