



# Planning Information sheet 2

## (General Permitted Development Order 2008)

New regulations regarding permitted development rights for householders came into effect on 1<sup>st</sup> October 2008.

The regulations have relaxed the need for planning permission on certain householder developments, including extensions, loft conversions and garden buildings.

The new regulations are based on the '*original house*' i.e. the house as first built, if it is an older property, as it stood before 1<sup>st</sup> July 1948, .

The changes to permitted development allowances now permit a larger amount of household development to take place without the need to apply for planning permission. Strict controls still apply to extensions to Listed Buildings.

Under the new regulations, householders are now able to extend their property to the rear or side/s, based on measurements of the original dwelling house, proximity to the boundaries and location of any surrounding highways.

For example, a single-storey rear extension to a terraced house has a maximum depth of 3.0 metres and for a detached house the maximum depth is 4.0 metres. Previous allowances were based upon the volume of the original house.

As before, the development must also satisfy a number of other conditions, including the use of similar materials and obscure glazing on any upper-floor side-facing windows. It is also now possible to build a two storey extension at the rear, subject to various measurement restrictions, without needing planning permission.

The new permitted development rights also allow new driveways/parking areas over 5m<sup>2</sup> to be constructed without planning permission if constructed with permeable surfacing. This amendment aims to reduce surface water run-off and help to alleviate the risk of flooding.

Permitted development rights are restricted on Listed Buildings and on properties on 'designated land' i.e. Conservation Areas, Areas of Outstanding Natural Beauty and National Parks. As with the original restrictions local authorities have retained the power to withdraw permitted development rights via Article 4 Direction.

In all cases it is worth checking for any possible restrictions on your proposed development.

An additional perhaps unforeseen by-product of the amendments will be to increase the permissible size of replacement dwellings in rural areas. Property owners or their advisers should be able to argue that it is reasonable for local authorities to allow a replacement dwelling of a comparable size to the existing dwelling PLUS allowable extensions taking advantage of the GPDO amendments.

Please bear in mind that as with all regulation amendments, that they are open to a certain amount of interpretation.

It is anticipated that a common understanding of the new permitted development rights definitions will need to be defined by appeal inspectors and/or the courts. Home owners are advised to seek professional advice early to avoid costly problems further down the line.

Planning regulations and Law is a very complex subject and the exact position can only be established on a case by case basis. Anybody who is not sure whether these rights are relevant to their case and who wants to establish how these rights should be interpreted in their case can consult their Local Authority, Citizens Advice Bureaux, seek advice from a Solicitor or Planning Consultant. Rural Log Cabins Limited offer a full range of planning and legal assistance as detailed on our website. Please E-Mail for further details or call us to discuss the matter using the contact details at the bottom of the page.

**The full list of amendments can be found on the Office of Public Sector Information website via the link below.**

[http://www.opsi.gov.uk/si/si2008/pdf/uksi\\_20082362\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20082362_en.pdf)

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