

SCHEDULE

Article 2(4)

“PART 1

DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Enlargement of a dwellinghouse

Class 1A.—(1) Any enlargement of a dwellinghouse by way of a single storey ground floor extension, including any alteration to the roof required for the purpose of the enlargement.

- (2) Development is not permitted by this class if—
- (a) any part of the development would be forward of a wall forming part of the principal elevation or side elevation where that elevation fronts a road;
 - (b) any part of the development would be within 1 metre of the boundary of the curtilage of the dwellinghouse and it would extend beyond the line of the wall forming part of the rear elevation that is nearest that boundary by more than—
 - (i) 3 metres in the case of a terrace house; or
 - (ii) 4 metres in any other case;
 - (c) the height of the eaves of the development would exceed 3 metres;
 - (d) any part of the development would exceed 4 metres in height;
 - (e) as a result of the development the area of ground covered by the resulting dwellinghouse would be more than twice the area of ground covered by the original dwellinghouse;
 - (f) as a result of the development the area of ground covered by development within the front or rear curtilage of the dwellinghouse (excluding the original dwellinghouse and any hard surface or deck) would exceed 50% of the area of the front or rear curtilage respectively (excluding the ground area of the original dwellinghouse and any hard surface or deck); or
 - (g) it would be within a conservation area.

Class 1B.—(1) Any enlargement of a dwellinghouse by way of a ground floor extension consisting of more than one storey, including any alteration to the roof required for the purpose of the enlargement.

- (2) Development is not permitted by this class if—
- (a) any part of the development would be forward of a wall forming part of the principal elevation or side elevation where that elevation fronts a road;
 - (b) any part of the development would be within 10 metres of the boundary of the curtilage of the dwellinghouse;
 - (c) as a result of the development the height of the dwellinghouse would exceed the height of the existing dwellinghouse, when measured at the highest part of the roof and excluding any chimney;
 - (d) as a result of the development the area of ground covered by the resulting dwellinghouse would be more than twice the area of ground covered by the original dwellinghouse;
 - (e) as a result of the development the area of ground covered by development within the front or rear curtilage of the dwellinghouse (excluding the original dwellinghouse

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

and any hard surface or deck) would exceed 50% of the area of the front or rear curtilage respectively (excluding the ground area of the original dwellinghouse and any hard surface or deck); or

- (f) it would be within a conservation area.

Class 1C.—(1) The erection, construction or alteration of any porch outside any external door of a dwellinghouse.

(2) Development is not permitted by this class if—

- (a) its footprint would exceed 3 square metres;
- (b) any part of it would be within 2 metres of a boundary between the curtilage of the dwellinghouse and a road;
- (c) any part of the development would exceed 3 metres in height; or
- (d) it would be within a conservation area.

Class 1D.—(1) Any enlargement of a dwellinghouse by way of an addition or alteration to its roof.

(2) Development is not permitted by this class if—

- (a) it would be on a roof plane forming part of the principal elevation or side elevation where that elevation fronts a road;
- (b) it would be on a roof plane and would be within 10 metres of the boundary of the curtilage of the dwellinghouse which that roof plane fronts;
- (c) as a result of the development the height of the dwellinghouse would exceed the height of the existing dwellinghouse, when measured at the highest part of the roof and excluding any chimney;
- (d) its width would exceed half the total width of the roof plane, measured at the eaves line, of the dwellinghouse;
- (e) any part of the development would be within 0.3 metres of any edge of the roof plane of the dwellinghouse; or
- (f) it would be within a conservation area.

Improvements or alterations to a dwellinghouse which are not enlargements

Class 2A.—(1) The erection, construction or alteration of any access ramp outside an external door of a dwellinghouse.

(2) Development is not permitted by this class if—

- (a) the combined length of all flights forming part of the access ramp would exceed 5 metres;
- (b) the combined length of all flights and landings forming part of the access ramp would exceed 9 metres;
- (c) any part of the ramp would exceed 0.4 metres in height;
- (d) the combined height of the ramp and any wall (excluding any external wall of the dwellinghouse), fence, balustrade, handrail or other structure attached to it would exceed 1.5 metres; or
- (e) it would be within a conservation area or within the curtilage of a listed building.

Class 2B.—(1) Any improvement, addition or other alteration to the external appearance of a dwellinghouse that is not an enlargement.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (2) Development is not permitted by this class if—
- (a) it would protrude more than 1 metre from the outer surface of an external wall, roof plane, roof ridge or chimney of the dwellinghouse;
 - (b) it would be a wind turbine;
 - (c) it would be a balcony;
 - (d) it would be on the roof and would result in a raised platform or terrace;
 - (e) it would be within a conservation area; or
 - (f) it would be development described in class 2A(1), 3B(1), 6C(1), 6F(1), 6H(1) or 72(1).

(3) Development is permitted by this class subject to the condition that the materials used for any roof covering must be as similar in appearance to the existing roof covering as is reasonably practicable.

Other development within the curtilage of a dwellinghouse

Class 3A.—(1) The provision within the curtilage of a dwellinghouse of a building for any purpose incidental to the enjoyment of that dwellinghouse or the alteration, maintenance or improvement of such a building.

- (2) Development is not permitted by this class if—
- (a) it consists of a dwelling;
 - (b) any part of the development would be forward of a wall forming part of the principal elevation or side elevation where that elevation fronts a road;
 - (c) the height of the eaves would exceed 3 metres;
 - (d) any part of the development would exceed 4 metres in height;
 - (e) any part of the development within 1 metre of the boundary of the curtilage of the dwellinghouse would exceed 2.5 metres in height;
 - (f) as a result of the development the area of ground covered by development within the front or rear curtilage of the dwellinghouse (excluding the original dwellinghouse and any hard surface or deck) would exceed 50% of the area of the front or rear curtilage respectively (excluding the ground area of the original dwellinghouse and any hard surface or deck); or
 - (g) in the case of land in a conservation area or within the curtilage of a listed building, the resulting building would have a footprint exceeding 4 square metres.

Class 3B.—(1) The carrying out of any building, engineering, installation or other operation within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of that dwellinghouse.

- (2) Development is not permitted by this class if—
- (a) any part of the development would be forward of a wall forming part of the principal elevation or side elevation where that elevation fronts a road;
 - (b) any resulting structure would exceed 3 metres in height;
 - (c) as a result of the development the area of ground covered by development within the front or rear curtilage of the dwellinghouse (excluding the original dwellinghouse and any hard surface or deck) would exceed 50% of the area of the front or rear curtilage respectively (excluding the ground area of the original dwellinghouse and any hard surface or deck);

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (d) it would be within a conservation area or within the curtilage of a listed building; or
- (e) it would be development described in class 3A(1), 3C(1), 3D(1), 3E(1), 6D, 6E, 6G(1), 6H(1) or 8.

Class 3C.—(1) The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of that dwellinghouse or the replacement in whole or in part of such a surface.

(2) Development is not permitted by this class if it would be within a conservation area or within the curtilage of a listed building.

(3) Development is permitted by this class subject to the condition that where the hard surface would be located between the dwellinghouse and a road bounding the curtilage of the dwellinghouse—

- (a) the hard surface must be made of porous materials; or
- (b) provision must be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Class 3D.—(1) The erection, construction, maintenance, improvement or alteration of any deck or other raised platform within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of that dwellinghouse.

(2) Development is not permitted by this class if—

- (a) any part of the development would be forward of a wall forming part of the principal elevation or side elevation where that elevation fronts a road;
- (b) the floor level of any part of the deck or platform would exceed 0.5 metres in height;
- (c) the combined height of the deck and any wall, fence, balustrade, handrail or other structure attached to it, would exceed 2.5 metres; or
- (d) in the case of land within a conservation area or within the curtilage of a listed building the deck or platform would have a footprint exceeding 4 square metres.

Class 3E.—(1) The erection, construction, maintenance, improvement or alteration of any gate, fence, wall or other means of enclosure any part of which would be within or would bound the curtilage of a dwellinghouse.

(2) Development is not permitted by this class if—

- (a) any part of the resulting gate, fence, wall or other means of enclosure would exceed 2 metres in height;
- (b) any part of the resulting gate, fence, wall or other means of enclosure would exceed one metre in height where it—
 - (i) fronts a road; or
 - (ii) extends beyond the line of the wall of the principal elevation or side elevation that is nearest a road;
- (c) it replaces or alters an existing gate, fence, wall or other means of enclosure and exceeds whichever is the greater of the original height or the heights described in sub-paragraphs (a) and (b);
- (d) it would be within a conservation area; or
- (e) it would be within, or bound, the curtilage of a listed building.

Interpretation of Part 1

For the purposes of Part 1—

“balcony” means a platform, enclosed by a wall or balustrade, projecting outward from the external wall of a building, with access from an upper floor window or door;

“bound” means to share a common boundary, and “bounding” is to be construed accordingly;

“enlargement” means any development that increases the internal volume of the original dwellinghouse, and includes a canopy or roof, with or without walls, which is attached to the dwellinghouse, but does not include a balcony;

“footprint” means an area of ground covered by development;

“front curtilage” means that part of the curtilage of the original dwellinghouse forward of the principal elevation;

“rear curtilage” means that part of the curtilage of the original dwellinghouse which is not the front curtilage;

“rear elevation” means the elevation of the original dwellinghouse that is opposite its principal elevation;

“resulting dwellinghouse” means the dwellinghouse as enlarged, taking into account any previous enlargement;

“side elevation” means the elevation of the original dwellinghouse linking the principal elevation with the rear elevation; and

“terrace house” means a dwellinghouse—

(a) situated in a row of three or more buildings used, or designed for use, as single dwellinghouses; and

(b) having a mutual wall with, or having a main wall adjoining the main wall of, the dwellinghouse (or building designed for use as a dwellinghouse) on either side of it,

but includes the dwellinghouses at each end of such a row of buildings as is referred to.

Any reference in Part 1 to—

(a) height is a reference to height when measured from ground level, and ground level means the level of the surface of the ground immediately adjacent to the building or structure or, where the level of the surface of the ground is not uniform, the level of the lowest part of the surface of the ground adjacent to it;

(b) the measurement of a dimension is a reference to the measurement of external dimensions; and

(c) “the principal elevation” is a reference to the elevation of the original dwellinghouse which by virtue of its design or setting, or both, is the principal elevation.

PART 1ZA

DEVELOPMENT TO A BUILDING CONTAINING A FLAT

Class 4A.—(1) Any improvement or other alteration to the external appearance of a dwelling situated within a building containing one or more flats.

(2) Development is not permitted by this class if—

(a) it would be an enlargement;

(b) it would protrude more than 1 metre from the outer surface of an external wall, roof plane, roof ridge or chimney;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) the dimensions of an existing window or door opening would be altered;
 - (d) it would be a balcony;
 - (e) it would be on the roof and would result in a raised platform or terrace;
 - (f) it would be a wind turbine;
 - (g) it would be within a conservation area or within the curtilage of a listed building; or
 - (h) it would be development described in class 6C(1), 6F(1) or 6H(1) or 72(1).
- (3) For the purposes of this class—
- “balcony” means a platform, enclosed by a wall or balustrade, projecting outward from the external wall of a building, with access from an upper floor window or door;
- “enlargement” means any development that increases the internal volume of the original building, and includes a canopy or roof, with or without walls, which is attached to the building but does not include a balcony;
- a “window” or “door” includes its frame; and
- the measurement of a dimension is a reference to the measurement of external dimensions.”