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**PART A: MATTERS DEALT WITH UNDER DELEGATED POWERS**

**REPORT TO: PLANNING COMMITTEE**

**DATE: 18 JUNE 2019**

**REPORT OF THE: HEAD OF PLANNING AND REGULATORY SERVICES  
GARY HOUSDEN**

**TITLE OF REPORT: RECENT AMENDMENTS FROM 25 MAY 2019 TO THE TOWN  
AND COUNTRY PLANNING (GENERAL PERMITTED  
DEVELOPMENT) (ENGLAND) ORDER 2015 RELATING TO  
LARGER EXTENSIONS TO DWELLINGS**

**WARDS AFFECTED: ALL**

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1 To inform members of the recent changes to the General Permitted Development Order as they relate to “permitted development” rights for Larger Extensions

### **2.0 RECOMMENDATION**

- 2.1 Members note the information contained in Section 4 of this report.

### **3.0 POLICY CONTEXT**

Not Applicable – This is a change to secondary legislation by central government

### **4.0 REPORT**

- 4.1 The permitted rights to build larger rear single storey home extensions started in 2013 and was initially for a period of three years. In 2016 the permitted rights were extended for a further three years until 30 May 2019. The government introduced new legislation that came into force on 25 May 2019 that removed the cut-off date of 30 May 2019 and has made these permitted rights permanent.

Larger home extensions refers to single storey extensions that extend between 4m and 8m from the rear wall of the original dwellinghouse in the case of a detached dwellinghouse or between 3m and 6m in any other case such as semi-detached or terraced.

- 4.2 The availability to use these permitted rights in Class A are not universal. It does not apply at all in the following situations:

- The area where the dwelling is located is Article 2(3) land – within Ryedale

District Council's area of planning responsibility this refers to any designated Conservation Area and the Howardian Hills Area of Outstanding Natural Beauty (AONB). Outside our area of planning responsibility but still within part of Ryedale it would also not be available within the North York Moors National Park.

- Any dwelling that has had its permitted development rights removed by a planning condition.

4.3 If the dwelling is in an area where this procedure can be followed an "application" process is still required which includes submission of an application form "Notification of a Proposed Larger Home Extension" and plan(s) to identify the dwellings location and the extension proposed. There is a statutory adjoining neighbour consultation process and the local planning authority has to give a decision within 42 days of running the application. Works cannot commence until the planning authority notifies the householder; no prior approval is required or gives prior approval or the 42 days have passed. At present no fee is required for this type of application but this may be introduced shortly. Notification from the government is awaited on possible changes to the fees regulations.

4.4 "Automatic" permitted development will only apply in circumstances where the notified neighbours raise no objections. If objections are received the local planning authority has to consider the amenity impacts before deciding whether to approve or refuse the extension that is being proposed.

4.5 Rights of appeal still exist in relation to these applications. This is done under the Householders Appeals process and an appeal must be submitted within 12 weeks of the decision.

## **5.0 RISK ASSESSMENT**

5.1 There are no significant risks arising from the recent change to the 2015 General Permitted Development Order.

## **6.0 Implications**

6.1 a) Financial – none

b) Legal – none

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder) - none

**Gary Housden**  
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## **Background Papers:**

Town and Country Planning (General Permitted Development) (England) Order 2015  
The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments)(England) Regulations 2019