

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, Cross Heading: Class E – buildings etc incidental to the enjoyment of a dwellinghouse. (See end of Document for details)

SCHEDULE 2

Permitted development rights

PART 1

Development within the curtilage of a dwellinghouse

Class E – buildings etc incidental to the enjoyment of a dwellinghouse

Permitted development

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.**

Development not permitted

E.1 Development is not permitted by Class E if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class [^{F1}G,] M, [^{F2}MA,] N, P [^{F3}, PA] or Q of Part 3 of this Schedule (changes of use);
- (b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- (d) the building would have more than a single storey;
- (e) the height of the building, enclosure or container would exceed—
 - (i) 4 metres in the case of a building with a dual-pitched roof,
 - (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - (iii) 3 metres in any other case;
- (f) the height of the eaves of the building would exceed 2.5 metres;
- (g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;
- (h) it would include the construction or provision of a verandah, balcony or raised platform;
- (i) it relates to a dwelling or a microwave antenna; ^{F4} ...
- (j) the capacity of the container would exceed 3,500 litres [^{F5}; or]
- [^{F6}(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).]

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, Cross Heading: Class E – buildings etc incidental to the enjoyment of a dwellinghouse. (See end of Document for details)

Textual Amendments

- F1** Word in Sch. 2 Pt. 1 Class E para. E1(a) inserted (1.8.2021) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) \(No. 2\) Order 2021 \(S.I. 2021/814\)](#), arts. 1(1), **3(2)(f)** (with Sch.)
- F2** Word in Sch. 2 Pt. 1 Class E para. E.1(a) inserted (21.4.2021) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/428\)](#), arts. 1(1), **4(f)** (with art. 15(3))
- F3** Word in Sch. 2 Pt. 1 Class E para. E.1(a) inserted (6.4.2016) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2016 \(S.I. 2016/332\)](#), arts. 1, **9**
- F4** Word in Sch. 2 Pt. 1 Class E para. E.1(i) omitted (1.8.2020) by virtue of [The Town and Country Planning \(Permitted Development and Miscellaneous Amendments\) \(England\) \(Coronavirus\) Regulations 2020 \(S.I. 2020/632\)](#), regs. 1(2), **9(a)**
- F5** Word in Sch. 2 Pt. 1 Class E para. E.1(j) substituted (1.8.2020) by [The Town and Country Planning \(Permitted Development and Miscellaneous Amendments\) \(England\) \(Coronavirus\) Regulations 2020 \(S.I. 2020/632\)](#), regs. 1(2), **9(b)**
- F6** Sch. 2 Pt. 1 Class E para. E.1(k) inserted (1.8.2020) by [The Town and Country Planning \(Permitted Development and Miscellaneous Amendments\) \(England\) \(Coronavirus\) Regulations 2020 \(S.I. 2020/632\)](#), regs. 1(2), **9(c)**

E.2 In the case of any land within the curtilage of the dwellinghouse which is within—

- (a) an area of outstanding natural beauty;
- (b) the Broads;
- (c) a National Park; or
- (d) a World Heritage Site,

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

Interpretation of Class E

E.4. For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, Cross Heading: Class E – buildings etc incidental to the enjoyment of a dwellinghouse.