
STATUTORY INSTRUMENTS

2014 No. 564

The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014

Amendments in relation to development within the curtilage of a dwellinghouse

3.—(1) Part 1 of Schedule 2 to the General Permitted Development Order (development within the curtilage of a dwellinghouse) is amended as follows.

(2) In Class A—

(a) before paragraph A.1(a) insert—

“(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);” and

(b) in paragraph A.4—

(i) after paragraph (2) insert—

“(2A) The local planning authority may refuse an application where, in the opinion of the authority—

(a) the proposed development does not comply with, or

(b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with,

the conditions, limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(e) but is allowed by paragraph A.1(ea).

(2B) Paragraphs (3) to (5) and (7) shall not apply where a local planning authority refuses an application under paragraph (2A).”;

(ii) for paragraph (6) substitute—

“(6) The local planning authority may require the developer to submit such further information regarding the proposed development as the authority may reasonably require in order to determine the application.”; and

(iii) after paragraph (9) insert—

“(9A) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises.”.

(3) In Class B—

(a) before paragraph B.1(a) insert—

“(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);”.

(b) for paragraph B.2(b) substitute—

“(b) the enlargement shall be constructed so that—

- (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension —
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves; and
- (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse;”;
- (c) after paragraph B.3 add—
 - “**B.4** For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.”.
- (4) In Class C, before paragraph C.1(a) insert—
 - “(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);”.
- (5) In Class D, before paragraph D.1(a) insert—
 - “(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);”.
- (6) In Class E, before paragraph E.1(a) insert—
 - “(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);”.
- (7) In Class F, after paragraph F insert—
 - “**Development not permitted**
 - F.A1** Development is not permitted by Class F where permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use).”.
- (8) In Class G, before paragraph G.1(a) insert—
 - “(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);”.
- (9) In Class H, before paragraph H.1(a) insert—
 - “(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);”.