

# The Architect's Column

Nick Belderbos, Chartered RIBA Architect and Director of Heswall based [architects-direct.com](http://architects-direct.com), answers your questions and offers advice.

## Does my extension need Planning Permission?

Planning permission for Householder extensions generally falls into one of three categories:

### Permitted Development

Permitted Development is work that can be carried out to a house without the need for Planning Approval. This includes a wide variety of extension types providing the works are within the certain parameters. [www.planningportal.co.uk](http://www.planningportal.co.uk) contains guides to the types of work that can be carried out.

If you feel that the extension you propose does not require Planning Approval, we would always recommend obtaining official confirmation from the Local Authority prior to commencing. Do not assume that because your builder tells you Planning Permission is not required that this is the case. There are occasions where Permitted Development rights have been removed from properties or the extension may not comply with all the conditions.

Wirral Council accept Permitted Development Enquiries in the form of a Pre-Planning Enquiry. Other Authorities may require a Certificate of Lawful Development Application.

### Prior Approval Applications

In May 2013 the Government announced changes that were marketed as allowing larger extensions within permitted development. At that point works had to be completed by May 2016. This deadline was then extended to May 2019. Extensions of this kind require a Prior Approval Application.

Under a Prior Approval Application:

- Single storey rear extensions to detached houses can be built up to **8** meters from the rear wall of the original house.
- Single storey rear extensions to semi-detached and terraced houses can be built up to **6** meters from the rear wall of the original house.

This is a form of Permitted Development however the following process of consultation will be necessary:

1) The Homeowner must notify the Local Planning Authority providing information on the proposals, a site plan and the addresses of adjoining properties.

2) If necessary, the Local Authority will ask for additional information to review the impact of the development on the amenity of adjoining neighbours. This takes the form of drawings as traditionally submitted for Planning Applications.

3) Notice will be served by the Local Authority on the adjoining owners in a similar way to a Planning Application.

Neighbours will be advised when the 42 day determination period will end. (This is not significantly different to the 8 week determination period for a Full Application)

Neighbours will have 21 days to raise an objection. (The same as a Full Application)

4) Objections from neighbours will be considered by the local authority in relation to any impact on amenity.

5) The Local Authority will then notify the homeowner that there have either been no objections, or it has decided that the effect on amenity of adjoining owners is acceptable and the works can proceed. This is effectively granting approval.

6) If the Local Authority has not notified the developer within the 42 day determination period then the development can go ahead.

7) If the Local Authority refuses to approve the works, the developer can appeal. (Similar to a Full Application process)

If the proposed works are approved, they must be built in accordance with the approved details or any changes must be agreed in writing.

The works must comply with all other requirements relating to permitted development for rear extensions.

It should be noted that works must be completed on or before **30 May 2019** and the Local Authority must be notified of the completion date. We have consulted Wirral Planning Department and they have advised that they have not been made aware of a revision to this date. We have also contacted the Planning Portal and were advised that consideration is being given to making the revised extension sizes permanent. No decision will be made until January which will give homeowners little time to react. It should therefore be assumed at this stage that the above date stands.

### Householder Planning Applications

For all works that do not fall into either Permitted Development or Prior Approval Applications a Planning Application must be submitted.

### Confusion

The introduction of the Prior Approval System has done little to help either applicants or the Local Authority Planning Department. Prior Approval Applications are free to submit but go through much the same process as an actual Planning Application. This results in, the already stretched, Local Authority Planning Departments carrying out additional work for no fee.

The Prior Approval guidelines and the Wirral Local Authority Planning Policies are also not consistent with each other. For example, Prior Approval may allow a single storey extension to be built 6m on the party boundary of a semi-detached property however if part of the proposal requires a Planning Application to be submitted then the current Planning Policy dictates that the single storey element on the party boundary can only be 3m. In order to navigate this complication Wirral Planning Officers have previously advised that the application should be submitted in two Parts:

1. A Prior Approval Application for the single storey extension on the party boundary.
2. A Full Homeowner Application for the elements that are not Permitted Development.

This system results in the Planning Officers dealing with two forms of application where one could be enough.

Add to this the fact that one planning officer may interpret the policy differently to another and that policies between authorities can also vary, the system becomes very complicated.

We would always recommend appointing a professional and obtaining Local Authority Approval in writing for any proposed works.

For more advice contact:

[nick@architects-direct.com](mailto:nick@architects-direct.com) or phone 0151 342 5455