



Samuel Sheldon Ltd

Back Lapstone Road
Millom
Cumbria
LA18 4BZ

01229 772295

PLANNING PERMISSION & BUILDING REGULATIONS

When Are They Required?

Now, as much as we would all like to do whatever we want to our properties we are bound by Planning Laws & Building Regulations. Problems caused by these, unfortunately, are part and parcel of any major building work.

The vast majority of people have had little, if any, experience with these rules and regulations so you may feel very daunted and put off by the whole thing. There's no need to be though, as we are here to guide you through filling in forms, dealing with officials, dotting i's and crossing t's. Don't be tempted to just go ahead and do whatever you're planning on doing without seeking permission – it just isn't worth it in the long run, we promise you.

First of all, it's best to start with identifying what your requirements are for your particular project.

For instance, does your project need Building Control Approval or Planning Permission?

This is an important question, as depending on the scale of the project you have in mind it may need planning permission from your local council. It may also need full Building Control Approval - if it does, this can usually either be a Full Plan Submission or a relatively simple building notice.

There is a myriad of new regulations coming into force at the moment which are making things more complicated. For instance, did you know that you can no longer just re-roof your house or renew your windows? Also, depending on the nature of your project, you will have to take into consideration new disabled access regulations which mean you could end up having to put in a disabled toilet or an access ramp - neither of which are small or particularly cheap items.

You will need to ascertain first of all whether the project you have in mind will require you to get planning permission.

Unless you live in certain areas, such as national parks and conservation areas, when developing an existing house you will have what are called 'permitted development rights'. These allow you to make certain changes to the property without needing planning permission; they are, however, rather limited.

Should you wish to extend a house, for instance, you will need to apply for planning permission if:

- The extension is higher than the highest part of the roof of the original house
- Any part of the extension is more than 4 metres high and within 2 metres of the boundary of the property.

OK, that sounds good doesn't it? Well, it's not quite as simple as that!

If the extension will increase the volume of the property by more than 15% or 70 cubic metres, whichever is the greater, (10% or 50 cubic metres for terraced properties), then you will need planning consent; if the extension measures more than 115 cubic metres you will need planning consent regardless of the increase in volume.

Still following us? Well, good, because there are various stipulations on this.

- The 'Original House' is defined as all buildings which were built at the same time as the house or existed on 1 July 1948.
- If the extension you are planning to build comes within 5 metres of another building that belongs to your house such as a detached garage then the volume of that building counts **against** the allowance for additions and extensions.
- Any building which has been added to your property that is more than 10 cubic metres in volume and within 5 metres of the house counts against future allowances.
- If the building is in a conservation area, national park or area of outstanding natural beauty then additional buildings are limited in size to 10 cubic metres.

Confusing isn't it?

The reality of it all is that unless the extension that you have is pitifully small in size then you will probably need planning permission to be able to build what you want.

We find that the best way forward in these matters is to contact your local planning officer (you can find their name at your local council office) and have a chat with them about your project. Produce some sketches for them to have a look at – you don't have to be that good at drawing to do it, but, if you're really not confident, look into getting an architect to do this for you.

Once the planning officer has had a chance to look at the sketches, they may wish to meet at the property to discuss the proposed works. They may write to you explaining why your project can't be done, and perhaps suggest a way to get it off the ground.

We find it best to telephone the planning officer, send them some sketches of the project we have in mind, and then arrange to meet them at the property to discuss the project and work through ways of getting the design through the Full Planning Permission process.

This is usually the most cost effective route to go down as it saves on having to get detailed architects drawings when the project is only in the embryonic stage. It's a real waste of money if you spend a lot of money on plans only to have your project aborted at the planning stage.

This tactic also has a more important role – by involving the planning officer in the project from the concept stage, your project is far more likely to be approved when it is submitted.

It always helps to understand how your local planning board works. I'm sure you're all aware that local councillors sit on the planning board and vote on whether to give your project planning permission. What you may not know is that the planning officer will recommend to this panel as to whether the project is passed or not. It is very rare for the panel to vote against the planning officer, which, when you consider that most councillors have no experience in construction or planning regulations, is hardly surprising.