

The Cyrilian Design brief guide to

# planning & development



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## Permitted Development

For small extensions and alterations, your proposals may fall within your Permitted Development Rights which means that planning permission will not be necessary.

There are a number of limits on height, volume (in cubic meters) etc. that your proposals need to be within for permitted development to apply.

If your project is eligible for permitted development we would recommend that you apply for a Certificate of Lawful Development to confirm this. The application needs to be supported by suitable drawings and calculations and we can help you with this.

### **The planning portal definition of permitted development 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.

[Click here to view the Planning Portal - Permitted Development](#)

## Loft Conversions

Planning permission is not normally required. However, permission is required where you extend or alter the roof space and it exceeds specified limits and conditions.

Under new regulations that came into effect from 1 October 2008 a loft conversion for your house is considered to be permitted development, not requiring an application for planning permission, subject to the following limits and conditions:

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

\*Bear in mind that any previous roof space additions must be included within the volume allowances listed above.

## Outbuildings

Outbuildings are considered to be permitted development, not requiring an application for planning permission, provided all the conditions are met.

1. On designated land\* outbuildings to the side of the house are not permitted development.
2. Outbuildings are not permitted development within the grounds of a listed building.
3. In National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites the total area to be covered by any outbuildings more than 20 metres from ANY WALL of the house must not exceed 10 square metres to be permitted development.
4. Outbuildings are not permitted development forward of the principal elevation of the original house. 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).
5. Outbuildings and other additions must not exceed 50% of the total area of land around the original house. Sheds and all other outbuildings (see intro) and extensions to the original house must be included when calculating this 50% limit. 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).
6. To be permitted development, any new building must not itself be separate, self contained, living accommodation and must not have a microwave antenna.
7. Outbuildings must be single storey with a maximum eaves height of 2.5 metres and maximum overall height of 4 metres with a dual pitched roof, or 3 metres in any other case.
8. If the outbuilding is within 2 metres of the property boundary the whole building should not exceed 2.5 metres in height.
9. Balconies and verandas are not permitted development. Raised platforms such as decking are permitted development provided they are no higher than 300mm.
10. Containers, such as those used for domestic heating purposes, must not exceed 3,500 litres capacity to be permitted development. The other permitted development conditions which apply to outbuildings listed above also apply to containers.

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

### Class E

The provision within the curtilage of the dwellinghouse of –

- (a) any building or enclosure, 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 or enclosure; or
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

**IMPORTANT NOTE:** The permitted development allowances described here apply to houses, not flats, maisonettes or other buildings. You should check with your Local Planning Authority whether permitted development rights apply – they may have been removed by what are known as Article 4 directions. Other consents may be required if your house is listed or in a designated area. Designated land includes: conservation areas, World Heritage Sites, national parks and the Broads and Areas of Outstanding Natural Beauty. These may have some restricted permitted development rights for householders. It is better to contact your LPA in such circumstances

## Listed Buildings

Buildings of particular architectural interest are often officially Listed and therefore protected. Many residential buildings are listed Grade 2 which means that all alterations (not just those to the outside or original parts) have to be approved under Listed Building Consent.

Making a Listed Building Consent application is similar to making a planning application - but with a few differences. The process may be handled by a conservation officer within your local planning department or might be referred to English Heritage.

As with standard planning permissions Cyrilian Design can help you with this.

## Building Regulations

Not to be confused with planning, the Building Regulations are there to ensure that buildings are made to a minimum quality standard for such things as structure, disabled access, drainage, ventilation, insulation and so on. The regulations can often seem unreasonable, but they are all there for good reasons.

Building regulation matters are usually handled by Building Control Officers in the Building Control Department of your local authority but increasingly private licensed inspectors are an excellent alternative. We at Cyrilian Design would always recommend the Private Licensed inspectors. Unlike planning, there is no committee and you should not have to endure a long wait for approvals.

Once the work starts, the Building Control Officer will visit the site and make arrangements with the builder to visit at specific points through the progress of the works to check that the works are up to the minimum standard that the regulations require. The officer may also request supplementary drawings and information. When the works are complete, it is very common/sometimes necessary to ask the officer to give you a certificate to confirm that everything has been done to the required level.

The 'full plans' method of application is more involved as it requires the submission up-front of detailed drawings that show a great deal of information, e.g. the fire escape routes, ventilation capacities, etc.

Many people find this somewhat 'over the top' for a domestic project but this method does allow for accurate quotes from builders and peace of mind that the structure and materials meet current standards before any work commences. Cyrilian Design can produce the full plans for you.

## Party Wall Act

It is very common with alterations to domestic buildings (even for detached houses) that action under the Party Wall legislation will be necessary. Works that affect a wall, fence or any part of your neighbour's structure, within certain specified distances will require notification to adjoining owners in accordance with the Party Wall Act 1996. This notification can be a complicated procedure and can take a good deal of time.

## Flood Risk Assessment

Susceptibility of land to flooding is a material planning consideration.

Development should not increase the risk of flooding elsewhere.

PPG25 requires a Sequential Test of flood risk. The Sequential Test identifies 3 'Flood zones'. Any proposed development can be categorised into a Flood zone, depending on the site's individual risk of flooding.

Local planners are requested to give priority to allocating/permitting sites within the lower flood risk zones.

### Flood Zone 1

Risk Rating - Little or no risk

Annual probability of flooding:

River tidal & coastal < 0.1% (i.e. 1 in 1000 year)

Appropriate Planning Response

No constraints due to river, tidal or coastal flooding.

### Flood Zone 2

Risk Rating - Low to medium risk

Annual probability of flooding :

River 0.1 - 1.0%, Tidal & coastal 0.1 - 0.5%

Appropriate Planning Response

Suitable for most development. Flood Risk Assessment appropriate to the scale & nature of the development is required. Warning & evacuation procedures should be considered.

### Flood Zone 3

Risk Rating - High Risk

Annual probability of flooding, with flood defences where they exist:

River 1.0% or more, Tidal & Coastal 0.5% or more.

Appropriate Planning Response - depends on location:

#### Flood Zone 3 A - Developed areas

Suitable for residential, commercial & industrial development, provided that the appropriate minimum standard of flood defence can be maintained for the lifetime of the development. Suitable evacuation procedures are required.

#### Flood Zone 3B - Undeveloped & sparsely developed areas

Generally not suitable for residential, commercial & industrial development.

general purpose housing should not normally be considered - limited to job related accommodation (i.e. caretakers & operational staff)

#### Flood Zone 3C - Functional floodplains

Development should be wholly exceptional & limited to essential transport & utilities infrastructure.



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