



HL Bill 28 of 2024–25

Permitted Development Rights (Extension) Bill [HL]

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The [Permitted Development Rights \(Extension\) Bill \[HL\]](#) is a private member's bill tabled by Lord Lucas (Conservative). Permitted development rights (PDRs) allow householders to make changes to their properties without applying to their local planning authority (LPA) for planning permission. They are currently made available through secondary legislation. The Permitted Development Rights (Extension) Bill [HL] would establish new PDRs in primary legislation in England and Wales. The House of Lords is scheduled to debate the bill at second reading on 7 February 2025.

I. Permitted development rights: Current rules

In England and Wales planning permission is required from the LPA if work is being carried out to 'develop' a building.¹ The types of development requiring planning permission include alterations and additions to existing buildings.² Changes that only affect the interior of a building or do not affect its external appearance do not require planning permission.

Under the Town and Country Planning Act 1990, the secretary of state may introduce development orders that grant planning permission for specific classes of development where certain criteria are met.³ In 2015, the then coalition government signed the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#), also referred to as the General Permitted Development Order (GPDO), into law. This order lists which types of development may qualify for PDRs in England. In Wales, the equivalent statutory instrument is the [Town and Country Planning \(General Permitted Development\) Order 1995](#).

¹ [Town and Country Planning Act 1990, s 57](#). Further information on when planning permission is required is provided on the Ministry of Housing, Communities and Local Government page ['When is permission required?'](#) (26 July 2023).

² [Town and Country Planning Act 1990, s 55](#).

³ [Town and Country Planning Act 1990, s 59](#).





The types of development to which PDRs apply in England and Wales include alterations and additions to domestic properties such as:

- building extensions to the side and rear of a building
- making alterations to roofs such as roof extensions or installing roof lights and windows
- adding porches
- making changes to driveways
- installing, altering or repairing chimneys and satellite dishes⁴

The use of PDRs may be subject to restrictions. For example, certain developments may require prior approval from the LPA on matters including the impact of the development on adjoining premises, their environmental impact and the changes they might make to the external appearance of a building.⁵ PDRs might also be restricted because they are in protected areas such as a national park or a world heritage site.⁶ The use of PDRs for developments to buildings that are either listed or a protected heritage asset is also restricted.

The types of development covered by PDRs have been amended and expanded since the passing of the Town and Country Planning Act 1990. For example, in 2023 the then government amended the GPDO to create a PDR covering the installation of solar panels in non-domestic car parks.⁷ The current government has not proposed any changes to the rules governing PDRs relating to existing domestic properties.

2. Bill provisions

The Permitted Development Rights (Extension) Bill [HL] would establish several new PDRs

⁴ Ministry of Housing, Communities and Local Government, '[Permitted development rights for householders: Technical guidance](#)', September 2019; and Welsh Government, '[Planning: A guide for householders—version 3](#)', May 2020, p 5.

⁵ A full list of the instances where prior consent may be required is provided in [schedule 2 of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#).

⁶ [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015, sch 1](#).

⁷ [Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) \(No. 2\) Order 2023](#); and House of Commons, '[Written statement: Solar and protecting our food security and best and most versatile \(BMV\) land \(HCWS466\)](#)', 15 May 2024.



in primary legislation. These would be available to householders specifically.⁸ The bill does not make any reference to existing legislation governing PDRs. Therefore, the new PDRs created by the bill could apply to developments that may already be covered by existing planning rules. The bill would extend to England and Wales and would come into force six months after royal assent.⁹

2.1 Types of development

The PDRs proposed in the bill are listed in its schedule and would apply to developments including:

- making changes to the height of the roof of a building
- adding side and rear extensions
- raising party walls
- adding floors to a bungalow
- increasing the height of buildings in town centres by up to four stories
- installing air source heat pumps, solar panels and electric vehicle charging points

The schedule also sets out criteria that developments should meet in order to qualify for the new PDRs created by the bill. For example, the bill states the ridge height and eaves of a building may only be raised by up to one metre in order for the development to qualify.¹⁰ Other specifications include limits to the size of side or rear extensions to a property and to the maximum height that solar panels placed on top of a building may rise above the roof.

2.2 General restrictions

In order to benefit from these new PDRs, the development would also need to meet general restrictions set out in the bill.¹¹ These are that developments must not erase a right of way or an easement, infringe on the right to light, substantially reduce the light available to existing solar panels or infringe on other private rights unless this is agreed with the other parties concerned. The bill also states PDRs would not apply to listed buildings.¹²

⁸ [Permitted Development Rights \(Extension\) Bill \[HL\]](#), clause 1(1).

⁹ As above, clause 6(1–2).

¹⁰ As above, sch 1, para 1(a).

¹¹ As above, clause 3.

¹² As above, clause 1(2).



2.3 Powers given to planning authorities

The bill would enable a planning authority to impose design requirements in relation to PDRs. However, the bill states these requirements may not have the effect of making a development “unreasonably impracticable or uneconomic”.¹³ The powers given to planning authorities under the bill to regulate the use of PDRs include imposing:¹⁴

- measures to slow the run-off of rainwater from the property being developed
- requirements concerning the building’s structural safety
- standards for insulation or energy efficiency
- requirements for new roof areas created as part of the development, such as a requirement to install a ‘green roof’ (a roof partially or completely covered by vegetation)

The specific requirements that would be applied would be established by the secretary of state using delegated powers in the bill.¹⁵ The planning authority would also be given the power to impose charges to cover the cost of providing additional infrastructure if the development increased the number of rooms in a property beyond a limit set out in secondary legislation.¹⁶

2.4 Flood areas

The bill includes a further restriction on the application of the new PDRs for the development of residential buildings in medium and high flood risk areas (flood risk vulnerability classifications 2 and 3).¹⁷ Properties in these areas would need to be “well served by public transport” and modified to be flood resilient in order to qualify for PDRs.¹⁸ The standards required for these modifications and the definition of what would classify as “well served by public transport” would be set out in secondary legislation.

¹³ As above, clause 2(1).

¹⁴ As above, clause 2(2–5); Parliamentary Office of Science and Technology, ‘[Public health impacts of heat](#)’, 23 May 2024, p 20.

¹⁵ [Permitted Development Rights \(Extension\) Bill \[HL\]](#), clause 2(2–5).

¹⁶ As above, clause 2(6).

¹⁷ As above, clause 4; Environment Agency, ‘[Flood risk assessment: Flood zones 1, 2, 3 and 3b](#)’, 24 May 2024.

¹⁸ [Permitted Development Rights \(Extension\) Bill \[HL\]](#), clause 4.



3. Delegated Powers and Regulatory Reform Committee report

The House of Lords Delegated Powers and Regulatory Reform Committee published a report on the delegated powers in the bill in January 2024.¹⁹ The committee noted the bill did not link the new PDRs to existing legislation, including whether or not the developments benefitting from these new PDRs would be deemed to have planning permission. It recommended the bill should be amended in order to resolve how the new PDRs might interact with existing planning requirements. It argued this was necessary to ensure the delegated powers in the bill had full effect. It also argued the power given to the secretary of state to define the term “well served by public transport” using secondary legislation may be too broad, given the potentially wide scope of this definition. It recommended the term should be defined in the bill instead.

4. Read more

- House of Commons Library, [‘Planning in England: Permitted development and change of use’](#), 6 March 2024
- House of Commons Library, [‘Debate on reform of the planning system’](#), 12 March 2024

¹⁹ House of Lords Delegated Powers and Regulatory Reform Committee, [‘Thirteenth report’](#), 23 January 2025, HL Paper 74 of session 2024–25, pp 3–4.

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