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Welsh Government

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Technical Guidance

Permitted development for householders

Version 2

April 2014

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1: INTRODUCTION

Introduction

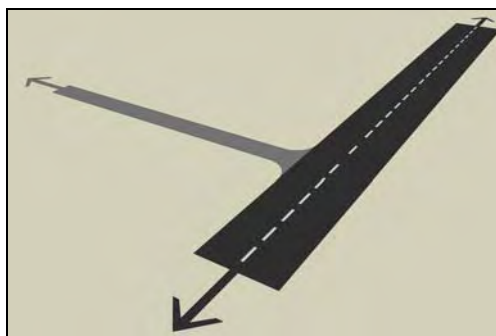
- 1.1 Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 provides permitted development rights for householders to undertake certain minor, uncontentious improvements and alterations to their properties without the need to make a planning application. This document provides guidance on how to interpret householder permitted development rights. **However, it is not an authoritative interpretation of the law, that is a matter for the courts.**
- 1.2 The diagrams show examples of standard house types, the guide cannot address all types of housing design or layout. Diagrams have been included for illustrative purposes only, they are not to scale and do not attempt to show matching materials or colours.
- 1.3 When considering whether a development proposal benefits from permitted development rights, all the relevant parts and classes of Schedule 2 to the Order need to be taken into account. For example, whilst alterations to the roof of a house may not be permitted under Class A, such changes may be permitted under Classes B or C.
- 1.4 In order to benefit from permitted development rights, a proposal must:
 - (a) be within the description of a relevant Development Class;
 - (b) comply with all of the restrictions of the Development Class; and
 - (c) be carried out in accordance with any applicable conditions of the Development Class.
- 1.5 Local planning authorities can remove some permitted development rights by issuing an "Article 4 Direction". Permitted development rights may also have been removed by conditions attached to a planning permission on the existing house.
- 1.6 Where there is any doubt whether a proposal would be permitted development, advice should be sought from the Local Planning Authority. To determine whether a proposed development is lawful and therefore does not require an application for planning permission, it is possible to apply to the Local Planning Authority for a 'Lawful Development Certificate'. Further information can be found on the Planning Portal website.

General Definitions

- 1.7 The following terms are used in this guidance note:
 - *'Dwellinghouse'* - does not include buildings containing one or more flats or a single flat contained within a building. *Note that for the purposes of this guidance, the word 'house' has the same meaning as 'dwellinghouse'.*
 - *'Building'* - includes any part of a building and includes any structure or erection, but does not include plant, machinery, gates, fences, walls, or other means of enclosure.

- *'Original'* - means, in relation to a building existing on 1st July 1948, as existing on that date and, in relation to a building built on or after 1st July 1948, as so built.
- *'Existing'* - means a building as it exists on site. The existing house will include previous development to the house, whether undertaken as permitted development or as development resulting from a planning permission from the Local Authority.
- *'Highway'* – this should have its usual legal meaning i.e. any way over which the public have the right to pass, including public roads (carriageways and footways, footpaths, bridleways and cycleways). A highway may pass over a bridge or along a foreshore. Whether the way is adopted (i.e. maintained at the public expense) will not normally be relevant in this context.

The image below is used throughout the document to depict a highway.



- *'Microwave Antenna'* - means a satellite antenna or a terrestrial microwave antenna.
- *'Article 1(5) land'* – in this context, this refers to land in Wales within a National Park, an area of outstanding natural beauty and an area designated as a conservation area.
- *'World Heritage Site'* – means a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage.

2: KEY CONCEPTS

Principal Elevation

- 2.1 The definition of the “principal elevation” is a key concept. It is used to identify the elevation of the original dwellinghouse which by virtue of its design or setting, or both, is the main or “principal” elevation. A dwellinghouse can only contain one “principal elevation” (Interpretation 1.2 of the Order). An elevation can contain more than one wall.
- 2.2 In most cases, identifying the “principal elevation” of a dwellinghouse will be straightforward. However in some cases a combination of the following factors will need to be considered in order to assist identification of the principal elevation:
- architectural detailing – the principal elevation usually contains the main architectural features of the dwellinghouse, eg main entrance door, porch, driveway, bay windows, and/or gables; it will have the more elaborate facade
 - windows – the principal elevation will usually contain more detailed fenestration and will generally be the elevation with the lowest solid to void (walls to windows) ratio (i.e. the proportion of the wall surface that is punctuated by windows and doors)
 - relationship to public highway - usually the most visually prominent elevation, when viewed from the public highway
 - the character, architectural detailing, layout and orientation of adjoining properties and other properties in the street scene should be considered as this will assist in determining the principal elevation
 - in some cases, particularly when considering development proposals in older, historic buildings, the original orientation of the property - which will be guided by the architecture and layout of the curtilage - may need to be taken into account
 - the layout of the dwelling and access arrangements should be considered: e.g. an entrance door leading to the hallway/internal staircase/main living area will usually be found on the principal elevation of the dwelling
 - the principal elevation will usually be the widest elevation of the property (or one of the 2no. widest elevations)
 - boundary treatment – the rear curtilage will generally be more private
- 2.3 Once the “principal elevation” is established, the rear elevation will be the elevation opposite the principal elevation. Side elevations will link the principal and rear elevations.
- 2.4 Figures 1-4 on the following pages show how the principal elevation can be identified in a number of different contexts.

Figure 1

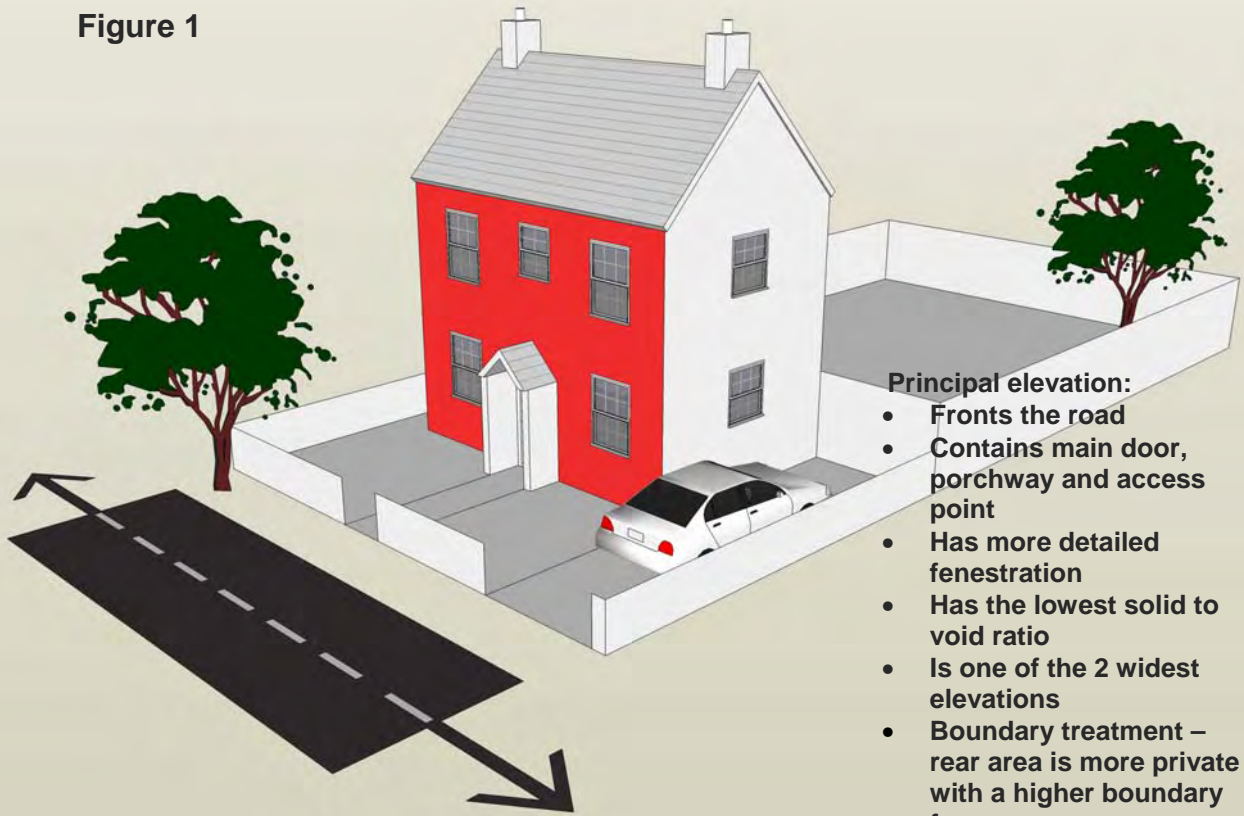


Figure 2

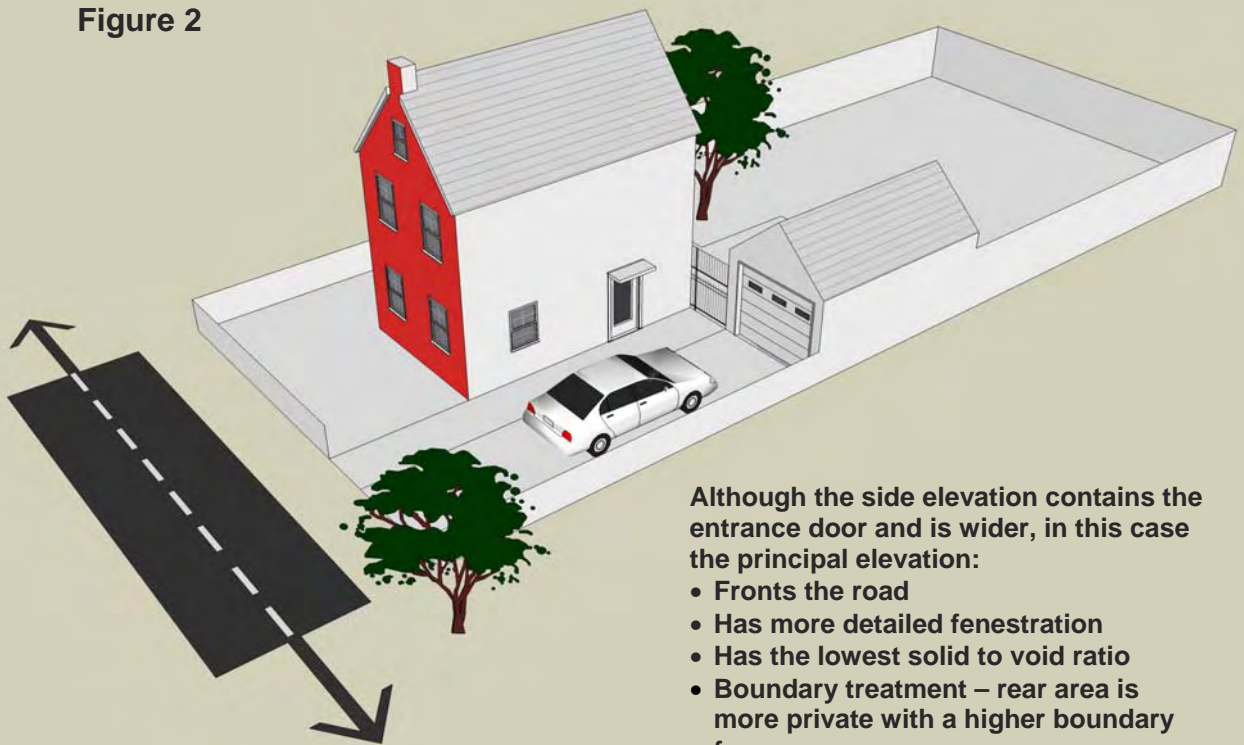
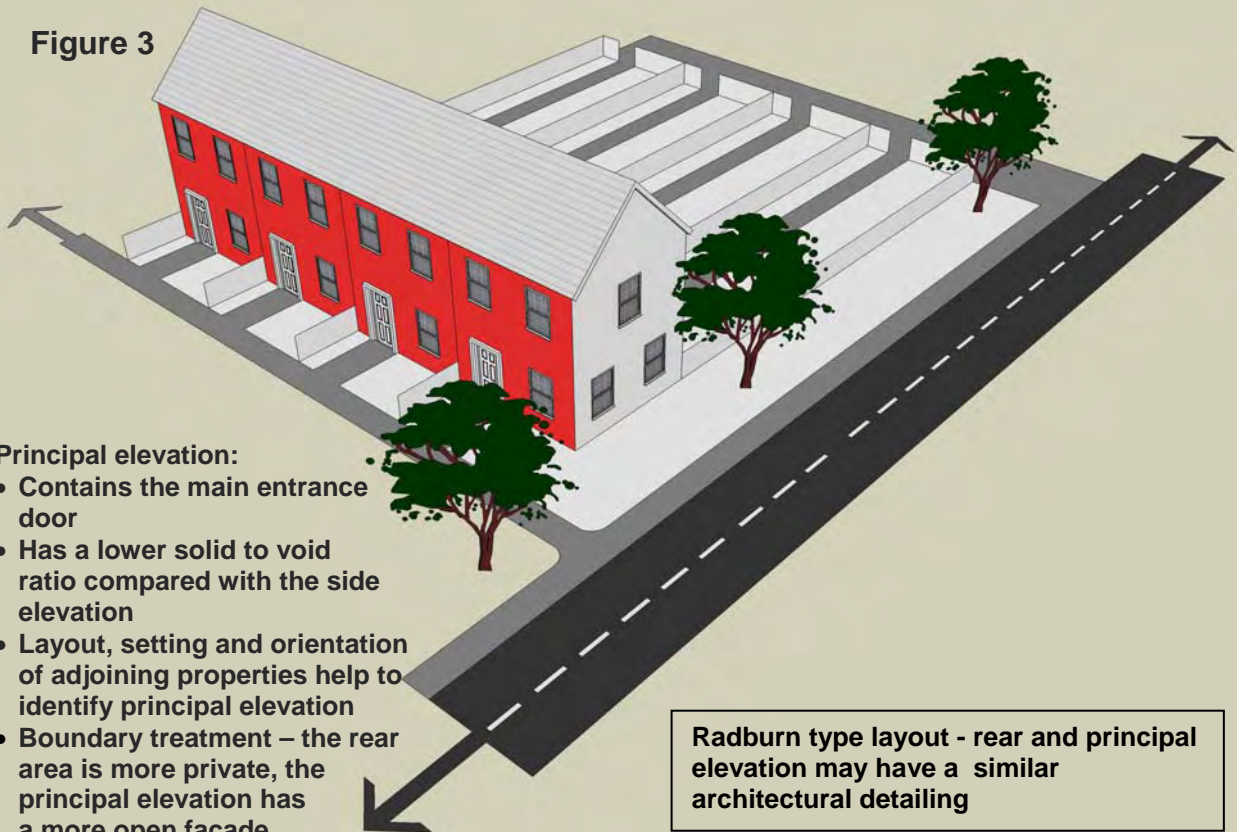


Figure 3



Principal elevation:

- Contains the main entrance door
- Has a lower solid to void ratio compared with the side elevation
- Layout, setting and orientation of adjoining properties help to identify principal elevation
- Boundary treatment – the rear area is more private, the principal elevation has a more open facade

Radburn type layout - rear and principal elevation may have a similar architectural detailing

Figure 4



Principal elevation:

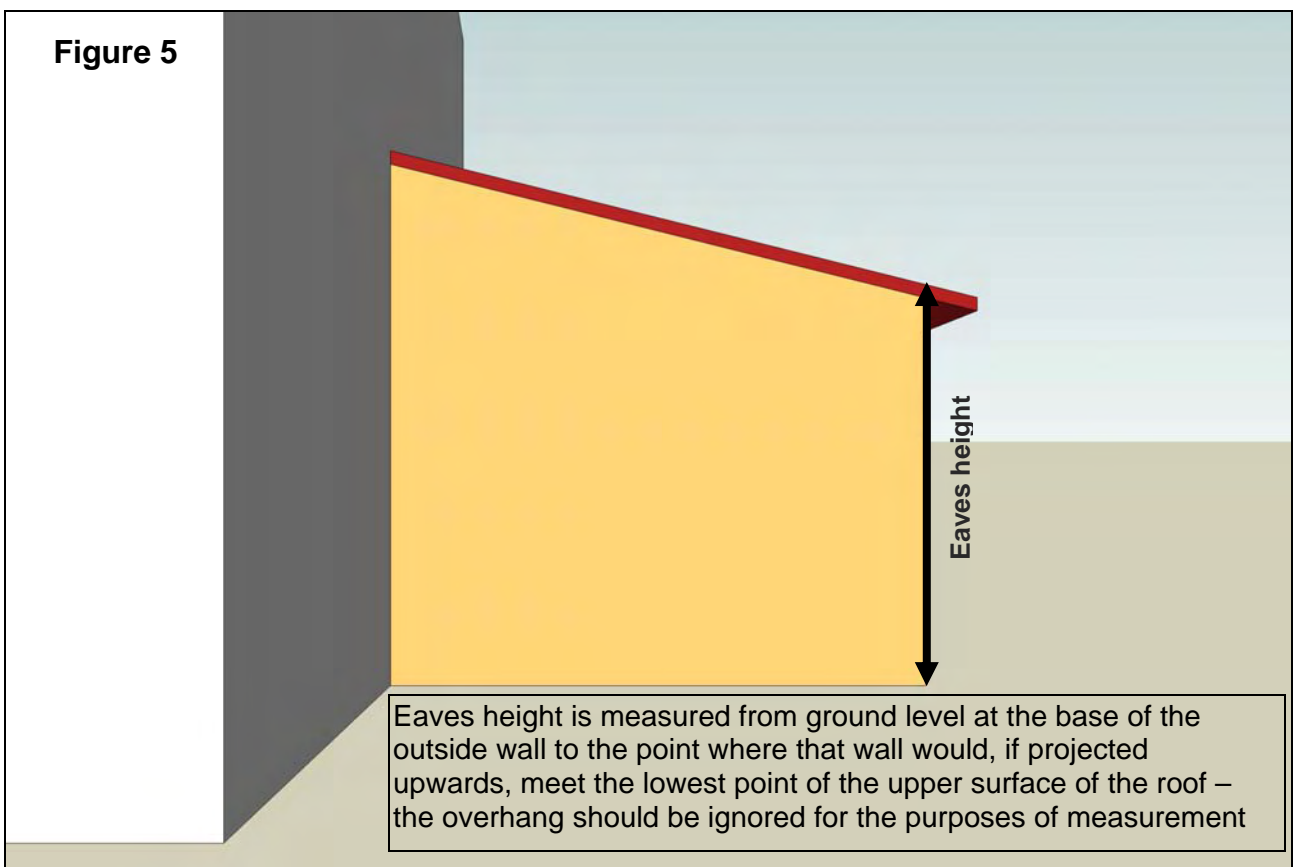
- Contains the main entrance door
- Has the lowest solid to void ratio
- Layout, setting and orientation of adjoining properties assist to identify principal elevation
- Boundary treatment – the rear area is more private, the principal elevation presents a more open façade

Measuring heights and ground levels

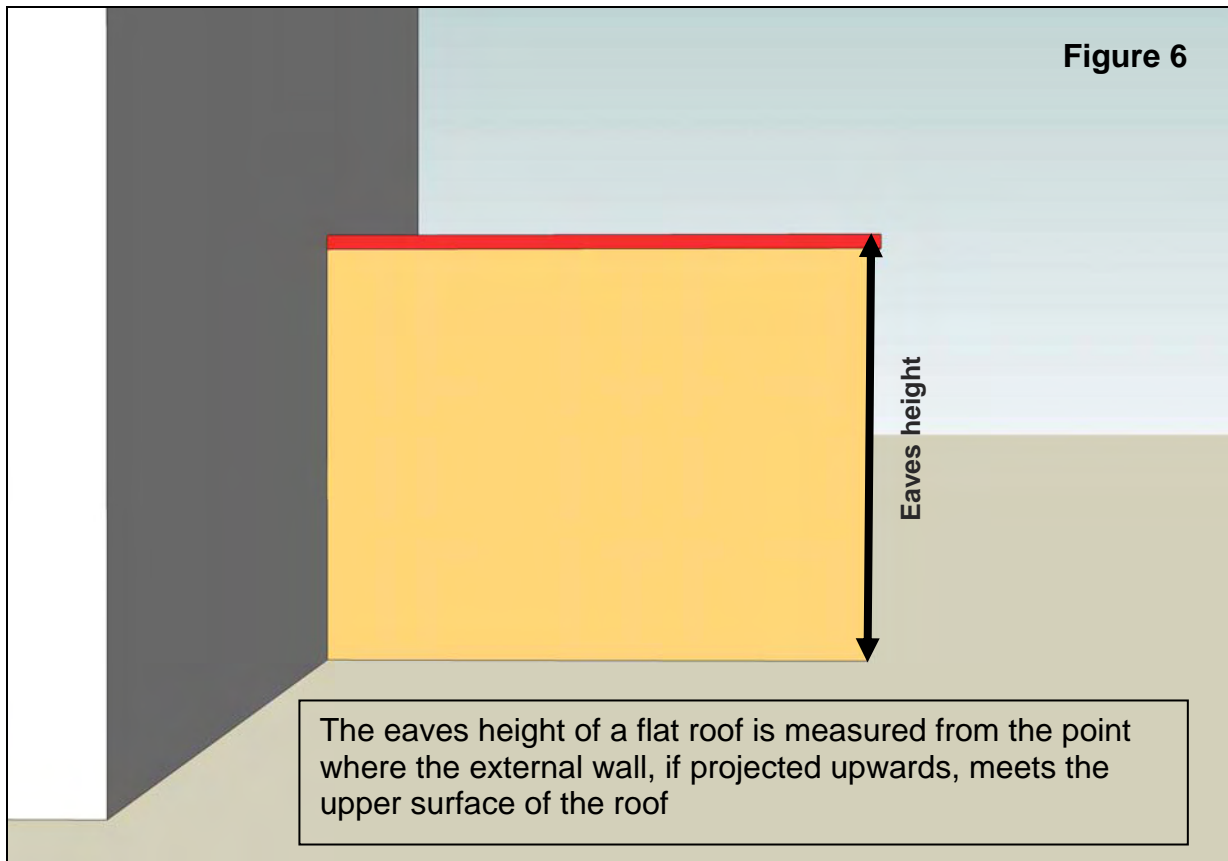
Eaves height

2.5 The “eaves” of a house are the point where the external walls, if projected upwards, meet the lowest point of the upper surface of the roof (see paragraph A.5(a) of Development Class A). Any parapet wall or any part of a roof slope which overhangs the external walls of the house must **not** be included in any calculation of eaves height, paragraph A.5(b).

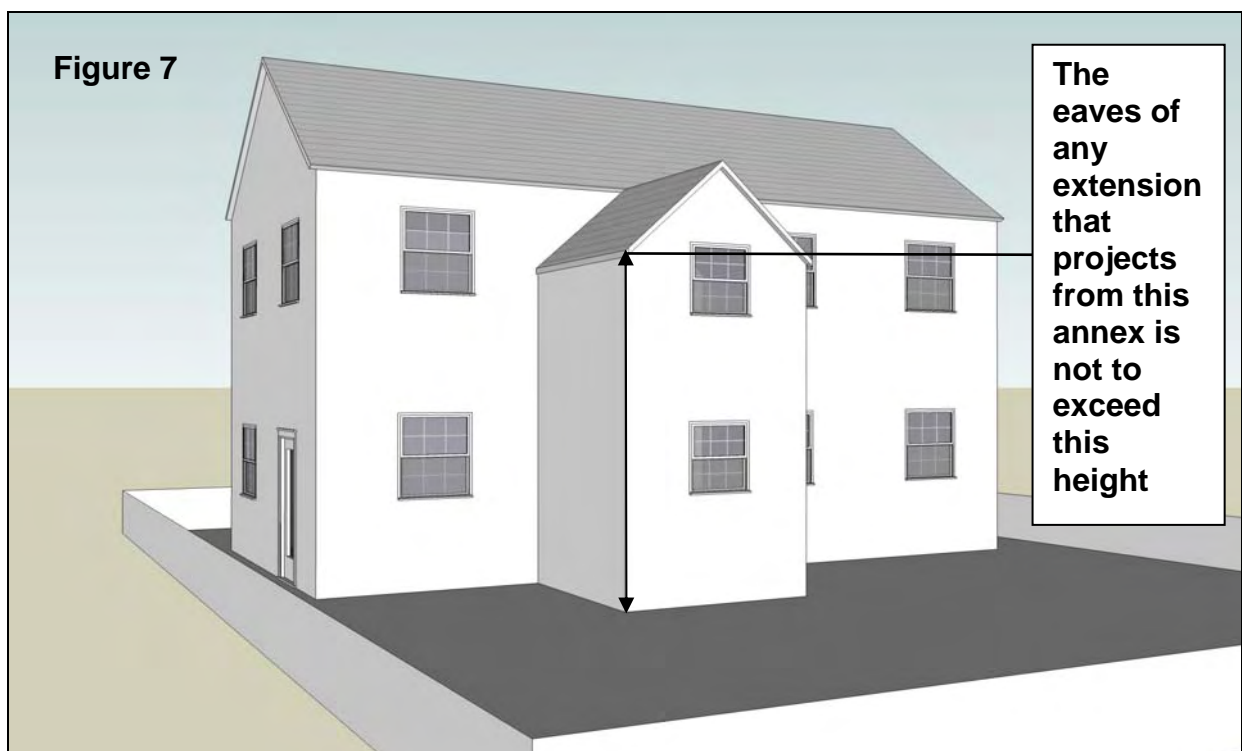
2.6 Figure 5 shows the side view of an extension with a pitched roof:



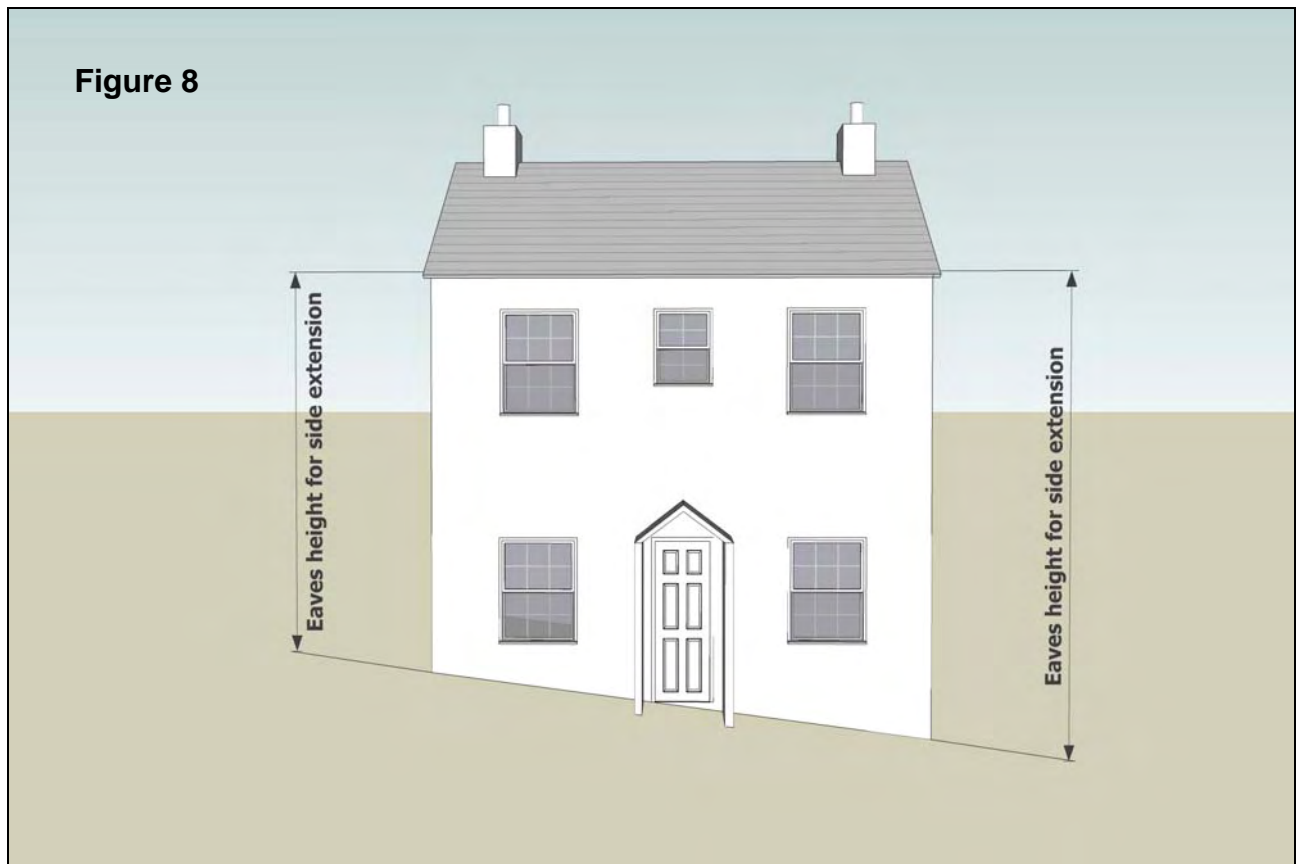
2.7 Where there is a flat roof, a similar approach should be taken for measuring eaves:



2.8 Where the existing house has eaves of different heights, the eaves height of that part of the dwellinghouse from which the extension projects determines the maximum permitted height of the eaves - A.1 (c) and A.5 (c) (see Figure 7).



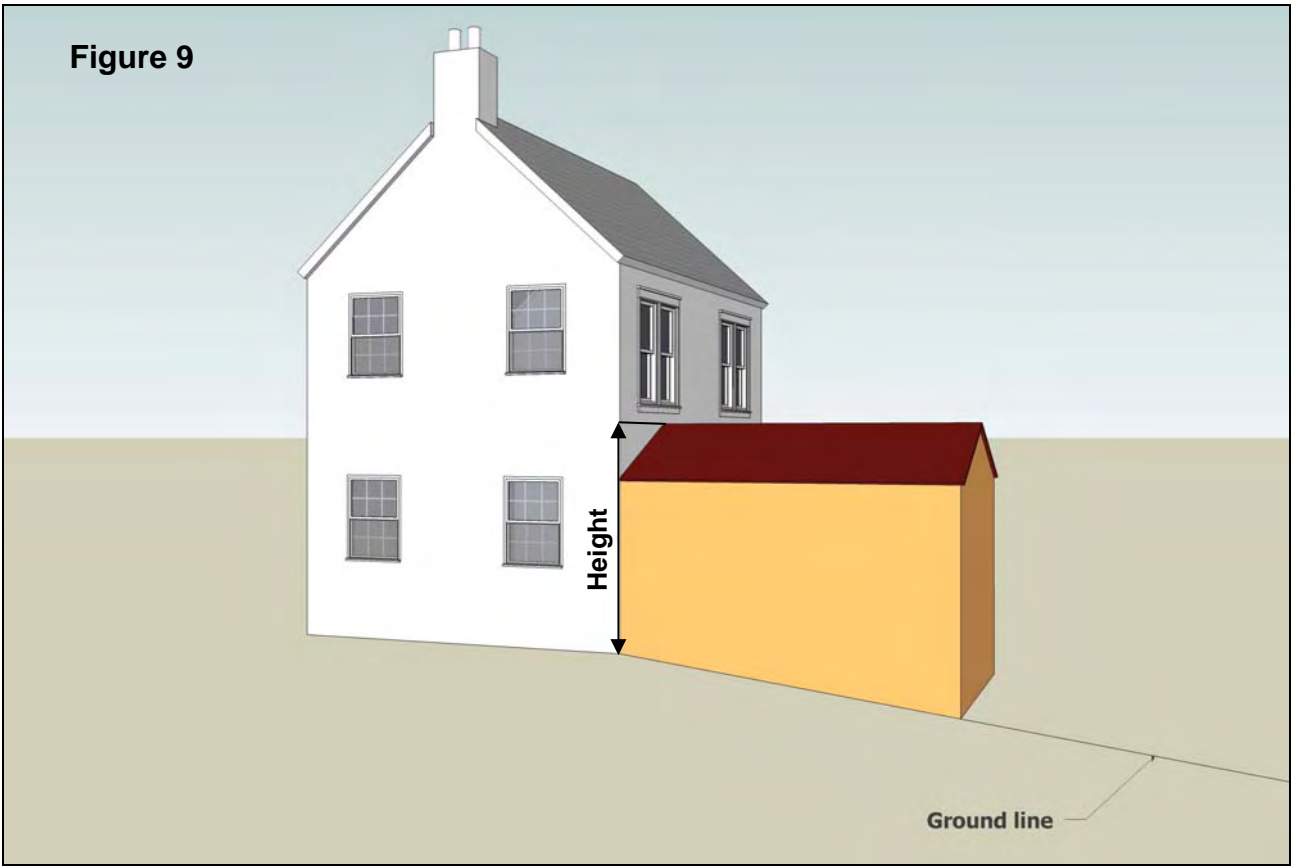
- 2.9 Where a house is built on sloping ground, the height of the eaves on the existing house should be measured using the elevation from which the extension projects (illustrated in Figure 8 below).



Height and ground level

- 2.10 As defined in article 1(3) of the Town and Country Planning (General Permitted Development) Order 1995, height is measured from ground level - “Ground level means the level of the surface of the ground immediately adjacent to the building in question, or where the ground is not uniform, the level of the highest part of the surface of the ground adjacent to it”.
- 2.11 Figure 9 shows a rear, single storey extension on uneven ground that slopes away from the house. The annotation identifies the point at which “height” should be measured.

Figure 9

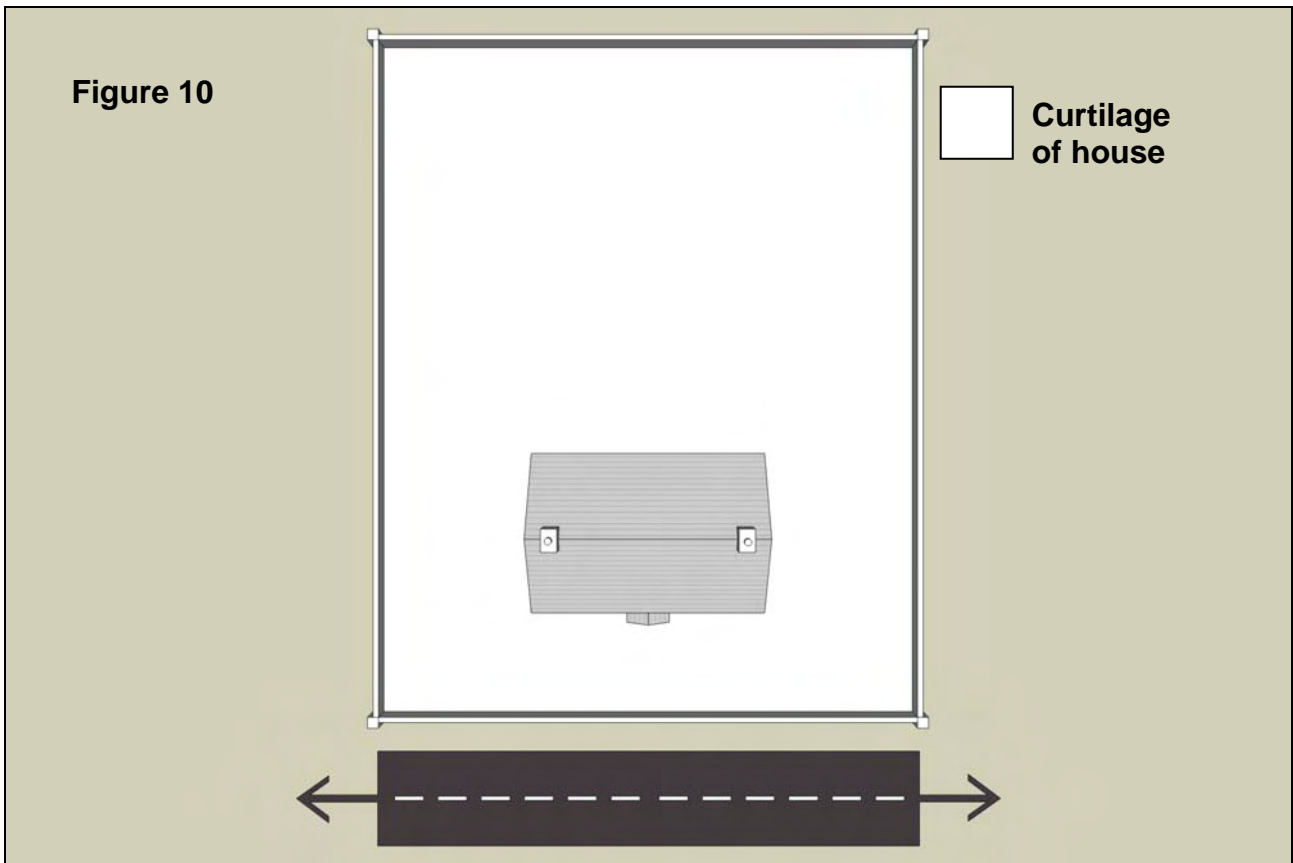


3: CLASS A DEVELOPMENT, GENERAL RESTRICTIONS

Site Coverage

A.1 (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)

- 3.1 The total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) cannot exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).
- 3.2 The restrictions on site coverage are specific to Classes A and E of the Amendment Order.
- 3.3 'Curtilage' is not defined in legislation but has been considered by the courts on many occasions. The extent of the curtilage will always be a matter of fact and degree, responding to the features and circumstances of the house in question. In a built up residential area, the extent of the curtilage will normally be obvious, given that boundaries will usually be clearly defined and no piece of land can be within the curtilage of more than one property.
- 3.4 The curtilage will not necessarily be a small area; it will depend on the scale and nature of the house. Ancillary buildings, structures or areas such as outhouses, garages, driveways or gardens will be included, whereas the whole of a substantial country estate would not. An important requirement is that the house and everything within its curtilage should, when considered together, amount to an integrated whole. Considerations of function, history, ownership and physical layout will all be material in determining the extent of the curtilage.
- 3.5 Buildings "other than the original dwellinghouse" comprise existing and proposed outbuildings (including detached garages) as well as any existing or proposed extensions to a house. But the area covered by the original house is excluded when calculating the 50% curtilage limit.
- 3.6 In Figure 10, the maximum area that can be built on as permitted development, whether house extensions, or outbuildings erected under Development Class E, would be 50% of the white area.



Maximum height of development

A.1 (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;

- 3.7 The “highest part of the roof of the existing dwellinghouse” will be the ridge line of the main roof (even though there may be other roofs at a lower level), or the height of the highest building where roofs are flat.
- 3.8 Chimneys, firewalls, parapet walls, other roof furniture, or any other protrusions above the main roof ridge line must not be taken into account when identifying the height of the highest part of the roof of the existing house.
- 3.9 However, when calculating the height of the enlarged part of the house, the measurement must include any new protrusions above the roof such as parapet walls etc. (see paragraph A.4 of Development Class A).

Maximum eaves height of development

A.1 (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;

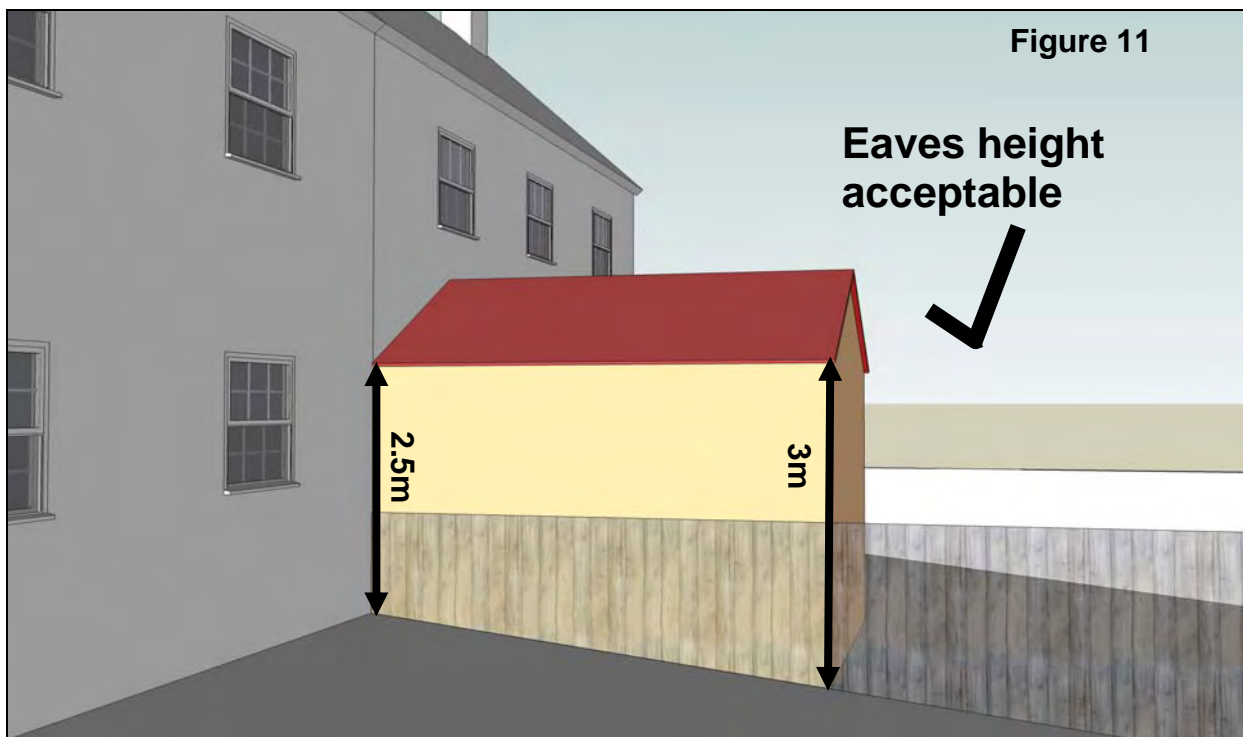
3.10 Advice on measuring eaves height is provided in section 2 of this guidance note.

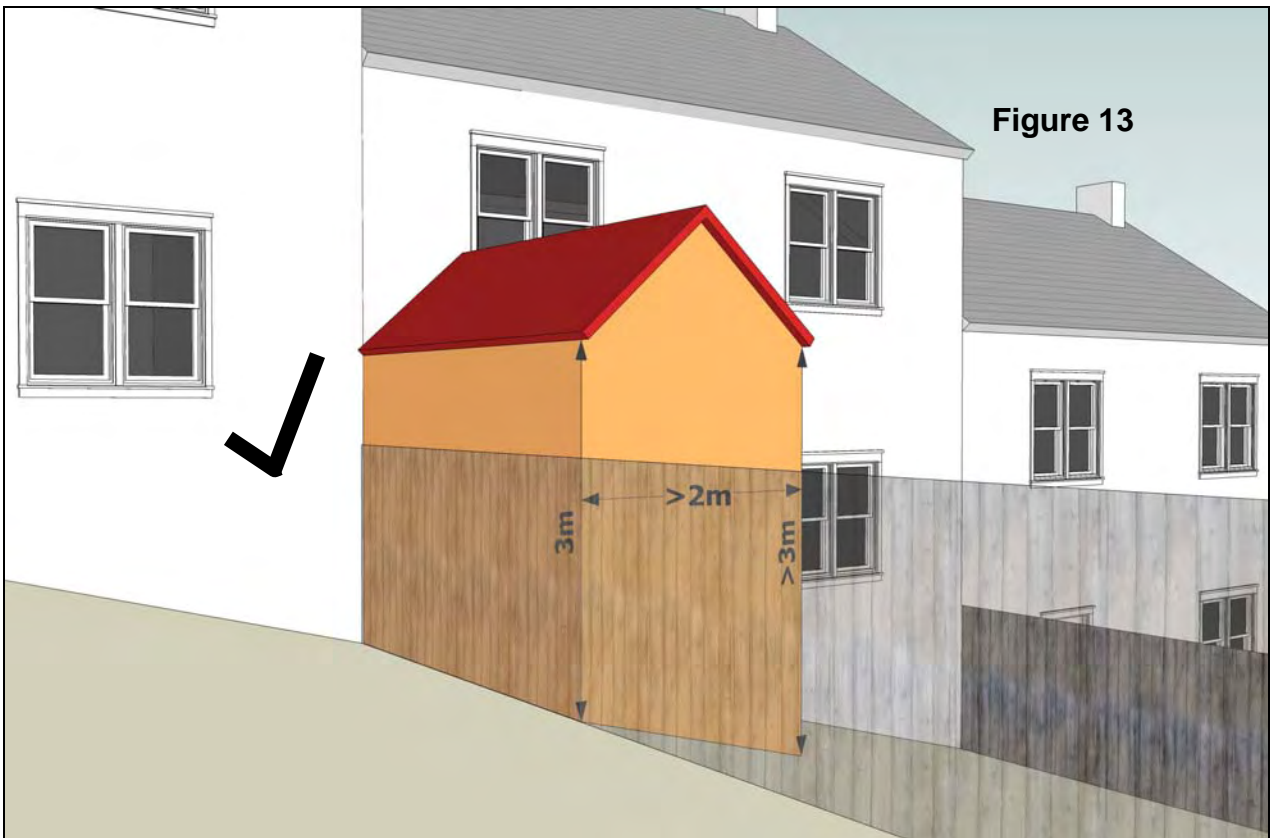
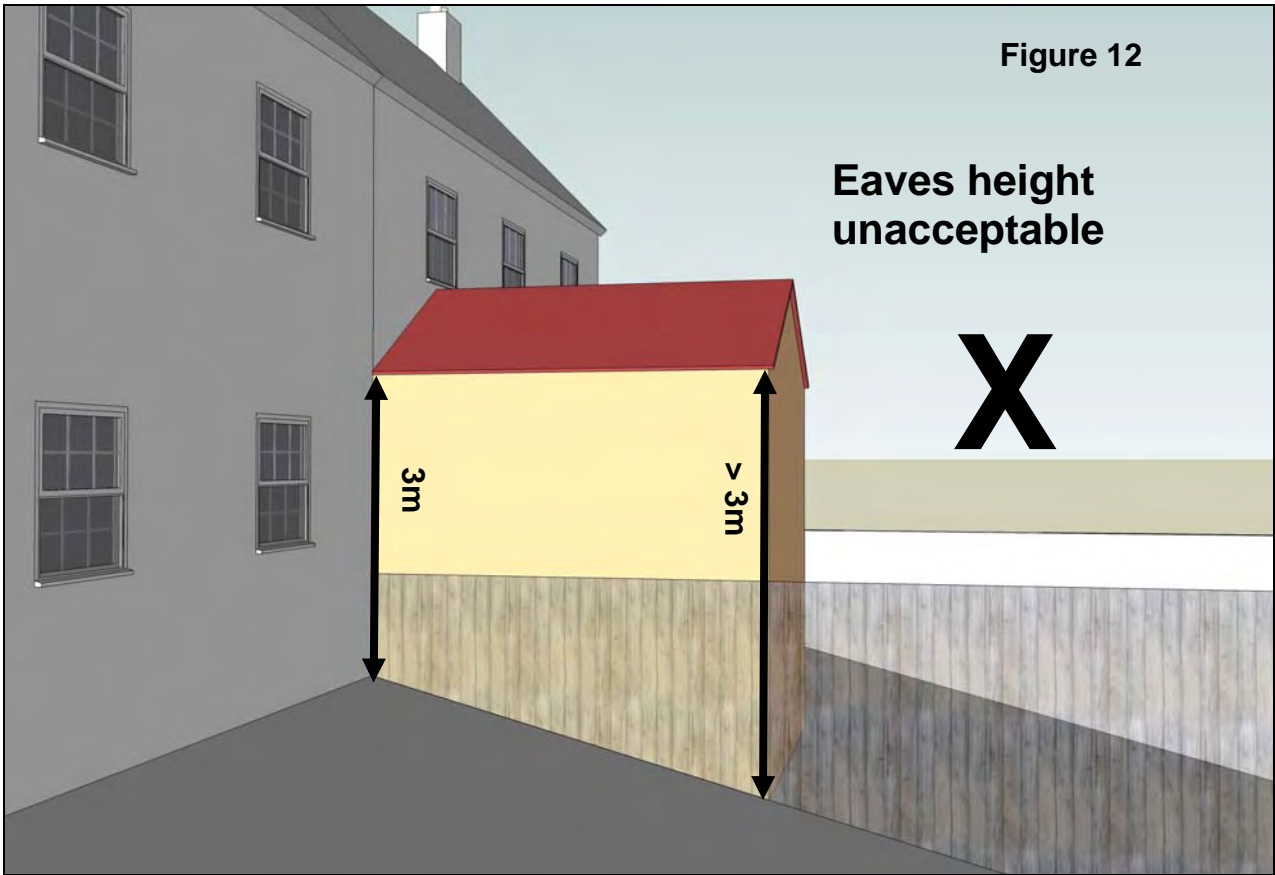
Height restrictions on the site boundary

A.1 (d) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and -
(i) the height of the eaves of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 3 metres; or
(ii) the height of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 4 metres.

3.11 The height restrictions in A.1 (d) (i) and (ii) only apply to that part of the extension which is within 2m of the boundary.

3.12 Figures 11 and 13 provide examples of single-storey rear extensions that would meet the criteria in A.1 (d) - in Figure 13 the eaves over 3m high is more than 2m from the boundary. Figure 12 shows a rear extension that would not be permitted development as it fails to comply with condition A.1 (d) (i).





3.13 Guidance on measurement of eaves is provided in section 2 of this guidance note (see also paragraph A.5 of Development Class A).

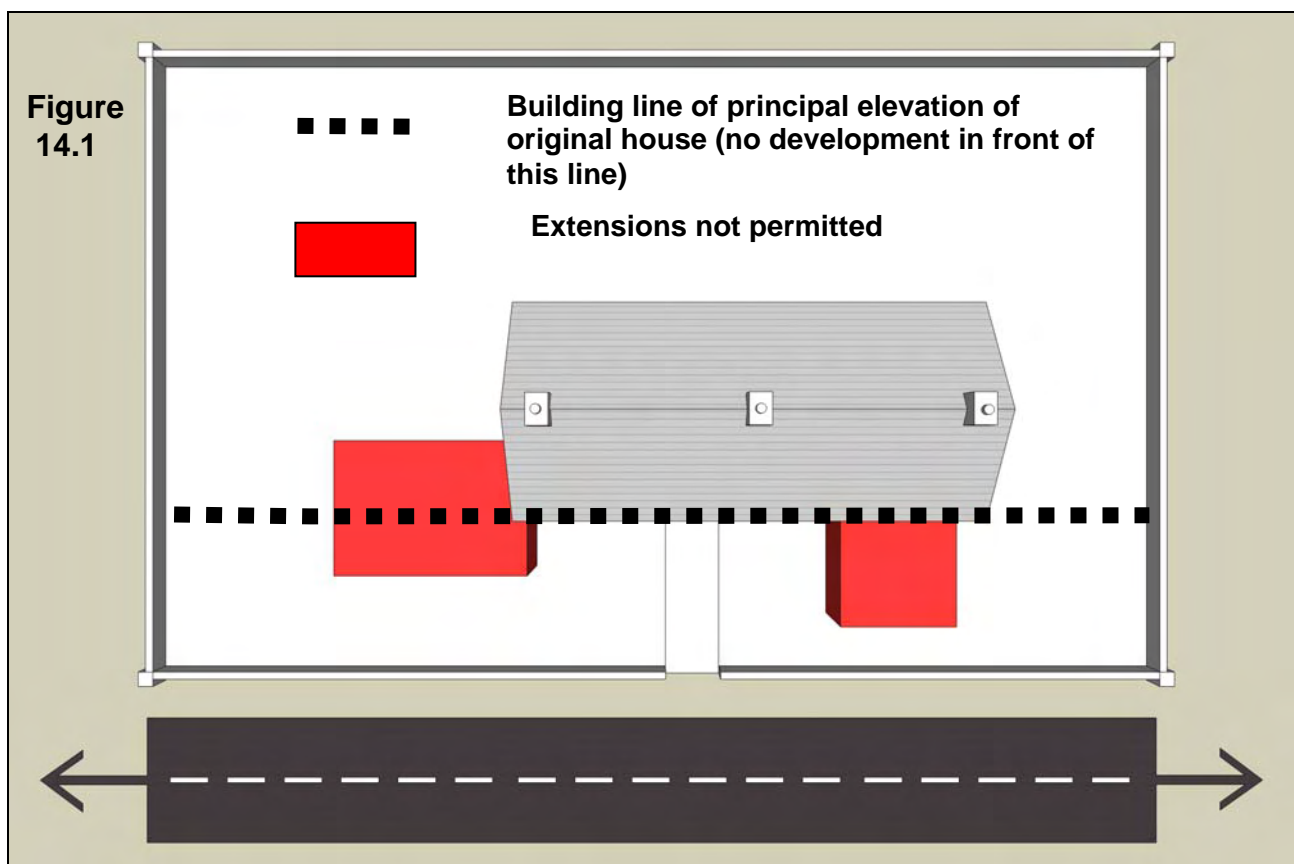
No development in front of the principal elevation

A.1 (e) the enlarged part of the dwellinghouse would extend beyond a wall comprised in the principal elevation of the original dwellinghouse.

3.14 This condition means that any development that is in front of a wall that forms part of the principal elevation of the original dwellinghouse requires an application for planning permission.

3.15 Guidance on how to define the “principal elevation” is provided in section 2 of this Guidance Note.

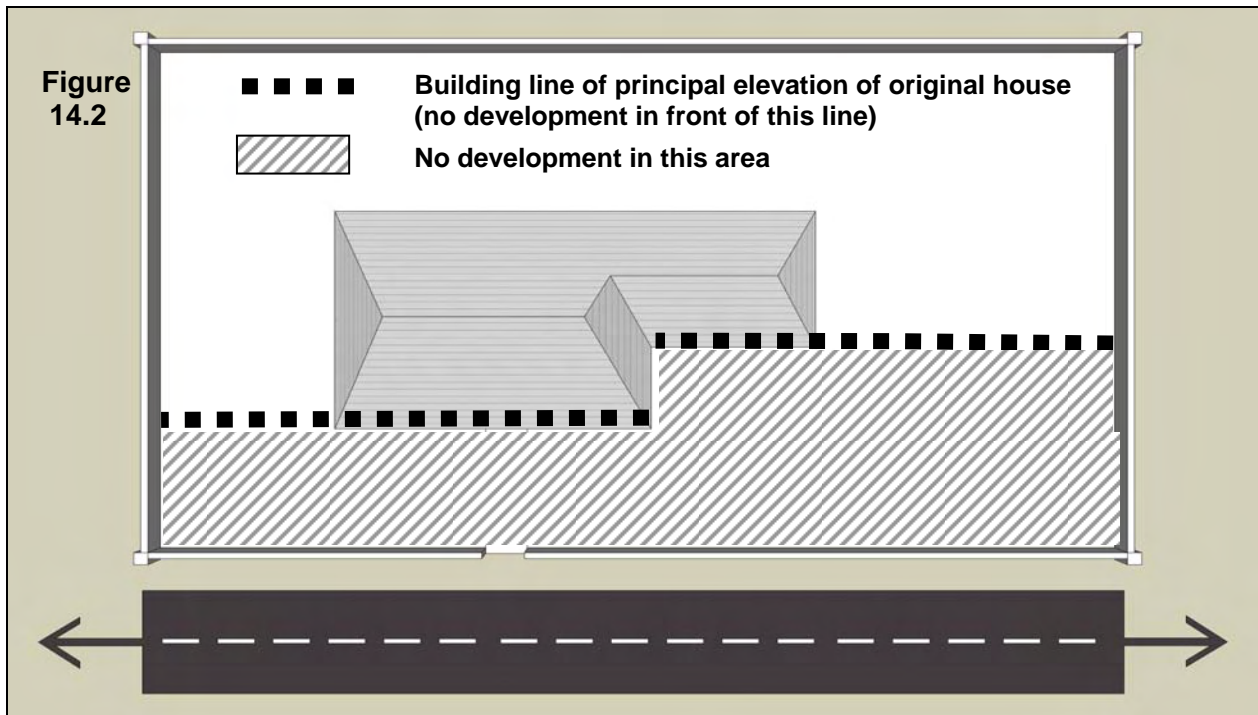
3.16 “Extend beyond a wall” means that the development cannot project in front of the building line of any wall that forms part of the principal elevation of the original dwellinghouse. The building line extends to the side boundaries of the dwellinghouse. Figure 14.1 shows two extensions that would not be permitted by A.1 (e) as they both extend beyond the building line of the wall that forms the principal elevation of the house.



3.17 A principal elevation may not be flat and uniform; it may be curved, contain more than one wall or broken up by architectural features such as bay windows or a

porch. It should also be noted that A.1 (e) refers to a “*wall comprised in the principal elevation.....*”. An elevation may be comprised of elements other than walls, for example bay windows, porches, and guttering. Many of these elements will project beyond the wall, although some may be recessed. However, the effect of “*wall comprised in*” is that measurement should be taken from the external surface of the wall itself, not from any other element of the elevation.

- 3.18 Development is not permitted in front of the building line that forms the principal elevation of the original dwellinghouse. The building line follows those parts of the outer wall of the house that form the face of the principal elevation of the original house and then continues to the side boundary. This concept is illustrated in the figures below:



4: EXTENSIONS

SIDE EXTENSIONS

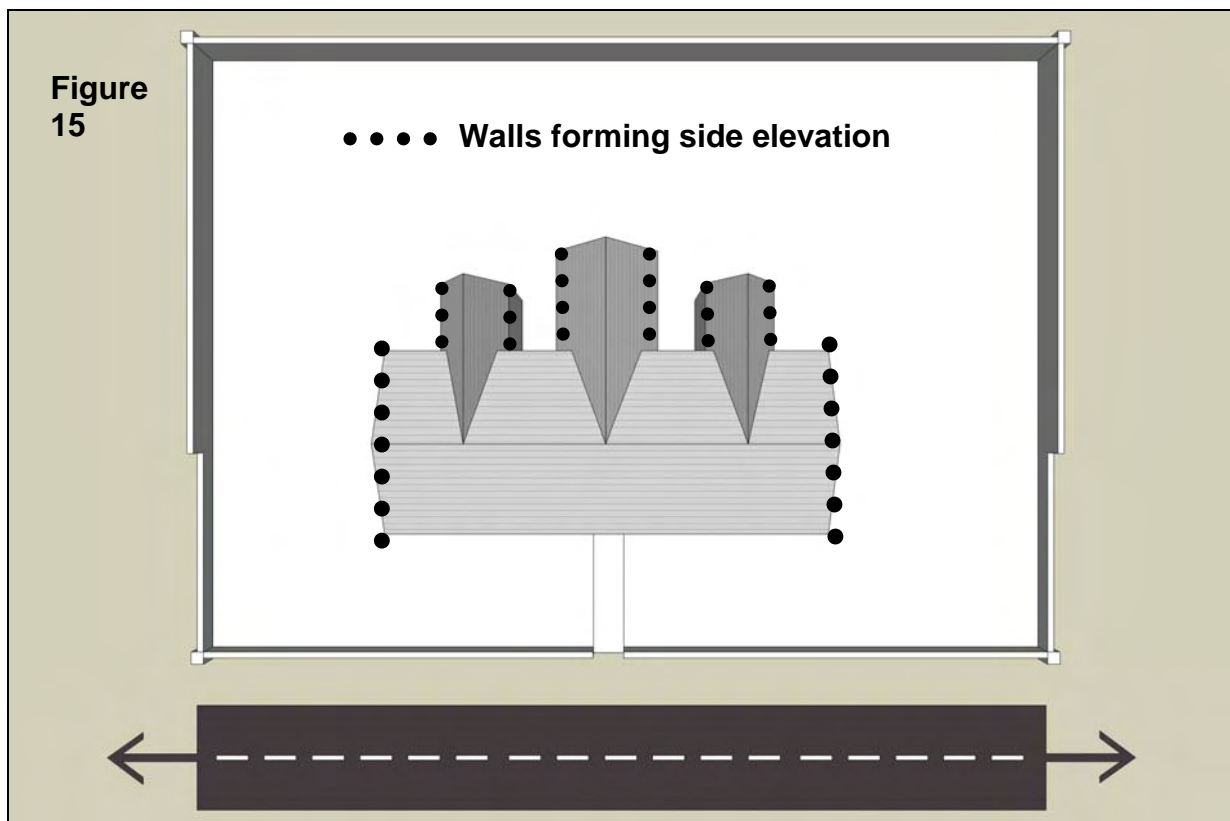
Side Extensions : General limit

A.1 (f) the enlarged part of the dwellinghouse would extend beyond a wall comprised in a side elevation of the existing dwellinghouse, and would be nearer to the highway than—

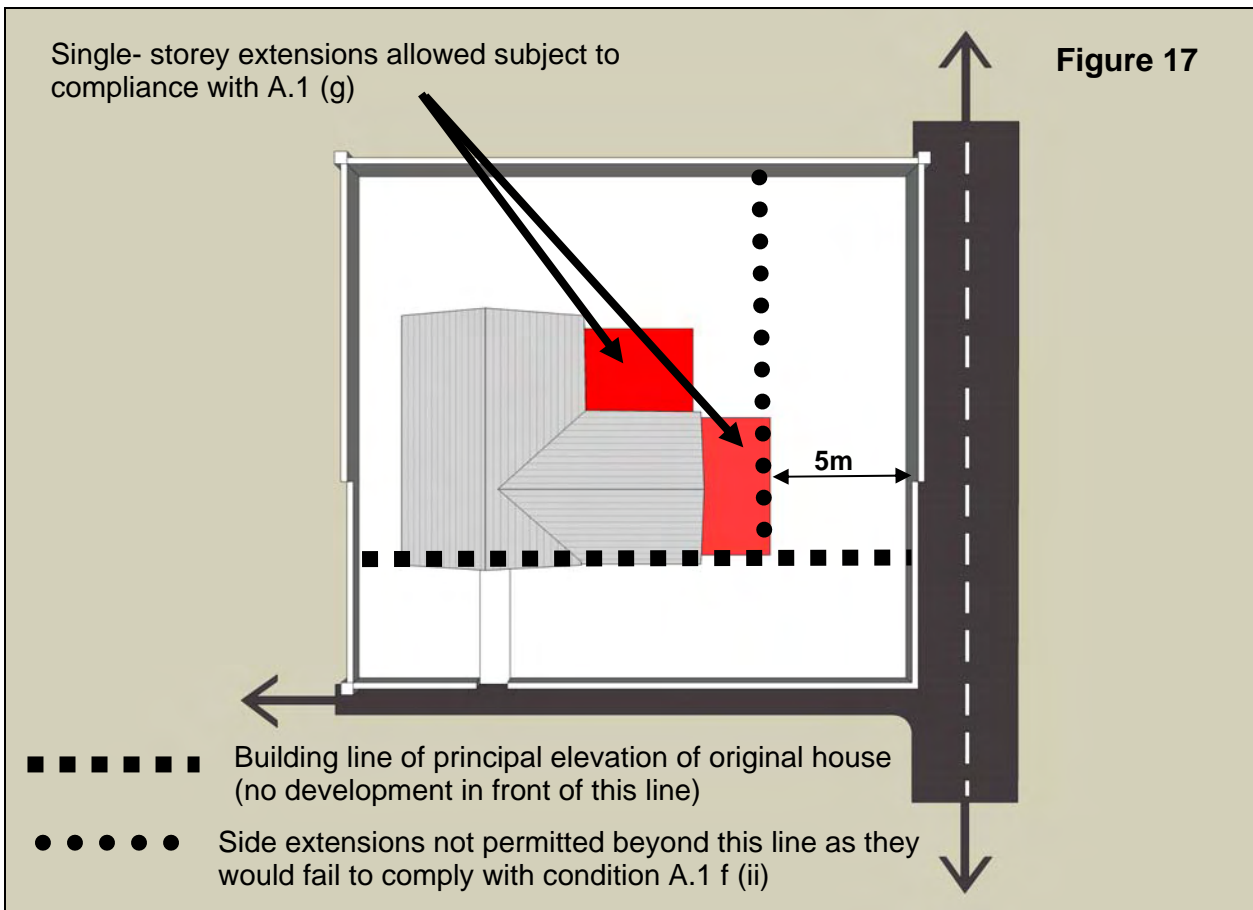
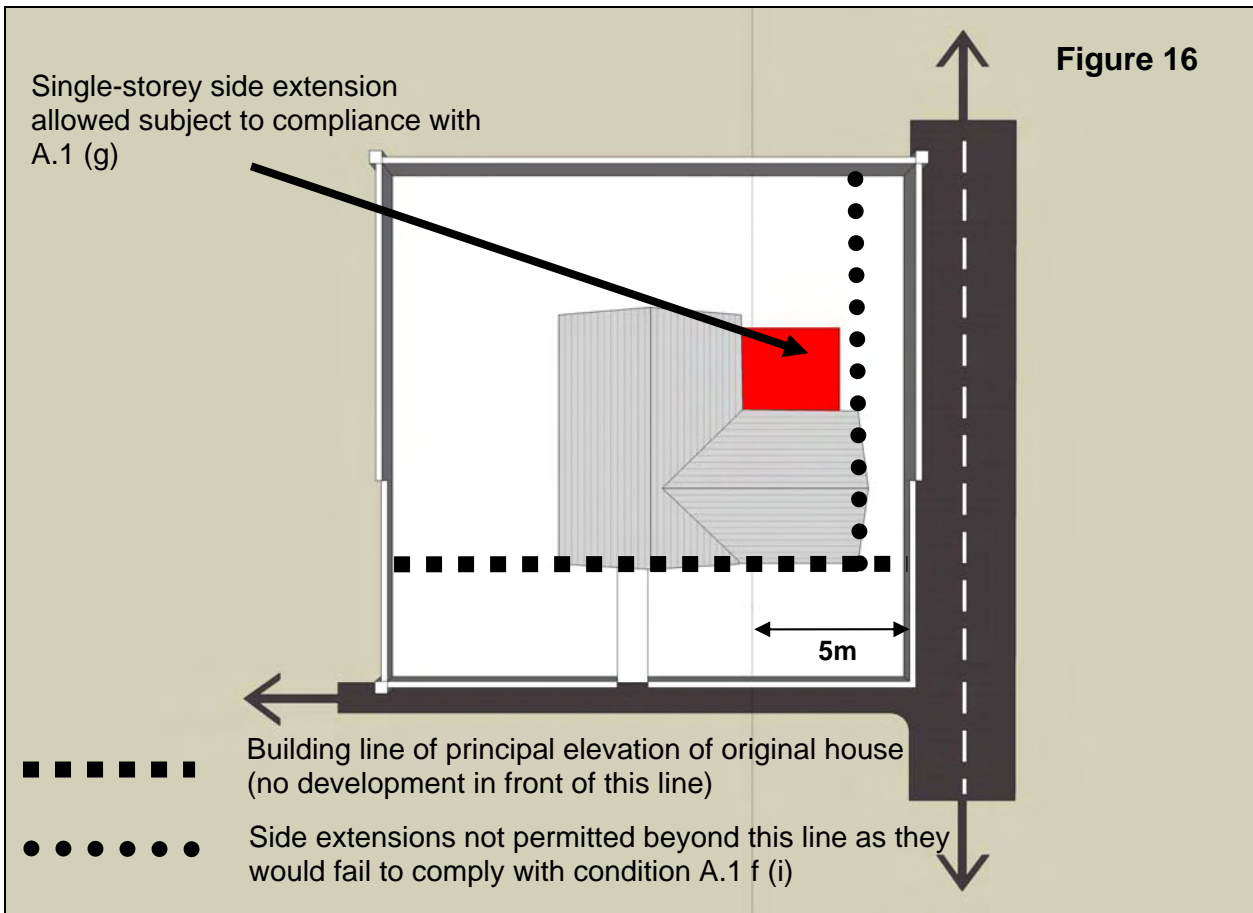
(i) the wall comprised in that side elevation which is nearest to the highway; or

**(ii) any point 5 metres from the highway;
whichever is the nearer to the highway;**

- 4.1 Paragraph A.1 (f) applies to all development proposals involving side extensions. Side elevations link the principal and rear elevations. A “wall comprised in a side elevation of the existing dwellinghouse” will be any wall that does not comprise a front or rear wall. Houses will often have more than two side elevation walls – this is illustrated in Figure 15 below:



- 4.2 Side extensions are permitted subject to compliance with the conditions in A.1 (g) or (h) of the Order and A.1 (f) – illustrated in the following diagrams.



Single storey side extensions

A.1 (g) the enlarged part of the dwellinghouse would extend beyond a wall comprised in a side elevation of the original dwellinghouse, would have a single storey and—

(i) the enlarged part of the dwellinghouse would exceed 4 metres in height; or

(ii) the width of the widest part of the resulting dwellinghouse would exceed the width of the widest part of the original dwellinghouse by more than 50%.

- 4.3 Single storey side extensions are allowed, subject to the conditions in paragraphs A.1 (f) and A.1 (g). Where an extension attaches to a pre-existing outbuilding, the pre-existing outbuilding becomes part of the enlarged, improved or altered dwellinghouse; as such the height and width limitations in A.1 (g) apply, so the resulting extension cannot exceed 4m in height and the width cannot exceed the width of the widest part of the original dwellinghouse by more than 50%.
- 4.4 For the purposes of Class A, “width” relates to the distance between the side elevations of the dwellinghouse. The width of the original house should be calculated at its widest point and the width of the widest part of the resulting dwellinghouse must take into account any existing extensions to the original house, whether permitted by the General Permitted Development Order (Part 1) or not. For example if the widest part of the original dwellinghouse is 7m, the maximum width of the resulting dwellinghouse would be 10.5m [i.e. the width of the original dwellinghouse (7m) plus 50% of the width of the original dwellinghouse (3.5m)].
- 4.5 Figure 18 shows a single-storey side extension that would benefit from permitted development rights.

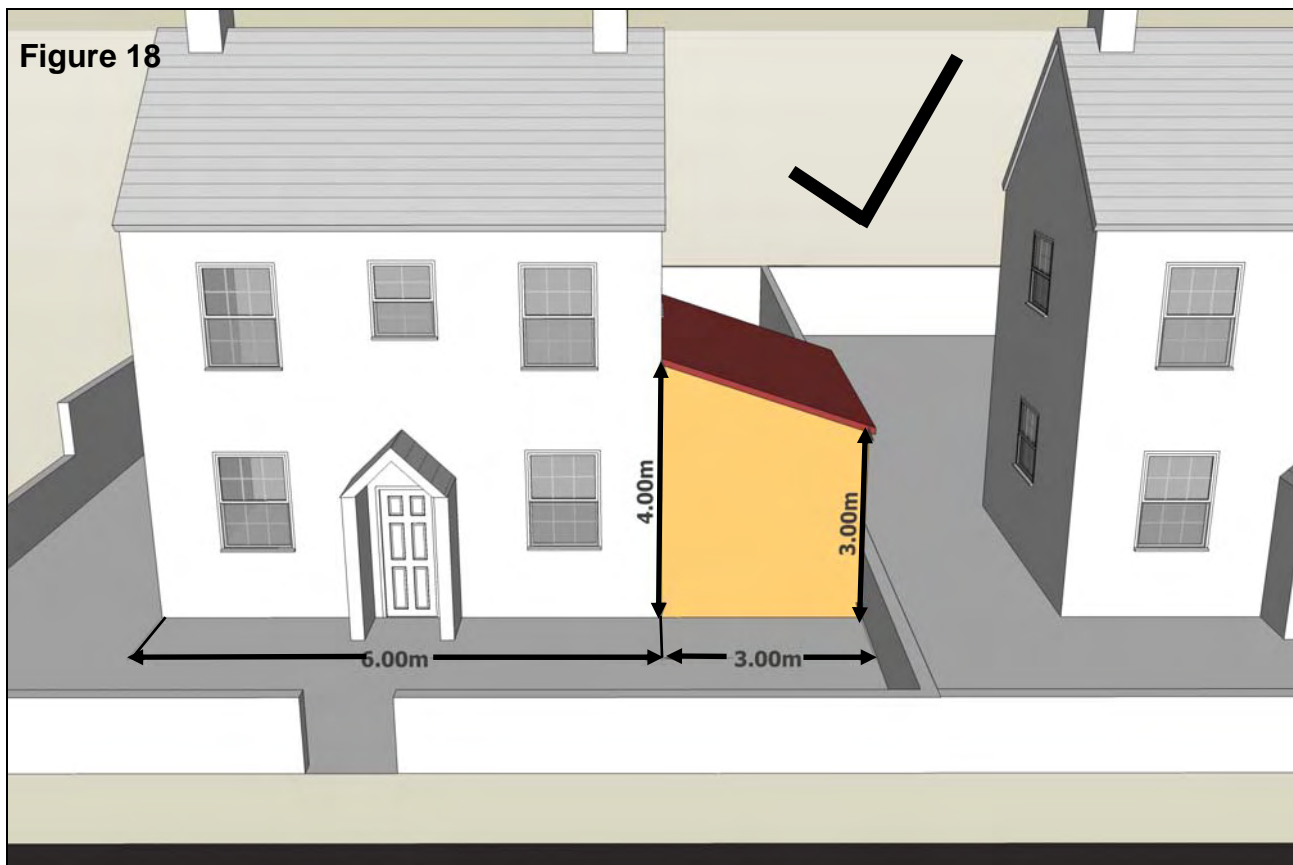


Figure 18 complies with the conditions for a single-storey side extension, which are:

- Not to exceed 50% of the total area of the curtilage : A.1 (a)
- Eaves height of extension not to be higher than the eaves height of that part of the house from which the extension projects : A.1 (c) A.5
- Not to be within 2 metres of a boundary of the dwellinghouse where height of the eaves of the enlarged part exceeds 3 metres : A.1 (d) (i) and A.5
- Not to exceed a height of 4 metres within 2 metres of the boundary : A.1 (d) (ii)
- Not to extend beyond a wall comprised in the principal elevation : A.1 (e)
- Not to be nearer a highway than any wall in the side elevation of the existing dwellinghouse or at least 5 metres from the highway, whichever is nearest to the highway : A.1 (f) and A.6
- Not to exceed 4 metres in height : A.1 (g) (i)
- The width of the widest part of the resulting dwellinghouse not to exceed the width of the widest part of the original dwellinghouse by more than 50% : A.1 (g) (ii)
- No verandas, raised platforms, roof terraces or balconies, other than a balcony that complies with condition A.1 (l) (ii) : A.1 (l)
- Appearance of materials in wall & roof to match existing : A.3 (a)

Side extensions of more than one storey

A.1 (h) the enlarged part of the dwellinghouse would extend beyond a wall comprised in a side elevation of the original dwellinghouse, would have more than one storey, either in its own right or if considered together with any part of the existing dwellinghouse, and—

(i) the enlarged part of the dwellinghouse would be within 10.5 metres of any boundary which is—

(aa) a boundary of the curtilage of the dwellinghouse; and

(bb) opposite the relevant side elevation;

(ii) the enlarged part of the dwellinghouse would be set back, by less than 1 metre, from the point nearest to that part in any wall comprised in the principal elevation of the original dwellinghouse; or

(iii) the width of the widest part of the resulting dwellinghouse would exceed the width of the widest part of the original dwellinghouse by more than 50 per cent.

- 4.6 Side extensions containing more than one storey are permitted, subject to the conditions in A.1 (f) and the conditions in A.1(h).
- 4.7 Any development permitted by A.1(h) must be sited at least 10.5m away from the side boundary of the dwellinghouse and must be set back, by at least 1m, from the principal elevation of the original dwellinghouse.
- 4.8 The width of the original house should be calculated at its widest point, and the width of the widest part of the resulting dwellinghouse must take into account any existing extensions to the original house, whether permitted by the General Permitted Development Order (Part 1) or not. For example if the widest part of the original dwellinghouse is 7m, the maximum width of the resulting dwellinghouse would be 10.5m (i.e. the width of the original dwellinghouse, 7m, plus 50% of the width of the original dwellinghouse, 3.5m).
- 4.9 Figure 19 below shows a two-storey side extension that would be permitted development:

Figure 19

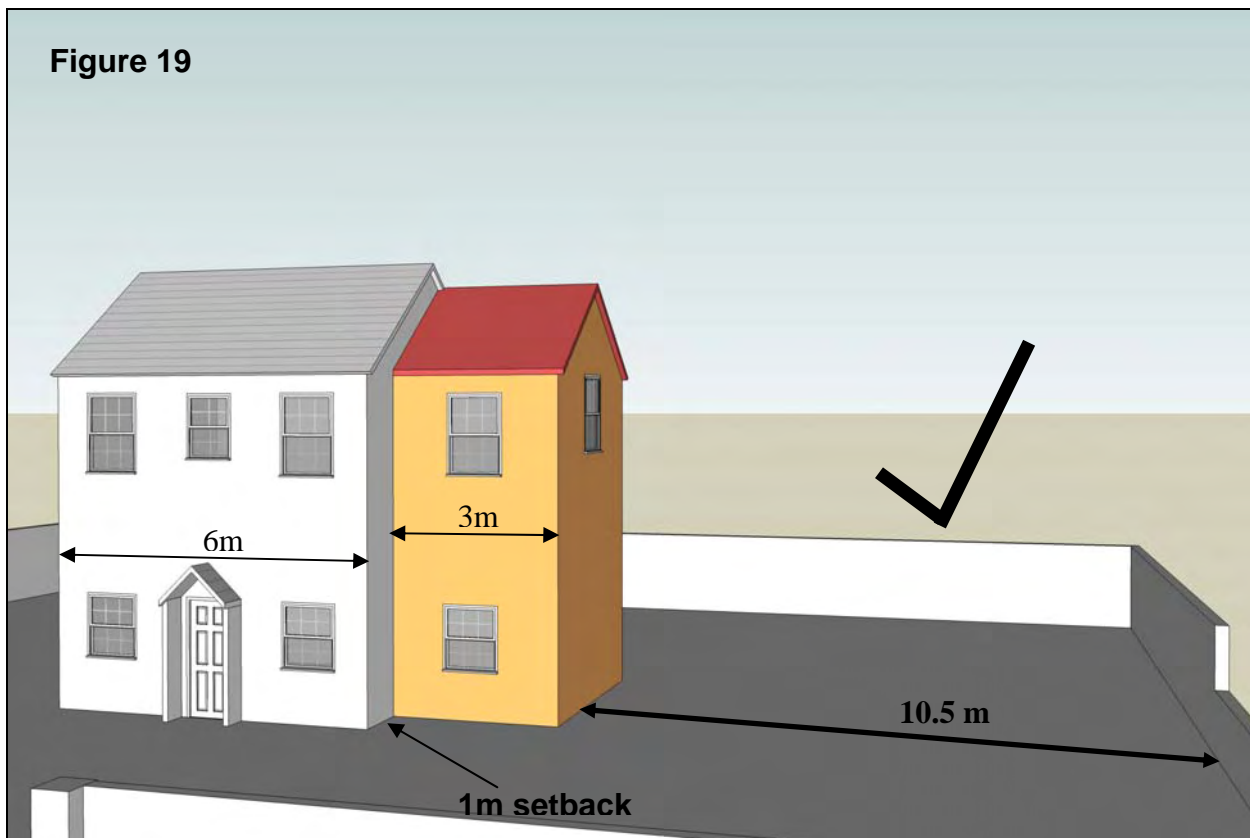


Figure 19 complies with the conditions for side extensions of more than one storey, which are:

- Not to exceed 50% of the total area of the curtilage : A.1 (a)
- Not to exceed the height of the roof of the existing dwelling : A.1 (b) and A.4
- Not to exceed height of the eaves of the existing dwellinghouse : A.1 (c) and A.5
- Not to be within 2 metres of a boundary of the dwellinghouse where height of the eaves of the enlarged part exceeds 3 metres : A.1 (d) (i) and A.5
- Not to exceed a height of 4 metres within 2 metres of the boundary : A.1 (d) (ii)
- Not to extend beyond a wall comprised in the principal elevation : A.1 (e)
- Not to be nearer a highway than any wall in the side elevation of the existing dwellinghouse or at least 5 metres from the highway, whichever is nearest to the highway : A.1 (f) and A.6
- Extension not to be within 10.5m of the side boundary, opposite the side elevation of the dwellinghouse : A.1 (h) (i)
- Development to be set back from principal elevation of the dwellinghouse by at least 1m : A.1 (h) (ii)
- The width of the widest part of the resulting dwellinghouse not to exceed the width of the widest part of the original dwellinghouse by more than 50% : A.1 (h) (iii)
- No verandas, raised platforms, roof terraces or balconies, other than a balcony that complies with condition A.1 (l) (ii) : A.1 (l)
- Appearance of materials in wall & roof to match existing : A.3 (a)
- Upper floor window in side elevation is further than 10.5m from boundary so A.3 (b) does not apply
- Roof pitch to match existing : A.3 (c)

REAR EXTENSIONS

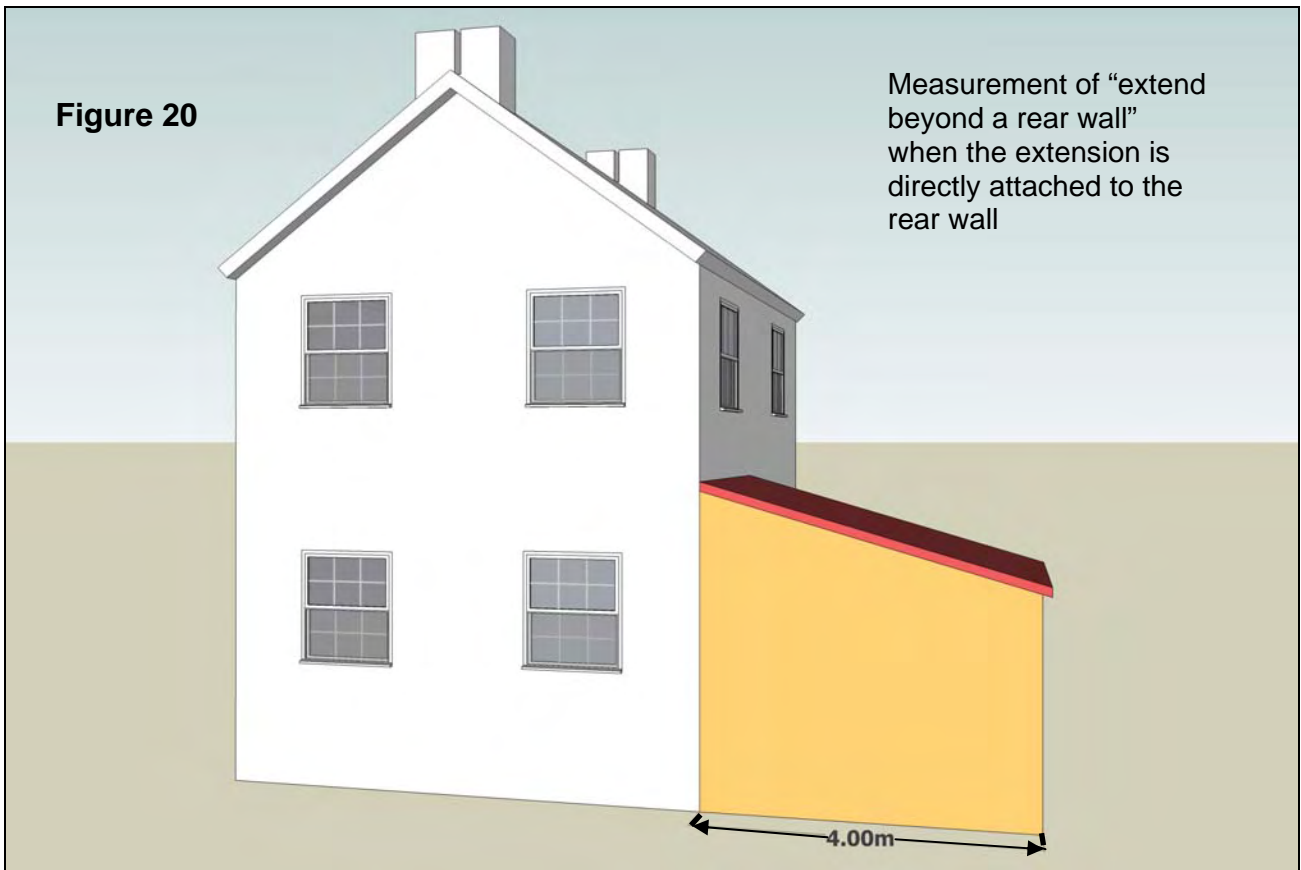
Single Storey Rear Extensions

A.1 (i) the enlarged part of the dwellinghouse would extend beyond the rear wall of the original dwellinghouse, would have a single storey and would —

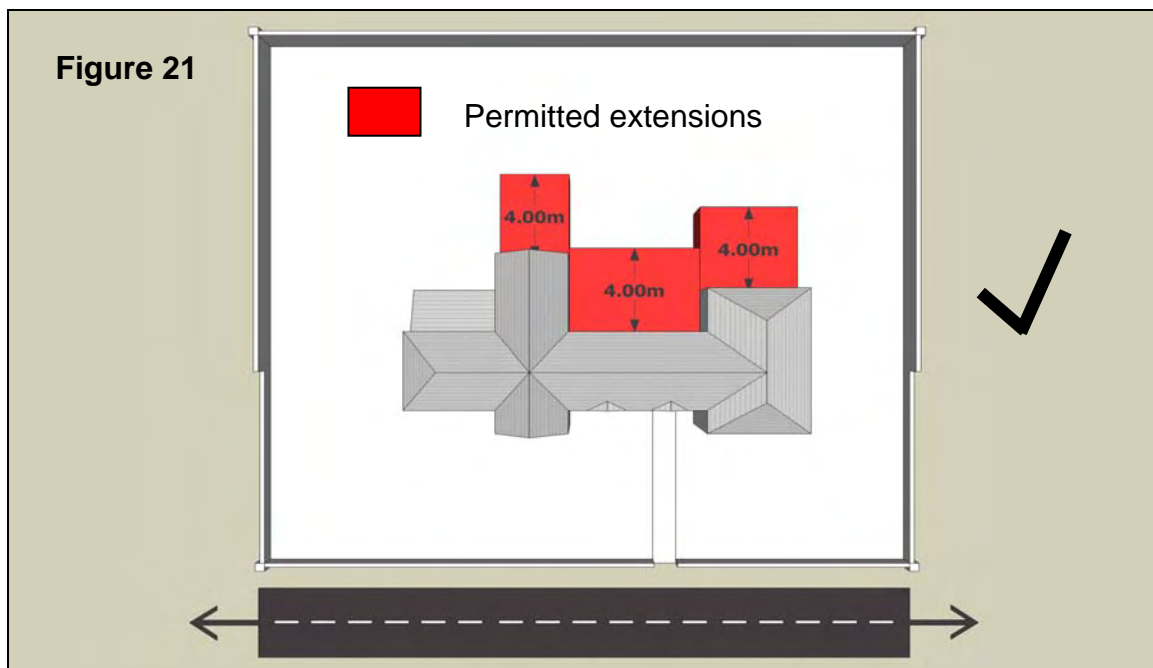
(i) extend beyond the relevant part or, as the case may be, any of the relevant parts of the rear wall of the original dwellinghouse by more than 4 metres; or

(ii) exceed 4 metres in height;

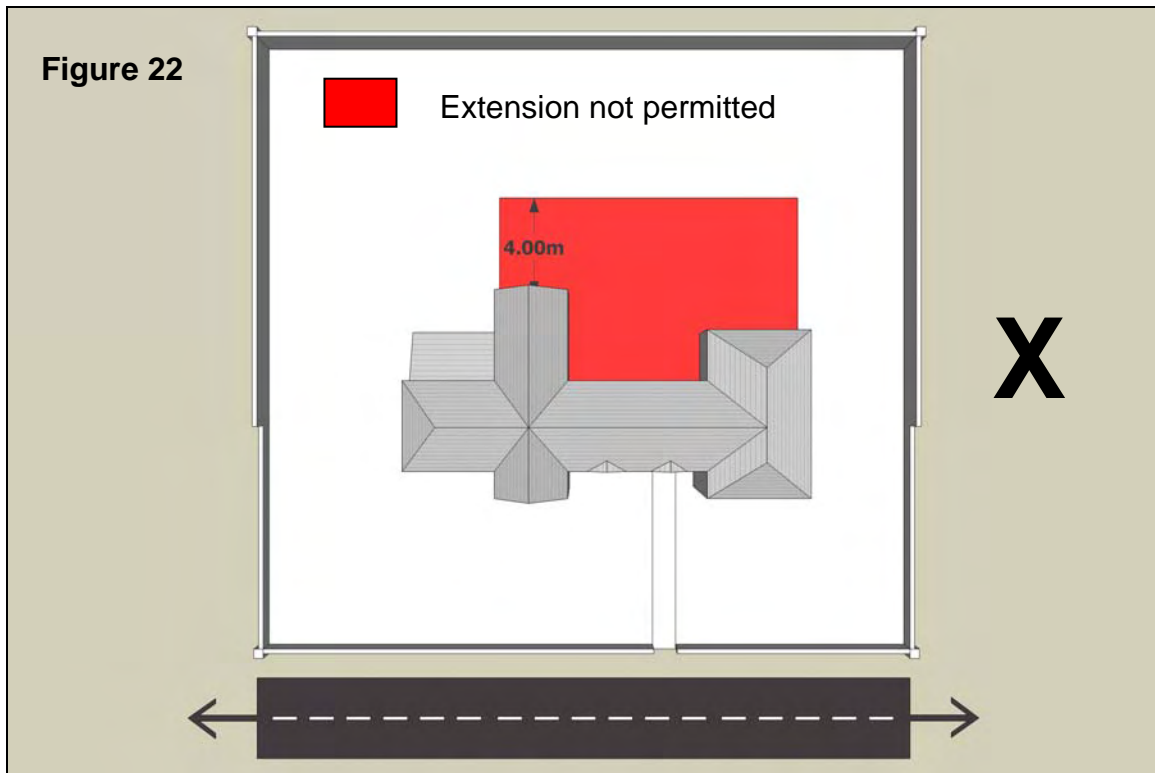
- 4.10 A single-storey extension must not project beyond the rear wall of the original house by more than four metres. The rear wall will be contained in the elevation that is opposite the principal elevation. The maximum height of the extension must not be more than four metres. Where an extension attaches to a pre-existing outbuilding, the pre-existing outbuilding becomes part of the enlarged, improved or altered dwellinghouse; as such the conditions in A.1 (i) apply, i.e. the resulting extension cannot project by more than 4m from the rear wall of the original dwellinghouse and cannot exceed 4m in height.
- 4.11 The length of a rear extension should be measured from the rear wall of the original house to the outer edge of the wall of the extension, as illustrated in Figure 20. The word “wall” in this limitation has its ordinary meaning and will therefore not include things which are attached to or placed on it, such as window frames, guttering, eaves and barge boards. Therefore, measurements are not to be made from such items, but from the wall itself.



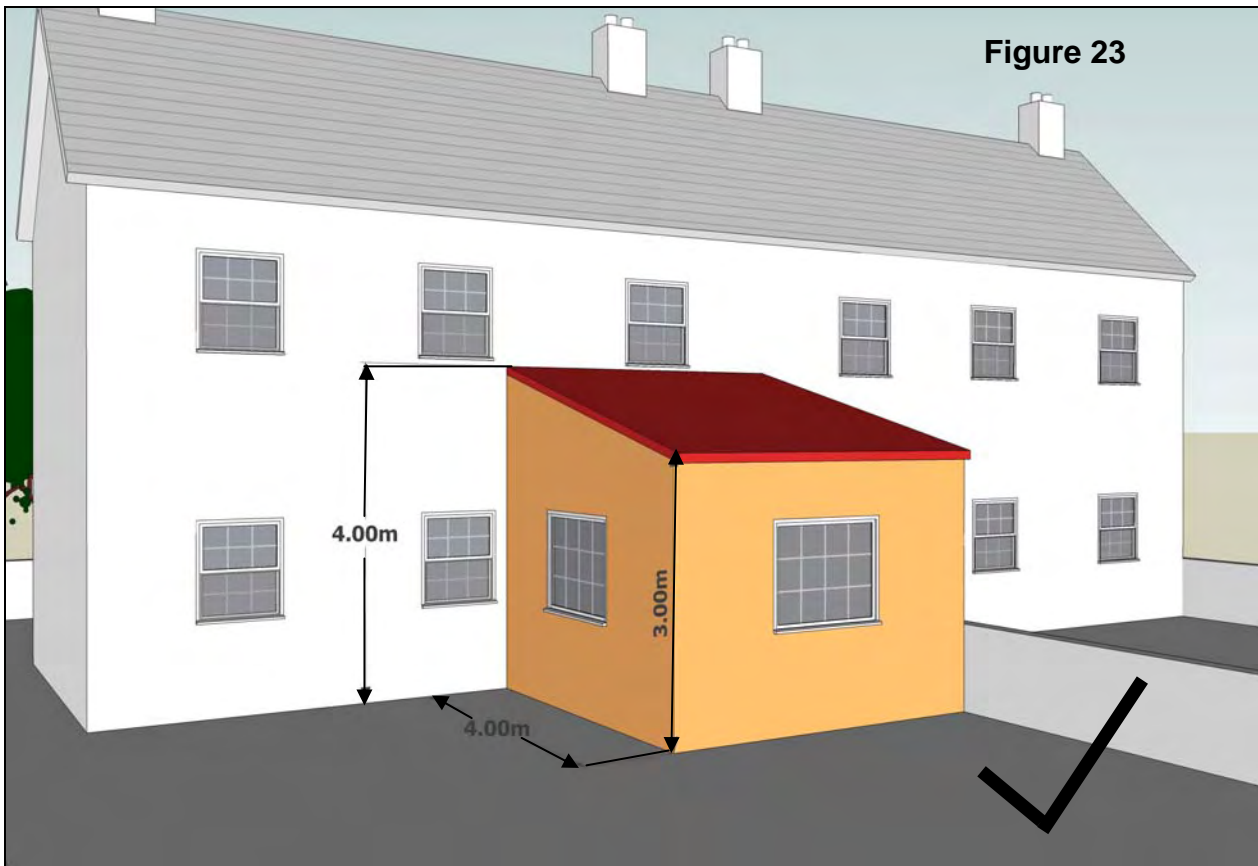
- 4.12 The rear wall of a house may be stepped and thus made up of two or more walls across the width of the house, this may be the case when a dwellinghouse contains a number of rear annexes.
- 4.13 Figure 21 shows a plan of a detached house with an original ‘stepped’ rear - all the extensions would be permitted development as they do not project by more than four metres beyond each relevant part of the rear wall.



4.14 However, in figure 22, the extension to the rear of the house would project more than 4m from rear walls and would not therefore be permitted development.



4.15 Figure 23 shows an example of a single storey rear extension that would be permitted development.



The above example complies with the conditions for a single storey rear extension, which are:

- Not too exceed 50% of the total area of the curtilage : A.1 (a)
- Eaves height of extension not to be higher than the eaves height of that part of the house from which the extension projects : A.1 (c) and A.5
- Not to be within 2 metres of a boundary of the dwellinghouse where height of the eaves of the enlarged part exceeds 3 metres : A.1 (d) (i) and A.5
- Not to exceed a height of 4 metres within 2 metres of the boundary : A.1 (d) (ii)
- Not to project beyond rear wall of the original dwellinghouse by more than 4 metres : A.1 (i) (i)
- Not to exceed 4 metres in height : A.1(i) (ii) and A.7
- No verandas, raised platforms, roof terraces or balconies, other than a balcony that complies with condition A.1 (l) (ii) : A.1 (l)
- Appearance of materials in wall & roof to match existing : A.3 (a)

Rear Extensions containing more than one storey

A.1 (j) the enlarged part of the dwellinghouse would extend beyond the rear wall of the original dwellinghouse, would have more than one storey, either in its own right or if considered together with any part of the existing dwellinghouse, and—

- (i) the ground floor storey would extend beyond the relevant part or, as the case may be, any of the relevant parts of the rear wall of the original dwellinghouse by more than 4 metres;**
- (ii) the first floor or higher storey would extend beyond the relevant part or, as the case may be, any of the relevant parts of the rear wall of the original dwellinghouse by more than 3 metres; or**
- (iii) the first floor or higher storey would be within 10.5 metres of any boundary which is—**
 - (aa) a boundary of the curtilage of the dwellinghouse; and**
 - (bb) opposite the rear wall of the dwellinghouse;**

4.16 A rear extension with ‘*more than one storey*’ could comprise a two storey extension to a house or the addition of a storey onto an existing single storey element. The first floor or upper storey of the enlarged part of the house must not project from the rear wall of the house by more than 3m.

4.17 For example, a householder may wish to construct a 2 storey extension that consists of a 4 metre long element at ground floor level and a 3 metre long element at first floor level, as shown on figure 24. The resulting extension would have “more than one storey” and would be permitted development.

4.18 Where a dwelling benefits from an existing ground floor extension or annex, providing the existing ground floor extension does not project from the rear wall of the dwellinghouse by more than 4 metres, an additional storey can be added. However any additional storey above ground floor level (i.e. any development above 4m height) cannot project from the rear wall of the dwellinghouse by more than 3 metres.

4.19 Any extension above ground floor level (i.e. above a height of 4m) will only be permitted when it is at least 10.5m from the rear boundary of the house.

4.20 Figures 24 and 25 show examples of 2 storey rear extensions that would be permitted development.

Figure 24

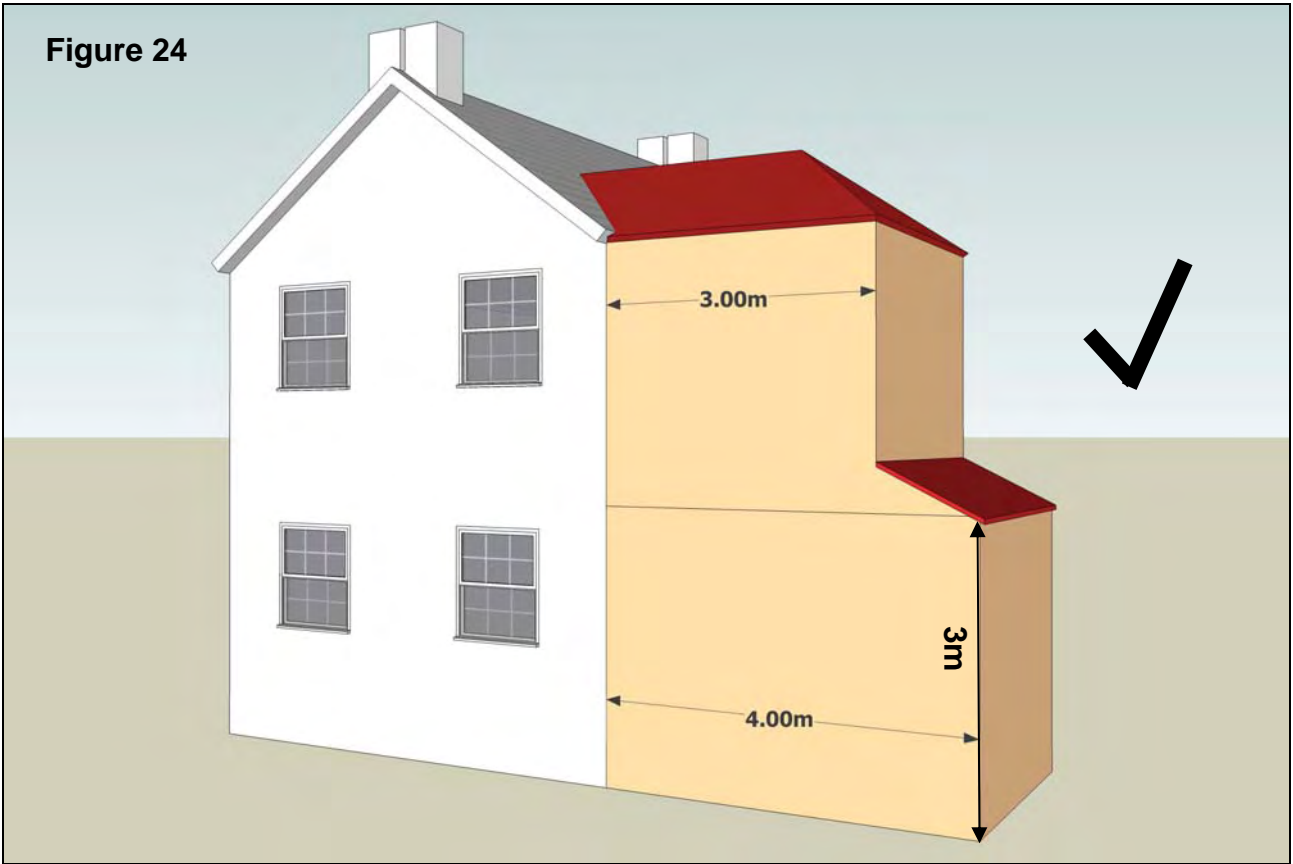
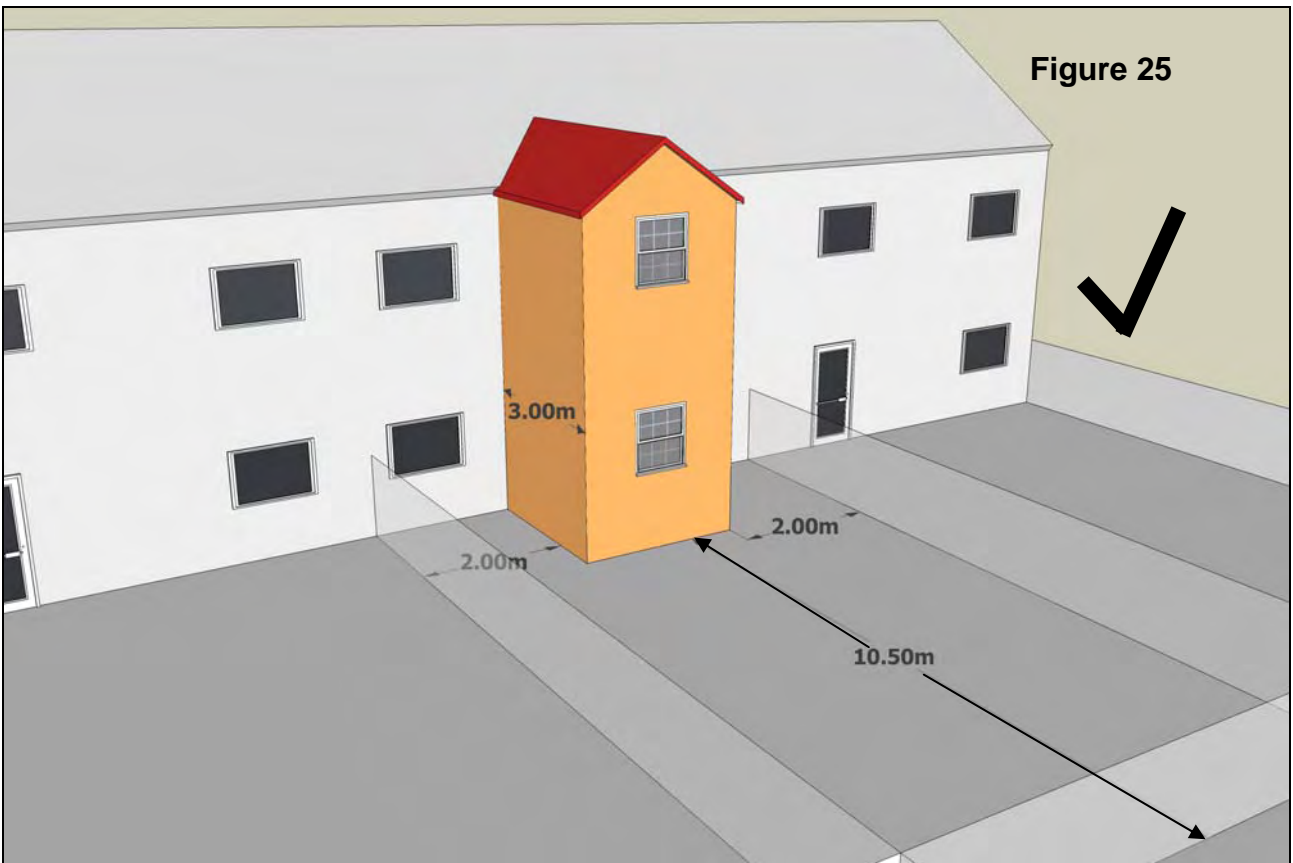


Figure 25

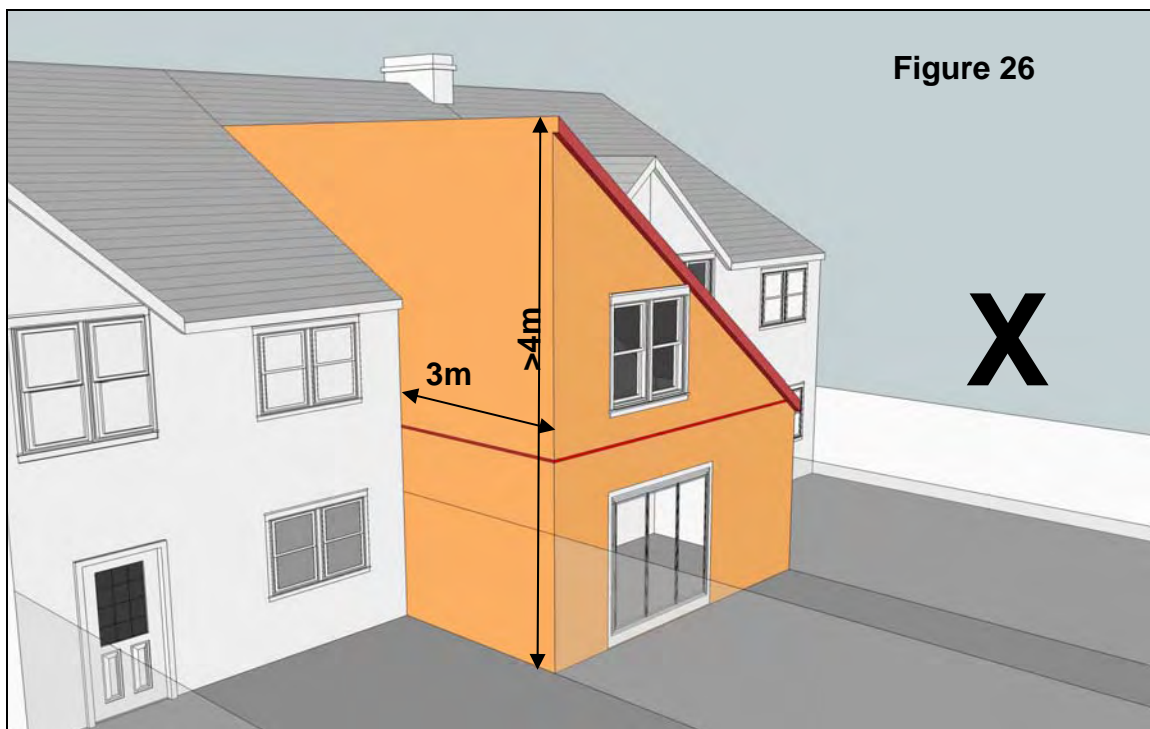


The above examples comply with the conditions for a rear extension containing more than one storey, which are:

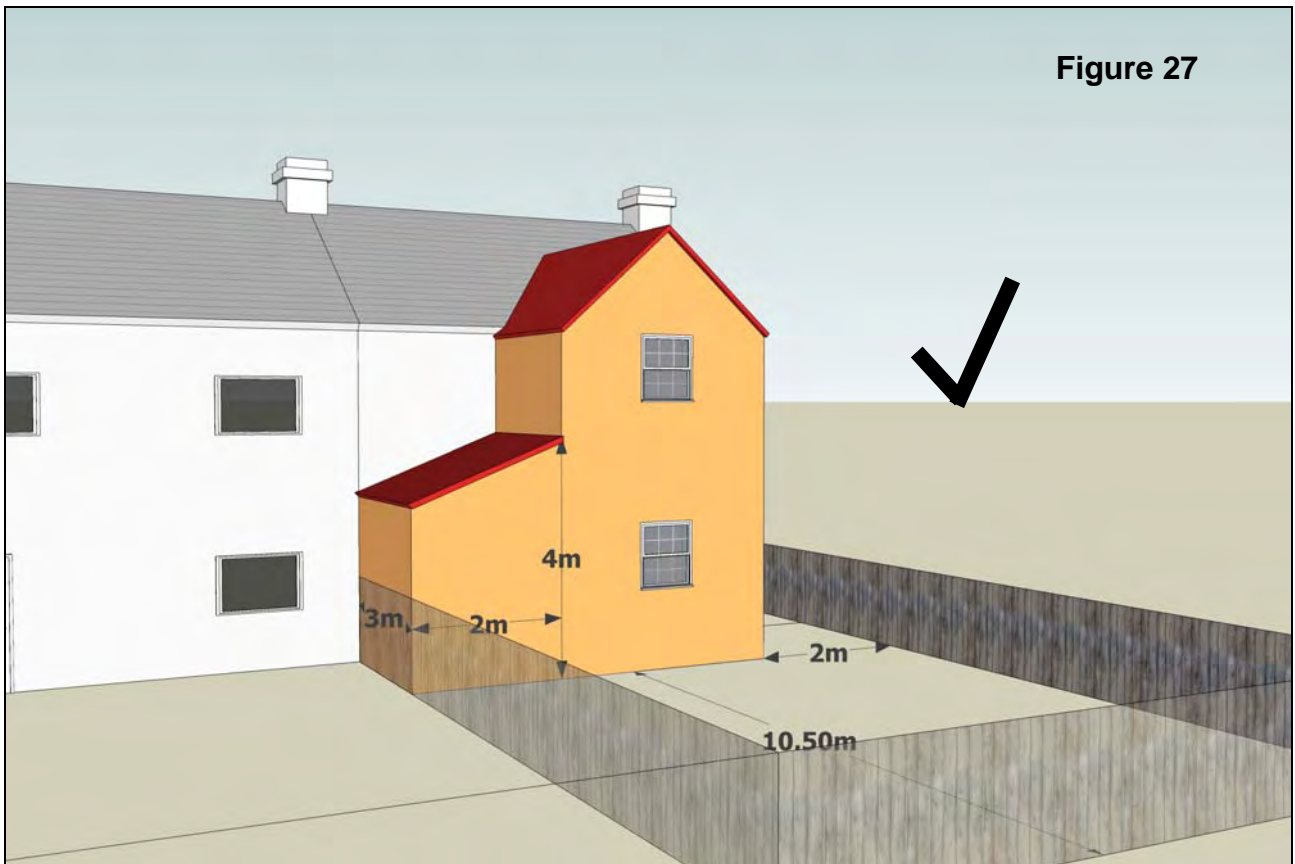
- Not to exceed 50% of the total area of the curtilage : A.1 (a)
- Not to exceed the height of the roof of the existing dwellinghouse : A.1 (b) and A.4
- Not to exceed height of the eaves of the existing dwellinghouse : A.1 (c) and A.5
- Not to be within 2 metres of a boundary of the dwellinghouse where height of the eaves of the enlarged part exceeds 3 metres : A.1 (d) (i)
- Not to exceed a height of 4 metres within 2 metres of the boundary : A.1 (d) (ii)
- Ground floor element of enlarged dwellinghouse not to project from the rear wall of the original dwellinghouse by more than 4m : A.1 (j) (i)
- Upper floor element of enlarged dwellinghouse not to project from the rear wall of the original dwellinghouse by more than 3m : A.1 (j) (ii)
- Enlarged dwellinghouse to be at least 10.5m from the rear boundary of the curtilage of the dwellinghouse : A.1 (j) (iii)
- No verandas, raised platforms, roof terraces or balconies, other than a balcony that complies with condition A.1 (l) (ii) : A.1 (l)
- Appearance of materials in wall & roof to match existing : A.3 (a)
- No upper floor windows in side elevation so A.3 (b) does not apply
- Roof pitch to match existing : A.3 (c)

4.21 Figure 26 below shows an example of a 2 storey rear extension that would not be permitted as it would fail to accord with condition A.1 (d) (ii):

“the height of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 4 metres”

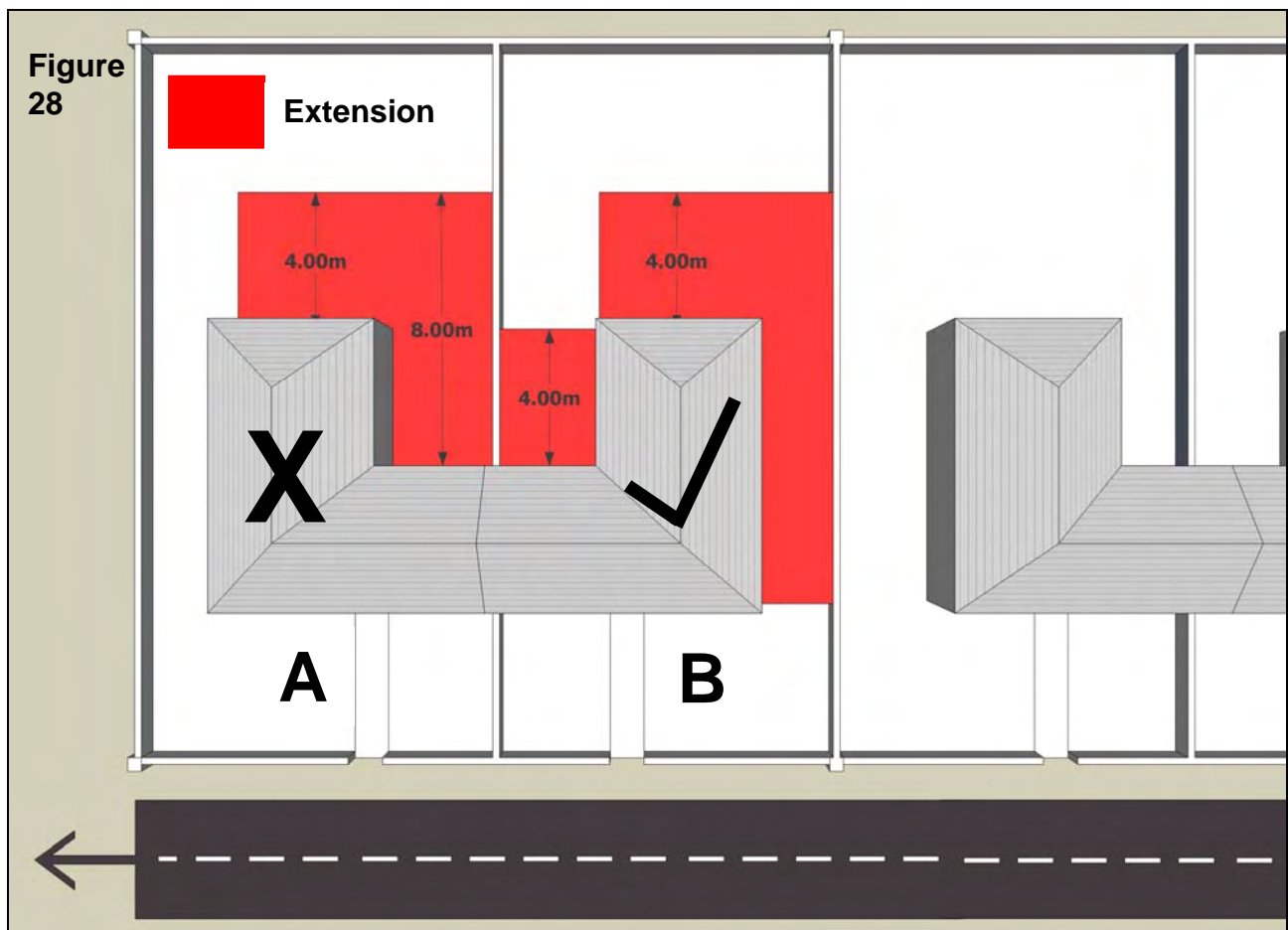


4.22 Figure 27 shows an example of a combined single and two storey rear extension that complies with condition A.1 (d) (ii).



WRAP AROUND EXTENSIONS

- 4.23 Wrap around extensions are permitted but only when all elements of the extension comply with the relevant conditions in Class A.
- 4.24 Figure 28 shows semi-detached houses. House A shows a single-storey wrap around extension that abuts the boundary with house B. The part of the wrap around extension that abuts house B extends beyond a rear wall of house A by 8 metres.
- 4.25 A.1 (i) states that single-storey rear extensions are not permitted development when they extend beyond the relevant rear wall of the original house by more than 4 metres. As part of the wrap around extension in house A extends from a rear wall of the house, along the boundary with house B, by 8 metres it is not permitted development.
- 4.26 The 4 metre single-storey ground floor extension and the single-storey wrap-around extension at house B are permitted development. They do not extend beyond the relevant parts of the rear wall of the house by more than 4 metres and therefore accord with A.1 (i). Other, relevant conditions for single-storey rear extensions will also need to be complied with (see figure 23).



5: OTHER IMPROVEMENTS AND ALTERATIONS TO DWELLINGHOUSES

A.1 (k) it would consist of or include external wall insulation which projects from that part of the exterior of the dwellinghouse to which it is affixed by more than 16 centimetres;

External wall insulation

- 5.1 External wall insulation (EWI) comprises a layer of insulation material that is normally attached to external walls with mechanical fixings and adhesive, and then covered with protective layers of render or cladding. The finish covers the whole exterior of the building, including existing brickwork. All external pipe work and other fittings usually need to be removed and replaced during this process.
- 5.2 A.1 (k) limits the extent of projection of EWI from the external wall of the dwellinghouse to 16cm. This provides some flexibility in the type of insulation material used to achieve compliance with the U-values (a measure of thermal resistance) required by building regulations.
- 5.3 EWI is not permitted in article 1(5) land or World Heritage Sites - condition A.2(b).
- 5.4 Paragraph A.3 (a), that requires the appearance of materials to "...so far as practicable match" those used on the existing house, does not apply to EWI as there will be no "equivalent element" in the existing dwellinghouse.
- 5.5 Where particular streets of housing have a special character or appearance that LPAs wish to protect, they have the ability to remove permitted development rights using Article 4 directions.

A.1 (l) it would consist of or include—

- (i) the construction or provision of a veranda or raised platform,**
- (ii) the construction or provision of a balcony which—**
 - (aa) contains a platform of any description; and**
 - (bb) projects from the part of the exterior of the dwellinghouse to which it is affixed by more than 30 centimetres; or**
 - (cc) if projected downwards in a vertical line to ground level, is within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant side elevation; or**
 - (dd) would be affixed to a wall comprised in the principal elevation of the dwellinghouse;**
- (iii) the construction or provision of a roof terrace, whether or not it would incorporate associated railings, fencing or other means of enclosure,**
- (iv) the installation, alteration or replacement of a microwave antenna,**
- (v) the installation, alteration or replacement of a chimney,**
- (vi) the installation, alteration or replacement of an air source heat pump, solar PV or solar thermal equipment or a flue forming part of a biomass heating system or combined heat and power system;**
- (vii) the installation of shutters on any part of the principal elevation of the dwellinghouse; or**
- (viii) an alteration to any part of the roof of the dwellinghouse, being an alteration which does not fall within paragraphs A.1(l)(i) to (vii).**

5.6 Verandas, balconies, raised platforms and roof terraces are not permitted development and will require planning permission.

5.7 “Veranda” is not defined and therefore has its ordinary meaning. It is considered that this will include a gallery, platform, or balcony (sometimes roofed and often partly enclosed), extending along the outside of a building at ground level.

5.8 Similarly, balcony is not defined but it is considered that its ordinary meaning will comprise a platform with a rail, balustrade or parapet projecting outside an upper storey of a building. However, a ‘Juliet’ balcony, where there is no platform and no projection from the exterior of the building by more than 30cm, would normally be permitted development, unless it is installed on the principal elevation of the dwellinghouse, or would be within 10.5 metres of a boundary opposite the relevant side elevation.

5.9 A raised platform is any platform with a height greater than 30cm, (see paragraph I.1 under ‘Interpretation of Part 1’ of the draft Order).

5.10 A roof terrace is considered to be an external flat surface on top of a roof that is capable of being used for any purpose incidental to the enjoyment of the house.

- 5.11 External shutters such as security shutters can have a significant adverse impact on visual amenity, the installation of these shutters on the principal elevation will require planning permission.
- 5.12 The items set out in (l) are not permitted under Class A of Part 1. However some may be permitted under other Classes or Parts subject to the limitations and conditions set out in those classes. For example Class H relates to the installation, alteration or replacement of a microwave antenna and Class G relates to the installation, alteration or replacement of a chimney.

6: RESTRICTIONS ON CLASS A DEVELOPMENT IN ARTICLE 1(5) LAND AND WORLD HERITAGE SITES

A.2 In the case of a dwellinghouse on article 1(5) land or within a World Heritage Site, 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 existing dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic, metal or tiles;

(b) it would consist of or include external wall insulation;

(c) the enlarged part of the dwellinghouse would have a single storey, would extend beyond a wall comprised in a side elevation of the original dwellinghouse and would—

(i) extend beyond the relevant part or, as the case may be, any of the relevant parts of a wall comprised in a side elevation of the original dwellinghouse by more than 3 metres; or

(ii) be set back, by less than 1 metre, from the nearest point in any wall comprised in the principal elevation of the original dwellinghouse; or

(d) the enlarged part of the dwellinghouse would have more than one storey, either in its own right or if considered together with any part of the existing dwellinghouse.

6.1 In order to protect the special character of article 1(5) land and World Heritage Sites, additional restrictions are placed on Class A development.

6.2 In these areas:

- the cladding of any part of a house, whether it be the existing house or any enlargement, with stone, artificial stone, pebble dash, render, timber, plastic or metal or tiles is not permitted development
- external wall insulation is not permitted
- single-storey side extensions are only permitted if they project from the side elevation of the original dwellinghouse by less than 3 metres and are set back from the principal elevation of the original dwellinghouse by at least 1 metre
- no extensions of more than one storey are permitted

7: DESIGN/PRIVACY CONDITIONS FOR CLASS A DEVELOPMENT

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

(a) the appearance of the materials used in the walls, roof or other element of any exterior work must so far as practicable match the appearance of the materials used in the majority of the equivalent element of the existing dwellinghouse;

(b) if any element of an upper-floor window located in a wall, roof slope or other element of a side elevation of the dwellinghouse would, if projected downwards in a vertical line to ground level, be within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant wall or roof slope, then the window must be—

(i) obscure-glazed,

(ii) non-opening unless any part of the window which can be opened is, when measured at any point along the lowest edge of that part, at least 1.7 metres above the internal floor or stair of the dwellinghouse directly below that point; and

(iii) permanently maintained in compliance with paragraphs A.3(b)(i) and (ii); and

(c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part must, so far as practicable, match the roof pitch of the existing dwellinghouse.

External appearance - A3 (a)

7.1 Class A development should, “as far as practicable” match the appearance of the existing house. But this does not mean that development has to be constructed in identical materials, local planning authorities are expected to adopt a proportionate and pragmatic approach to assessing compliance with the requirements of Class A.3 (a).

7.2 The following points should be considered when assessing compliance with Class A.3(a):

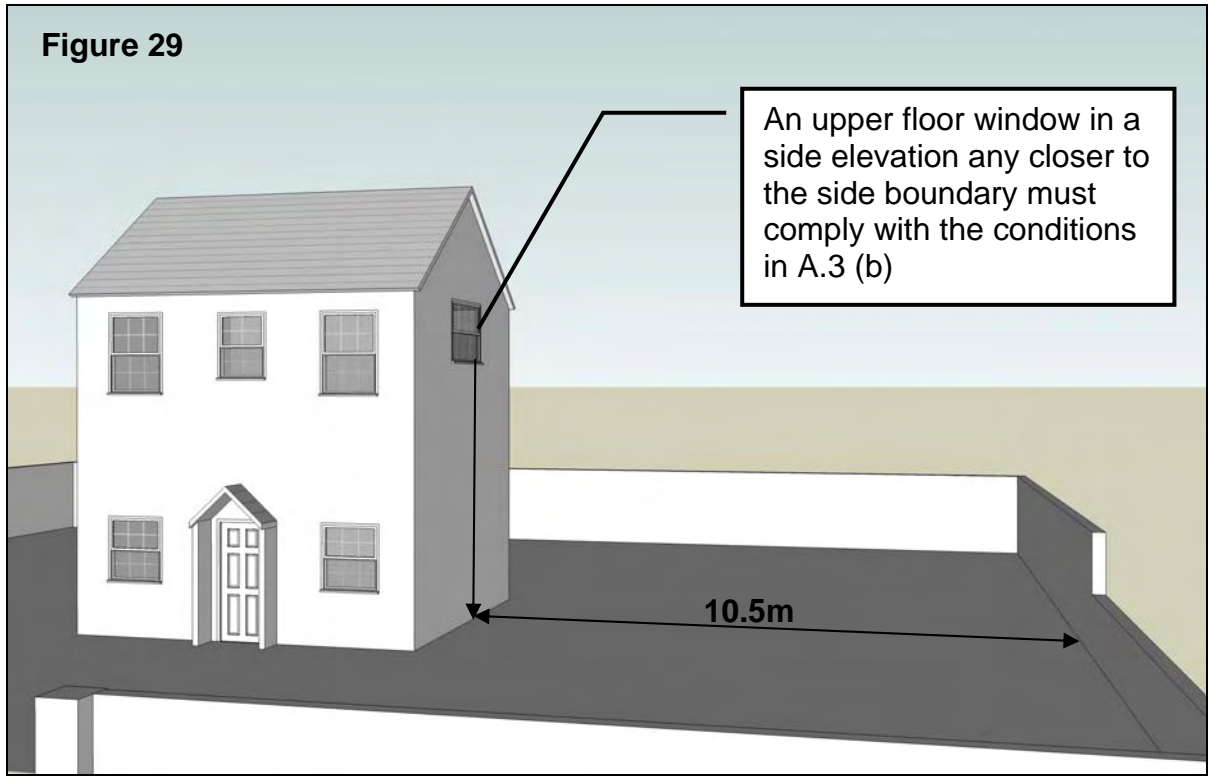
- the external walls and roof of an extension should be constructed of materials that provide a similar visual appearance - for example brick, render and roof tiles should be similar in colour and style to that used on the existing house
- flexibility will need to be applied when Class A development has no equivalent element in the existing house - for example a flat-roofed extension may be

proposed on a house that only contains pitched roofs. In such cases, it may not be practical to match the appearance of roof materials but it may be possible to secure a similar colour on the roof surface and the walls

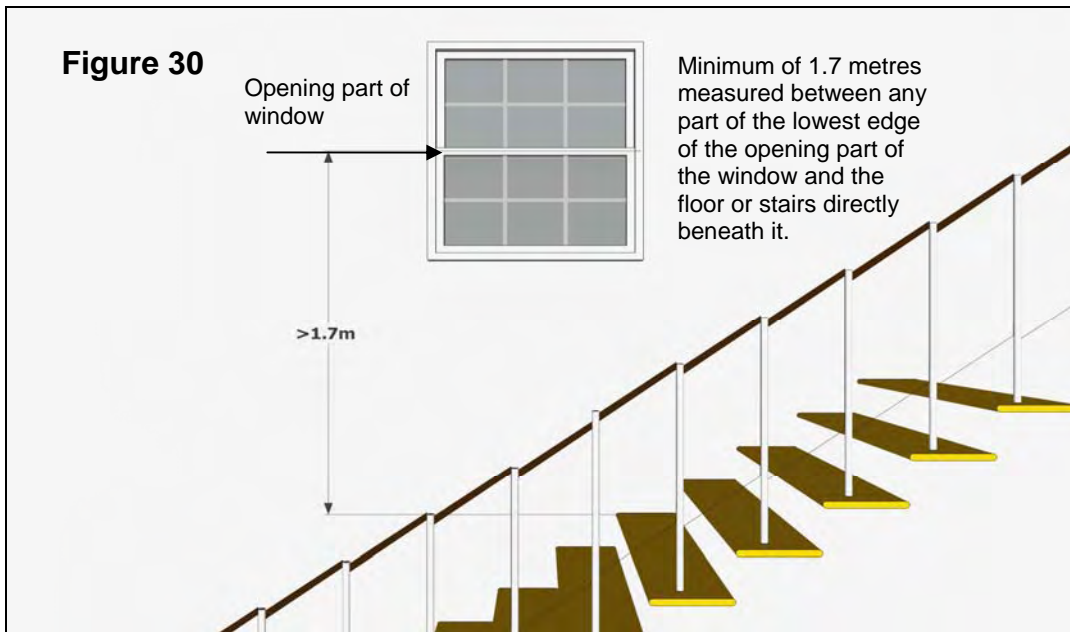
- in applying condition A.3(a), local planning authorities should take account of the prominence or visibility of the extension
- the size, positioning, style and materials of new windows and doors should generally provide a similar visual appearance to those on the existing dwelling in order to achieve a consistent appearance. In some cases it may be appropriate to include new PVC double glazed windows in an extension even if there are no such windows in the existing house but they should give a similar visual appearance to those in the existing house in terms of their overall shape, colour and the frame size
- the requirement to match materials does not apply to proposals for new conservatories, EWI or cladding as these forms of development have no “equivalent element” in the existing dwellinghouse

Glazing - A.3 (b)

- 7.3 This condition applies to the alteration or addition of new upper-floor windows in the side elevations of existing houses and the side elevations of any new Class A development. Obscure glazing is rated on a scale of 1 to 5, with 5 providing the most privacy. To comply with the requirements of A.3 (b), side windows should be obscure glazed to minimum of level 3. Obscure glazing does not include one-way glass.
- 7.4 The condition applies to all upper floor windows that would be within 10.5m metres of the side boundary of the dwellinghouse. This is demonstrated in figure 29.



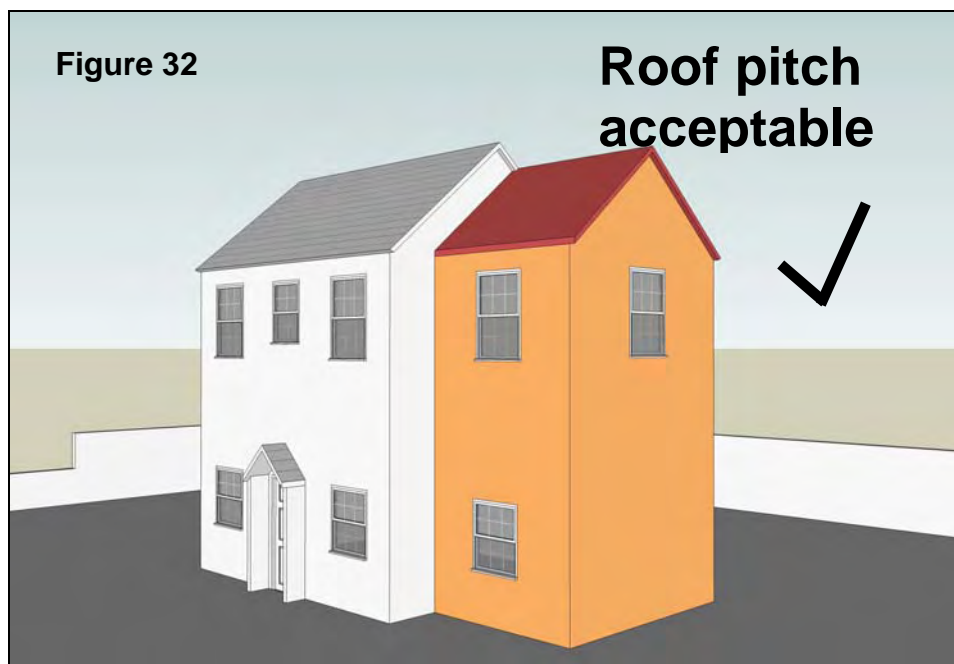
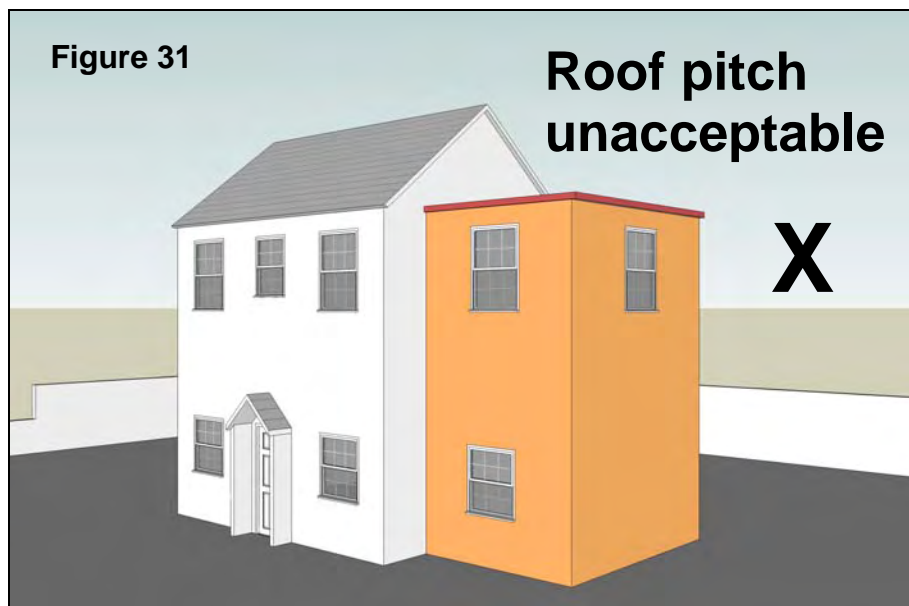
7.5 Condition A.3 (b) also requires windows to be non-opening, unless the openable part of the window is at least 1.7m above internal floor/stair level. This is demonstrated in figure 30.



7.6 It should be noted that condition A.3 (b) requires the retention of obscure glazing and non-opening windows on a permanent basis.

Matching roof pitch A.3 (c)

7.7 This condition requires the roof pitch of an extension with more than one storey to match (as far as practicable) the roof pitch of the existing house. In the examples below, figure 31 shows a 2 storey side extension with a flat roof, which would not be acceptable as there is no technical reason why the roof pitch of the existing house cannot be matched. This is illustrated in the diagrams below:



8: Roof Extensions

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

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

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;**
- (b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse;**
- (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which—**
 - (i) is comprised in a side elevation of the existing dwellinghouse; and**
 - (ii) is within 10.5 metres from a highway opposite the side elevation of the dwellinghouse;**
- (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—**
 - (i) 40 cubic metres in the case of a terrace house; or**
 - (ii) 50 cubic metres in any other case;**
- (e) other than in the case of a hip to gable enlargement, any part of the enlargement would be less than 20 centimetres from the eaves of the existing roof;**
- (f) it would consist of or include—**
 - (i) the construction or provision of a veranda or raised platform ;**
 - (ii) the construction or provision of a balcony which—**
 - (aa) contains a platform of any description;**
 - (bb) projects from the part of the exterior of the dwellinghouse to which it is affixed by more than 30 centimetres; or**
 - (cc) if projected downwards in a vertical line to ground level, is within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant side elevation; or**
 - (iii) the construction or provision of a roof terrace, whether or not it would incorporate associated railings, fencing or other means of enclosure; or**
- (g) the dwellinghouse is on article 1(5) land or within a World Heritage Site.**

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the appearance of the materials used in each element of any exterior work must so far as practicable match the appearance of the materials used in the equivalent element of the existing dwellinghouse; and**
- (b) if any element of a window inserted on a roof slope or other element of a side elevation of the dwellinghouse would, if projected downwards in a vertical line to ground level, be within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant side elevation,**

then the window must be—

- (i) obscure-glazed;***
- (ii) non-opening unless any part of the window which can be opened is, when measured at any point along the lowest edge of that part, at least 1.7 metres above the internal floor or stair of the dwellinghouse directly below that point; and***
- (iii) permanently maintained in compliance with the requirements of paragraphs B.2 (b) (i) and (ii).***

Interpretation of Class B

B.3 For the purposes of Class B “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 In determining the height of the highest part of the existing roof for the purposes of paragraph B.1(a), no account is to be taken of any parapet wall, firewall, chimney or other roof furniture or similar structure projecting from that roof.

B.5 For the purposes of paragraph B.1(b), a hip to gable extension which would result in the enlargement of the area of an existing roof slope forming the principal elevation of the dwellinghouse is not to be taken to be development extending beyond the plane of that roof slope.

B.6 For the purposes of paragraph B.1(e)—

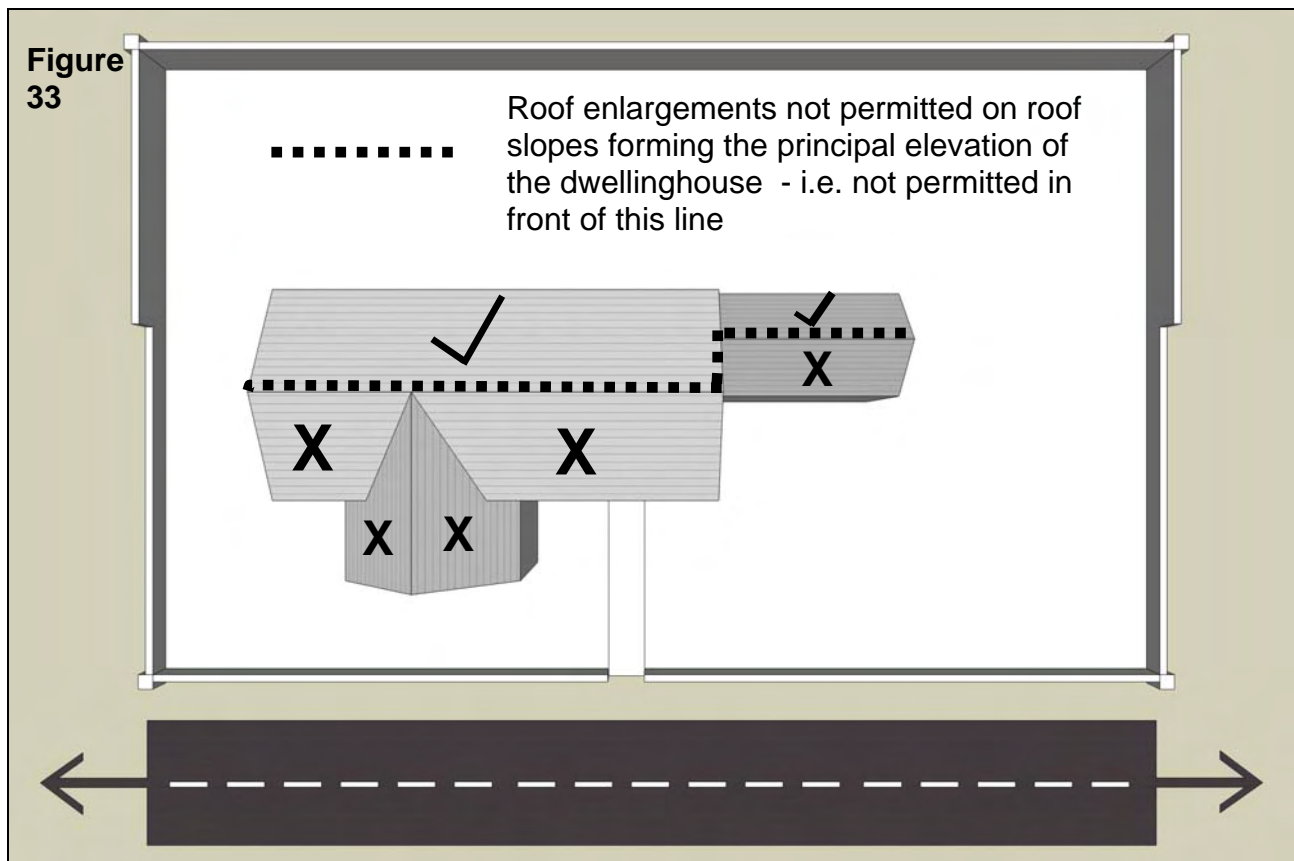
- (a) measurement to the eaves is to be made to the point where the external walls of the dwellinghouse would, if projected upwards, meet the lowest point of the upper surface of the roof; but***
- (b) no account is to be taken of any parapet wall or any part of the roof surface which overhangs the external walls of the dwellinghouse.***

Height restriction - B.1(a)

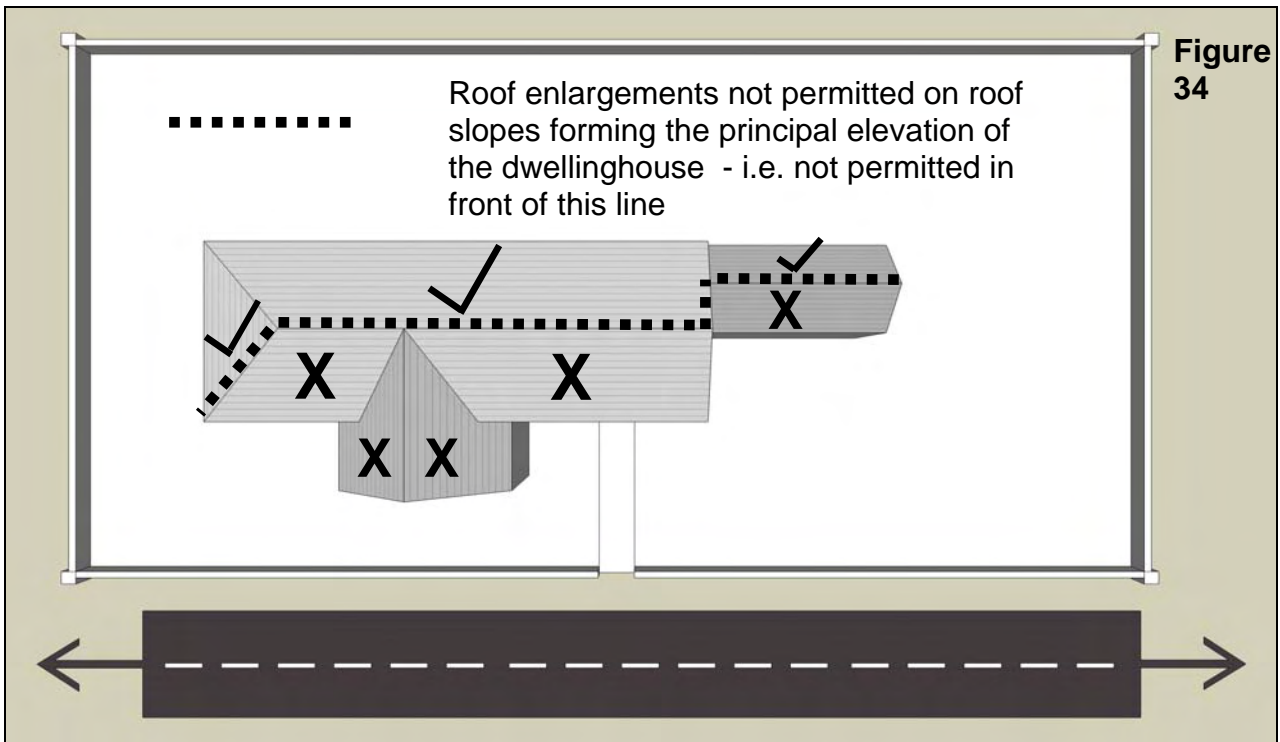
- 8.1 Roof enlargements will only be permitted development if no part of the house once enlarged exceeds the height of the highest part of the roof of the existing house.
- 8.2 The “highest part of the roof of the existing dwellinghouse” will be the ridge line of the main roof (even though there may be other roofs at a lower level), or the height of the highest building where roofs are flat.
- 8.3 Chimneys, firewalls, parapet walls and other protrusions above the main roof ridge line must not be taken into account when considering the height of the highest part of the roof of the existing house (see paragraph B.4 of Development Class B).

Principal elevation limitations - B.1(b)

- 8.4 The effect of this is that dormer windows as part of a loft conversion, or any other enlargements of the roof space, are not permitted development on the principal elevation. Roof lights in a loft conversion on a principal elevation may however be permitted development as long as they meet the requirements set out under Development Class C.
- 8.5 The principal elevation could include more than one roof slope facing in the same direction - for example, where there are large bay windows on the front elevation, or where there is an 'L' shaped frontage. In such cases, all such roof slopes will form the principal elevation and the line for determining what constitutes '*extends beyond the plane of any existing roof slope*' will follow these slopes. (see figure 33).

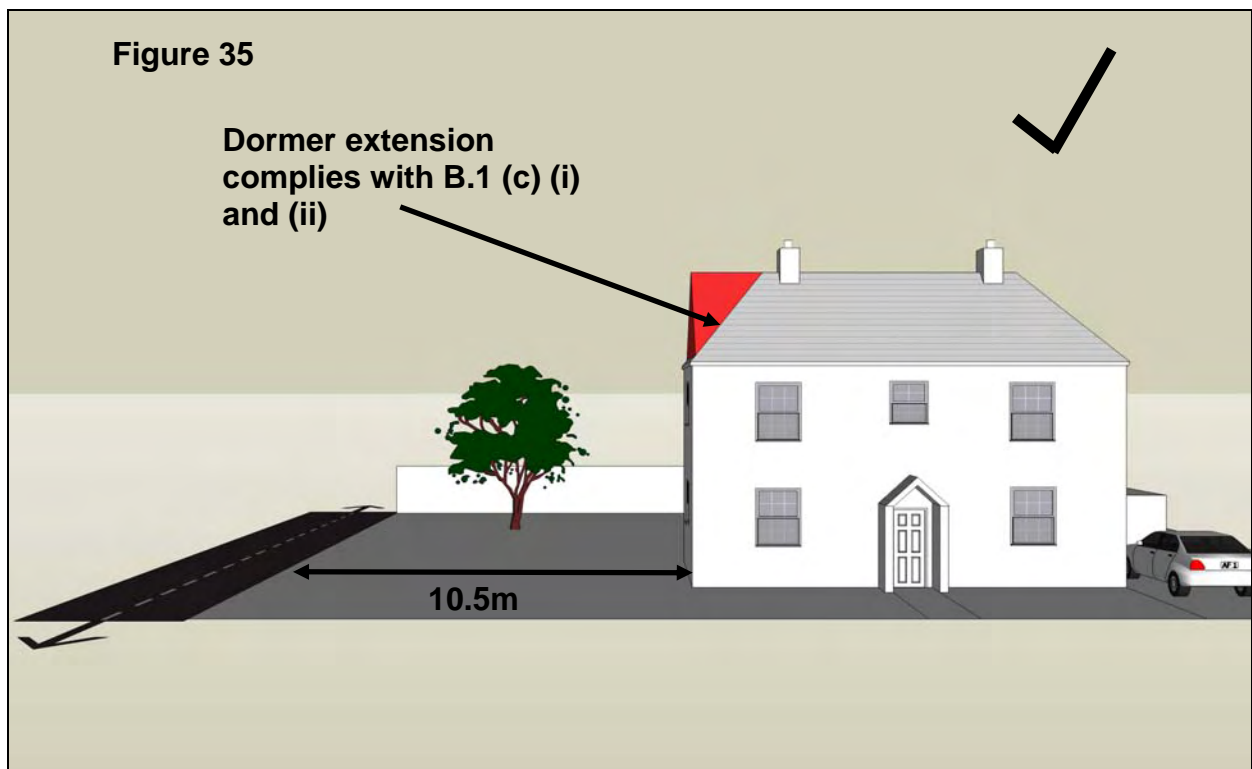


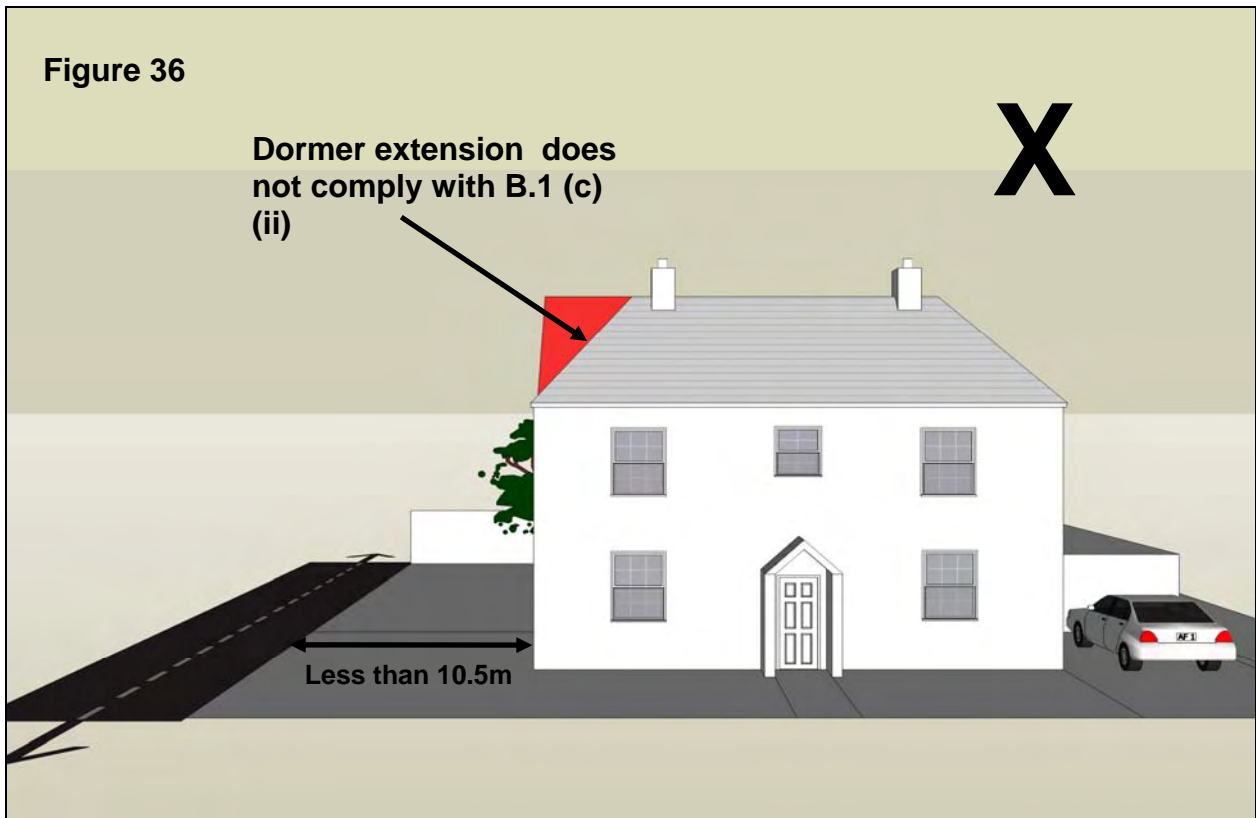
- 8.6 Where the main part of the dwelling has a hipped roof, the hipped element is not considered to "*extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse*". In such situations it may be possible to enlarge the roof space on the side elevation of the dwelling – see figure 34.



Side elevation limitations - B.1(c)

- 8.7 Any roof enlargement on a side elevation of the existing dwellinghouse cannot be less than 10.5m from any highway that is opposite the relevant side elevation. The dormer extension in figure 35 conforms to the limitations in B.1(c) (i) and (ii), the example in figure 36 would not benefit from permitted development rights as it is less than 10.5 from the highway opposite the side elevation.





Volume limits - B.1(d)

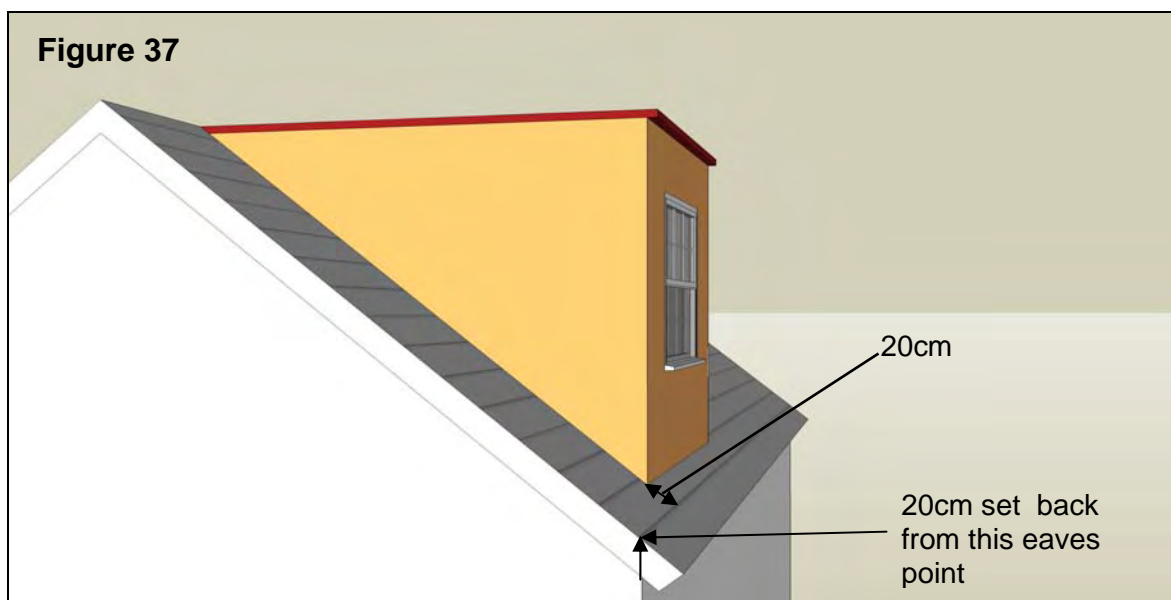
- 8.8 For the purposes of Development Class B '*resulting roof space*' means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.
- 8.9 To be permitted development any additional roof space created must not increase the volume of the original roof space of the house by more than 40 cubic metres for terraced houses and 50 cubic metres for semi-detached and detached houses. Any previous enlargement to the original roof space in any part of the house must be included in this volume allowance.
- 8.10 The definition of '*terrace house*', which applies to Part 1 (see paragraph I.1 under '*Interpretation of Part 1*' of the draft Order) is provided as an interpretation for the purposes of Part 1 to the GPDO.
- 8.11 The term '*original roof space*' means the roof space in the "original" house. "Original", as defined in the GPDO, relates to a, "building existing on 1st July 1948, as existing on that date and, in relation to a building built on or after 1st July 1948, as so built".

Hip to gable extensions - B.1 (e)

- 8.12 Hip to gable extensions are permitted under Class B. Interpretation B.5 clarifies that, for the purposes of B.1(b), a hip to gable extension, which would enlarge the area of roof slope on the principal elevation, is not to be taken to be development extending beyond the plane of that roof slope.

Siting restrictions - B.1 (e)

- 8.13 Other than in the case of hip to gable extensions, roof enlargements need to be set off from the eaves of the roof of the existing dwellinghouse - on which the dormer would be sited - by at least 20cm (see figure 37).



- 8.14 The measurement to the eaves of a house must be made along the original roof slope from the point where the external walls, if projected upwards, meet the upper surface of the roof (see also section 2). Any parapet wall or any part of a roof surface which overhangs the external walls of the house must **not** be included in this measurement (see B.6 for these requirements).

Verandas, balconies and roof terraces - B.1 (f)

- 8.15 Alterations to the roof of a house for loft conversions involving the creation of verandas, balconies, raised platforms and roof terraces are not permitted development and will require planning permission.
- 8.16 “Veranda” is not defined but has its ordinary meaning - this includes a gallery, platform, or balcony (sometimes roofed and often partly enclosed) extending along the outside of a building at ground level.
- 8.17 A raised platform is any platform with a height greater than 30 cm.
- 8.18 “Balcony” is considered to have its ordinary meaning and will comprise a platform with a rail, balustrade or parapet projecting outside an upper storey of a building. However, a ‘Juliet’ balcony, where there is no platform and no projection from the exterior of the building by more than 30cm, would normally be permitted development unless it would be within 10.5 metres of a boundary opposite the relevant side elevation.

8.19 A roof terrace is considered to be an external flat surface on top of a roof that is capable of use for any purpose incidental to the enjoyment of the house.

Article 1(5) land and World Heritage Sites - B.1 (g)

8.20 In these protected areas, roof extensions are **not** permitted development and will require an application for planning permission.

Privacy/amenity conditions - B.2

8.21 The design/privacy conditions for Class B developments are similar to those in Class A (page 36). It should be noted that materials such as upvc (other than possibly for windows) will not be acceptable. It is expected that roof extensions will be finished in hanging tiles, render or brickwork to match the finish on the existing house or roofspace - condition B.2 (a).

9: ALTERATIONS TO THE ROOF NOT INVOLVING ENLARGEMENT

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

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

- (a) the alteration would protrude more than 15 centimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;**
- (b) it would result in the highest part of the alteration being higher than the highest part of the original roof;**
- (c) it would consist of or include—**
 - (i) the installation, alteration or replacement of a chimney;**
 - (ii) the installation, alteration or replacement of a microwave antenna;**
 - (iii) the installation, alteration or replacement of an air source heat pump, solar PV, solar thermal equipment or a flue forming part of a biomass heating system or combined heat and power system;**
 - (iv) the construction or provision of a veranda or raised platform;**
 - (v) the construction or provision of a balcony which—**
 - (aa) contains a platform of any description;**
 - (bb) projects from the part of the exterior of the dwellinghouse to which it is affixed by more than 30 centimetres; or**
 - (cc) if projected downwards in a vertical line to ground level, is within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant side elevation;**
 - (vi) the construction or provision of a roof terrace, whether or not it would incorporate associated railings, fencing or other means of enclosure;**
 - (vii) the removal of a chimney from a dwellinghouse on article 1(5) land or within a World Heritage Site; or**
- (d) the alteration would consist of or include the insertion of a roof light into a roof slope and the dwellinghouse is on article 1(5) land or within a World Heritage Site.**

Conditions

C.2 Development is permitted by Class C subject to the following conditions—

- (a) the appearance of the materials used in each element of any exterior work must so far as practicable match the appearance of the materials used in the equivalent element of the existing dwellinghouse; and**
- (b) if any element of a window inserted on a roof slope or other element of a side elevation of the dwellinghouse would, if projected downwards in a vertical line to ground level, be within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant side elevation, the**

window must be—

- (i) obscure-glazed;**
- (ii) non-opening unless any part of the window which can be opened is, when measured at any point along the lowest edge of that part, at least 1.7 metres above the internal floor or stair of the dwellinghouse directly below that point; and**
- (iii) permanently maintained in compliance with paragraphs C.2(b)(i) and (ii).**

Interpretation of Class C

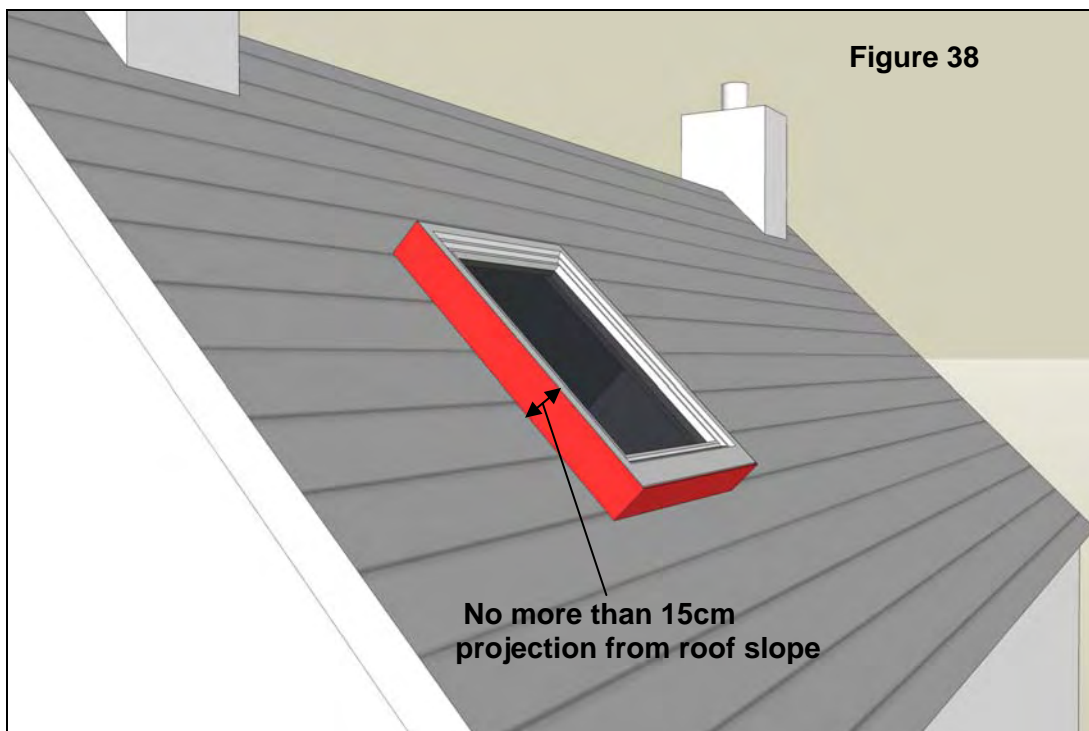
C.3 For the purposes of paragraph C.1(b)—

- (a) in the determination of the height of the highest part of the original roof, no account is to be taken of any relevant structure projecting from that roof;**
- (b) in the determination of the height of the highest part of the alteration, account is to be taken of any relevant structure comprised in the alteration; and**
- (c) “relevant structure” means any parapet wall, firewall, chimney or other roof furniture or similar structure.**

9.1 Class C development does not involve any enlargement of the house (such development is addressed in Class B).

Limit on projection from the roof slope - C.1(a)

9.2 Class C development is not permitted to project from the roof by more than 15 cm, as illustrated in figure 38. [C.1 (a)]



Height restriction - C.1 (b)

- 9.3 Guidance on these limits is covered in the commentary on Class B above (see paragraphs 8.1 to 8.3). However, in the case of Class C, measurement of height is made against the *original* roof and not as in Class B where it is the *existing* roof.

Alterations excluded from Class C - C.1 (c)

- 9.4 Although development referred to in C.1 (c) (i), (ii) and (iii) may not be permitted development under Development Class C, an application for planning permission may not be needed if the requirements set out in Development Class G (Chimney), Development Class H (Microwave Antenna), or Part 40 of the GPDO are met.
- 9.5 Guidance relating to development referred to in (c) (iv), (v) and (vi) is provided in the assessment of Class B.

Chimneys - C.1 (vii)

- 9.6 C.1 (c) (vii) confirms that the removal of a chimney from a house located on Article 1(5) land or within a World Heritage Site is not permitted under Class C. Development associated with chimneys is dealt with in Class G.

Article 1(5) land and World Heritage Sites - C.1 (d)

- 9.7 Where houses are located on article 1(5) land or within World Heritage Sites, roof lights are not permitted.

Design/privacy conditions

- 9.8 The design/privacy conditions in C.2 are the same as those contained in A.3 (a) and (b) – see section 7.

10: PORCHES

Permitted development

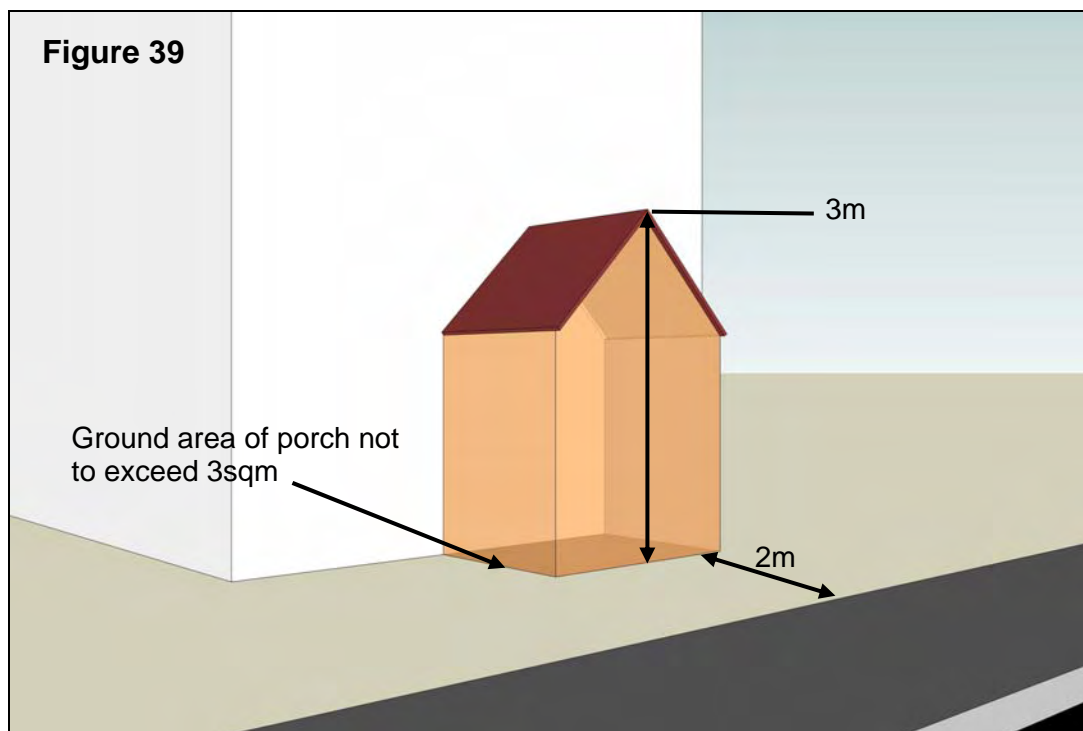
D. The erection or construction of a porch outside any external door of a dwellinghouse.

Development not permitted

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

- (a) the ground area (measured externally) of the structure would exceed 3 square metres;***
- (b) any part of the structure would be more than 3 metres above ground level; or***
- (c) any part of the structure would be within 2 metres of any boundary between the curtilage of the dwellinghouse and a highway.***

10.1 An example of a porch that would be permitted under Class D is provided in figure 39 below:



11: OUTBUILDINGS AND DOMESTIC HEATING STORAGE

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

- (a) any building or enclosure, raised platform, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building, enclosure, platform or pool; or*
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.*

Development not permitted

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

- (a) the total area of ground covered by buildings, enclosures, raised platforms, pools and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*
- (b) any part of the building, enclosure, raised platform, pool or container would extend beyond a wall comprised in the principal elevation of the original dwellinghouse;*
- (c) any part of the building, enclosure, raised platform, pool or container would extend beyond a wall comprised in a side elevation of the existing dwellinghouse, and would be nearer to the highway than—*
 - (i) the wall comprised in that side elevation which is nearest to the highway;*
 - or*
 - (ii) any point 5 metres from the highway;**whichever is the nearer to the highway;*
- (d) the building would have more than one storey;*
- (e) the height of any part of the building, enclosure or container, measured from the surface of the ground immediately adjacent to that part, would exceed—*
 - (i) 4 metres in the case of a building having a roof with more than one pitch;*
 - (ii) 3 metres in any other case;*
- (f) any part of the building, enclosure or container would be—*
 - (i) within 2 metres of the boundary of the curtilage of the dwellinghouse; and*
 - (ii) exceed 2.5 metres in height above the surface of the ground immediately adjacent to it;*
- (g) the height of the eaves of the building, measured at any point along their length, would exceed 2.5 metres;*
- (h) any part of the building, enclosure, pool or container would —*
 - (i) be situated within 2 metres of the dwellinghouse; and*
 - (ii) exceed 1.5 metres in height above the surface of the ground immediately adjacent to it;*
- (i) the building, enclosure, pool or container would be situated within the curtilage of a listed building;*

- (j) it would include the construction or provision of a veranda, balcony or raised platform of which any part is more than 30 centimetres above the surface of the ground directly below it;*
- (k) it would include the enlargement, improvement or other alteration of any part of a dwellinghouse;*
- (l) it would include the installation, alteration or replacement of a microwave antenna; or*
- (m) the capacity of the container would exceed 3,500 litres.*

E.2 *In the case of any land within the curtilage of the dwellinghouse which is on article 1(5) land or within a World Heritage Site, development is not permitted by Class E if—*

- (a) the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres;*
- (b) any part of the building, enclosure, pool or container would be situated on land between a wall comprised in a side elevation of the existing dwellinghouse and the section of the boundary of the curtilage of the dwellinghouse which faces that wall.*

Interpretation of Class E

E.3 *For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.*

E.4 *For the purposes of paragraphs E.1(b) and E.1(c), a part of a building, enclosure, pool or container is to be determined to extend beyond a wall referred to in those paragraphs if it would be in front of—*

- (a) in the case of a wall referred to in paragraph E.1(b)—*
 - (i) that wall in its original form; or*
 - (ii) that wall as it would exist if its original form were to have been extended, continuing the line of the wall, from each of its side edges to the boundary of the present curtilage of the dwellinghouse; or*
- (b) in the case of a wall referred to in paragraph E.1 (c)—*
 - (i) that wall as it exists; or*
 - (ii) that wall as it would exist if it were to be extended, continuing the line of the wall, from each of its side edges to the boundary of the curtilage of the dwellinghouse.*

E.5 *In determining the height of the eaves for the purposes of paragraph E.1(g)—*

- (a) the determination is to be made by reference to the point where the external walls or other structure supporting the roof meet, or would meet if projected upwards, the lowest point of the upper surface of the roof; but*
- (b) no account is to be taken of any parapet wall or any part of the roof slope which overhangs the external walls or other structure supporting the roof.*

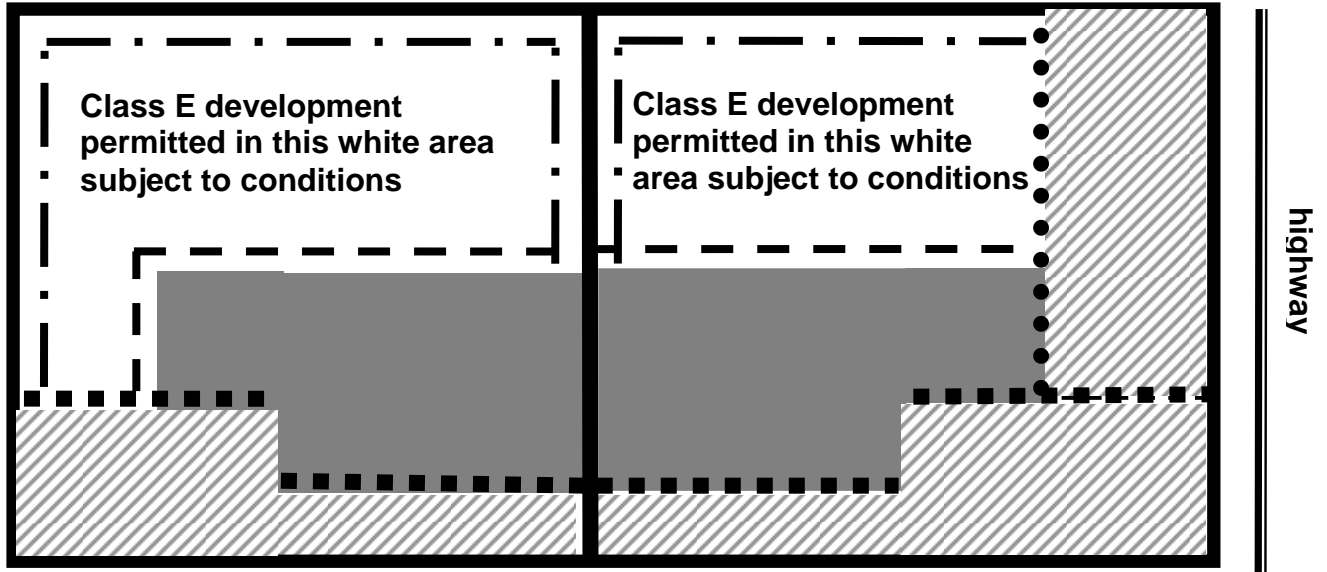
Summary

- 11.1 Class E allows the provision of a range of buildings and structures within the curtilage of the dwellinghouse that are “required for a purpose incidental to the enjoyment of the dwellinghouse”. Such development includes garden sheds, other storage buildings, garages, garden decking and pools.
- 11.2 A definition of the curtilage of the dwellinghouse is provided in section 3.
- 11.3 Interpretation E.3 of Class E confirms that “purposes incidental to the enjoyment of the dwellinghouse” include the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the house.

Siting

- 11.4 The following conditions control the siting of Class E development.
- Total area of ground covered by Part E buildings not to exceed 50% of the total area of the curtilage : E.1 (a)
 - Not to be located in front of the building line of any wall that forms part of the principal elevation of the original dwellinghouse : E.1 (b), E.4 and I.2. (Section 2 provides guidance on how to identify the principal elevation)
 - Not to extend beyond a wall comprised in the side elevation of the house when the development would be nearer a highway than any wall in the side elevation of the existing dwellinghouse or at least 5 metres from the highway, whichever is nearest to the highway : E.1 (c) and E.4
 - No part of the development to be within 2m of the boundary of the curtilage of the dwellinghouse when it would exceed 2.5m in height : E.1 (f)
 - No part of building to be within 2m of the dwellinghouse and exceed 1.5m in height : E.1 (h)
 - The height restrictions in E.1(f) and E.1(h) only apply to that part of the building that is within 2m of the curtilage boundary. Once the building is over 2m from the curtilage boundary, the maximum height of a building is only restricted by condition E.1(e), i.e. 4m for a roof with more than one pitch and 3m in all other cases. In all cases, the maximum eaves height of any Class E building is limited to 2.5m : E.1(g)
- 11.5 Figures 40 and 41 below illustrate these principles.

Figure 40



Existing dwellinghouse



No Class E development permitted in this area



Building line of principal elevation – no development in front of this building line : E.1 (b)



Building line of side elevation (extends to the boundary of the curtilage). Any development in front of this line would fail to comply with E.1 (c) (i)



Curtilage boundary

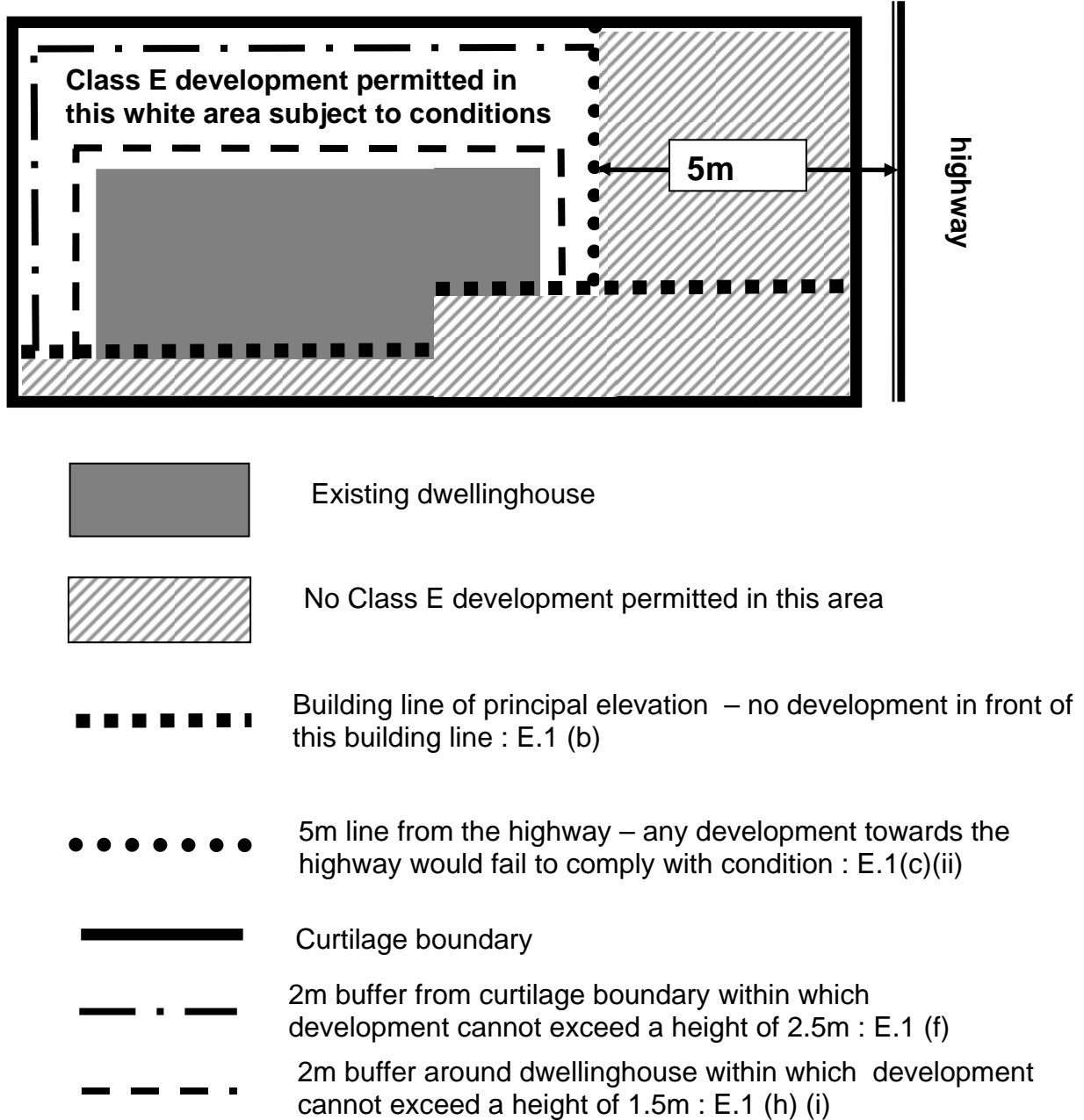


2m buffer from curtilage boundary within which development cannot exceed a height of 2.5m : E.1 (f)



2m buffer around dwellinghouse within which development cannot exceed a height of 1.5m : E.1 (h)

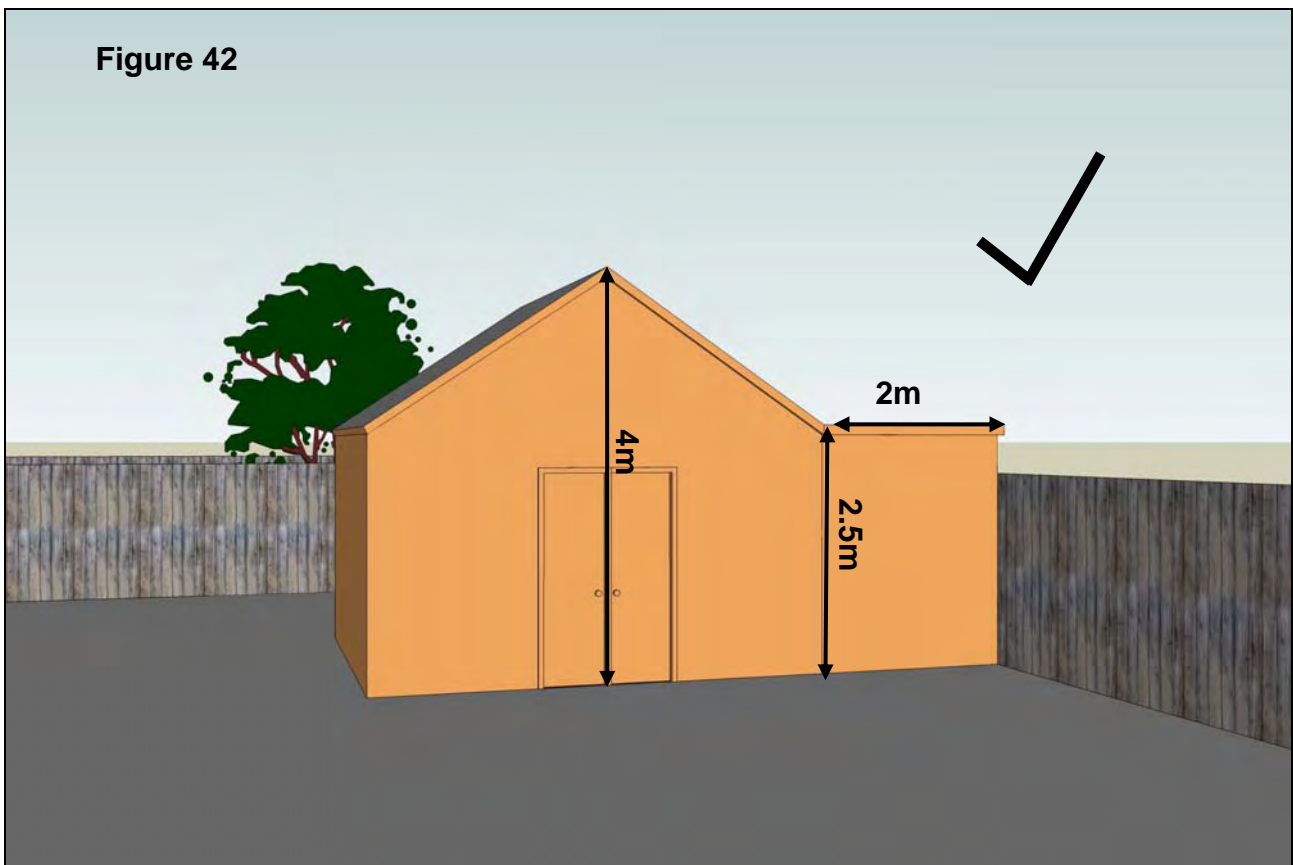
Figure 41



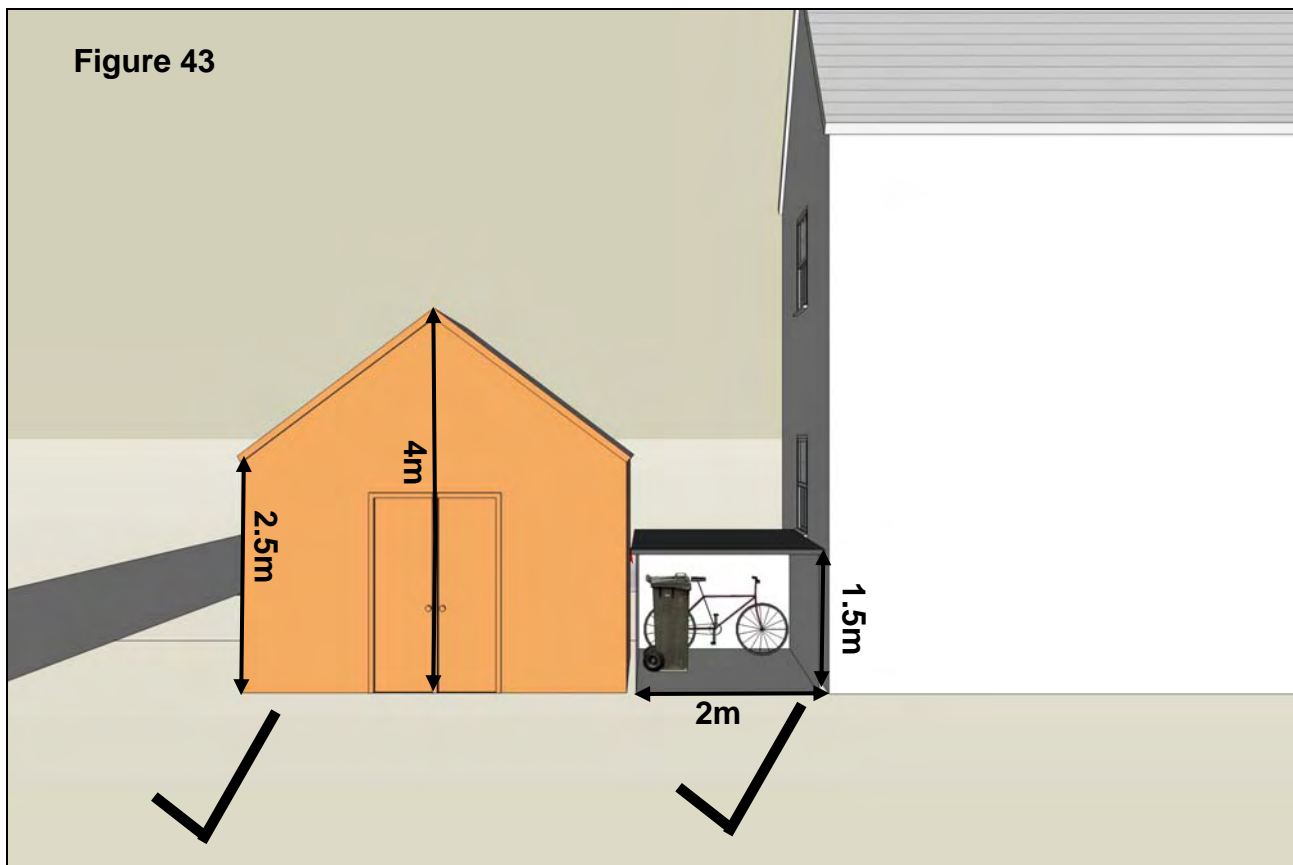
Height restrictions

11.6 The following conditions limit the height of Class E development.

- Not more than one storey : E.1 (d)
- No higher than 4m where the building has more than one pitch : E.1 (e) (i). This height limit also applies to buildings that have 'hipped' roofs (slopes on all four sides)
- No higher than 3m where the building has a single pitch or other roof form : E.1 (e) (ii) (it should be noted that, due to the restrictions on eaves height, E.1(g) and E.5, any flat roofed buildings in Class E cannot exceed a height of 2.5m)
- No part of the development to be within 2m of the boundary of the curtilage of the dwellinghouse when it would exceed 2.5m in height : E.1 (f) – see Figure 42.



- Eaves height not to exceed 2.5m at any point along the length of the development : E.1 (g) and E.5.
- No part of the development to be within 2m of the dwellinghouse where it would exceed 1.5m in height : E.1 (h) (see Figure 43).



Listed Buildings

11.7 No Class E development is permitted within the curtilage of a listed building.

Verandas, balconies and raised platforms

11.8 Verandas, balconies and raised platforms are not permitted development under Development Class E where any part would project more than 300mm above the surface of the ground directly below it.

Oil/liquid petroleum gas storage

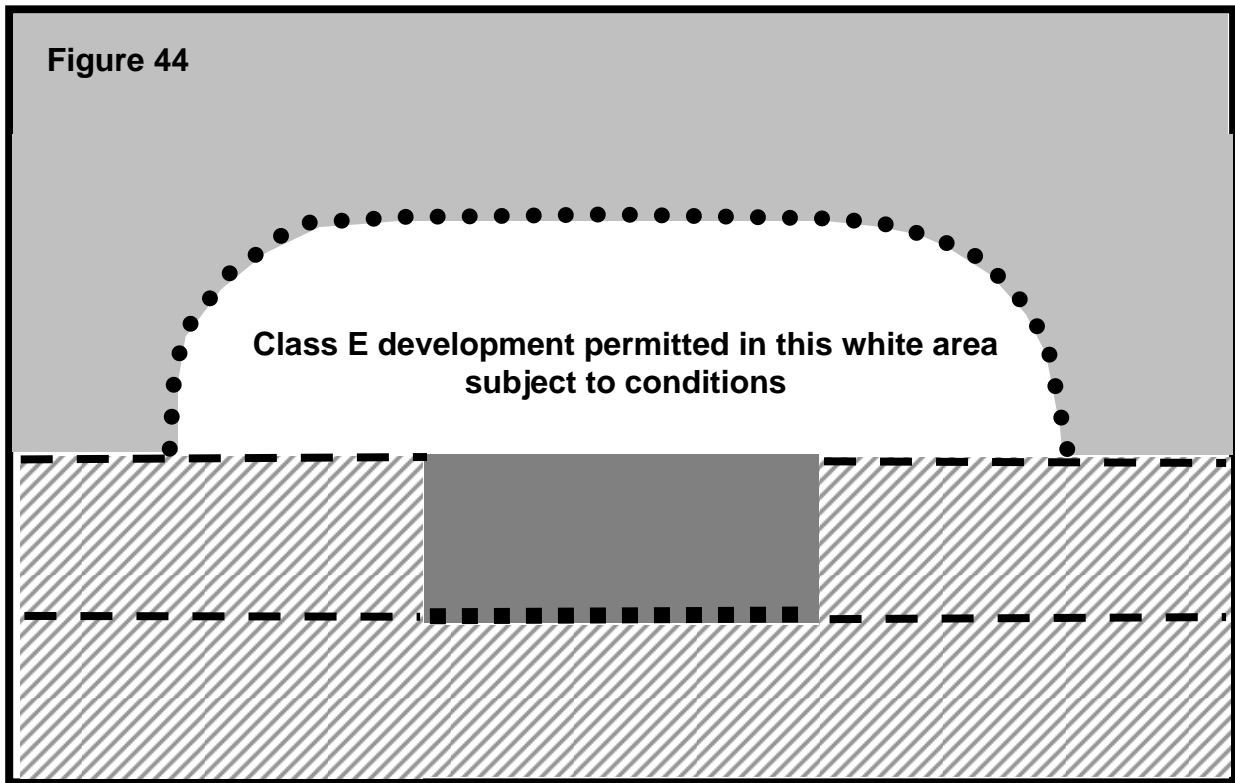
11.9 As Class E is concerned with uses incidental to the enjoyment of the dwellinghouse, the storage capacity of containers for oil or LPG is limited to 3,500 litres.

Article 1(5) land/World Heritage Sites

11.10 Class E development is restricted in these protected areas:

- In order to control any potential proliferation of Class E development in protected areas, the amount of permitted development located more than 20m from any wall of the house cannot exceed 10sqm (see figure 44)
- No development on land between the side elevation of the existing dwelling and the side boundary of the dwellinghouse (see figure 45)

Figure 44



Existing dwellinghouse



Total floor area of Class E outbuildings in this area not to exceed 10sqm : E.2(a)



20m from dwellinghouse



Building line of principal elevation : E.1(b) – no development beyond this wall



No development permitted between these lines (the area between the side elevation of the house and side boundary) : E.2 (b)

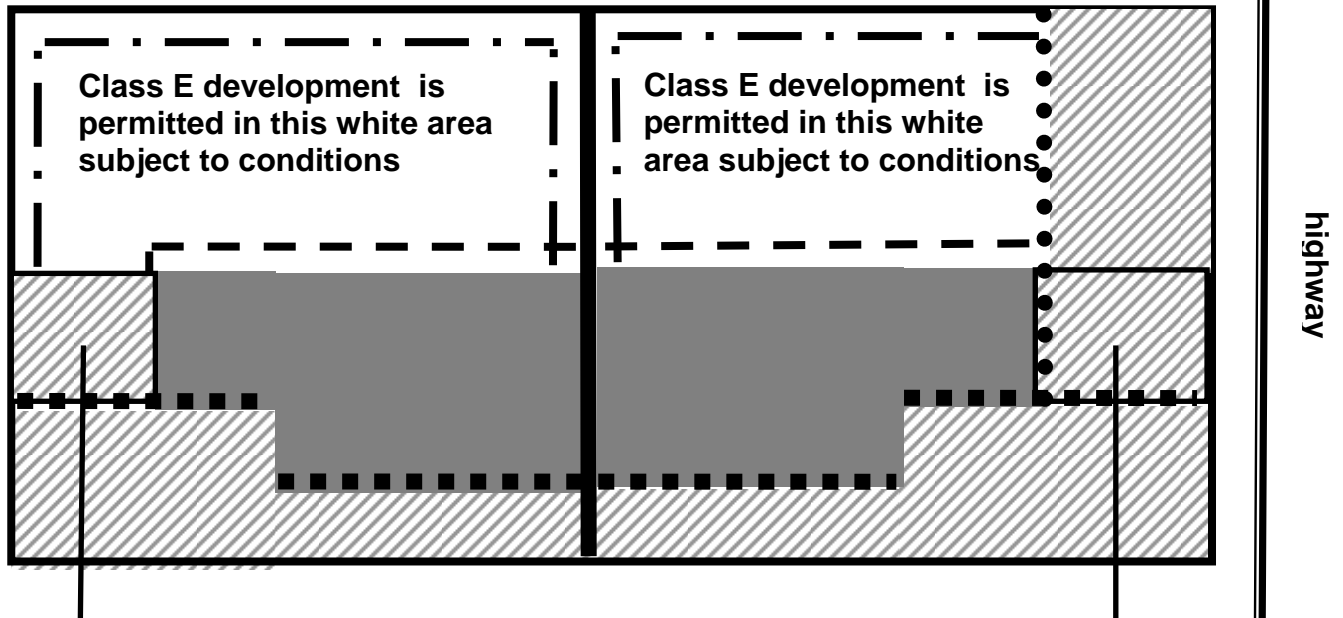


No Class E development permitted in this area



Curtilage boundary

Figure 45



Condition E.2 (b) applies in these square areas



No Class E development permitted in this area



Building line of principal elevation (extends to the side boundary of the curtilage) - no development in front of this building line : E.1 (b)



Building line of side elevation (extends to the boundary of the curtilage). Any development in front of this line would fail to comply with E.1 (c)



2m buffer from curtilage boundary within which development cannot exceed a height of 2.5m : E.1 (f)



2m buffer around dwellinghouse within which development cannot exceed a height of 1.5m : E.1 (h)



Curtilage boundary

12: HARDSTANDINGS

Permitted development

F. Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or*
- (b) the replacement in whole or in part of such a surface.*

Development not permitted

F.1 Development is not permitted by Class F within the curtilage of a listed building.

Conditions

F.2 Development is permitted by Class F subject to the condition that where:

- (a) the area of ground to be covered by the hard surface is situated forward of the principal elevation of the dwellinghouse and between the principal elevation and a highway, or*
- (b) the area of hard surface to be replaced would be forward of the principal elevation of the dwellinghouse and between the principal elevation and a highway, and (taking into account any area of hard surface previously replaced) would exceed 5 square metres,*

the hard surface must be —

- (i) porous or permeable; or*
- (ii) provided to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse; and*
- (iii) permanently maintained so that it continues to comply with the requirements of paragraph (i) and (ii).*

Interpretation of Class F

F.3 For the purposes of F.2, “previously replaced” means replaced without compliance with that condition within the 6 month period prior to undertaking the development in question and the “principal elevation” is (i) the wall of the principal elevation in its original form; or (ii) that wall as it would exist if its original form were to have been extended, continuing the line of the wall, from each of its side edges to the boundary of the present curtilage of the dwellinghouse.

- 12.1 The restrictions in Class F have been introduced due to concerns that the cumulative impact of small, incremental additions of new areas of impermeable hardstanding can lead to increased surface water run-off, and a subsequent increase in flood risk.

12.2 The provisions in Class F relate to the any part of the curtilage that is both (i) in front of the principal elevation, and (ii) situated between the principal elevation and the highway (see section 3 for definition of curtilage). Figure 46 shows the area (hatched) of the curtilage affected by condition F.2.

New areas of hardstanding

12.3 Class F requires all new and replacement areas of hardstanding that are subject to condition F.2 to either (i) be porous or permeable or (ii) designed to allow water to run-off from the hard surface to a permeable or porous area or surface within the curtilage of the house, for example to part of a garden. Compliance with the requirements is ongoing i.e. the permeability of the hard surface or run-off arrangements must be maintained on a permanent basis.

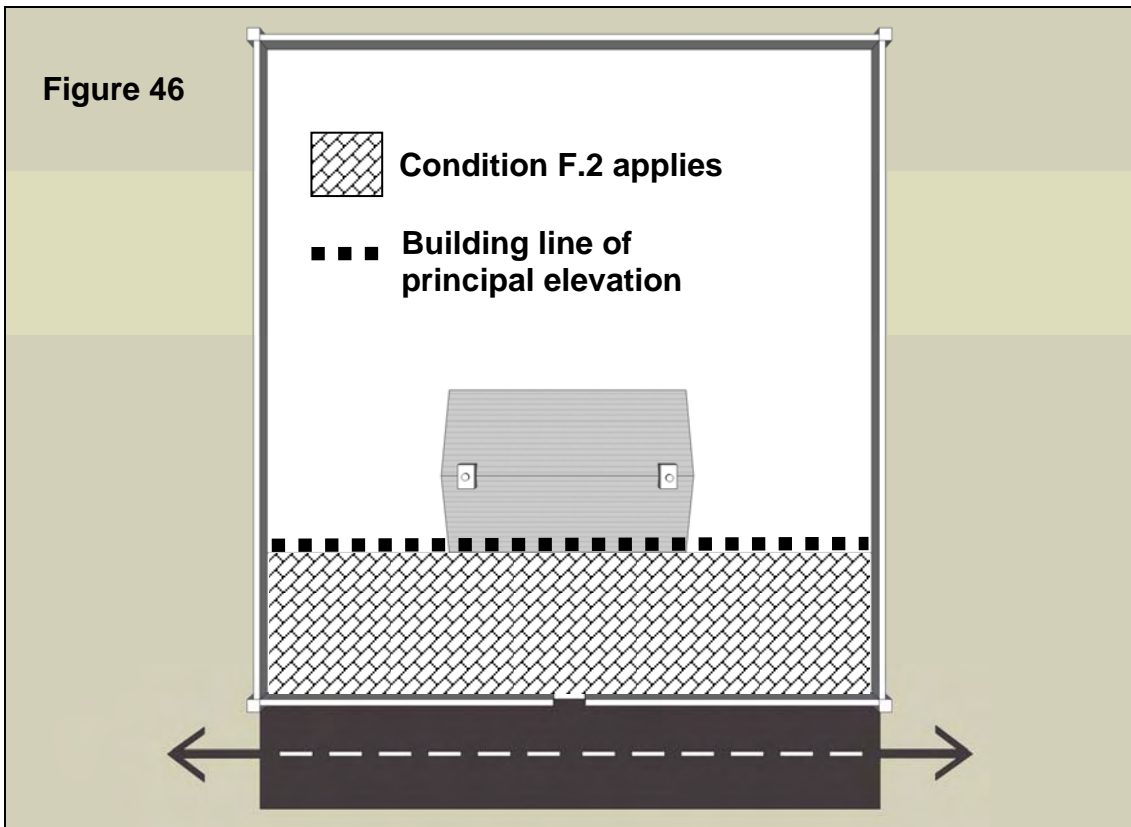
Flexibility for the replacement of existing hardstanding

12.4 Where an existing hard surface is to be replaced with impermeable material and it is situated forward of the principal elevation of the dwellinghouse and between the principal elevation and a highway:

- householders can replace up to 5sqm of hardstanding without compliance with the conditions in F.2
- the allowance is only available if the area of hardstanding to be replaced, when added to any areas of hardstanding that have been replaced in the previous 6 months (where the replacement fails to comply with the conditions in F.2), would not exceed 5sqm
- the replacement of areas of hardstanding above the 5sqm allowance will be required to comply with the conditions in F.2

12.5 The Department of Communities and Local Government have produced separate technical guidance on permeable paving – “Guidance on the permeable surfacing of front gardens”, DCLG, 2008.

Figure 46



13: CHIMNEYS

Permitted development

G. The installation, alteration or replacement of a chimney on a dwellinghouse.

Development not permitted

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

- (a) the height of the chimney would exceed the highest part of the roof by 1 metre or more; or***
- (b) the dwellinghouse is located on article 1(5) land or within a World Heritage Site.***

Interpretation of Class G

G.2 In determining the height of the highest part of the roof for the purposes of paragraph G.1(a), no account is to be taken of any parapet wall, firewall, chimney or other roof furniture or similar structure projecting from the roof.

- 13.1 Further guidance and illustrations are provided under Development Class A with regard to the terms 'highest part of the roof', 'fronts a highway' and 'principal' and 'side elevations'.

14: MICROWAVE ANTENNA

H. The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

Development not permitted

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

- (a) it would result in the presence on the dwellinghouse or within its curtilage of—**
 - (i) more than two antennas;**
 - (ii) a single antenna exceeding one metre in length;**
 - (iii) two antennas which do not meet the relevant size criteria;**
 - (iv) an antenna installed on a chimney, where the length of the antenna would exceed 60 centimetres;**
 - (v) an antenna installed on a chimney, where the antenna would protrude above the chimney; or**
 - (vi) an antenna with a cubic capacity in excess of 35 litres;**
- (b) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;**
- (c) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower; or**
- (d) in the case of article 1(5) land or a World Heritage Site, it would consist of the installation of an antenna—**
 - (i) on a chimney, wall or roof slope which fronts, and is visible from, a highway; or**
 - (ii) on a building which exceeds 15 metres in height.**

Conditions

H.2 Development is permitted by Class H subject to the following conditions—

- (a) an antenna installed on a building must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building; and**
- (b) an antenna no longer needed for reception or transmission purposes must be removed as soon as reasonably practicable.**

Interpretation of Class H

H.3 For the purposes of paragraph H.1(a), the length of an antenna is to be measured in any linear direction, and any projecting feed element, reinforcing rim, mounting or bracket is to be excluded.

H.4 The maximum number of antennas for the purpose of paragraph H.1(a) includes any small antenna permitted under Class A of Part 24.

H.5 The relevant size criteria for the purposes of paragraph H.1(a)(iii) are that—

- (a) only one of the antennas may exceed 60 centimetres in length; and***
- (b) any antenna which exceeds 60 centimetres in length must not exceed one metre in length.***

H.6 For the purposes of paragraph H.1(d)(i), an antenna is to be treated as visible from a highway if it would be so visible save for intervening trees or other vegetation.

- 14.1 This Development Class provides permitted development rights for the installation, alteration or replacement of a microwave antenna, such as a satellite dish, on a house or within the curtilage of a house.
- 14.2 The permitted development rights provided by this Development Class has been carried forward from the previous Development Class H (see the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2006) and are largely unchanged with the exception of:
- the introduction of greater restrictions for this development type within World Heritage Sites; and,
 - a definition of visible from a highway (paragraph H6 of the draft amendment Order).
- 14.3 Given these limited changes, the detailed guidance given in the following Welsh Government document continues to be relevant:
- “A Householder’s Planning Guide for the Installation of Antennas, including Satellite Dishes” (Welsh Assembly Government, 2008).
<http://wales.gov.uk/topics/planning/policy/guidanceandleaflets>
- 14.4 The above guidance should be read in conjunction with the Town and Country Planning (General Permitted Development) (Wales) (Order) 2013.

15: INTERPRETATION OF PART 1

Interpretation of Part 1

I.1 For the purposes of Part 1—

“raised” in relation to a platform means a platform with a height greater than 30 centimetres; and

“terrace house” means a dwellinghouse situated in a row of three or more dwellinghouses used or designed for use as single dwellings, where—

- (a) it shares a party wall with, or has a main wall adjoining the main wall of, the dwellinghouse on either side; or*
- (b) if it is at the end of a row, it shares a party wall with or has a main wall adjoining the main wall of a dwellinghouse which fulfils the requirements of sub-paragraph (a).*

I.2 In the determination of the principal and other elevations of a dwellinghouse for the purposes of Part 1—

- (a) an elevation may comprise more than one wall;*
- (b) a principal elevation must be determined in relation to the dwellinghouse;*
- (c) the principal elevation—*
 - (i) is the elevation of the dwellinghouse which is the first in importance, taking into account the design and architectural features of the dwellinghouse; and*
 - (ii) is not to comprise more than one elevation of the dwellinghouse;*
- (d) the elevation of the dwellinghouse which is determined to be the principal elevation—*
 - (i) is to be deemed also to be the front elevation of the dwellinghouse; and*
 - (ii) the side and rear elevations of the dwellinghouse are to be determined accordingly.*

15.1 Commentary on these definitions is provided in the preceding sections.