

North Kesteven District Council Planning Services Briefing Note 4

Changes to Household Permitted Development Rights from 1st October 2008

This note seeks to outline the main changes to 'permitted development' that were introduced on 1st October 2008 through the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

The Government has given a range of minor householder developments 'deemed' planning permission so that you don't need to apply to the Council for formal planning consent for them. This is called 'permitted development'.

The changes introduced recently only apply to:

- Single dwellings and their gardens
- Works that are for residential purposes only - any non-residential activity (such as running a business from your home) is not covered by the above Order.

The following categories of works are now 'permitted development', subject to the relevant criteria/conditions applying (the 'old' rules that previously applied are set out in brackets):

(A) **Extensions/conservatories:** (Class A) Planning permission is not required for such works subject to the following;

- The extension not being forward of the principal elevation or side elevation fronting a highway (*previously permitted if more than 20 metres from highway*).
- The extension being no higher than highest part of roof (*no change*).
- No more than half the curtilage would be covered by additions or other buildings (*no change*).
- A single-storey rear extension must not extend more than 3 metres for a semi/terraced property or 4m for a detached house, be no higher than 4m.
- If more than one storey, a rear extension, including ground floor, should be no more than 3m in depth and not be within 7m of any rear boundary opposite the rear wall of the house, it must also have a roof pitch the same as the roof pitch of the house.
- Maximum eaves and ridge height should be no higher than the house.
- Side extensions to be only single-storey, maximum height of 4m and a width no more than half that of the original house.
- If within 2 metres of the boundary, the extension must have an eaves height no greater than 3m.
- Roof pitch of extensions higher than one storey should match the existing house.
- Extensions must not include verandas, balconies or raised platforms.
- In Conservation Areas, there is no permitted development for rear extensions of more than one storey; no cladding of the exterior and no side extensions.

(B) **Alterations to Roof:** (Class B) Works to the roof of a dwelling do not require planning permission subject to such works being;

- No higher than the highest part of the existing roof (*no change*).
- Must not extend beyond the (front) roof plane – i.e. the principal elevation and fronting a highway.
- Cubic content of the new roofspace would exceed the cubic content of the original roof space by more than 40 cubic metres in the case of a terrace house and 50 cubic metres in any other case.
- Must not include verandas, balconies or raised platforms or the installation, alteration or replacement of a chimney, flue or soil and vent pipe.
- In Conservation Areas, there is no permitted development for roof alterations under Class B.

Conditions for Classes A and B require materials (other than for a conservatory) to be of a similar appearance to those on the main house and any upper floor window in the side elevation shall be obscurely glazed with any opening 1.7m above floor level of the room it serves.

(C) **Other Roof Alterations** e.g. rooflights (Class C)

- Must not protrude more than 150mm beyond the roof plane be higher than the highest part of the original roof or consist of the installation, alteration or replacement of a chimney, flue or soil and vent pipe, solar photovoltaics or solar thermal equipment.

Any window located on a side elevation roof slope shall be obscure-glazed and non-opening below 1.7m above floor level.

(D) **Porches** (Class D)

- No changes.

(E) **Outbuildings, structures, oil or gas storage containers etc within curtilage of a house** (Class E) Planning permission not required if such works are;

- Not forward of principal elevation.
- To be single-storey only with maximum eaves height of 2.5m and maximum height of 4m if ridged roof and 3m in any other case, except if within 2m of a boundary when maximum height would be 2.5m.
- No more than half the curtilage would be covered by additions or other buildings (*no change*).
- Not within curtilage of a listed building.
- Capacity of the storage container must not exceed 3,500 litres.
- Must not include verandas, balconies or raised platforms.
- In Conservation Areas, buildings, enclosures, containers and pools at the side of properties are not permitted by this Class and will require planning permission.

- (F) **Hardsurfacing** (Class F). Planning permission would not be required for such works when;
- The hard surfacing was proposed to be situated on land between a wall forming the principal elevation of a house and a highway and the area of ground covered by the hard surface, or the area of hard surface being replaced, would exceed 5 sq.m, the hard surface must be made of porous materials, or provision made to direct run-off water to permeable or porous area or surface within the curtilage of the dwelling.
- (G) **Installation, alteration or replacement of a chimney, flue or soil and vent pipe.** (Class G). Works are permitted subject to them;
- Not exceeding the highest part of roof by 1m or more.
 - In Conservation Areas, must not be installed on a wall or roof slope fronting a highway or forms the principal elevation or a side elevation of the house.
- (H) **Microwave antenna** (Class H)
- No changes.
- (I) **Verandas, balconies or raised platforms** (decking) (Class I). Such works would not require planning permission if they were;
- No higher than 300mm above ground level and covered no more than 50% of garden area.

IMPORTANT

The rules applying to when certain works to a dwelling do not require planning permission can be very complex, and it is always necessary to check the planning history to establish if any restrictions apply, such as planning conditions that remove permitted development rights. It is for this reason that householders are always recommended to seek advice from the Planning Section before committing themselves to such work.