

# Planning Permission Guidelines

## Class E

**This provides permitted development rights within the area surrounding a house ('the curtilage') for *any building or enclosure required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.***

Class E sets out the rules on permitted development for buildings etc within the area of land surrounding a house.. Buildings should not be attached to the house and should be built for purposes incidental to the enjoyment of the house. But the rules also allow, subject to the conditions and limitations below, a large range of other buildings on land surrounding a house. Examples could include common buildings such as garden sheds, other storage buildings, garages, and garden decking as long as they can be properly be described as having a purpose incidental to the enjoyment of the house. A purpose incidental to a dwelling house would not, however, cover normal residential uses, such as separate self-contained accommodation nor the use of an outbuilding for primary living accommodation such as a bedroom, bathroom, or kitchen.

**Under Class E, the following limits and conditions apply:**

***E.1 Development is not permitted by Class E if:***

***(a) the total area of ground covered by buildings and enclosures 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)***

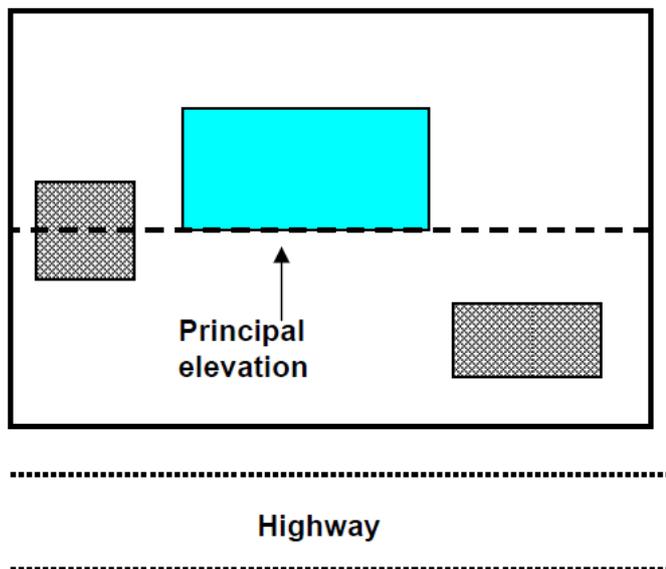
The total area of ground around the house covered by buildings and enclosures must not exceed 50% of the total area of land around the original house. The 50% figure must also take account of any extensions to the original house under Class A of the permitted development rules or any extension to the original house that has been granted planning permission. The 50% limit excludes the area covered by the house as originally built but does include any separate detached buildings built prior to 1948 (e.g. a detached garage).

***(b) any part of the building or enclosure would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse***

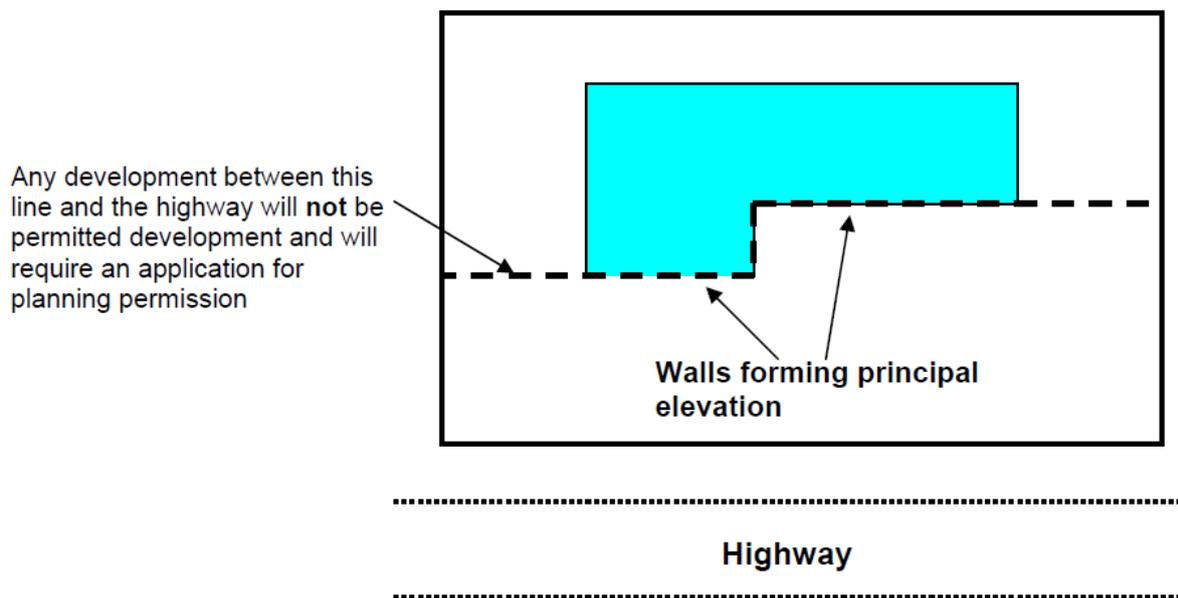
The guidance on Class A permitted developments - section (d) - describes what will be the principal elevation of a house.

'Forward of a wall forming the principal elevation' means that development is not permitted under Class E in any area in front of the principal elevation of a house. It also prevents permitted development anywhere in front of a hypothetical line drawn through the principal elevation to the side boundary of the land surrounding the house. For example:

-  Original house
-  These developments would **not** be permitted development under Class E
-  Any development between this line and the highway will require an application for planning permission
-  Boundary of property



Where the principal elevation comprises more than one wall facing in the same direction, all such walls will form part of the principal elevation and the line for determining what constitutes 'extends beyond a wall' will follow these walls:



**(c) the building would have more than one storey**

Any buildings within the curtilage can only have one storey. Buildings with more than one storey are **not** permitted development and will require an application for planning permission.

**(d) the height of the building or enclosure would exceed:**

**(i) four metres in the case of a building with a dual-pitched roof**

**(ii) 2.5 metres in the case of a building or enclosure or within two metres of the boundary of the curtilage of the dwellinghouse or**

**(iii) three metres in any other case**

The height of the building or enclosure should be measured from the ground level immediately adjacent to the building or enclosure to its highest point.

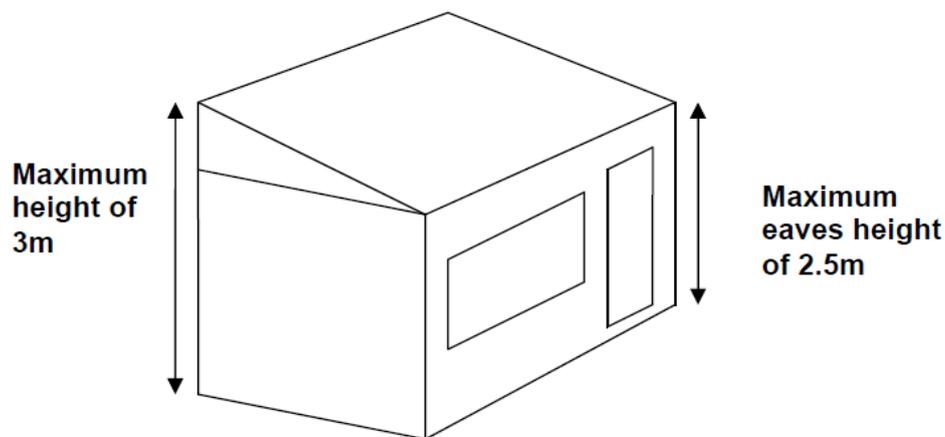
The height limit on a 'dual-pitched roof' of four metres should also be applied to buildings that have 'hipped' roofs (slopes on all four sides)

If **any** part of the building or enclosure is within two metres of the boundary of the area around then house, then the height limit for the **whole** development is restricted to 2.5 metres if it is to be permitted development.

**(e) the height of the eaves of the building would exceed 2.5 metres**

The eaves of a building will be the point where the lowest point of a roof slope, or a flat roof, meets the outside wall of the building. The Guidance on Class A above includes examples and further guidance.

Under Class E the maximum height of the eaves on any part of the building (irrespective of total height) is 2.5 metres. For example, on a building with a single-pitched roof, the 2.5 metres eaves limit and three metres maximum height limit would be as shown below:



**(f) the building or enclosure would be situated within the curtilage of a listed building**

An application for planning permission will be required for any building or enclosure that would be situated on land surrounding a listed building.

**(g) it would include the construction or provision of a veranda, balcony or raised platform**

Verandas, balconies and raised platforms are not permitted development under Class E.

A raised platform is defined as any platform that has a height of more than 300mm. Garden decking will therefore be permitted development under Class E subject to it

not exceeding this 300mm height limit and subject to the other limits and conditions under this Class.

***(h) it relates to a dwelling or a microwave antenna***

Class E covers buildings that are for a purpose incidental to a dwelling. Class E does not provide permitted development rights for works related to a house (e.g. extensions to a house) which are covered by other Classes of the rules on permitted development. Permitted development rights for microwave antenna are covered under Class H of the rules.

***E.2 In the case of any land within the curtilage of the dwellinghouse which is within:***

***(a) a World Heritage Site***

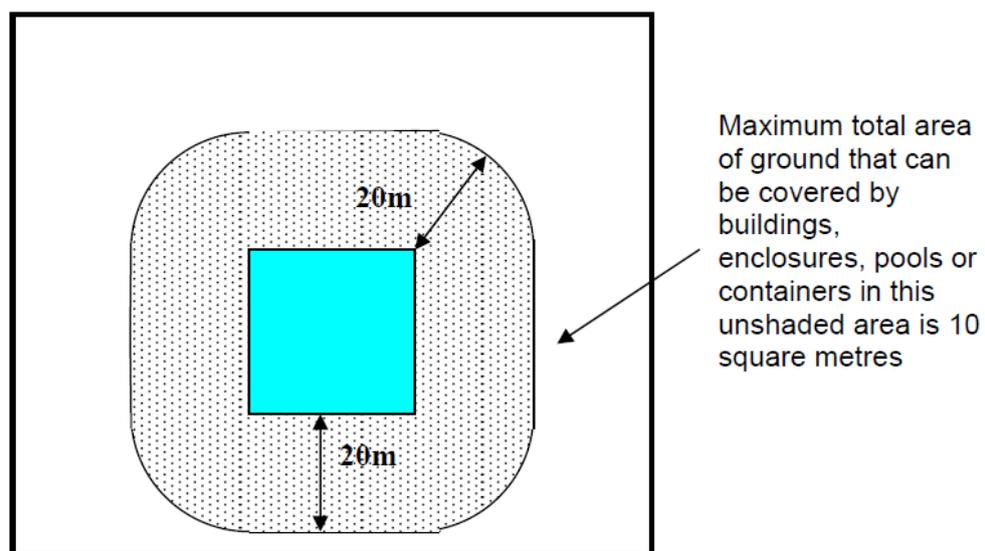
***(b) a National Park***

***(c) an area of outstanding natural beauty or***

***(d) the Broads***

***development is not permitted by Class E if the total area of ground covered by buildings or enclosures situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres***

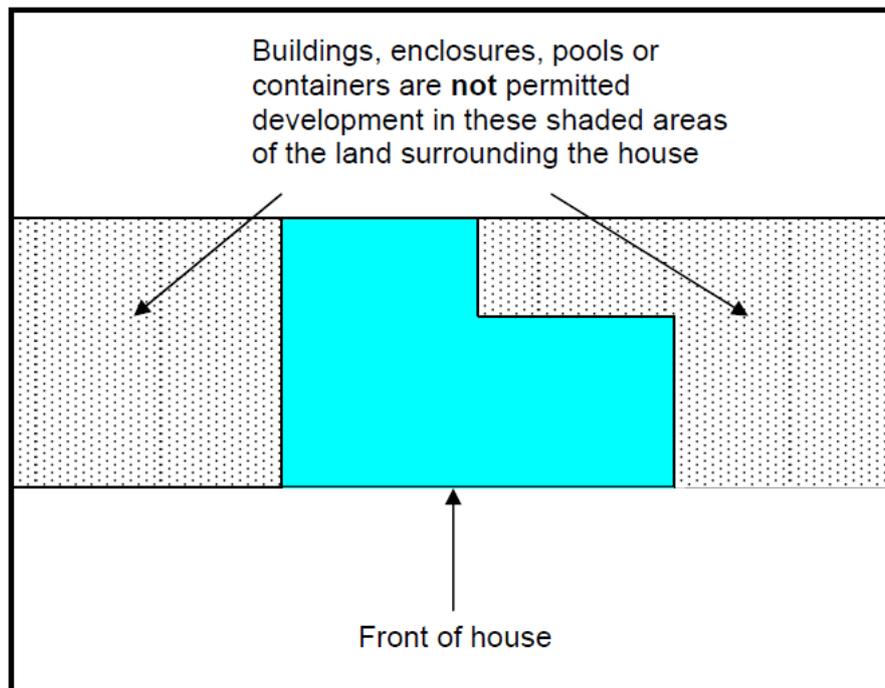
The effect of this limitation is to restrict the amount of permitted development for buildings or enclosures located more than 20 metres away from any wall of the house. The total area of ground which may be covered by buildings etc more than 20 metres from any wall of a house is 10 square metres.



***E.3 In the case of any land within the curtilage of the dwellinghouse which is article 1(5) land, development is not permitted by Class E if any part of the building or enclosure would be situated on land between a wall forming a side***

***elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse***

This additional restriction applies for land surrounding a house in National Parks, the Broads, areas of outstanding natural beauty, conservation areas, and within World Heritage Sites. In these areas, buildings or enclosures sited on land between a side wall and the boundary of the land surrounding the house are not permitted development:



**Interpretation of Class E**

***E.4 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***