Department for
Communities and
Local Government

LARGER HOME EXTENSIONS: NEIGHBOUR CONSULTATION SCHEME

On 9 May 2013, secondary legislation was laid before Parliament which will increase the size of single-storey rear extensions which can be built under permitted development, and will bring into force the associated neighbour consultation scheme. This draft guidance is issued to provide initial information on how the scheme will work. The Householder Permitted Development: Technical Guidance will be fully updated once the secondary legislation has been approved by Parliament and has come into force.

For a period of three years, between 30 May 2013 and 30 May 2016[1], householders will be able to build larger single-storey rear extensions under permitted development. The size limits will double from 4 metres to 8 metres for detached houses, and from 3 metres to 6 metres for all other houses. These new larger extensions (i.e. if they extend between 4 and 8 metres, or between 3 and 6 metres) must go through the following process[2].

1. A homeowner wishing to build a larger single-storey rear extension must notify the local planning authority and provide:
    a. a written description of the proposal which includes the length that the extension extends beyond the rear wall of the original house, the height at the eaves and the height at the highest point of the extension;
    b. a plan of the site, showing the proposed development
    c. the addresses of any adjoining properties, including at the rear
    d. a contact address for the developer and an email address if the developer is happy to receive correspondence by email.

    There is no fee in connection with this process.

2. The local authority may ask for further information if it needs it to make a decision about the impact of the development on the amenity of adjoining properties.

3. The local authority will serve a notice on adjoining owners or occupiers, i.e. those who share a boundary, including to the rear. This will give the address of the proposed development and describe it, including the information in 1(a) above. It will also set out:

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[1] See paragraph A.1(ea) of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as inserted by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, available at legislation.gov.uk.

[2] See paragraph A.4 of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as inserted by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, available at legislation.gov.uk.

   a. when the application was received, and when the 42-day determination period ends
   b. how long neighbours have to make objections (which must be a minimum of 21 days), and the date by which these must be received

   A copy of this notice must also be sent to the developer.

4. If any adjoining neighbour raises an objection within the 21-day period, the local authority will take this into account and make a decision about whether the impact on the amenity of all adjoining properties is acceptable. No other issues will be considered.

5. The development can go ahead if the local authority notifies the developer in writing either:
   a. that as no objections were received from adjoining neighbours it has not been necessary to consider the impact on amenity, or
   b. that following consideration, it has decided that the effect on the amenity of adjoining properties is acceptable.

6. If the local authority does not notify the developer of its decision within the 42-day determination period, the development may go ahead.

7. If approval is refused, the developer may appeal.

8. The extension must be built in accordance with the details approved by the local authority (or, if no objections were raised or the local authority has not notified the developer of its decision, the details submitted), unless the local authority agrees any changes in writing.

9. The development must accord with all other relevant limitations and conditions which apply to other rear extensions allowed under permitted development. These are set out in Class A, and include for example, the requirement that the extension must be constructed using materials of a similar appearance to those used in the construction of the rest of the house.

10. To benefit from these permitted development rights, the extension must be completed on or before 30 May 2016. The developer must notify the local authority in writing of the date of completion.