SUB-PLAN: A Guide to Permitted Development

David Knight and
Finn Williams



'we see this work as a form of spatial practice'

Permitted Development (PD) is the set of laws that determine what can be built in the UK without needing planning permission. These laws, which have existed since 1947, typically cover small-scale developments that have a minor impact on their surroundings. In 2008 the laws covering household developments were radically revised in an effort to free up planning departments to focus on larger applications. But the rewritten laws, while inherently more 'liberal' than their predecessors, are also confusing, impractical, and obscured by legalese.

Since 2009, we have produced a series of projects with a number of collaborators that explore PD. These projects all involve engaging with the laws in order to make public their potential for development. We see this work as a form of spatial practice.

This article presents an edited selection of spreads from our 2009 book-pamphlet *SUB-PLAN: A Guide to Permitted Development,* which was produced with the graphic design studio Europa and a group of students at the Architectural Association Summer School. The book led to a further article with Ulf Hackauf, 'Building without Bureaucracy', published in the June-July 2010 issue of *l'Architecture d'Aujourd'hui,* guest-edited by Winy Maas, MVRDV and The Why Factory. There, we investigated the consequences of PD at the scale of a community or neighbourhood, choosing the urban extension of Poundbury in Dorset as our laboratory. We close this article with an image from this investigation.

SUB-PLAN is organised into three chapters. The first translates the obscure rulebooks of PD into something anyone can use. The rules drafted by the government are complex, long-winded, and focus on what *can't* be done, rather than what *can*:

> *A.1. Development is not permitted by Class A if – (a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwelling-house (other than the original dwelling-house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling-house)*

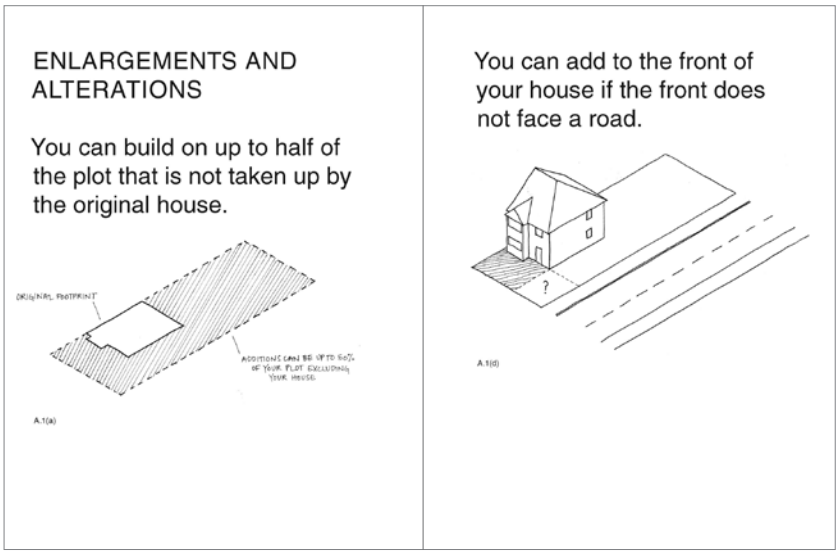
We translate this as:

> *You can build on up to half of the plot that is not taken up by the original house*

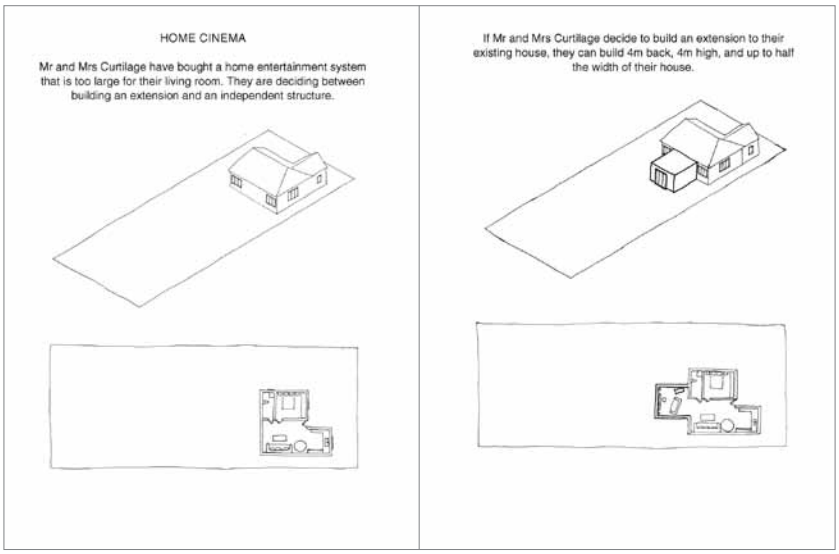
– and we illustrate our translations with non-technical drawings.

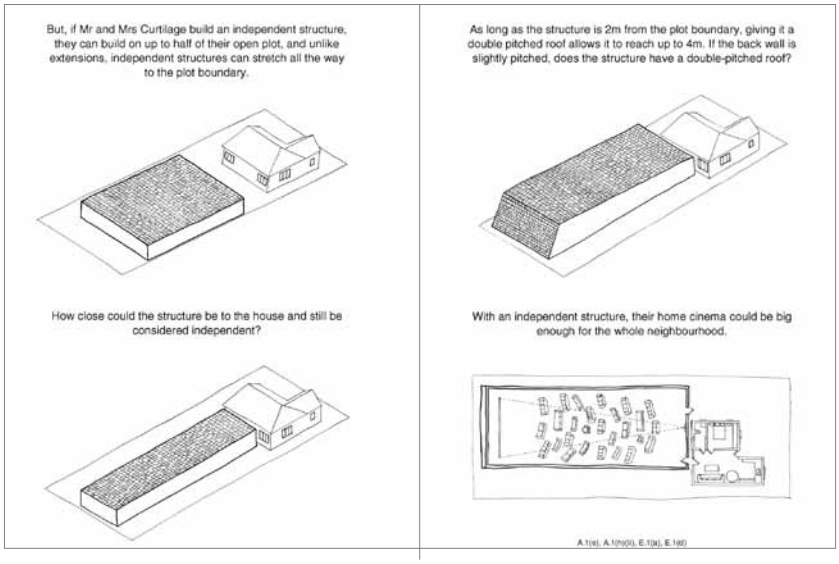
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The decoded rules provide an accessible and practical handbook for householders to exercise their PD rights. But they also reveal critical ambiguities in the laws resulting from assumptions about generic house types and vague terminology. When applied to real-world situations, these ambiguities become the source of potential for development. Chapter two of the book explores a number of case studies based on particular (and real) houses but with mildly fictionalised scenarios. One such example is the story of Mr and Mrs Curtilage.



The rules: translated and illustrated

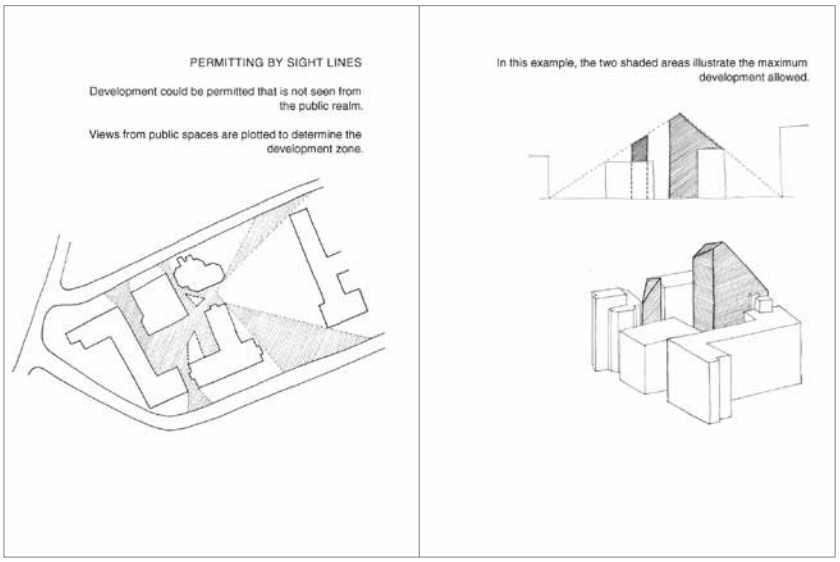




Ambiguities in the rules can yield surprises

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The third and final chapter speculates on what would happen if PD expanded beyond individual dwelling-houses and into other use-classes. These hypotheses are explored through experiments on the built environment of Croydon, illustrating the potential implications of different ways of determining Permitted Development.





Croydon, re-imagined by applying Permitted Development rules to non-domestic buildings

Building without bureaucracy

In April 2010 the Government extended PD rights to non-residential buildings including shops, offices, schools and industrial buildings and our early speculations suddenly looked startlingly prophetic.

After studying the potential effects of PD at the scale of an individual house, we were interested in testing what the cumulative impact of the new extended rights might be at an urban scale. We took Poundbury – the Prince of Wales' urban extension to Dorchester, planned by New Urbanist Leon Krier – as our test case. Firstly because residents of Poundbury have had their PD rights deliberately removed through a restrictive covenant, which means we had a fresh canvas where any extension would be clearly distinguishable from what was already built; secondly because PD is a method for achieving the kind of organic, piecemeal urbanism that the New Urbanist philosophy simulates, but in practice forbids.

The study maxed-out the PD rights of every property in Poundbury, resulting in the addition of an extra 35% of built volume to the town – all possible without planning permission. Taken individually, each extension may not be significant enough to warrant planning permission. But added together, the scale of change would have far-reaching consequences for the culture and infrastructure of such a place. Many minor moves carried out by non-professionals can clearly have as much – if not more – impact as any set-piece masterplan.

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Poundbury, Dorset: Permitted Development could amount to 35% of its built volume

What is both exciting and alarming is that the threshold of what may be permitted without planning is only expected to rise under the ongoing Localism agenda. In the years to come we could see the growth of a popular, de-professionalised development sector that slips under the radar of regulation. The Curtilage cinema shown in *SUB-PLAN* would undoubtedly lead to howls of protest from its neighbours; there are tacit social pressures in places like Poundbury that might make the scale of growth we have speculated unlikely, though perfectly legal. However, while the case law is still relatively fresh, there is space for different interpretations of each legislative loophole to become established, and a place for our right to build to be renegotiated.

Beyond the jargon of our present PD rules is an invigorating conversation concerning our collective right to build and the resulting shape of our cities, a conversation that should be had in public and should involve the public, planning professionals, architects and designers.

The current PD system can be seen as a forerunner to our current climate of cuts, where the state is receding in many areas from education to waste services, not to mention planning and housing provision. It may prove a testing ground where we discover who, and what, fills the gap left in its wake.

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SUB-PLAN: A Guide to Permitted Development can be purchased on-line (http://bit.ly/sub-plan) and also at the AA Bookshop, London

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