

VERTICAL EXTENSIONS TO CREATE NEW FLATS ABOVE EXISTING BUILDINGS IN USE AS DWELLINGHOUSES, COMMERCIAL USES OR MIXED USES (1-2 STOREYS) UPDATED JANUARY 2021

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Class AC and Class AD of Part 20 of Schedule 2 of the GPDO will allow for the construction of vertical extensions (1-2 storeys) to create new flats on existing buildings (terraced, semi-detached or detached) in use as dwellinghouse.

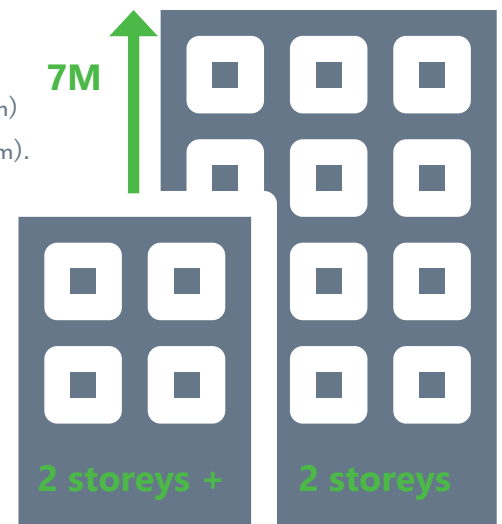
- Class AC relates to new dwellinghouses on terrace buildings in use as dwellinghouses
- Class AD relates to new dwellinghouses on detached buildings in use as dwellinghouses

Permitted Development Rights consisting of works for the construction of up to two additional storeys of new dwelling houses immediately above a detached or terrace building in use as a single dwellinghouse (Use Class C3), and any necessary engineering operations required for construction, works to create safe access (including fire escape, external doors or staircases) and construction of storage, waste or ancillary facilities.

In order to be eligible for this permitted development, the site must meet the following criteria:

Restrictions applicable to both Class AC (Terraced or Semi-detached) and Class AD (Detached):

- For existing single storey buildings, only 1 additional storey can be added (no more than 3.5m)
- For existing buildings of 2+ storeys, up to 2 additional storeys can be added (no more than 7m).
- Building must have been built between 1 July 1948 and 5 March 2018
- Not applicable if on 05 March 2018, the building was not in use as:
 - Use falling into Use Class C3
 - Use falling into A1, A2, A3, B1a, betting office, pay day loan shop, laundrette
 - Mixture of these uses
- Must be constructed on the principal part of the building
- New dwelling houses created must be flats
- No exterior visible structural supports once works have been completed
- The internal floor to ceiling height cannot exceed the lower of:
 - 3m; or
 - The existing floor to ceiling height measured internally or any storey of the principal part of the existing dwelling
- Not applicable on sites that are:
 - Article 2(3) Land
 - Site of Special Scientific Interest
 - Conservation Areas, Listed Buildings or land within their curtilage
 - Scheduled Monument of land within its curtilage
 - Safety Hazard Area
 - Military Explosives Storage Area
 - Land within 3km of the perimeter of an aerodrome
- PD not applicable if the original building has been allowed an additional storey previously (either under Permitted Development Rights or via Planning Permission)
- Extension cannot result in the highest part of the building exceeding a total height of 18m
- All new units will be required to comply with the nationally described space standards (from 6th April 2021)



Restrictions applicable to Class AC (Terraced / Semi-detached Buildings) only:

- Extension cannot result in the highest part of the roof of the extended building exceeding the height of the highest part of the roof of every other building in the row of terrace buildings of which it forms part by more than 3.5 metres



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If the site and proposal meets the above parameters and criteria, a Prior Approval application can be submitted to the Local Planning Authority to authorise the proposal. The Council will take the following matters into consideration in order to access the impact of the development:

- Traffic and highways impacts
- Amenity of Neighbours (privacy, overlooking and loss of light)
- Air traffic and defence asset impacts
- Contamination risks in relation to the building
- Flooding risks
- External appearance
 - Design & architecture (principal elevation & side elevation if fronting highway)
 - Works to facilitate site access (fire escape, external doors and stairs)
 - Works to facilitate storage, waste or any other ancillary facilities
- Natural light to habitable rooms of new dwellings
- Noise impacts from any commercial premises (within the application building, or within the surrounding area) on the proposed dwellings
- impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area
- Impact on Protected Views or Protected Vistas

If approved, the development will be subject to conditions such as the development must be completed within 3 years from the date of the permission, a construction management plan must be submitted to the LPA, materials must be similar in appearance to those used on the exterior of the existing building, roof pitch of the principal part of the building must be the same as on the existing building, and no windows are allowed on side facing walls or roof slopes.

The Local Planning Authority has 8 weeks to determine the application, after which there is the right to appeal against the non-determination of the application.

Nexus Planning would be pleased to assess buildings within your existing or prospective portfolio to establish whether the new Permitted Development Right may apply. If you would like to discuss the opportunity these new rights afford further, then please do not hesitate to contact us.

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