

SCHEDULE

PART 1

DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class E

Permitted development

- E. The provision within the curtilage of the dwellinghouse of—
- (a) any building or enclosure, raised platform, 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, enclosure, platform or pool; 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) the total area of ground covered by buildings, enclosures, raised platforms, pools 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);
 - (b) any part of the building, enclosure, raised platform, pool or container would extend beyond a wall comprised in the principal elevation of the original dwellinghouse;
 - (c) any part of the building, enclosure, raised platform, pool or container would extend beyond a wall comprised in a side elevation of the existing dwellinghouse, and would be nearer to the highway than—
 - (i) the wall comprised in that side elevation which is nearest to the highway; or
 - (ii) any point 5 metres from the highway;whichever is the nearer to the highway;
 - (d) the building would have more than one storey;
 - (e) the height of any part of the building, enclosure or container, measured from the surface of the ground immediately adjacent to that part, would exceed—
 - (i) 4 metres in the case of a building having a roof with more than one pitch;
 - (ii) 3 metres in any other case;
 - (f) any part of the building, enclosure or container would be—
 - (i) within 2 metres of the boundary of the curtilage of the dwellinghouse; and
 - (ii) exceed 2.5 metres in height above the surface of the ground immediately adjacent to it;
 - (g) the height of the eaves of the building, measured at any point along their length, would exceed 2.5 metres;
 - (h) any part of the building, enclosure, pool or container would —
 - (i) be situated within 2 metres of the dwellinghouse; and
 - (ii) exceed 1.5 metres in height above the surface of the ground immediately adjacent to it;

Status: This is the original version (as it was originally made).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

- (i) the building, enclosure, pool or container would be situated within the curtilage of a listed building;
- (j) it would include the construction or provision of a veranda, balcony or raised platform of which any part is more than 30 centimetres above the surface of the ground directly below it;
- (k) it would include the enlargement, improvement or other alteration of any part of a dwellinghouse;
- (l) it would include the installation, alteration or replacement of a microwave antenna; or
- (m) the capacity of the container would exceed 3,500 litres.

E.2. In the case of any land within the curtilage of the dwellinghouse which is on article 1(5) land or within a World Heritage Site, development is not permitted by Class E if—

- (a) 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;
- (b) any part of the building, enclosure, pool or container would be situated on land between a wall comprised in a side elevation of the existing dwellinghouse and the section of the boundary of the curtilage of the dwellinghouse which faces that wall.

Interpretation of Class E

E.3. 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.

E.4. For the purposes of paragraphs E.1(b) and E.1(c), a part of a building, enclosure, pool or container is to be determined to extend beyond a wall referred to in those paragraphs if it would be in front of—

- (a) in the case of a wall referred to in paragraph E.1(b)—
 - (i) that wall in its original form; or
 - (ii) that wall as it would exist if its original form were to have been extended, continuing the line of the wall, from each of its side edges to the boundary of the present curtilage of the dwellinghouse; or
- (b) in the case of a wall referred to in paragraph E.1 (c)—
 - (i) that wall as it exists; or
 - (ii) that wall as it would exist if it were to be extended, continuing the line of the wall, from each of its side edges to the boundary of the curtilage of the dwellinghouse.

E.5. In determining the height of the eaves for the purposes of paragraph E.1(g)—

- (a) the determination is to be made by reference to the point where the external walls or other structure supporting the roof meet, or would meet if projected upwards, the lowest point of the upper surface of the roof; but
- (b) no account is to be taken of any parapet wall or any part of the roof slope which overhangs the external walls or other structure supporting the roof.