



## Appendix 3: Summary of Permitted Development Rights in Conservation Areas

This appendix is an attempt by planning officers to identify occasions where permitted development rights are removed/adjusted within conservation areas (known as Article 2(3) land), as currently established by the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 \(as Amended\)](#). The GPDO is regularly updated and amended, as such it cannot be guaranteed as a comprehensive list however and the Council therefore reserves the right to consult and apply the Order as appropriate in respect of planning applications, planning appeal and enforcement activity.

Some amendments to the Order are due to come into force from 31<sup>st</sup> December 2023. Where these relate to conservation areas, these are included at the end of this appendix document.

Part 1 Class A (enlargement, improvement or other alteration of a dwellinghouse) where (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles; (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse; or (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c). The neighbour consultation scheme for larger single storey rear extensions (6m/8m depth) does not apply in conservation areas.

Part 1 Class AA (enlargement of a dwellinghouse by construction of additional storeys).

Part 1 Class B (additions etc to the roof of a dwellinghouse).

Part 1 Class E (buildings etc incidental to the enjoyment of a dwellinghouse) if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

Part 1 Class G (chimneys, flues, etc on a dwellinghouse) where the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which (i) fronts a highway and (ii) forms either the principal elevation or a side elevation of the dwellinghouse.

Part 1 Class H (microwave antenna on a dwellinghouse) where it would consist of the installation of an antenna (i) on a chimney, wall or roof slope which faces onto, and is visible from, a highway or (iii) on a building which exceeds 15 metres in height.

Part 3 Class M (certain uses to dwellinghouses).

Part 3 Class MA (commercial, business and service uses to dwellinghouses) - prior approval to be sought where the building is located in a conservation area and the development involves a change of use of the whole or part of the ground floor.

Part 3 Class Q (agricultural buildings to dwellinghouses).

Part 4 Class E (temporary use of buildings or land for film-making purposes).

Part 7 Class A (the extension or alteration of a commercial, business or service premises) if the gross floor space of the original building would be exceeded by more than 25% or 50sqm (whichever is the lesser), or any part of the development or alteration is on article 2(3) land, or materials do not have a similar external appearance to the existing.

Part 7 Class C (click and collect facilities).

Part 7 Class D (modification of shop loading bays).

Part 7 Class H (extensions etc of industrial and warehouse) if the gross floor space of any new building would exceed 100sqm, or the gross floor space of the original building would be exceeded by more than 10% or 500 square metres (whichever is lesser), or materials do not have a similar external appearance to the existing.

Part 7 Class L (development at waste management facilities).

Part 7 Class M (extensions etc for schools, colleges, universities, prisons and hospitals) if materials do not have a similar external appearance to the existing.

Part 9 Class D (toll road facilities) – prior approval to be sought where the development is located in a conservation area.

Part 11 Class B (demolition of buildings) if the demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area).

Part 11 Class C (demolition of gates, fences, walls etc) if the demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area).

Part 14 Class A (installation or alteration etc of solar equipment on domestic premises) where the solar PV or solar thermal equipment would be installed on a wall which fronts a highway.

Part 14 Class B (installation or alteration etc of stand-alone solar equipment on domestic premises) where any part of the stand-alone solar would be installed so that it

is nearer to any highway which bounds the curtilage than the part of the dwellinghouse or block of flats which is nearest to that highway.

Part 14 Class E (installation or alteration etc of flue for biomass heating system on domestic premises) where the flue would be installed on a wall or roof slope which fronts a highway.

Part 14 Class F (installation or alteration etc of flue for combined heat and power on domestic premises) where flue would be installed on a wall or roof slope which fronts a highway.

Part 14 Class G (installation or alteration etc of air source heat pump on domestic premises) where pump (a) would be installed on a wall or a roof which fronts the highway or (b) would be installed so that it is nearer to any highway which bounds the curtilage than the part of the dwellinghouse or block of flats which is nearest to that highway.

Part 14 Class H (installation or alteration etc of wind turbine on domestic premises) where turbine would be installed on a wall or roof slope of (a) the detached dwellinghouse or (b) a building within the curtilage of the dwellinghouse or block of flats which fronts a highway.

Part 14 Class I (installation or alteration etc of stand-alone wind turbines on domestic premises) where the turbine would be installed so that it is nearer to any highway which bounds the curtilage than the part of the dwellinghouse or block of flats which is nearest to that highway.

Part 14 Class J (installation or alteration etc of solar equipment on non-domestic premises) where solar photovoltaic or solar thermal equipment would be installed on a roof slope or wall which fronts a highway.

Part 14 Class K (installation or alteration etc of stand-alone solar equipment on non-domestic premises) where equipment would be installed so that it is nearer to any highway which bounds the curtilage than the part of the building which is nearest to the highway.

Part 14 Class N (installation etc of flue for biomass heating system on non-domestic premises) where flue would be installed on a wall or roof slope which fronts a highway.

Part 14 Class O (installation etc of flue for combined heat and power on non-domestic premises) where flue would be installed on wall or roof slope which fronts a highway.

Part 15 Class B (electricity undertakings) where extension or alteration of buildings on operational land would exceed cubic content of original building by more than 10% or exceed floorspace of original building by more than 500 sqm.

Part 16 Class A (electronic communications code operators) – various restrictions within article 2(3) land or sitings visible from article 2(3) land.

Part 16 Class B (other electronic communications development) where it would consist of installation of antenna on a chimney, wall or roof slope which faces onto and is visible from a highway.

Part 16 Class C (other electronic communications development: microwave antenna) where it would consist of installation of antenna on a chimney, wall or roof slope which faces onto and is visible from a highway.

Part 19 Class B (extension or alteration of an operational Crown building) where cubic content of original building would be exceeded by more than 10% or floorspace of original building by more than 500 sqm.

Part 19 Class T (electronic communication apparatus etc for national security purposes) unless (a) land on which apparatus is to be installed is or forms part of a site where there is existing electronic communication apparatus, (b) the existing apparatus was installed on the site on or before the relevant day and (c) the site was Crown land on the relevant day. Additional conditions also apply.

Part 19 Class TA (development by the Crown on a closed defence site).

Part 20 Class ZA (demolition of buildings and construction of new dwellinghouses in their place) if land covered by, or within the curtilage of, the old building is or forms part of article 2(3) land; or if the demolition is "relevant demolition" for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area).

Part 20 Class A (new dwellinghouses on detached blocks of flats) if the land or site on which the building is located, is or forms part of article 2(3) land.

Part 20 Class AA (new dwellinghouses on detached buildings in commercial or mixed use) if the land or site on which the building is located, is or forms part of article 2(3) land.

Part 20 Class AB (new dwellinghouses on terrace buildings in commercial or mixed use) if the land or site on which the building is located, is or forms part of article 2(3) land.

Part 20 Class AC (new dwellinghouses on terrace buildings in use as dwellinghouses) if the land or site on which the dwellinghouse is located, is or forms part of article 2(3) land.

Part 20 Class AD (new dwellinghouses on detached buildings in use as dwellinghouses) if the land or site on which the dwellinghouse is located, is or forms part of article 2(3) land.

As of 31<sup>st</sup> December 2023, some amendments to the General Permitted Development Order are scheduled. These include the following amendments which relate to conservation areas:

*Article 4 amends Class A (installation or alteration etc of solar equipment on domestic premises) of Part 14 (renewable energy) of Schedule 2 to the GPDO to allow the installation of solar photovoltaic equipment and solar thermal equipment (together “solar equipment”) on a flat roof and introduces a requirement to apply to the local planning authority for a determination as to whether its prior approval is needed where that development is on article 2(3) land (for example land within a National Park, a conservation area, an area of outstanding natural beauty, or a World Heritage Site).*

*Article 5 amends Class B (installation or alteration etc of stand-alone solar equipment on domestic premises) of Part 14 of Schedule 2 to the GPDO to permit stand-alone solar equipment in a conservation area where the solar equipment is closer to a highway than the part of the premises nearest the highway. In that case, it restricts the maximum height of the solar equipment to 2 metres and introduces a requirement to apply to the local planning authority for a determination as to whether its prior approval is needed.*

*Article 6 amends Class J (installation or alteration etc of solar equipment on non-domestic premises) of Part 14 of Schedule 2 to the GPDO to allow the development of solar equipment on a roof slope fronting a highway on article 2(3) land and removes the 1 megawatt capacity threshold for the installation of solar PV.*

*Article 7 amends Class K (installation or alteration etc of stand-alone solar equipment on non-domestic premises) of Part 14 of Schedule 2 to the GPDO to permit stand-alone solar equipment on article 2(3) land where the solar equipment is closer to a highway than the part of the premises nearest the highway. In that case, it restricts the maximum height of the solar equipment to 2 metres and introduces a requirement to apply to the local planning authority for a determination as to whether its prior approval is needed.*

*Article 8 introduces new Class OA into Part 14 of Schedule 2 to the GPDO. Class OA permits the installation, alteration and replacement of a solar canopy on non-domestic, off-street parking. Class OA is subject to various limitations, including that no part of the development may exceed 4 metres in height or be within 10 metres of the curtilage of a dwellinghouse or block of flats. Class OA contains a requirement to apply to the local planning authority for a determination as to whether its prior approval is needed.*

(Source: DLUHC)