

AF/pd

30 September 2008

Dear Agent

**Householder Permitted Development  
Amendments to the Town and Country Planning (General Permitted  
Development) Order**

You may be aware that the Government is about to introduce changes to the current General Permitted Development Order (GPDO) in relation to the 'permitted development' regime for householders. I am writing to advise you that these changes will come into effect on 1<sup>st</sup> October 2008.

The GPDO grants planning permission for a wide range of works to dwellings without the need for a formal application for planning permission to be made to the Council as the Local Planning Authority (such works are known as 'permitted development'). The changes to householder permitted development rights represent a significant change to the current system and will have consequences for the way in which the Council assesses whether proposals for householder development including alterations, extensions and outbuildings will require planning permission.

Essentially the changes move away from the existing 'volume' based approach to the use of dimensions in determining whether proposed works to a dwelling are permitted development. Some of the main changes to the existing rules are summarised below but the GPDO should be consulted as other restrictions may apply:

**Extensions to dwellings**

The maximum depth of a single storey rear extension is 3m for an attached house and 4m for a detached house. The maximum depth of a two storey rear extension is 3m and it must be at least 7m from the rear boundary.

In conservation areas and Areas of Outstanding Natural Beauty (AONB), the amended Order restricts side extensions and also rear extensions of more than one storey.

**Additions or alterations to the roof of dwellings**

The existing volume allowances for roof extensions have been retained subject to dormer windows being set back at least 20cm from the eaves line. However, dormer windows will not be permitted development on the principal elevation that fronts the

highway or in conservation areas and AONB's. Other roof alterations such as roof lights must not project more than 150mm above the roofslope.

#### Outbuildings within the curtilage of the dwelling

Outbuildings and garages must be single storey and there is a range of height restrictions including a maximum height of 2.5m within 2m of a boundary. In conservation areas and AONB's, outbuildings including pools at the side of properties will require planning permission. In AONB's, the maximum area that can be covered by outbuildings more than 20m from the house is limited to 10m<sup>2</sup>.

The amended Order makes it clear that verandas, balconies and raised platforms will not be permitted development and will therefore require planning permission.

#### Provision of a hard surface

The main change is that provision of a hard surface of more than 5m<sup>2</sup> on a front garden must be constructed in porous material to address concerns about water run off and visual impact. Where impermeable material (e.g. concrete) is used, provision must be made within the curtilage to enable surface water to drain away naturally.

There are also new and revised permitted development rights for the installation of chimneys, flues or soil and vent pipes and microwave antennas.

The details set out above are a brief summary of the changes to householder permitted development rights. It is important to note that for each class of permitted development, there is a range of criteria that must be satisfied before permitted development rights can be exercised.

The Council's officers will continue to provide informal verbal advice regarding whether proposals for householder development are likely to require planning permission. The Council will also continue to provide informal written advice in response to informal enquiries regarding proposals for porches, chimneys/flues, satellite dishes and hardstandings (i.e. the more straightforward enquiries).

For other types of householder proposals, the Council has decided that in light of these significant changes to the GPDO, where an enquirer seeks confirmation in writing as to whether a particular proposal requires planning permission, the Council will advise that an application for a Lawful Development Certificate (LDC) under Section 192 of the Town and Country Planning Act 1991 (as amended) should be submitted. This approach will have the benefit of providing applicants with a legally binding document which confirms that the works or structure concerned is lawful for planning purposes. An LDC will also assist in the subsequent sale of the property and may be included in the vendor's Home Information Pack. A fee will be payable.

Further details of the changes are available on the Council's web site [www.chichester.gov.uk](http://www.chichester.gov.uk). In addition, the Planning Portal provides details of the specific limits and conditions provided by the amended Order. This can be viewed at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). I also intend to raise the changes at the forthcoming Agents Forum, details of which will be circulated shortly.

Finally I would draw your attention to some important procedural changes to the Tree Preservation Order (TPO) system which also come into effect on 1<sup>st</sup> October. As of this date the use of a standard application form will be mandatory for all applications to fell or prune trees which are protected by a TPO. The Regulations also introduce a more streamlined method for processing TPO appeals. Further details, including the standard application form are available on the Planning Portal.

The Council's development management staff will be available to assist with any enquiries regarding these changes and may be contacted on 01243 534551 (South Area Team) and 01243 534661 (North Area Team).

Your sincerely

Andrew Frost  
**Assistant Director (Development Management)**