

Guide to Permitted Development 2009

In October 2009 permitted development legislation changed. This change allows householders to extend without Planning Permission, where previously it a planning application was required.

The new laws can potentially allow householders to extend their properties considerably. There are also thousands of planning applications that were refused that can now be built legally without planning permission.

You may be able to extend or make alterations to your home using Permitted Development, but we advise all our clients that to comply with permitted laws may not be as straightforward as they expect. An assessment needs to be made and professional advice should be taken.

Your local planning department may allow you to submit plans of your proposed extension and provide informal confirmation if your proposals are classed as Permitted Development. However, a number of council's are now withdrawing this service, leaving the option of applying for a Certificate of Lawfulness, to future proof against any changes in the law. You will also be better placed to sell your home in the future if you have this document in place.

A Certificate of Lawfulness is obtained by making an application to the local planning department. Ah.Design can prepare and submit this application for you, the content of which will be virtually identical to that required for a planning application.

The application fee for a Certificate of Lawfulness is currently £75, and the statutory period for processing an application is 8 weeks.

The planning portal contains guidance on permitted development including an interactive house for an on line visual guide:

<http://www.planningportal.gov.uk/uploads/hhg/houseguide.html>

The Planning Portal defines permitted development as follows:

Under new regulations that came into effect on 1 October 2008 an extension or addition to your home is considered to be permitted development, not requiring an application for planning permission, subject to the following limits and conditions:

- *No more than half the area of land around the "original house"* would be covered by additions or other buildings.*
- *No extension forward of the principal elevation or side elevation fronting a highway.*
- *No extension to be higher than the highest part of the roof.*
- *Maximum depth of a single-storey rear extension of three metres for an attached house and four metres for a detached house.*
- *Maximum height of a single-storey rear extension of four metres.*
- *Maximum depth of a rear extension of more than one storey of three metres including ground floor.*
- *Maximum eaves height of an extension within two metres of the boundary of three metres.*
- *Maximum eaves and ridge height of extension no higher than existing house.*
- *Side extensions to be single storey with maximum height of four metres and width no more than half that of the original house.*
- *Two-storey extensions no closer than seven metres to rear boundary.*
- *Roof pitch of extensions higher than one storey to match existing house.*
- *Materials to be similar in appearance to the existing house.*
- *No verandas, balconies or raised platforms.*
- *Upper-floor, side-facing windows to be obscure-glazed; any opening to be 1.7m above the floor.*
- *On designated land* no permitted development for rear extensions of more than one storey.*
- *On designated* land no cladding of the exterior.*
- *On designated* land no side extensions.*
- * *The term "original house" means the house as it was first built or as it stood on 1 July 1948 (if it was built before that date). Although you may not have built an extension to the house, a previous owner may have done so.*

** Designated land includes national parks and the Broads, Areas of Outstanding Natural Beauty, conservation areas and World Heritage Sites.*

[We can help you assess your permitted development rights. Remember if avoiding the need for a planning application may not always be the best route. A well designed and properly justified extension is likely to be granted planning permission.](#)