



Department for
Communities and
Local Government

Nick Boles MP

Parliamentary Under Secretary of State (Planning)

**Department for Communities and Local
Government**

Eland House
Bressenden Place
London SW1E 5DU

Tel: 0303 444 3459

Fax: 020 7821 0635

E-Mail: nick.boles@communities.gsi.gov.uk

Clive Betts MP
Chairman of the Communities and Local
Government Select Committee
House of Commons
London SW1P 3JA

23 April 2013

Dear Clive,

Thank you for your letter of 22 April to Eric Pickles about the Government amendment to the Growth and Infrastructure Bill, which has now been agreed by the House of Lords, to introduce a new light-touch neighbours' consultation scheme for small scale householder extensions. I have set out answers to your questions below.

We will update the Impact Assessment for the changes to permitted development rights for homeowners, including a revised estimate of benefits, when we lay the secondary legislation.

Our revised approach responds directly to the concerns raised about neighbour consultation. Where objections are raised by immediate neighbours, the council will consider whether the impact on amenity is acceptable, considering issues such as privacy and light. Our changes to householder permitted development rights will not apply to protected areas, including conservation areas, National Parks, Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest. Existing safeguards under building regulations (including ensuring adequate provision for rainwater run-off), the Party Wall Act and Right to Light are unaffected by our proposals.

Our proposals to extend permitted development rights, as outlined in the consultation, are for a three-year period and remain so. As we have said previously, if the scheme works well, then in due course, there would be a good case for extending it, subject to Parliamentary approval.

This is a very light-touch process, and we do not believe it will create a significant amount of new work for planning departments, or impose significant costs on local authorities. Indeed, our reforms will reduce the amount of time that planning officers need to spend on producing reports for uncontroversial home improvements. We will, of course, make an assessment of net savings and costs in the normal way in line with our own New Burden guidance, and we will work closely with the Local Government Association on this and other implementation issues.

These proposals will build consensus by encouraging homeowners to talk informally to their neighbours in advance, and will be backed up by the council acting as an

independent arbiter. We believe that this strikes a good balance between the freedom of homeowners to invest in their homes and protection of neighbours, and delivers the same benefits as the 2007 Quality of Life report proposals, albeit in a different form.

The local authority assessment of the impact on the amenity of neighbours can only be triggered by an objection from an adjoining neighbour, An application under these new arrangements will be faster for the local authority to process than a normal planning application. If no neighbour objects after the 21-day consultation period, the local authority can let the homeowner know immediately that they can proceed. Even if there are objections, the local authority will be considering the single issue of the impact on the amenity of adjoining neighbours, rather than the full range of matters which would be relevant to a planning application.

If permission for the development is refused by the local authority, the homeowner will be able to appeal via the Planning Inspectorate in the normal way for planning applications.

This neighbours' consultation scheme will only apply to the new additional householder permitted development rights. Homeowners wishing to build extensions up to the current limits (4m for a detached house and 3m for other types of house) will not be subject to them, and nor will the new permitted development rights we are bringing forward for commercial to residential change of use.

The introduction of the neighbour consultation scheme will mean that homeowners are less likely to pay for a Certificate of Lawful Development, as they will be provided with written confirmation that their application falls within permitted development. If a proposed extension was larger than the new limits then it would not be permitted development and a full planning application would be required. As is already the case, any extension which does not either fall within permitted development or have local authority planning permission could be subject to enforcement action using existing processes.

I hope that these answers have been helpful, and I am placing a copy in the Library of the House.



NICK BOLES MP