

Permitted Development

Interpretation Issues

Single Storey Rear Extensions

The Town and Country Planning (General Permitted Development Order) 1995, as amended allows for extensions to be built to the rear of single dwellings without the need for planning permission subject to certain limitations. These are stated in the legislation, reproduced as an Appendix to this note.

Generally speaking, Permitted Development rear extensions to dwellings can be 3 metres deep to terraced and semi-detached properties, 4 metres deep to detached properties, subject to height limitations. Until 30 May 2016, the maximum depths are doubled, but any proposal for an extension deeper than 3 or 4 metres will be subject to a Prior Approval process (application to the Council as to whether Prior Approval is granted or not) and the extension must be completed by 30 May 2016 – Application forms for Prior Approval are available by clicking the following:

[Prior Approval Form - Larger Home Extensions](#)

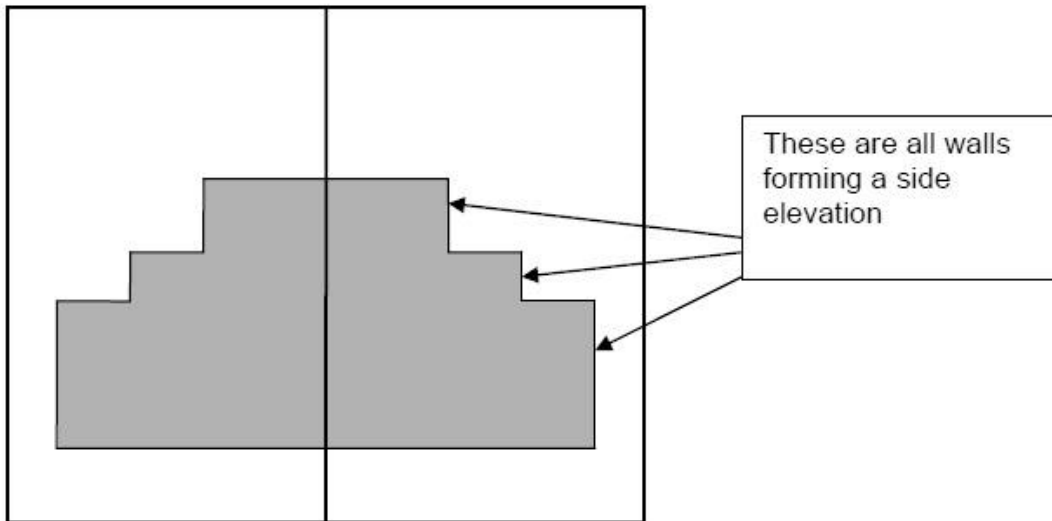
Any rear extension that would extend “beyond a wall forming a side elevation of the original dwellinghouse” should not have a width greater than half the width of the original dwellinghouse. In certain cases, houses will have original projecting parts (not a flat uniform rear building line), the sides of which would be a side elevation – meaning that the rear elevation cannot be more than half the width of the dwelling. This interpretation is confirmed in the Department of Communities and Local Government Technical Guidance ([DCLG Technical Guidance](#)) and by relevant appeals issued by the Planning Inspectorate in relation to refusals of Certificate of Lawfulness. Note: It may be possible to demolish the projecting parts such that there are no side elevations to the rear of the house, such that there is a flat, uniform building line.

To assist with this interpretation are a number of diagrams giving examples of extensions that are and are not considered to be permitted development.

In all cases, you are strongly advised to apply for a Certificate of Lawfulness of Proposed Development, which is the only method by which official confirmation can be confirmed that planning permission is not required. Details of how to this are available via this link:

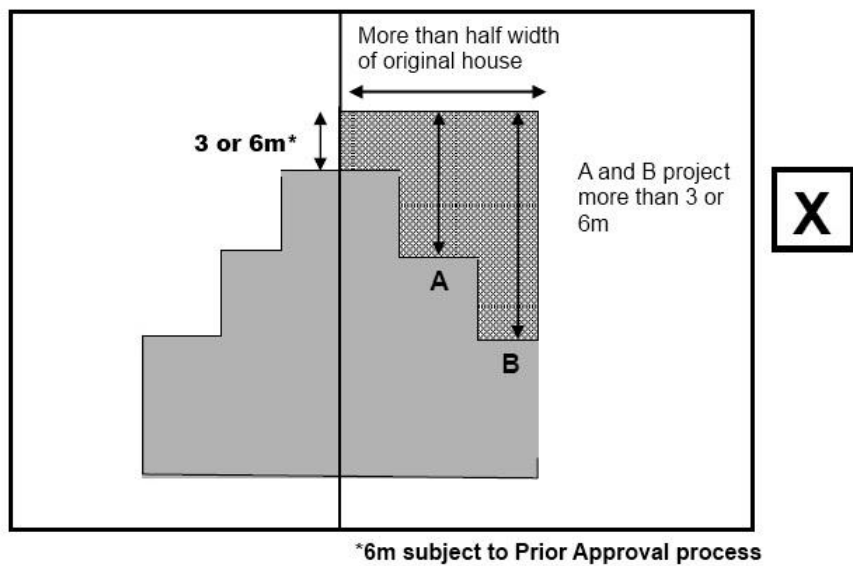
[Guide to Making an Application](#)

General Description of Side Walls

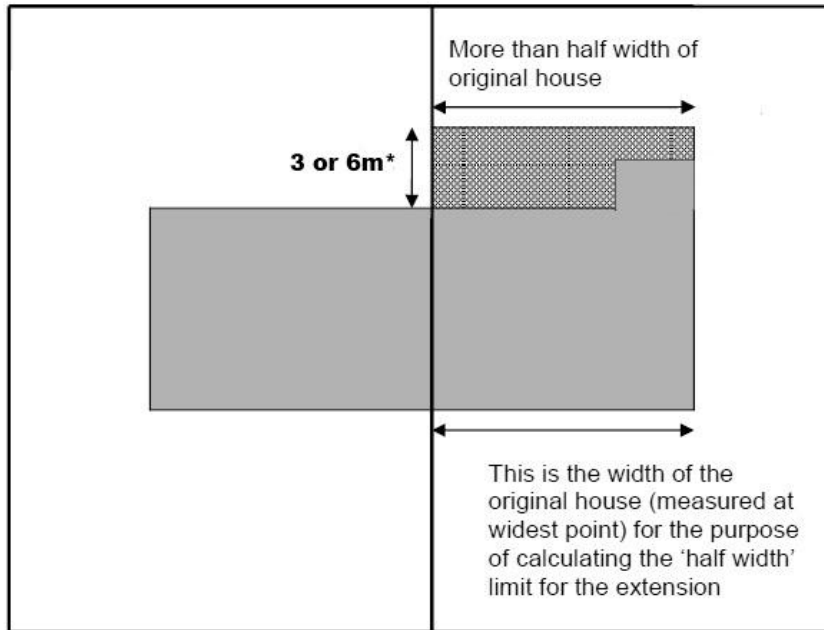


EXAMPLES WHICH ARE NOT PERMITTED DEVELOPMENT

1.

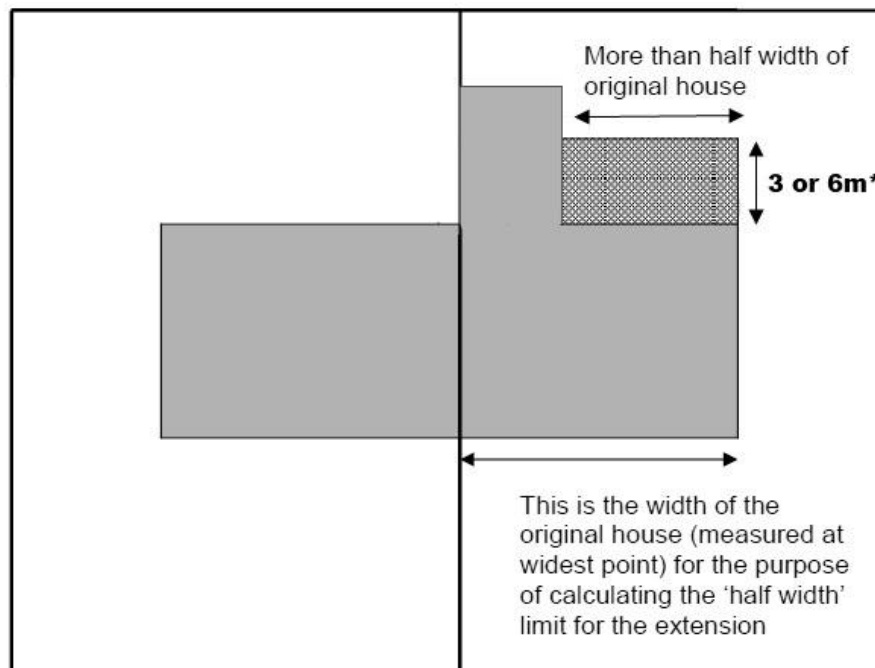


2.



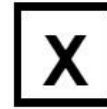
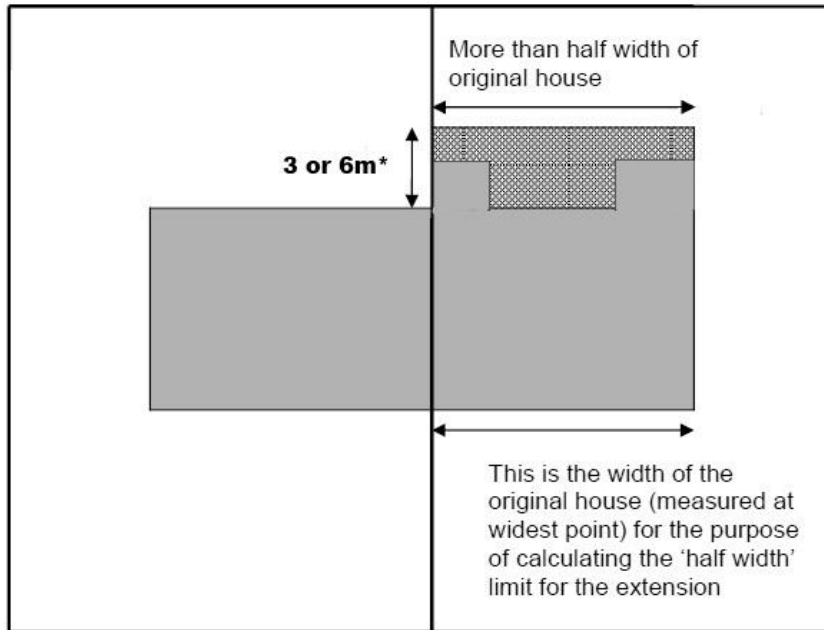
*** 6m subject to Prior Approval process**

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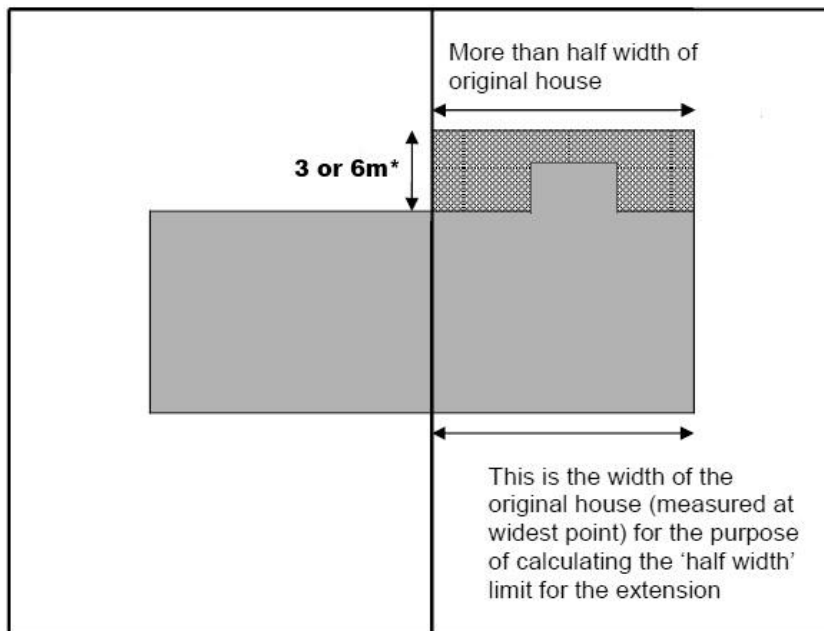
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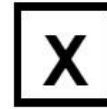
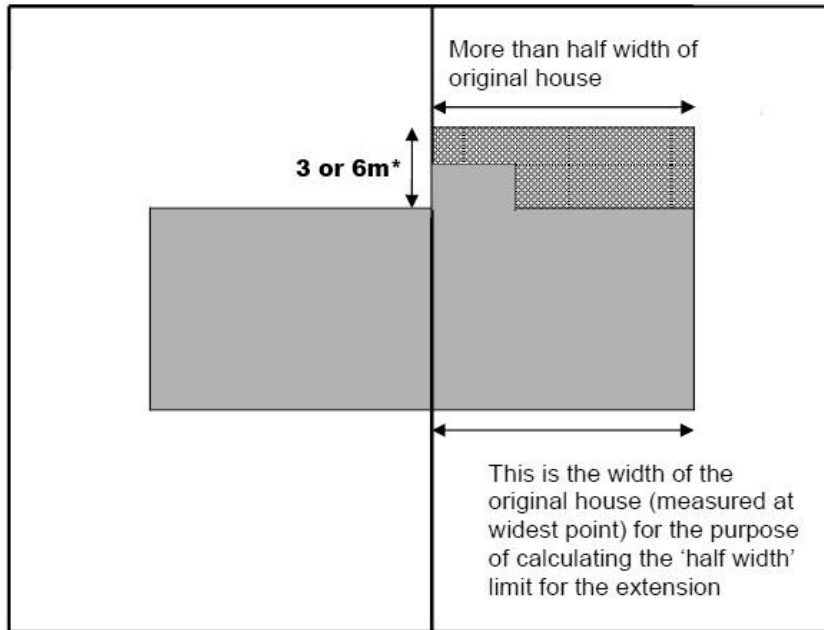
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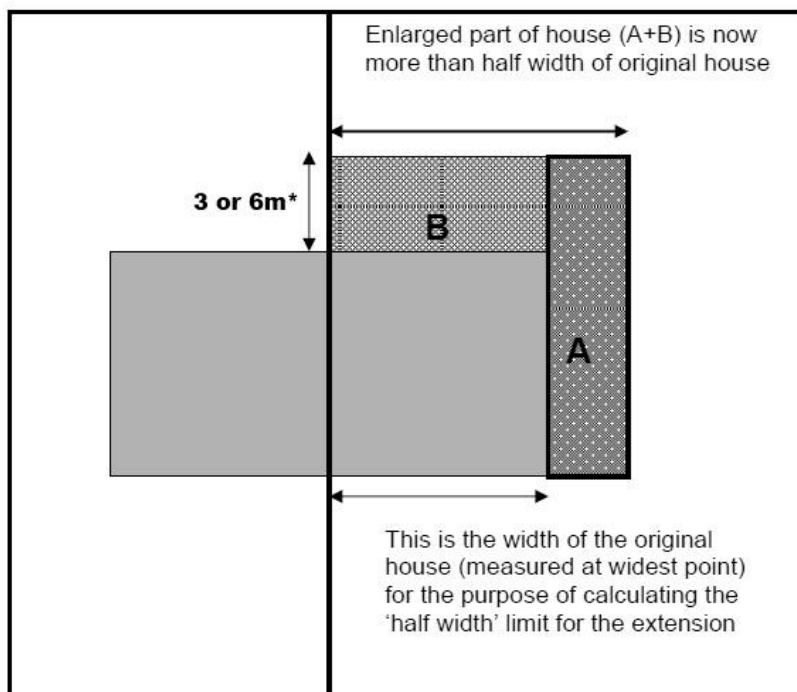
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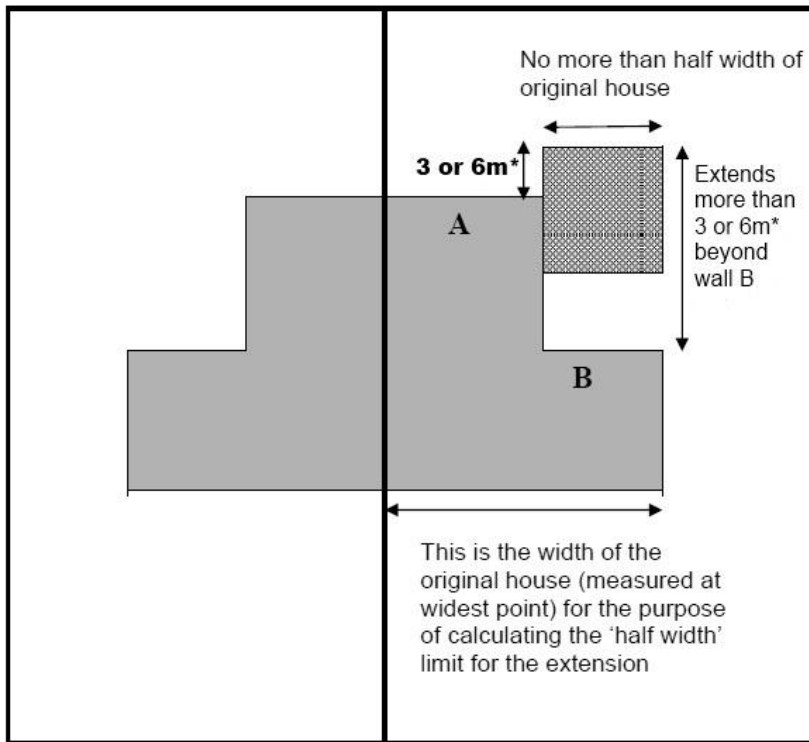
7.



**A - Existing
B - Proposed**

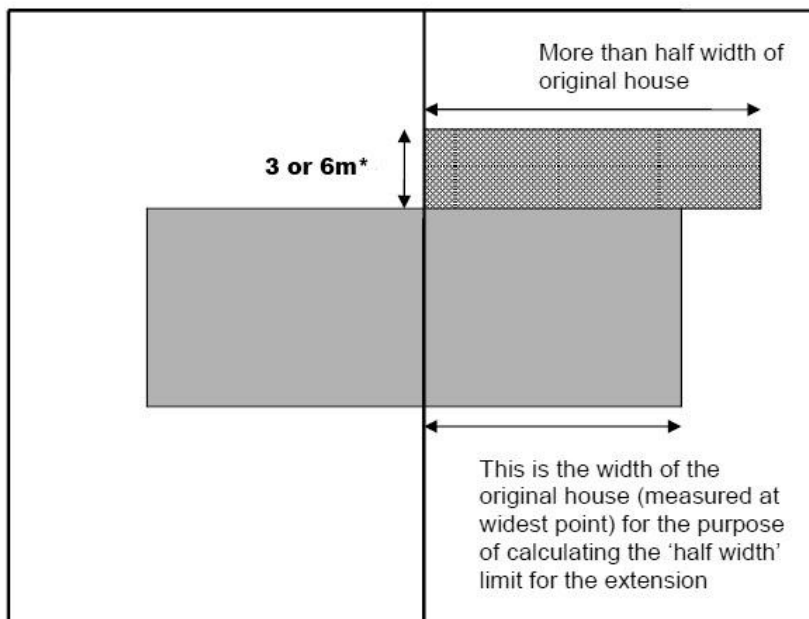
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8.



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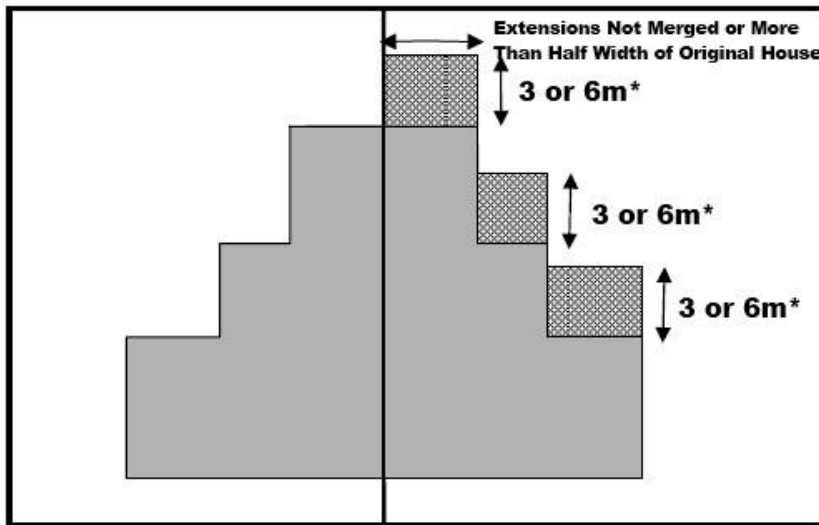
9.



*** 6m subject to Prior Approval process**

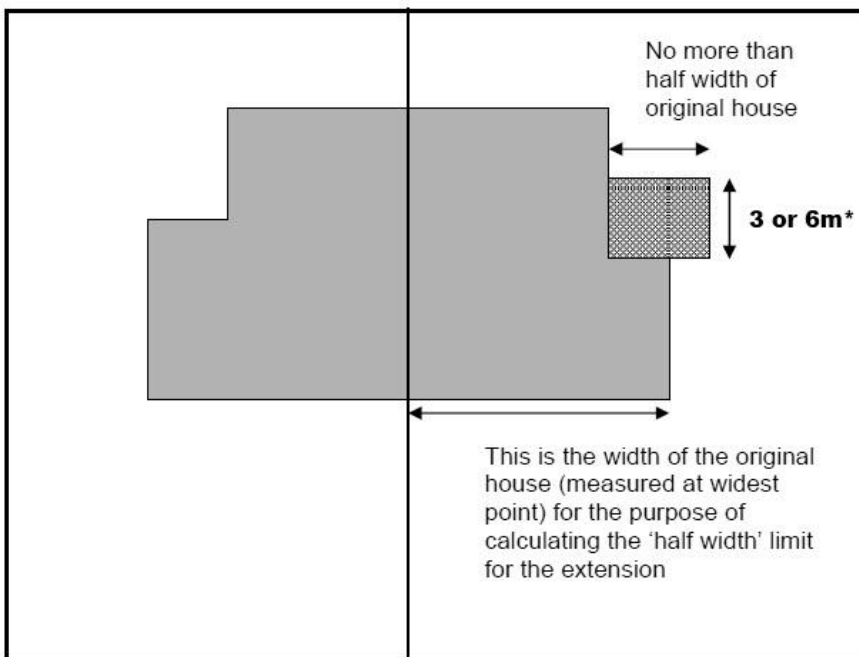
EXAMPLES THAT ARE PERMITTED DEVELOPMENT

A.



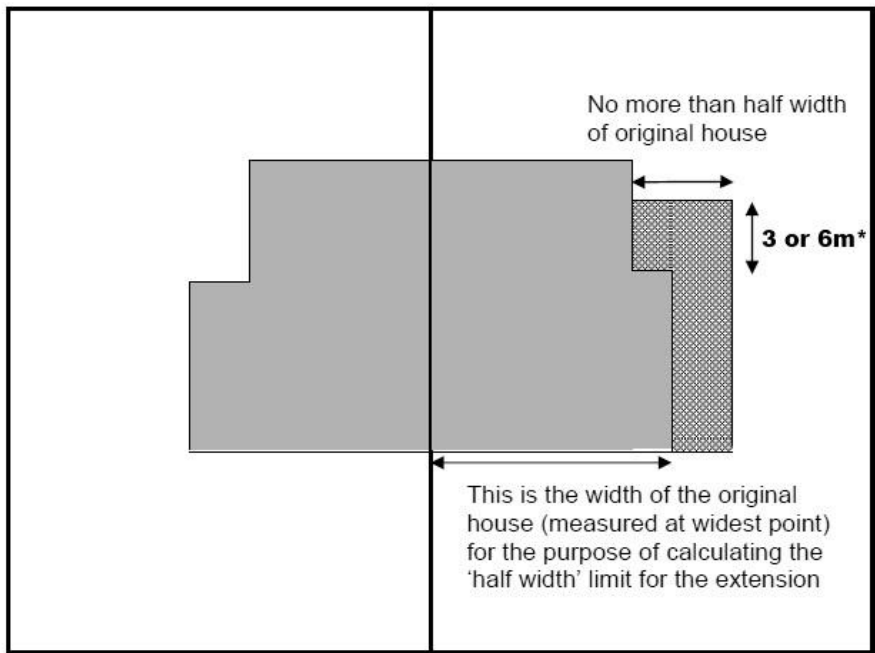
* 6m subject to Prior Approval process

B.



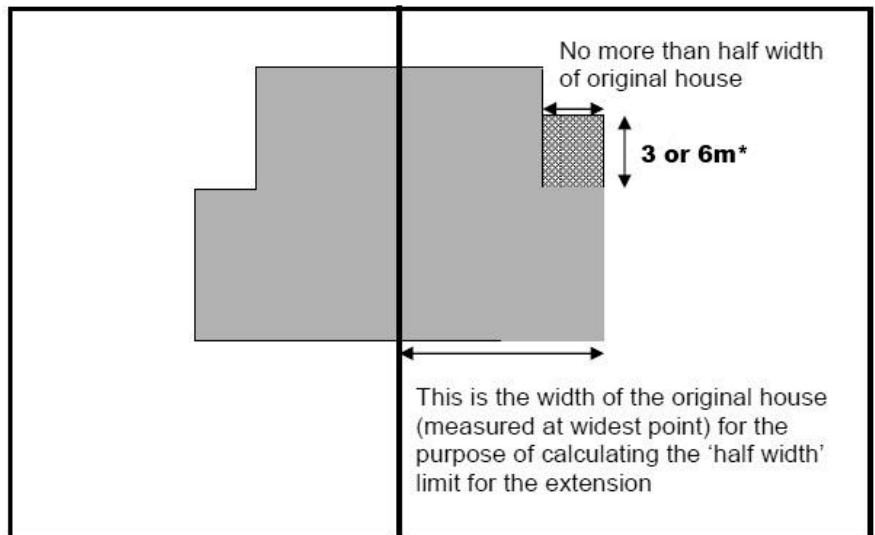
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C.



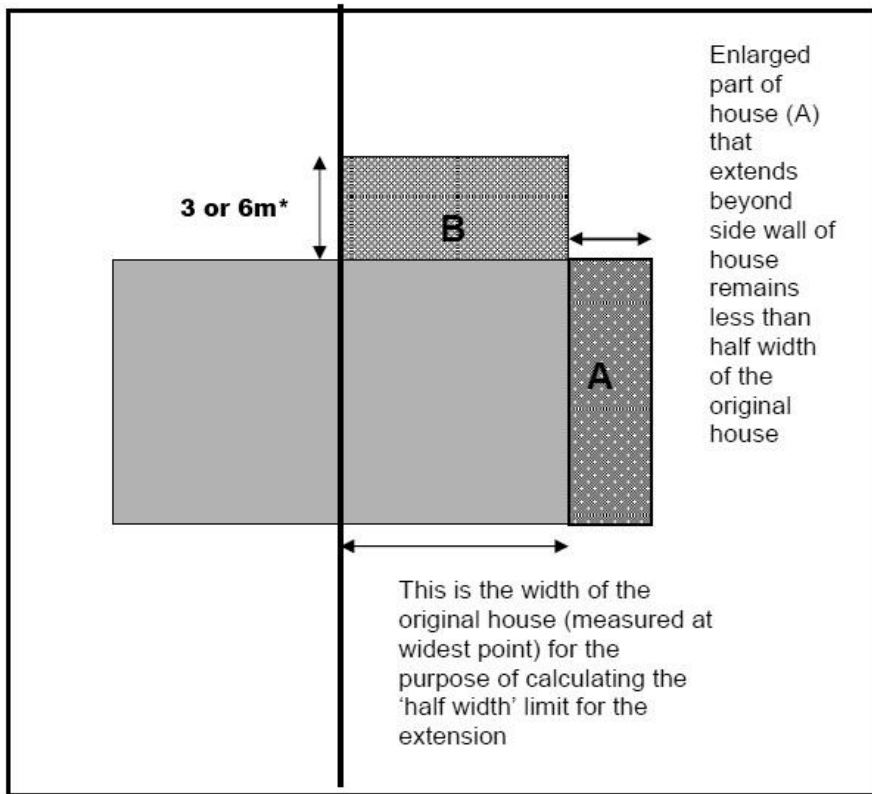
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D.



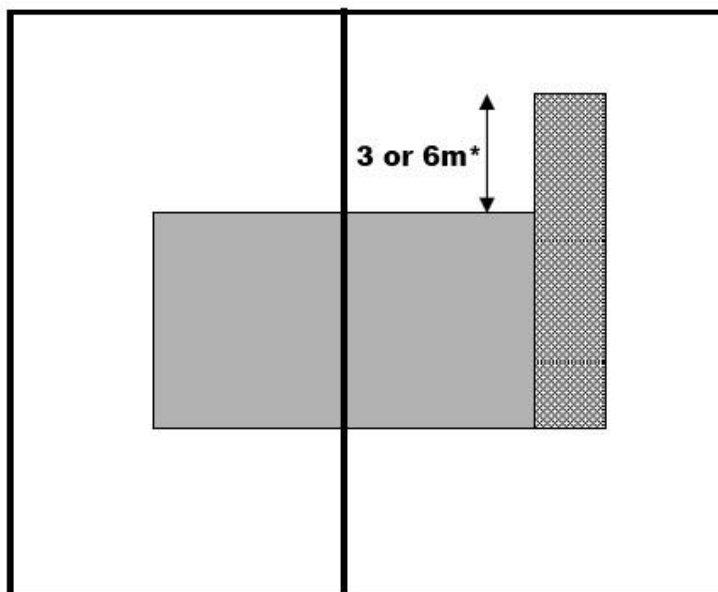
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E.



*** 6m subject to Prior Approval process**

F.



*** 6m subject to Prior Approval process**

APPENDIX

EXTRACT FROM SCHEDULE 2, PART 1, CLASS A OF TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995, AS AMENDED* (* extract as of April 2014 and may be subject to change thereafter)

PART 1

DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class A

Permitted development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1. Development is not permitted by Class A if—

- (za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);
- (a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
- (c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;
- (d) the enlarged part of the dwellinghouse would extend beyond a wall which—
 - (i) fronts a highway, and
 - (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;
- (e) subject to paragraph (ea), the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (ea) until 30th May 2016, for a dwellinghouse not on article 1(5) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (f) the enlarged part of the dwellinghouse would have more than one storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

- (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;
- (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
- (h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height,
 - (ii) have more than one storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse; or
- (i) it would consist of or include—
 - (i) the construction or provision of a veranda, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) an alteration to any part of the roof of the dwellinghouse.

A.2. In the case of a dwellinghouse on article 1(5) land*, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

* Article 1 (5) land includes conservation areas

Conditions

A.3. Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
- (d) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

A.4.—(1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(e) but is allowed by paragraph A.1(ea).

(2) Before beginning the development the developer shall provide the following information to the local planning authority—

- (a) a written description of the proposed development including—
 - (i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
 - (ii) the maximum height of the enlarged part of the dwellinghouse; and
 - (iii) the height of the eaves of the enlarged part of the dwellinghouse;
 - (b) a plan indicating the site and showing the proposed development;
 - (c) the addresses of any adjoining premises;
 - (d) the developer's contact address; and
 - (e) the developer's email address if the developer is content to receive communications electronically.
- (2A) The local planning authority may refuse an application where, in the opinion of the authority—
- (a) the proposed development does not comply with, or
 - (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(e) but is allowed by paragraph A.1(ea).
- (2B) Paragraphs (3) to (5) and (7) shall not apply where a local planning authority refuses an application under paragraph (2A).
- (3) The local planning authority shall notify owners or occupiers of any adjoining premises about the proposed development by serving on them a notice which—
- (a) describes the proposed development, including—
 - (i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
 - (ii) the maximum height of the enlarged part of the dwellinghouse; and
 - (iii) the height of the eaves of the enlarged part of the dwellinghouse;
 - (b) provides the address of the proposed development;
 - (c) specifies the date when the information referred to in paragraph (2) was received by the local planning authority and the date when the period referred to in paragraph (8)(c) would expire; and
 - (d) specifies the date (being not less than 21 days from the date of the notice) by which representations are to be received by the local planning authority.
- (4) The local planning authority must send a copy of the notice referred to in paragraph (3) to the developer.
- (5) Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.
- (6) The local planning authority may require the developer to submit such further information regarding the proposed development as the local planning authority may reasonably require in order to determine the application.
- (7) The local planning authority shall, when considering the impact referred to in paragraphs (5) and (6)—
- (a) take into account any representations made as a result of the notice given under paragraph (3); and
 - (b) consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.
- (8) The development shall not be begun before the occurrence of one of the following—

- (a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
 - (b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
 - (c) the expiry of 42 days following the date on which the information referred to in paragraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.
- (9) The development shall be carried out—
- (a) where prior approval is required, in accordance with the details approved by the local planning authority;
 - (b) where prior approval is not required, or where paragraph (8)(c) applies, in accordance with the information provided under paragraph (2), unless the local planning authority and the developer agree otherwise in writing.
- (9A) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises.
- (10) The development shall be completed on or before 30th May 2016.
- (11) The developer shall notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.
- (12) The notification referred to in paragraph (11) shall be in writing and shall include—
- (a) the name of the developer;
 - (b) the address or location of the development, and
 - (c) the date of completion.