Relaxation of Planning Controls.

Changes To Permitted Development

Town and Country Planning England (General Permitted Development) Order 2015

MAJOR CHANGES TO BUILT DEVELOPMENT AND CHANGES OF USE OF BUILDINGS WHICH BECOME "PERMITTED DEVELOPMENT" FROM 30 MAY 2013

Householder Developments

Single Storey Rear Extensions to Dwellings - new "permitted development" provisions which involve a neighbour consultation process

Until 30 May 2019, householders may be able to build larger single storey rear extensions under "permitted development". The size limits will double from 4 metres to 8 metres for detached houses and from 3 metres to 6 metres for all other houses. Height must not exceed 4 metres. These new larger extensions (i.e. if they extend between 4 and 8 metres, or between 3 and 6 metres) must go through the following process:-

1. A homeowner wishing to build a larger single storey rear extension must notify the Local Planning Authority (LPA) and provide:-

   (a) a written description of the proposal which includes the length that the extension extends beyond the rear wall of the original house, the height at the eaves and the height at the highest point of the extension;

   (b) a plan of the site, showing the proposed development;

   (c) the addresses of any adjoining properties, including at the rear;

   (d) a contact address for the developer and an email address if the developer is happy to receive correspondence by email.

   There is no fee in connection with this process.

2. The LPA may ask for further information if it needs it to make a decision about the impact of the development on the amenity of adjoining properties.
3. The LPA will serve a notice on adjoining owners or occupiers, i.e. those who share a boundary, including to the rear. This will give the address of the proposed development and describe it, including the information in 1(a) above. It will also set out:-

(a) when the application was received and when the 42 day determination period ends;

(b) how long neighbours have to make objections (which must be a minimum of 21 days) and the date by which these must be received.

A copy of this notice must also be sent to the developer.

4. If any adjoining neighbour raises an objection within the 21 day period, the LPA will take this into account and make a decision about whether the impact on the amenity of all adjoining properties is acceptable. No other issues will be considered.

5. The development can go ahead if the LPA notifies the developer in writing either:-

(a) that as no objections were received from adjoining neighbours it has not been necessary to consider the impact on amenity, or

(b) that following consideration, it has decided that the effect on the amenity of adjoining properties is acceptable.

6. If the LPA does not notify the developer of its decision within the 42 day determination period, the development may go ahead.

7. If approval is refused, the developer may appeal.

8. The extension must be built in accordance with the details approved by the LPA (or, if no objections were raised or the LPA has not notified the developer of its decision, the details submitted), unless the LPA agrees any changes in writing.

9. The development must accord with all other relevant limitations and conditions which currently apply to other rear extensions allowed under "Permitted Development" rules:-

No more than 50% of the curtilage of the property may be built on (the calculation excludes the area occupied by the original dwelling).

Maximum height must not exceed 4 metres.

Maximum height of eaves where development is within 2 metres of a boundary must not exceed 3 metres.

Materials used must be similar in appearance to the existing dwelling unless the extension is a conservatory.
10. To benefit from these permitted development rights, the extension must be completed on or before 30 May 2019. The developer must notify the local authority in writing of the date of completion.

These new rules do not apply for any Listed Building, or property falling within Conservation Areas, or Sites of Special Scientific Interest, where the existing restrictions on length of rear extensions of 3 and 4 metres continue to operate. Also where permitted Development rights have previously been removed by the LPA.

The requirements of the Building Regulations will continue to apply to extensions to dwellings.