

## Domestic Energy Efficiency & Renewable Energy

### Permitted Development Checklist \*

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This guide is a companion to the [Sustainable Construction & Retrofitting Supplementary Planning Document](#), and is intended to help householders know which energy efficiency and renewable energy measures can be installed without the need to submit a planning application.

*\* This checklist and guidance is for planning purposes and while it refers to Building Regulations it is not a full guide in relation to Building Regulations. Every effort has been made to ensure that this checklist reflects the General Permitted Development Order (GPDO). However, the GPDO may be subject to change. It is therefore, recommended that users of this checklist also refer to both the GPDO and Building Regulations.*

### What is permitted development?

This is a term given to works which are 'permitted' through the General Permitted Development Order 1995 and its subsequent amendments.

In essence, this allows minor development and works that require planning permission to be undertaken without the need to submit a planning application. The Order sets out the specific types of works that are 'permitted' and the criteria they must meet.

### Are there any restrictions or exceptions?

Yes, each measure has a list of specific criteria and conditions which need to be met in order for development to be considered 'permitted development'. Additional criteria are set for some land, such as Conservation Areas, World Heritage Sites and Areas of Outstanding Natural Beauty (AONB).

Permitted development is usually applicable to houses, but ordinary developments and works are generally not considered applicable to flats, maisonettes or other residential developments. In some cases, where planning permission has previously been granted for works, certain Permitted Development rights may have been removed as a condition of those works. **Permitted development never applies to listed buildings (of any grade).**

Additional restrictions may be enforced in any designations of conservational and ecological interest including, Sites of Special Scientific Interest, Special Protection Areas (under the European Community's Birds Directive), and a Special Area of Conservation (under the European Community's Habitats Directive). If you live close to any such designations, then 'permitted development' will need to be considered against any potential significant impact upon those areas. In these instances it is a good idea to seek a "Certificate of Lawfulness". See p2. to see what designations apply to your property and look at the Council's [Policy Proposals Maps](#).

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## What if my proposals are not considered permitted development?

If something is not 'permitted development' it doesn't mean it will not be permitted at all. In these instances, you will need to submit a planning application for the proposed works so that the relevant planning issues can be considered by development management officers, using local and national policy as the framework for any decision.

## Is planning permission required for all works?

A number of measures in the SPD are not considered to be issues of planning concern, and thus never require planning permission. Always ensure you have checked these proposals against Building Regulations and, where applicable, Listed Building Requirements.

## How can I use this checklist?

This checklist will help householders determine if their proposed measures will be considered 'permitted development', or whether they need a full planning application. Each of the measures discussed in the SPD is listed, with information advising whether the proposed development is considered a planning issue, and whether 'permitted development' ever applies to this measure.

The specific conditions which apply to each class of permitted development are listed. **If you answer YES to any one of the conditions listed, your proposals will *not* be considered 'permitted development' and planning permission will be required.**

**Disclaimer:** The information and advice contained within this guidance is **not** a formal determination under **s192 of the Town and Country Planning Act 1990**. If you wish to obtain such a legal determination, you must apply for a **Certificate of Lawfulness**. It is *strongly* advised that you seek a Certificate of Lawfulness prior to undertaking any development, and particularly if the proposals' compliance with the conditions of permitted development is open to question. A fee of £30 (plus VAT) is payable for this service. The relevant application forms for this are available to download from our website: [www.bathnes.gov.uk](http://www.bathnes.gov.uk) (look under Planning & Environment, and Planning Applications). You can also make an online application through the [Planning Portal](#).

## Listed Building Consent & Building Regulations Approval

In listed buildings, many of these works will also require **Listed Building Consent** to assess their impact upon the character and significance of the building. Always consult the Historic Environment Team to check if your proposed works require listed building consent. **For more information, contact Council Connect (01225 39 40 41 / [councilconnect@bathnes.gov.uk](mailto:councilconnect@bathnes.gov.uk)) and ask for the Historic Environment Team. There is a charge for formal confirmation of the need for Listed Building Consent.**

A separate permission under **Building Regulations** may be required for works and you should obtain the appropriate consent before carrying out the work. **For further information, contact Council Connect (01225 39 40 41 / [councilconnect@bathnes.gov.uk](mailto:councilconnect@bathnes.gov.uk)) and ask for Building Control**

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This guide was accurate as of January 2013. The classes and criteria of permitted development are often updated, so it is a good idea to check whether there have been any changes since this guide was prepared (the guide will also be updated as needed).

## **Draught-Proofing Doors, Windows & Floors**

### **Is this a planning issue?**

No, draught-proofing for doors, windows and floors will never require planning permission.

### **Is it permitted development, and when?**

Non-applicable, as planning permission is not required.

### **Is there anything else I need to consider?**

Draught-proofing may require Listed Building Consent.

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## **Secondary Glazing**

### **Is this a planning issue?**

No, secondary glazing does not require planning permission.

### **Is it permitted development, and when?**

Non-applicable, as planning permission is not required.

### **Is there anything else I need to consider?**

New glazing in homes must meet requirements controlled by the Building Regulations, so you will need to check if your proposals meet these requirements. In listed buildings, changes to the glazing and fenestrations will often require Listed Building Consent.

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## **Double & Triple Glazing**

### **Is this a planning issue?**

Yes, double-glazing and triple-glazing are considered improvements to the exterior of dwellings which may be subject to planning permission.

### **Is it permitted development, and when?**

Yes, permitted development applies to the installation of new windows (Part 1, Class A), subject to the conditions below. Check if any the following apply:

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The materials of the new windows will *not* be of a similar appearance to those in the rest of the property

Yes

Please note: Installation of window boxes or bays will be considered an enlargement or extension of the dwelling, and the relevant regulations on extensions and enlargements would also apply.

### Is there anything else I need to consider?

Sometimes your property may be subject to an 'Article 4 Direction' which removes permitted development rights. At present, Bath and North East Somerset has no such directions relating to windows, but it is wise to check before proceeding.

New glazing in homes must meet requirements controlled by the Building Regulations, so you will need to check if your proposals meet these requirements. In listed buildings, changes to the glazing and fenestrations will often require Listed Building Consent.

## Internal Solid Wall Insulation

### Is this a planning issue?

No, internal wall insulation does not require planning permission.

### Is it permitted development, and when?

Non-applicable, as planning permission is not required.

### Is there anything else I need to consider?

Building Regulations place specific requirements on the thermal performance and installation of solid wall insulation, so you will need to check your proposals against the Regulations. In listed buildings, installation of internal solid wall insulation will require Listed Building Consent.

## External Solid Wall Insulation

### Is this a planning issue?

Yes, planning permission may be required for external solid wall insulation.

### Is it permitted development, and when?

Yes, permitted development applies to the installation of external solid wall insulation (Part 1, Class A), subject to the conditions below. Check if any of the following apply:

The insulation will exceed the roofline

Yes

The insulation will be applied to a principal or side elevation which faces a highway\* and would project beyond any windowsills or surrounds on that elevation

Yes

The insulation will necessitate the alteration of the roof, or any chimney, flue or ventilation pipe	Yes	<input type="checkbox"/>
The insulation will be finished in materials which are <i>not</i> similar in appearance to the materials used in the construction of the exterior of the rest of the property	Yes	<input type="checkbox"/>

If you live in a conservation area, AONB or the World Heritage Site, you will also need to check the following:

The insulation will be applied to the side elevation and would project beyond any windowsills or surrounds on that elevation	Yes	<input type="checkbox"/>
The insulation will be finished in stone, artificial stone, pebble dash, render, timber, plastic or tiles	Yes	<input type="checkbox"/>

### Is there anything else I need to consider?

In practice, there will be a very limited range of situations where external solid wall insulation is considered 'permitted development' so it is wise to seek formal confirmation from the Planning Department in the first instance (see p. 1).

Building Regulations place specific requirements on the thermal performance and installation of solid wall insulation, so you will need to check your proposals against the Regulations. In listed buildings, installation of external solid wall insulation will require Listed Building Consent.

## Cavity Wall Insulation

### Is this a planning issue?

No, planning permission is not required to install cavity wall insulation.

### Is it permitted development, and when?

Non-applicable, as planning permission is not required.

### Is there anything else I need to consider?

Building Regulation Approval will be required, unless an '*approved installer*' has been employed to do this work. An approved person will generally submit a Building Notice on your behalf.

Cavity walls in listed buildings are rare, but if your building does have a cavity wall it is wise to seek specialist guidance from the Historic Environment Team (see p. 1). Where relevant, listed buildings, listed building consent will be necessary.

## Ceiling-Level Loft Insulation

### Is this a planning issue?

No, planning permission is not required to install ceiling level loft insulation.

### Is it permitted development and when?

Non-applicable, as planning permission is not required.

### Is there anything else I need to consider?

Building Regulations may apply to loft insulation, so it will be necessary to check what the requirements are. Ceiling-level loft insulation does not normally require listed building consent.

## Rafter & Roof-Level Insulation

### Is this a planning issue?

Planning Permission may be required if there is any change to the external appearance or dimensions of the roof.

### Is it permitted development, and when?

If there is no external alteration at all, then this would be considered as 'permitted development' (Part 1, Class B & Class C), subject to the conditions below.

Class B is described as the 'enlargement of a dwelling-house consisting of alterations to the roof. Check if any of the following apply:

The works would exceed the height of the highest part of the existing roof	Yes	<input type="checkbox"/>
The content of the enlarged roof-space would cumulatively exceed 40 cubic meters (in terraced houses) or 50 cubic meters (in any other houses)	Yes	<input type="checkbox"/>
The insulation will require the alteration of the roof, or any chimney, flue or ventilation pipe	Yes	<input type="checkbox"/>
Material finishes will be of a dissimilar nature to the rest of the roof	Yes	<input type="checkbox"/>
The works will extend the building beyond the roof slope of a principal elevation which fronts a highway	Yes	<input type="checkbox"/>

Under Class B, enlargements which consist of alterations of any kind to roofs would also not be considered permitted development in a conservation area, AONB or the World Heritage Site.

Class C is described as 'any other alteration to the roof of a dwelling house'. Check if any of the following apply.

The alteration would protrude more than 150mm beyond the slope or surface of the original roof (measures perpendicularly)	Yes	<input type="checkbox"/>
The works would exceed the height of the highest part of the existing roof	Yes	<input type="checkbox"/>
The insulation will require the installation, alterations or replacement of a chimney, flue or soil and vent pipe	Yes	<input type="checkbox"/>

### Is there anything else I need to consider?

Building Regulations will almost certainly apply to roof-level insulation, so it will be necessary to check what the requirements are.

If the insulation can be installed with no disturbance of the external fabric of a listed building, and with minimal intervention to the internal fabric, then Listed Building Consent may not be necessary. Any external alterations to the roof of a listed building will require Listed Building Consent.

## Floor Insulation

### Is this a planning issue?

No, planning permission is not required to install floor insulation (either for solid floors or suspended floors).

### Is it permitted development, and when?

Non-applicable, as planning permission is not required.

### Is there anything else I need to consider?

Building Regulation Approval might be necessary, so it will be necessary to check what requirements there are through the Building Regulations. In listed buildings, insulating solid and suspended floors will require Listed Building Consent.

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## Solar Photovoltaic & Thermal Panels (mounted on a dwelling)

### Is this a planning issue?

Yes, planning permission may be required for solar voltaic and thermal panels mounted on a dwelling.

### Is it permitted development, and when?

Yes, installation of a solar photo voltaic or thermal panel on a dwelling would be considered 'permitted development' (Part 40, Class A), subject to the conditions below. Check if any of the following apply:

The panels will protrude more than 200mm from the roof surface or the wall it is mounted upon (measured perpendicularly)	Yes	<input type="checkbox"/>
The array would exceed the height of the highest part of the existing roof	Yes	<input type="checkbox"/>
The panels are <i>not</i> sited (so far as practical) to minimise the effect on external appearance of the dwelling and the amenity of the area	Yes	<input type="checkbox"/>
The building on which the panels will be installed lies within the grounds of a listed building	Yes	<input type="checkbox"/>
The panels would be installed on a site designated as a scheduled monument	Yes	<input type="checkbox"/>

If you live in a conservation area or the World Heritage Site you will also need to check if any following apply:

The panels would be installed on a wall which fronts a highway	Yes	<input type="checkbox"/>
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Please note that solar photo voltaic or thermal panel equipment no longer needed for microgeneration should be removed as soon as reasonably practicable. Otherwise it may not be considered permitted development.

### Is there anything else I need to consider?

If you wish to install a solar panel on your dwelling, building regulations will normally apply. In listed buildings, installing solar photovoltaic or thermal panels always requires Listed Building Consent.

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## Solar Photovoltaic & Thermal Panels (free-standing)

### Is this a planning issue?

Yes, planning permission may be required for solar voltaic and thermal panels free-standing within the curtilage of a dwelling.

### Is it permitted development, and when?

Yes, installation of a free-standing solar photo voltaic or thermal panel would be considered 'permitted development' (Part 40, Class B), subject to the conditions below. Check if any of the following apply:

There is already an existing stand-alone array in the curtilage	Yes	<input type="checkbox"/>
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The array would exceed four metres in height above ground level	Yes	<input type="checkbox"/>
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The array would be sited within five meters of the boundary of the curtilage	Yes	<input type="checkbox"/>
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It would be situated within the curtilage of a listed building	Yes	<input type="checkbox"/>
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The surface area of the solar panels would exceed nine square metres, or any one dimension of the array would exceed three metres	Yes	<input type="checkbox"/>
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If in conservation areas or in a World Heritage Site, it would also not be permitted development if the following applies:

It would be installed between the main building and the highway	Yes	<input type="checkbox"/>
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### Is there anything else I need to consider?

If you wish to install a solar panel in the curtilage of your home, building regulations will normally apply. Installing solar photovoltaic or thermal panels in the curtilage of a listed building usually require Listed Building Consent.

## Boiler & Flue

### Is this a planning issue?

The installation of a boiler is not considered a planning issue in itself, though the positioning of any proposed flues may raise planning issues.

### Is it permitted development, and when?

Yes, installation of a boiler and flue would be considered 'permitted development' (Part 1, Class G), subject to the conditions below. Check if any of the following apply:

The height of the highest part of the existing roof would be exceeded by more than one metre Yes

If in a conservation area, AONB or the World Heritage site it would also not be permitted development if:

The flue is located on a wall or roof slope which fronts a highway and forms either a principal or side elevation of the dwelling Yes

### Is there anything else I need to consider?

The Building Regulations will have specific requirements about the functionality and installation of any new boilers and flues, and Building Regulations Approval will be needed. Installing boiler flues will require listed building consent, and should always avoid principal or significant facades.

## Biomass Heating & Flue

### Is this a planning issue?

Yes, planning permission is required for installation of biomass heating and associated flues.

### Is it permitted development, and when?

Yes, installation of biomass heating and flue would be considered 'permitted development' (Part 40, Class E), subject to the conditions below. Check if any of the following apply:

The height of the highest part of the existing roof would be exceeded Yes

If in a conservation area, AONB or the World Heritage Site, check if the following apply:

The flue would be installed on a wall or roof slope which fronts a highway Yes

### Is there anything else I need to consider?

The Building Regulations will have very specific requirements about the functionality and installation of any new boilers and flues, and Building Regulations Approval will be needed. Installing boiler flues will require listed building consent, and should avoid principle or significant facades.

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## Ground Source Heat Pump

### Is this a planning issue?

Yes, installation of Ground Source Heat Pumps may require planning permission.

### Is it permitted development, and when?

Yes, installation of Ground Source Heat Pumps is considered to be 'permitted development' (Part 40, Class C). There are no conditions to meet to qualify for permitted development.

### Is there anything else I need to consider?

Building Regulations have specific requirements about the performance and installation of heating systems and might require a specific approval. Installation of Ground Source Heat Pumps within the curtilage of listed buildings will require Listed Building Consent. Bath and North East Somerset is also home to significant archaeology, which might be impacted by the installation of such pumps. Check with our Archaeologist for advice about whether your proposals would have any issues with archaeology if your property is located within the city of Bath in particular.

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## Air Source Heat Pump

### Is this a planning issue?

Yes, installation of air source heat pumps may require planning permission.

### Is it permitted development, and when?

Yes, installation of Air Source Heat Pumps would be considered 'permitted development' (Part 40, Class G), subject to the conditions below. Check if any of the following apply:

The pump does <i>not</i> comply with the Micro-generation Certification Scheme (MCS) Planning Standards (or equivalent)	Yes	<input type="checkbox"/>
There is already one air source heat pump installed on the building or within the curtilage	Yes	<input type="checkbox"/>
There is a wind turbine of any kind installed at the property	Yes	<input type="checkbox"/>
The volume of the outdoor compressor unit (including any housing) exceeds 0.6 cubic metres	Yes	<input type="checkbox"/>
The pump would be installed within one metre of the curtilage boundary	Yes	<input type="checkbox"/>
It would be installed on a pitched roof	Yes	<input type="checkbox"/>

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It would be installed on a flat roof, within one metre of the external edge of the roof	Yes	<input type="checkbox"/>
The pump would be installed on a site designated as a scheduled monument	Yes	<input type="checkbox"/>
The pump would be installed on, or within the curtilage of, a listed building	Yes	<input type="checkbox"/>

If you live in a conservation area or the World Heritage Site, check if any of the following apply:

It would be installed on a wall or roof fronting a highway	Yes	<input type="checkbox"/>
It would be installed between the main building and the highway	Yes	<input type="checkbox"/>

In areas which are **not** conservation areas or the World Heritage Site, check if any of the following apply:

It would be installed on a wall fronting a highway and would be installed on any part of the wall above the ground storey	Yes	<input type="checkbox"/>
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Additional conditions which must be met include:

The pump will be used solely for heating purposes	<input type="checkbox"/>
The pump is sited, so far as practical, so as to minimise its effect on the amenity of the area	<input type="checkbox"/>
The pump is sited, so far as practical, so as to minimise its effect on the appearance of the building	<input type="checkbox"/>
The pump, when no longer needed for micro-generation, shall be removed as soon as reasonably practicable	<input type="checkbox"/>

### Is there anything else I need to consider?

Building Regulations have specific requirements about the performance and installation of heating systems and might require a specific approval. For listed buildings, listed building consent will also be necessary.

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### Mechanical Ventilation Heat Recovery

#### Is this a planning issue?

No, installation of Mechanical Ventilation Heat Recovery is not considered to be a planning issue.

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**Is it permitted development, and when?**

Non-applicable, as planning permission is not required.

**Is there anything else I need to consider?**

Mechanical Ventilation Heat Recovery systems will need to comply with the building regulations. For listed buildings, listed building consent will also be necessary.

**Key definitions**

For definitions of key planning terms such as “Curtilage” or “Highway” see the Planning Portal glossary: <http://www.planningportal.gov.uk/general/glossaryandlinks/glossary/>

*Last updated January 2013*

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