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## Planning Permission & Building Regulations for Garden Studios, Garden Offices, Garden Rooms, Garden Buildings, Outdoor Kitchens and Granny Annexes



Garden Structures Planning will definitely be required to do this!

Here is all the information needed to answer the question - Do I need planning permission for my Garden Building project and what about Building Regulations?

This document applies to all types of Garden Rooms and outbuildings from Garden Sheds to a Granny Annex. Prepared and updated regularly by

Richard Grace (updated 14/05/2012) (Prior to any known effects of the localism act which has just reached the statute books). This new act pledges "reform to make the planning system more democratic and more effective"). Our current government seems to want planning to be easier as part of their economic development strategy. It seems to me that slow planning is a result of fewer applications in recent years! I guess we can say this is human nature at work.

## **This page concentrates on planning and building regulations for detached back garden buildings of any type including garden studios for living.**

Welcome - I guess it's no surprise that this is our most visited web page. If you are considering building something a bit more than a shed in your garden you will want to know more about this subject. Over my ten years in this business I must have been involved in answering most of your questions throughout every part of the UK. In the last 12 months there have been 7238 visitors here. *You are not alone!*

## **Free Plans Granny Annexes and Garden Accommodation Buildings**

Recently there has been an upturn in searches and enquiries about accommodation buildings in particular Granny flats. I have prepared three example plans for buildings of 30sqm or less which provide full accommodation facilities at project cost between £25,000 and £42,000 (depending on spec). If you would like to receive these plans - send me an email at [richard@aarco.co.uk](mailto:richard@aarco.co.uk) Please state format required editable excel or pdf.

# Buildings from Sheds to Annexes for leisure, work or accommodation

This document is designed to help you interpret the planning rules governing developments in and around your garden. To see the government paper and mini-guide without our comments + other sources please follow the links in the side bar.

You are welcome to email with any questions regarding planning or building regulations direct to [richard@aarco.co.uk](mailto:richard@aarco.co.uk) or call me on 01244 679502

To read about running a business from home in a garden building - legislation, taxation change of use etc. see the Running-a-Business-at-Home link.

Many people spend more than 15 minutes reading this page if you would like it in pdf format (just this column) please email [richard@aarco.co.uk](mailto:richard@aarco.co.uk).

## About the permitted development rules 2008 (planning)

Planning rules remain ambiguous and subject to local interpretation particularly in relation to size, eaves height and proximity to your boundary. If you have any questions or need help call email us for advice. For buildings up to 30 sq. m size planning permission is not normally required.

In some cases it is better to apply for permission or obtain a letter of conformity - rather than take a risk or accept a design simply to comply with an interpretation of the "permitted development" rules. If you wish to make a planning application or seek a letter of conformity we are able to assist. The process has been made somewhat easier as most authorities accept on-line applications through the planning portal which does work well (and recently passed more than 1 million applications). "Well done guys this has saved an enormous amount of paper" in their words:

- *"if stacked up would be more than four times higher than the world's tallest building, the Burj Khalifa in Dubai, or the same height as seven Empire State Buildings with Canary Wharf on top"*

We are registered and experienced users of the planning portal and can confirm it works well.

By far the most important planning issue remains - "how your project will effect your neighbours".

**Here are the 2008 rules and how they apply currently to building in your garden - my comments in blue are regularly updated**

## **How to use this section**

The blue statements are written by Richard Grace our Project Director, qualified by communications with planners nationwide. Further qualified by written communication with the government researcher appointed by Christine Russel (MP for Chester before the last election).

**The current planning guidelines relating to Garden Buildings issued by central government are shown in green italics**

## **General advice on planning and Building**

### **Regulations**

Nearly everyone is concerned about planning issues. We are in a good position to advise (having discussed these issues in relation to more than 1500 garden building projects throughout the uk with both clients and planners).

We cannot take responsibility for any dispute that may arise. If in doubt you should check with your local planning authority and seek a letter of compliance for your project. In any case we would advise against going ahead without planning permission if your project was either in flagrant contravention of the rules or clearly detrimental to your neighbours enjoyment of their property. The retrospective route will still be open but can be quite stressful.

### **The rules with our comments:**

#### **Very Important:**

Planning permission and Building Regulation compliance are separate issues dealt with by different departments. Planning covers positioning and design. Building regulations cover safety. See list in Building Regulations section below:.

**Government Statement - Rules governing outbuildings apply to sheds, greenhouses and garages as well as other ancillary garden buildings such as swimming pools, ponds, sauna**

**cabins, kennels, enclosures (including tennis courts) and many other kinds of structure for a purpose incidental to the enjoyment of the dwelling house.**

We are interpreting this to include Garden Offices, Garden Studios, Garden Rooms Leisure Buildings etc. etc. Our thoughts on the reason for the official statement not being so specific are that the government is leaving space in the general guidelines for local interpretation.

**Government Statement - Other rules relate to the installation of a satellite dish, the erection of a new dwelling or the erection or provision of fuel storage tanks.**

This seems to be clear you cannot erect a new dwelling in your garden without planning permission This certainly prevents the division of your property and the sale of part of it with dwelling house rights without full planning permission. We do know that Granny annexes and lodges (sleepover buildings) are treated in a different way by planners.

**Government Statement - Under new regulations that came into effect on 1st October 2008 outbuildings are considered to be permitted development, not needing planning permission, subject to the following limits and conditions: No outbuilding on land forward of a wall forming the principal elevation.**

This is quite clear, if you take into account these guidelines you can build in your side or back garden without applying for planning permission. However you cannot build in your front garden without planning consent. The definition in the guidelines here could be expanded to mean closer to the highway at the front of your property. Reason The local authority may need to change the highway. Further to this interpretation our advice is that you should always take into account the effect on your immediate neighbours of any development.

**Government Statement - Outbuildings and garages to be single storey with maximum eaves height of 2.5 metres and maximum overall height of four metres with a dual pitched roof or three metres for any other roof.**

This is very confusing but here is our attempt to make sense of it. You cannot build a two storey garden building without planning permission. In the case of a conventional gabled roof the eaves height should not be higher than 2.5m. The planning portal makes it clear that the eaves height and final roof height are different by the thickness of the roof e.g. it is ok to start the "barge boards" at 2.5m and reasonably go over this to the total height say 2.7m. A hipped roof can have different pitches on the ends and sides but the eaves should not exceed 2.5m. The highest part of the roof should not exceed 4 metres in any case. A flat/sloping roof building cannot exceed 2.5 metres in height at the eaves. see mini-guide page 7.

In a sloping garden the maximum height measurements are measured from the highest point of the land on which the building stands. We have met situations where local

planners interpret this in a different manner however our written communications with government confirm our interpretation to be correct.

**Government Statement - Maximum height of 2.5 metres in the case of a building, enclosure or container within two metres of a boundary of the curtilage of the dwelling house.**

Confusion now cleared up with new explanation on portal see (mini-guide link below) (examine point 8) There should be no building rising higher than 2.5m closer than 2 metres to the boundary. Planning permission will be necessary, however where a taller building closer than 2 metres seems reasonable to neighbouring properties there should be no reason for refusal. There are many sites where it is better to apply for permissions now if you see this as a problem then contact us for advice. email to Richard or call us on 01244 679502

**Government Statement - No verandas, balconies or raised platforms.**

Seems clear and makes sense in relation to balconies and raised platforms. The building should not include balconies or raised platforms because in many cases neighbours privacy would be threatened by such structures. Where neighbour privacy would not be threatened then we see no reason why planning permission or letter of consent should not be given but it would be best to check. With regard to verandas the word of course can be used to describe a balcony or raised platform it certainly does not mean you cannot have a roof over a seating area at ground level.

**Government Statement - No more than half the area of land around the "original house" would be covered by additions or other buildings.**

Very clear and makes sense. Taking into account all of the land except the footprint of the house you cannot cover more than 50% with outbuildings. We have come across situations where this applies but only in very small gardens.

**Government Statement - To be permitted development, any new building must not itself be separate, self contained, living accommodation and must not have a microwave antenna.**

Very clear regarding the microwave antenna and makes sense. Regarding self contained living accommodation not so clear. Our interpretation is that this is to prevent properties being used in a way which would allow the bending of taxation rules. We are asked on many occasions if it is ok to build an outbuilding in the garden where our son, daughter or other family member can live. From a technical standpoint the answer is yes of course. It would not however be fair on existing neighbours to exploit this by building multiple structures taking the property beyond the use "family dwelling" for which planning permission was granted in the first instance. So our view is that common sense must prevail until this becomes clearer.

**Government Statement - In National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites the maximum area to be covered by buildings, enclosures, containers and pools more than 20 metres from house to be limited to 10 square metres.**

Very clear and makes sense. You can't put up large structures using permitted development rights in these designated areas if they are more than 20 metres from the house.

**Government Statement - On designated land\* buildings, enclosures, containers and pools at the side of properties will require planning permission.**

Very clear and makes sense. You can't put up structures using permitted development rights at the side of your property in these designated areas.

**Government Statement - Within the curtilage of listed buildings any outbuilding will require planning permission.**

Totally clear if you live in a listed building then you have no permitted development rights

**Government Statement - \*The term "original house" means the house as it was first built or as it stood on 1 July 1948 (if it was built before that date). Although you may not have built an extension to the house, a previous owner may have done so.**

**\*Designated land includes national parks and the Broads, Areas of Outstanding Natural Beauty, conservation areas and World Heritage Sites.**

This means that in a conservation area you have no permitted development rights. Please note: the permitted development allowances described here apply to houses not flats, maisonettes or other buildings.

This seems to be clear.

## Building Regulations for Garden Buildings

As previously stated Building Regulations are **totally separate** from Planning issues however when considering Garden Buildings the following Building regulations need to be taken into account. (Key \* = sometimes, \*\* always)

- Part A Structure \*
- Part B Fire Safety \*
- Part C Site preparation and resistance to moisture
- Part D Toxic substances
- Part E Resistance to the passage of sound \*
- Part F Ventilation
- Part G Hygiene \*
- Part H Drainage and waste disposal \*
- Part J Combustion appliances and fuel storage systems \*
- Part K Protection from falling, collision and impact, opening and cleaning
- Part L Conservation of fuel and power\*

- Part M Access to and use of buildings \*
- Part N Glazing
- Part P Electrical safety \*\*

Here are my comments on the most important issues relating to Garden Buildings and Structures: (Same format as planning section)

**Government Statement (this statement has changed recently) - If you want to put up small detached buildings such as a garden shed or summerhouse in your garden, building regulations will not normally apply if the floor area of the building is less than 15 square metres.**

**If the floor area of the building is between 15 square metres and 30 square metres, you will not normally be required to apply for building regulations approval providing that the building, contains NO sleeping accommodation and is either at least one metre from any boundary or it is constructed of substantially non-combustible materials.**

Still not that clear but here goes: This is almost certainly a volume related statement and brings into play two things:

1. The Building Regulations in relation to the spread of fire "which dates back to the fire of London in 1666". i.e. more volume = more risk involving spread of fire to neighbouring properties. For example you may wish to conserve garden space by building close to your boundary, your neighbour may also do the same in which case there would not be a sufficient gap between the two buildings. The statement is not that clear but does make sense in that if the building footprint is more than 15 square metres then the building which has significant volume (over 15 square metres) must be at least one metre from your boundary. Or - you must be able to demonstrate it is constructed of substantially non-combustible materials.

IMPORTANT:

This is not a planning issue as we are already aware (see above) the planning restriction in relation to boundary proximity is that the height of the structure if nearer than two metres to the boundary is restricted to 2.5 metres roof height - presumably to ensure there will not be neighbour issues about restricting light.

2. The regulations exemption table see: [Exemption Table](#) seems to be aiming towards energy conservation in that buildings over 15 sqm but not more than 30 sq. m could require energy saving measures (Part L) if the building is intended for regular use. This seems to take some account of the fact that many Garden Buildings are used as a Studio or office / place of work. In most of these cases it makes sense to provide energy saving insulation.

Regarding the statement "**contains NO sleeping accommodation**": This is just about as clear as mud! here is my interpretation:



It is now clear and is the subject of Housing Minister Grant Shapps so called "Beds in Sheds" review that the Government don't want householders to rent out sheds as accommodation. (Announced on the Planning Portal 3/05/2012). This seems perfectly understandable.

If the building has a bedroom then it must be safe to protect against fire and anything which is life threatening for people whilst asleep (this is simply common sense). No legislation of any type exists to stop anyone sleeping in your garden, in a tent or even in your garage or shed.

However it does make sense to ensure that any regularly used accommodation building is safe for people whilst asleep. So my view is that is particularly bad wording - there is no such thing as a clear definition of what is sleeping accommodation. I have researched this and neither are there any rules laws or guidelines regarding where a human being may fall asleep. Except of course driving, piloting a plane, ship etc. etc. Let common sense prevail. We have noticed an increase in enquiries for outbuildings with sleeping accommodation driven by economics - I guess this is no surprise! Call me direct for more info.;

Throughout this document I have stressed and re-stated the importance of not upsetting neighbours. Martin Goodall a specialist-planning lawyer has written an interesting article this subject. He talks about the current statements regarding the use of outbuildings as a legal anomaly.

You can read his contribution here [Legal anomaly over the use of outbuildings](#) (the eleventh commandment)

## Other Important Issues about safety

Outside of this specific statement there are some very important issues to consider regarding garden buildings and building regulations in general:

1. Any electrical system in a garden or garden building should comply with building regulations Part P and must be installed by a competent / qualified person. see my blog post at [Garden Office and Studio Electrical Safety article](#)
2. Any plumbing (toilets kitchenettes showers etc.) should be correctly installed so as to operate hygienically in relation to waste disposal. see my blog post at [Garden Studio and Office Plumbing article](#)
3. Any Gas appliance must be installed by a competent / qualified person
4. Any wood burning stove, fire or heater installation must comply with building regulations and must be installed by a competent person

## Local knowledge

We have built Garden Buildings, Garden Offices, Garden Studios, Garden, Rooms and Garden Accommodation Buildings all over the UK. Here is a list so-far by nearest large town:

Bedfordshire, Luton Berkshire Reading, Bracknel, Maidenhead, Newbury, Wokingham, Buckinghamshire Aylesbury, High Wycombe Cambridgeshire Cambridge, Wisbech, Cheshire Chester x 9, Stockport, Sale, Ellesmere Port, Birkenhead, Wallasey, Runcorn, Macclesfield, Crewe Cornwall None yet Cumberland Penrith, Keswick Derbyshire Derby, Chesterfield, Buxton, Ashbourne Devon Barnstaple Dorset not yet Durham not yet Essex Chelmsford x 2, Basildon, and 5 times in Buckurst Hill Gloucestershire Gloucester, Bristol, Cheltenham Hampshire Winchester Hertfordshire Watford, St. Albans x3, Hemel Hempstead, Stevenage, Huntingdonshire St. Ives, St. Neots, Kent Maidstone, Canterbury, Bromley, Greenwich Merseyside Liverpool, Lancashire Southport X 3 Manchester, Preston, Bolton, Warrington Leicestershire Leicester, Lincolnshire Lincoln, Grimsby, Louth Middlesex, London, x 11, Enfield x3, Staines, Ealing Norfolk Norwich, Cromer, Hunstanton Northamptonshire Northampton, Kettering, Wellingborough Northumberland None yet Nottinghamshire Mansfield, Worksop, Newark, Oxfordshire Oxford, Banbury, Witney, Henley-on-Thames, Thame Rutland one in the sticks Shropshire Shrewsbury, Somerset Bath, Staffordshire Stafford, Stoke-on-Trent, Suffolk Ipswich, Bury St. Edmunds Surrey Guildford x 6 Croydon, Woking, Sutton, Kingston-on-Thames, Wandsworth, Wimbledon x4 Sussex Crawley, Warwickshire Warwick, Birmingham, Coventry, Rugby, Stratford-upon-Avon Westmorland Windermere, Wiltshire Devizes Worcestershire Evesham Yorkshire Beverley, Halifax, Harrogate, York North Wales x 8, Wrexham Scotland x 1, South Wales x 4, Cardif. Pembroke

Planning permission for Garden Studios, Garden Offices and Insulated Garden Buildings - webmasters are free to link. If you would like to know how this page got to the top on Google see [www.calfpath.co.uk](http://www.calfpath.co.uk)

Planning Permission and Permitted Development written By Richard Grace  
Project Director Garden Structures Ltd Bracken House CH4 6LB Tel 01244 679502 email [admin@aarco.co.uk](mailto:admin@aarco.co.uk) for this document in pdf or doc format  
*webmasters free to link - please use text (Garden Building Planning and Building Regulations)*

**Garden Offices | Garden Studios| Granny Annexe|  
Garden Structures | Outbuildings | Outdoor  
Kitchens | Planning Permission & Building  
Regulations for Garden Rooms**

email [richard@aarco.co.uk](mailto:richard@aarco.co.uk) for text document in .pdf format

If you found this page useful +1 it by clicking the icon below - Thanks Richard



Planning permission additional links:

- [Running a business from home](#)
- [Government planning permission outbuilding rules website](#)
- [Permitted Development](#)
- [Article on the trend towards working at home](#)
- [The Government Planning Portal](#)
- [\*\*Blog Article about "The Garden Studio and Office Market in the UK"\*\*](#)
- [Government mini-guide to planning permission](#)

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- [Lake District Log Cabin on Stilts](#)



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- [Wirral Gymnasium and Store](#)



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