

## DO YOU NEED PLANNING PERMISSION FOR YOUR EXTENSION?

New regulations covering the type and extent of development that may be carried out on a house and within its curtilage **without express planning permission** came into force on 1<sup>st</sup> October 2008. The Government's aim was to create a more permissive regime for homeowners and to reduce the workload of Local Planning Authorities. The new regulation is significantly more complicated than the previous one, and the Society's Planning Panel felt that a clear and reasonably concise summary of it would be useful to members.

We emphasise that before you start any work under these arrangements, that you must check with the Planning Department to ensure that your interpretation of the new regulations is indeed correct and that planning permission would not be required. Please also note that work carried out under Permitted Development rules must, like any other building development work, comply with Building Regulations, **where relevant**. Further information of this is given at the end of this document.

The new legislation is entitled "The Town and Country Planning (General Permitted Development (Amendment)(No.2) (England) Order 2008". If you wish to read the legislation for yourself a copy of the relevant part can be found on the Elmbridge Borough Council's website. Go to [www.elmbridge.gov.uk](http://www.elmbridge.gov.uk) – this will take you to the Elmbridge home page. Then type **permitted development** into the search box at the top right hand side of the page and press **go**. This will take you to a list of items related to permitted development. Select the one headed "General permitted development order – amended". This will bring up a copy of the legislation, which runs to 9 pages. N.B. You will need to have Adobe Reader installed on your computer in order to download, display, and print this document.

A summary of the "rules" taken from this Order is given below.

### **Class A - Extensions & Improvements**

Permitted development subject to the following limits and conditions:

- No extension forward of the principal elevation or side elevation fronting a highway.
- No extension to be higher than the highest part of the roof.
- Maximum depth of a single storey rear extension of three metres for an attached house and four metres for a detached house.
- Maximum depth of a rear extension of more than one storey of three metres including ground floor.
- In Conservation Areas no permitted development for rear extensions of more than one storey.
- Maximum eaves height of extension three metres within two metres of boundary.
- Maximum eaves and ridge height of extension no higher than existing house.
- Side extensions to be single storey with maximum height of four metres and width no more than half that of the original house.
- Two storey extensions no closer than seven metres to rear boundary.
- Roof pitch of extensions higher than one storey to match existing house.
- Materials to be similar in appearance to the existing house.
- No verandas, balconies or raised platforms.
- Side facing windows to be obscure-glazed; any opening to be 1.7m above the floor.

- In Conservation Areas no cladding of the exterior.
- In Conservation Areas no side extensions.

### **Class B - Roof Extensions**

Permitted development subject to the following limits and conditions:

- A volume allowance of 40 cubic metres for terraced houses
- A volume allowance of 50 cubic metres for detached and semi-detached houses.
- No extension beyond the plane of the existing roof slope facing onto and visible from the highway.
- No extension to be higher than the highest part of the roof.
- Materials to be similar in appearance to the existing house.
- No verandas, balconies or raised platforms.
- Side facing windows to be obscure-glazed; any opening to be 1.7m above the floor.
- Roof extensions not to be permitted development in designated areas.
- Extensions to be set back, as far as practicable, at least 20cm from the eaves.

### **Class C - Roof Alterations**

Permitted development subject to the following limits and conditions:

- Any alteration to project no more than 150 millimetres from the existing roof plane.
- No alteration to be higher than the highest part of the roof.
- Side facing windows to be obscure-glazed; any opening to be 1.7m above the floor.

### **Class E - Outbuildings, Enclosures, Swimming Pools and Oil and Gas Containers**

Permitted development subject to the following limits and conditions:

- No building, enclosure, pool or container forward of the principal elevation fronting a highway.
- Buildings to be single storey with maximum eaves height of 2.5 metres and maximum overall height of four metres with a dual pitched roof or three metres for any other roof.
- Maximum height 2.5 metres within two metres of a boundary.
- No verandas, balconies or raised platforms.
- Maximum 50% coverage of garden.
- In National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites the maximum area to be covered by buildings, enclosures, containers or pools more than 20 metres from house to be limited to 10 metres<sup>2</sup>.
- In Conservation Areas, buildings, enclosures, containers or pools at the side of properties will require planning permission.
- Within the curtilage of listed buildings any outbuilding will require planning permission.

### **Class F - Hard Surfaces**

Permitted Development subject to:

- Any surface installed in the front garden of more than 5m<sup>2</sup> to be either porous or to run-off to a porous or permeable surface.

### **Class G – Chimneys, Flues, Oils and Vent Pipes**

Permitted development subject to the following limits and conditions:

- Height of chimney, flue or soil and vent pipe must not be more than 1m. higher than the highest part of the roof.
- In a Conservation Area the chimney etc., must not be installed on a wall or roof slope which fronts a highway or forms either the principal or a side elevation of the house.

### **Class H – Microwave Antennas**

Permitted development subject to the following limits and conditions:

- No more than 2 antennas, which must meet the size criteria.
- No antenna more than 1m. in length; a second antenna must be no more than 60cm in length.
- The length of a chimney-mounted antenna must not exceed 60cm.
- A chimney-mounted antenna must not protrude above the top of the chimney.
- The cubic capacity of an antenna must not exceed 35 litres.
- On a roof without a chimney the highest part of the antenna must not be higher than the highest part of the roof.
- On a roof with a chimney, the highest part of the antenna must not protrude above the top of the chimney, or 60cm. above the highest part of the ridge, whichever is the lower.
- In Conservation Areas an antenna must not be mounted on a chimney wall or roof slope which faces onto and is visible from a highway.

In General

- an antenna mounted on a building must as far as practicable be sited to minimise its effect on the appearance on the building.
- an antenna no longer needed should removed as soon as practicable.

### **Solar Panels**

On a house or building within its curtilage, permitted development subject to the following conditions:

- must not protrude more than 200mm beyond the wall or roof slope.
- no part must protrude above the highest part of the roof.
- must be sited to minimise its effect on the appearance of the building.
- must be sited to minimise its effect on the amenity of the area.
- must be removed as soon as practicable when no longer needed.
- in Conservation Areas, must not be visible from a public highway.

Free standing solar panels are permitted development, subject to the following conditions:

- not more than one stand-alone solar panel allowed.
- must be no higher than 4 metres.
- must be at least 5 metres from boundaries.
- maximum size 9m<sup>2</sup> and no dimension to exceed 3m.
- must be sited to minimise its effect on the appearance of the building.
- must be sited to minimise its effect on the amenity of the area.
- must be removed as soon as practicable when no longer needed.
- in Conservation Areas, must not be visible from a public highway.

## **Permitted Development and Building Regulations**

Permitted Development work is subject to Building Regulations in the same way as that for which planning permission is required.

There is a very good interactive display on the Planning Portal website ([www.planningportal.gov.uk/uploads/hhg/houseguide.html](http://www.planningportal.gov.uk/uploads/hhg/houseguide.html)) which gives summary information on Planning Permission and Building Regulation requirements for a typical dwelling house and its curtilage. You can choose to view inside and outside the house, and as you move the cursor over the picture labels appear (e.g. “porches”; “garages”; “sheds”; “windows and doors”, etc.). Right click when the one you are interested in appears and a panel giving brief details of any Building Regulation and Planning Permission requirements will display. This will give you an idea of whether you need comply with Building Regulations. To find out what you need to do, consult the Elmbridge Borough Council Building Control Section on 01372 474798.