

PLANNING SUMMARY

Conservatories

Large Home Extensions

ENGLAND & SCOTLAND



CONSERVATORY
— OUTLET —

PLANNING GUIDE - ENGLAND

Conservatories

Adding a conservatory to a house is considered to be permitted development, not requiring an application for planning permission, provided these limits and conditions are met.

1. On designated land cladding of any part of the exterior of a dwelling (and extensions/conservatories) with stone, artificial stone, pebble dash, render, timber, plastic or tiles is not permitted development.

On designated land and Sites of Special Scientific Interest the regime for larger single-storey rear extensions (see point 8) now been made permanent by government.

2. On designated land conservatories extending beyond any side wall of the original house are NOT permitted development.
3. Conservatories (including previous extensions) and other buildings must not exceed 50% of the total area of land around the original house.

*Sheds and other outbuildings must be included when calculating the above 50% limit.

4. Conservatories forward of the principal elevation or side elevation of the original House and fronting a highway are NOT permitted development.
5. Side conservatory must not have a width greater than half the width of the original house.
6. Side conservatories to be single storey with a maximum height of four metres.
7. If conservatory (at side or rear) is within two metres of a boundary maximum eaves height should be no higher than three metres to be permitted development.
8. Single-storey rear conservatory must not extend beyond the rear wall of the original house by more than 3 m if an attached house or by 4 m if a detached house.

In addition, outside designated land and Sites of Special Scientific Interest the limit is increased to 6m if an attached house and 8m if a detached house has now been made permanent by government.

These increased limits (between 3m and 6m and between 4m and 8m respectively) are subject to the Neighbour Consultation Scheme.

9. Single-storey rear conservatory must not exceed a height of four metres.
10. Maximum eaves height should be no higher than the eaves of the existing house. The highest part of the conservatory should be no higher than the roof ridge line of the existing house.

Definitions of terms used in this guide

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). Although you may not have built an extension to the house, a previous owner may have done so.

Designated Land

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

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.

DISCLAIMER

Users should note that this is an introductory guide and is not a definitive source of Legal information.

LARGE HOME EXTENSIONS

Neighbour Consultation Scheme

These new larger extensions (ie if they extend between 4 and 8 metres, or between 3 and 6 metres). Must go through the following process.

1. A homeowner wishing to build a larger single-storey rear extension must notify the local planning authority and provide:
 - a. A written description of the proposal which includes the length that the extension extends beyond the rear wall of the original house, the height at the eaves and the height at the highest point of the extension.
 - b. A plan of the site, showing the proposed development
 - c. The addresses of any adjoining properties including at the rear.
 - d. A contact address for the developer and an email address if the developer is happy to receive correspondence by email.

There is no fee in connection with this process.

2. The local authority may ask for further information if it needs to make a decision about the impact of the development on the amenity of adjoining properties.
3. The local authority will serve notice on adjoining owners or occupiers, i.e. those who share a boundary, including the rear. This will give the address of the proposed development and describe it, including the information in 1(a) above. It will also set out:
 - a. When the application was received, and when the 42 day determination period ends.
 - b. How long neighbours have to make objections (which must be a minimum of 21 days). And the date by which these must be received.

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

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

5. The development can go ahead if the local authority notifies the developer in writing either:
 - a. That, as no objections were received from adjoining neighbours, it has not been necessary to consider the impact on amenity, or
 - b. That following consideration, it has decided that the effect on the amenity of adjoining properties is acceptable.
6. If the local authority does not notify the developer of its decision within the 42 day determination period, the development may go ahead.
7. If approval is refused, the developer may appeal.
8. The extension must be built in accordance with the details approved by the local authority (or, if no objections were raised or the local authority has not notified the developer of its decision submitted), unless the local authority agrees any changes in writing.

The Government clarified in the consultation that existing limitations and conditions designed to protect the amenity of the neighbouring properties would remain:

To ensure that the amenity of neighbouring properties is protected, other limitations and conditions would remain the same. For example, development will not be able to cover more than 50% of the curtilage of the house, single storey extensions must not exceed 4m in height, and any extensions which have an eaves height of greater than 3m must not be within 2m of the boundary. In addition, existing protections under other regimes (building regulations, the Party Wall Act or the right to light for example) will continue to apply. There is no weakening of the National Planning Policy Framework policies which aim to prevent garden-grabbing.

It is also proposed that the changes should not apply to the certain protected types of land:

- National Parks
- Areas of Outstanding Natural Beauty
- Conservation Areas
- World Heritage Sites.

PLANNING GUIDE - SCOTLAND

Extension & Conservatories

You don't require planning permission if the extension meets certain rules. This is called 'permitted development'.

If your extension will have one storey, you don't need planning permission as long as:

- it's located at the back of the house
- it doesn't go back further than 3 metres if it's a terraced house, or 4 metres if it isn't
- the height of the eaves (where the wall meets the roof) is no higher than 3 metres
- it's not higher than 4 metres, including sloping roofs
- it doesn't cover more floor area than your house does
- it doesn't take up half the 'curtilage' – the grounds behind your home
- it isn't within a conservation area

If you want to add a porch to a front door, back door or side door on your house, different rules apply.

Porches

You won't need planning permission to add a porch to a front door, back door or side door on your house as long as:

- its footprint (the total floor area it takes up) is no greater than 3 square metres
- there's at least 2 metres between the edge of the porch and any boundary facing a road
- it isn't taller than 3 metres
- it isn't within a conservation area

Listed Buildings and Conservation Areas

You will require Listed Building Consent for most alterations, including replacement windows and doors, if your home is a Listed Building. Listed A and B homes must be referred to Historic Environment Scotland for consideration but Listed C buildings come under the jurisdiction of your Local Authority. If your property falls within a Conservation Area, special conditions apply too.

If Planning Permission is required for your home improvement, your local Scottish retailer will guide you, prepare your Architectural Drawings and take care of obtaining Consent from your Local Authority.

Building Warrant

All extensions and most conservatories require a Building Warrant in Scotland. Conservatory means a building attached to a dwelling and having an external quality door separating it from that dwelling and having not less than three-quarters of the area of its roof and not less than one-half of the area of its external walls made of translucent material.

A small conservatory with an internal floor area of under eight square metres does not usually require a building warrant.

A sunroom with a solid roof (either traditional tiles or modern lightweight material) has different rules and the light and ventilation of the adjoining room has to be taken into consideration as well as thermal properties of the building. This also applies to replacing a conservatory roof with a solid roof.

Cutting away a new hole in a wall to form a window or doorway also requires a building warrant.

The building warrant confirms that the proposed work meets the requirements of the building regulations and it is a legal requirement for you to have a building warrant before any work commences. The building standards process gives you permission for the design and construction of the work and the building regulations make sure that the work meets minimum building standards.

Your local Scottish retailer can advise and guide you through all the stages of obtaining a warrant, arranging inspections during the work and obtaining the completion certificate at the end of the project.

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