This leaflet can be obtained in alternative formats, e.g. in braille, large print, on audio tape, or e-mail by contacting the Council on telephone: 01727 819344 or 819345

The District Council Offices
textphone number is 01727 819570. The service is for customers with a hearing impairment.

St Albans City and District Council
St Peter’s Street
St Albans AL1 3JE
Telephone: 01727 866100

www.stalbans.gov.uk
What are permitted development rights?

If you live in a house, you may normally carry out a number of minor forms of development without the need to apply for formal planning permission. This is known as ‘permitted development’. Permitted development limits are set by Parliament and apply nationally. This leaflet is designed to give you an informal guide as to when planning permission is or is not required from the Council if you live in a dwelling house. This does not apply to flats or maisonettes, as they do not have any permitted development rights.

Please note that the history of your property must be checked before undertaking any external alterations, in order to determine whether your permitted development rights have been removed by the Council as the Local Planning Authority. If they have, the guidance within this document will not apply to you.

How will I know if my permitted development rights have been removed?

This information should be with your deeds. If not, you can visit the Council offices during normal office hours on Monday to Friday to check the planning history and any decisions that relate to your property.

Permitted development limits can also be affected depending on where you live. If you live in an Article 4 Direction Area, such as Fishpool Street, most of your permitted development rights will have been removed. You will, in such cases, need to submit a planning application for alterations to your property that would not normally require the Council’s permission. This can include minor external works such as painting your front door, putting up a fence, satellite dish or solar panels. For more information on the type of work that will require permission in these areas, you can obtain a leaflet from the Council entitled Article 4 Direction: A Householder’s Guide.

Alternatively, if you live in a relatively new property, such as the Napsbury or Hill End/Cell Barnes Lane developments, it is also possible that permitted development rights have been removed by a planning condition. To check if this is the case, you can visit the Council’s Planning Department at the Council offices to look at the history of your property and read the planning conditions imposed upon your house before it was built.

Permitted development limits will also be different if your house is a listed building or you live in a conservation area.

What can I do under permitted development rights?

New legislation, which came into force on 1 October 2008, has extended permitted development rights on some development. It has also, however, introduced some new restrictions, for instance on the paving of front gardens.

Residential extensions

An extension or addition to your home will be considered to be permitted development, not requiring an application for planning permission, subject to the following limits and conditions:

- No more than half the area of land around the ‘original house’ should be covered by additions or other buildings.
- No extension should be built forward of the principal elevation or side elevation fronting a highway.
- No extension to be higher than the highest part of the roof.
- The maximum depth of a single-storey rear extension is 3m for an attached house and 4m for a detached house.
- The maximum height of a single-storey rear extension is 4m.
- The maximum depth of a rear extension of more than one storey is 3m including the ground floor.
- The maximum eaves height should be 3m if the extension is within 2m of any boundary.
- The maximum eaves and ridge heights of the extension should be no higher than those of the existing house.
- Side extensions may only be single storey, with a maximum height of 4m, and the width must be no more than half that of the original house.
Two-storey extensions must be no closer than 7m to the rear boundary.
The roof pitch of extensions higher than one storey should match that of the existing house.
Materials used in construction should be similar in appearance to those used for the existing house.
No verandas, balconies or raised platforms are permitted.
Upper-floor, side-facing windows must be obscure-glazed and any opening part of the window must be 1.7m above the internal floor level.

In conservation areas:
- No rear extensions of more than one storey are permitted.
- No cladding of the exterior is permitted.
- No side extensions are permitted.

‘Highway’ means any carriageway, footway or verge over which the public have a right to pass.

‘Original house’ means as it was originally built or as it stood on 1 July 1948.

Please note: most extensions require approval under the Building Regulations.

Loft conversions and roof alterations

A loft conversion for your home will be considered to be permitted development, not requiring an application for planning permission, subject to the following limits and conditions:
- A volume allowance of 40m³ for terraced houses.
- A volume allowance of 50m³ for detached and semi-detached houses.
- No extension should extend beyond the plane of the existing roof slope of the principal elevation that fronts a highway.
- No extension should be higher than the highest part of the roof.
- Materials used should be similar in appearance to those used on the existing house.
- No verandas, balconies or raised platforms are permitted.
- Side-facing windows must be obscure-glazed and any opening part to be 1.7m above the internal floor level.
- Roof extensions are not permitted development in conservation areas.
- Roof extensions, apart from hip to gable ones, should be set back at least 20cm from the eaves.

Please note: Building Regulations approval is required to convert a loft or attic into a liveable space.

Dormer windows

You will need planning permission:
- if the dormer is going to be on a roof slope fronting a highway;
- if you live in a conservation area or Article 4 Direction Area.

Rooflights and skylights

You do not normally need planning permission to insert roof lights or skylights. You will need planning permission:
- if it projects more than 150mm from the existing roof plane;
- if any part of the rooflight will protrude above the highest part of the roof;
- if you live in an Article 4 Direction Area.

Solar panels and satellite dishes

The following limits apply to roof and wall mounted solar panels:
- Panels should not be installed above the ridgeline and should project no more than 200mm from the roof or wall surface.
- If your property is a listed building you are likely to require an application for listed building consent, even where planning permission is not needed.
- If your property is in a conservation area, planning permission will be required if panels are to be fitted on the front or side elevation walls and they are visible from the highway. If panels are to be fitted to a building in your garden, they should not be visible from the highway.

You may install a satellite dish up to a specific size on your house without the need for planning permission. The size and positioning of the dish will depend on the height of your house and the area you
live in. For further information, contact the planning department or visit www.planningportal.gov.uk/house.

### Chimneys and flues

From 1 October 2008, fitting, altering or replacing an external flue, chimney, or soil and vent pipe will normally be permitted development, not requiring planning consent, providing the conditions outlined below are met:

- Flues are allowed if less than 1m above the highest part of the roof.
- If the building is listed or in a conservation area, even if you do have permitted development rights it is advisable to check with your local planning authority before a flue is fitted.
- In a conservation area the flue should not be fitted on the principal or side elevation that fronts a highway.

**Note:** If you wish to install a flue, Building Regulations will apply.

### Porches

The planning rules for porches are applicable to any external door to a house. You will need to apply for planning permission if:

- the ground floor area (measured externally) would exceed 3m²;
- any part would be more than 3m above ground level;
- any part of the porch would be within 2m of any boundary of the house and a road or footpath.

However, this does not apply if you live in an Article 4 Direction Area.

Building Regulations will not normally apply if the floor area of the building is less than 15m². If it is between 15m² and 30m², you will not normally be required to apply for Building Regulations approval providing that the building is either at least 1m from any boundary or it is constructed of substantially non-combustible materials. In both cases, Building Regulations do not apply ONLY if the building does not contain any sleeping accommodation.

### Sheds, garages and other outbuildings

Sheds, garages and other outbuildings will be considered to be permitted development, not needing planning permission, subject to the following limits and conditions:

- No outbuilding forward of the principal elevation fronting a highway.
- Outbuildings and garages to be single storey with maximum eaves height of 2.5m and maximum overall height of 4m with a dual pitched roof or 3m for any other roof.
- Maximum height 2.5m within 2m of a boundary.
- No verandas, balconies or raised platforms.
- No more than half the area of land around the 'original house' would be covered by additions or other buildings.
- In conservation areas buildings, enclosures, containers and pools at the side of properties will require planning permission.
- Within the curtilage of listed buildings any outbuilding will require planning permission.

The term 'original house' means the house as it was first built or as it stood on 1 July 1948 (if it was built before that date).

Building Regulations will not normally apply if the floor area of the building is less than 15m². If it is between 15m² and 30m², you will not normally be required to apply for Building Regulations approval providing that the building is either at least 1m from any boundary or it is constructed of substantially non-combustible materials. In both cases, Building Regulations do not apply ONLY if the building does not contain any sleeping accommodation.

### Garage conversions

Planning permission will not normally be required for garage conversions, providing the work is internal and does not involve enlarging the building.

Sometimes permitted development rights have been removed from some properties with regard to garage conversions and therefore you should contact your local planning authority before proceeding, particularly if you live on a new housing development or in a conservation area. Where work is proposed to a listed building, listed building consent may be required.

**Please note:** the conversion of a garage into a living space will normally require approval under the Building Regulations.
Fences, walls and gates

You will need to apply for planning permission if you wish to erect or add to a fence, wall or gate and:

- it would be over 1m high and next to a highway or footpath of such a highway; or over 2m high elsewhere; or
- your right to put up or alter fences, walls and gates is removed by an article 4 direction or a planning condition; or
- your house is a listed building or in the curtilage of a listed building; or
- the fence, wall or gate, or any other boundary involved, forms a boundary with a neighbouring listed building or its curtilage.

You will not need to apply for planning permission to take down a fence, wall or gate, or to alter or improve an existing fence, wall or gate (no matter how high) if you don't increase its height. In a conservation area, however, you might need conservation area consent to take down a fence, wall or gate.

Paving your front garden

From 1 October 2008 new rules apply for householders wishing to pave over their front gardens.

You will NOT need planning permission if a new driveway uses permeable (or porous) surfacing, which allows water to drain through, such as gravel, permeable concrete block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally.

If the surface to be covered is more than 5m², planning permission will be needed for laying traditional, impermeable driveways that do not control rainwater running off onto roads.

Decking

From 1 October 2008 putting up decking, or other raised platforms, in your garden is permitted development, not needing an application for planning permission, providing:

- the decking is no more than 30cm above the ground; together with other extensions, outbuildings etc, the decking or platforms cover no more than 50 per cent of the garden area.

Listed buildings

Planning permission will always be required if your property is a listed building.

What if I’m still not sure?

For more information on permitted development rights, visit the Planning Portal at www.planningportal.gov.uk/house.

Permitted development rights can be extremely complicated and if you are in any doubt you are strongly advised to apply for a Certificate of Lawful Development (Proposed). For more information, see the Council’s leaflet A Householder’s Guide to Lawful Development Certificates.

Carrying out work without planning permission can result in enforcement action.

Further information

This advisory leaflet is intended to be a helpful and useful source of information and not binding on any party. The Council offers no guarantee or warranties concerning the accuracy of the information supplied.

For more information about the contents of this leaflet contact:

The Planning Department
St Albans City and District Council
St Peter’s Street, St Albans, Hertfordshire AL1 3JE
Telephone: 01727 819344 or 819345
Email: planning@stalbans.gov.uk
Website: www.stalbans.gov.uk

Produced by St Albans City and District Council
Revised October 2008. PH8(b)