

# Development within the curtilage of a dwelling-house

## 10. The erection of an extension to a dwelling-house

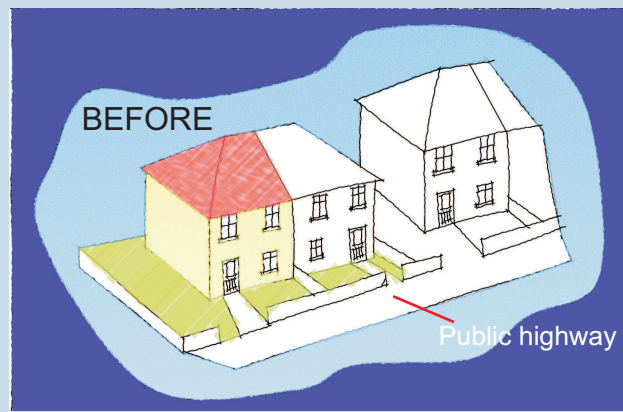
*The erection of an extension to a dwelling-house provided that-*

- ( a) no part of the extension extends forward of any elevation of that dwelling-house that faces a highway,*
- ( b) where the dwelling-house is within a conservation area or is substantially constructed before 1900, the extension does not have a flat roof and is located on an elevation of the house that is not visible from a highway,*
- ( c) where the dwelling-house is not within a conservation area, is not substantially constructed before 1900 and the extension has a flat roof, the extension is located on an elevation of the property that is not visible from a highway,*
- ( d) where the extension does not have a flat roof, the roof is a lean to or a double-pitched roof with, in both cases, a pitch of not less than 22 and a half degrees,*
- ( e) the floor area of the extension does not exceed 20 square metres,*
- ( f) the height of any elevation of the extension, where it meets the eaves of the roof of that extension, does not exceed 3 metres and height of the roof of the extension, measured to the apex of that roof where that roof is pitched, does not exceed 4 metres,*
- ( g) where any part of the extension is within 1 metre of any boundary with a neighbouring property, the height of that part does not exceed 2 metres,*
- ( h) glazing is not included within any elevation which is located within 1 metre of a boundary with a neighbouring property,*
- ( i) the extension is attached to the external walls of the dwelling-house as it was originally constructed,*
- ( j) the walls, other than glazed areas, are constructed of the same material as the predominant material used in the construction of the walls of the dwelling-house,*
- ( k) the roof, other than glazed areas, is covered in a material to match the predominant material used in the existing roof of the dwelling-house,*
- ( l) any opening designed to admit a motor vehicle is set back at least at least 5 metres from a highway accessible from that opening,*
- ( m) the dwelling-house including the extension to be erected is not within a site of special significance.*

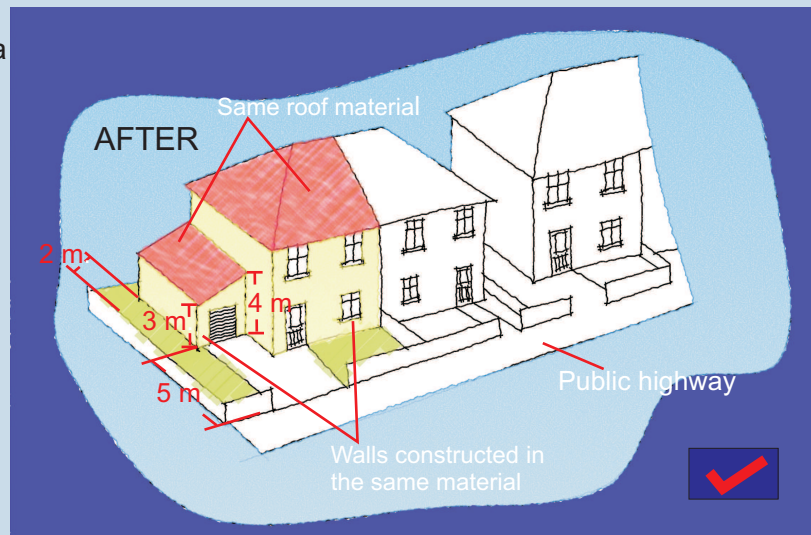
**This exemption does not apply to a Protected Monument or Protected Building**

THIS WORK MAY BE EXEMPT FROM THE BUILDING REGULATIONS

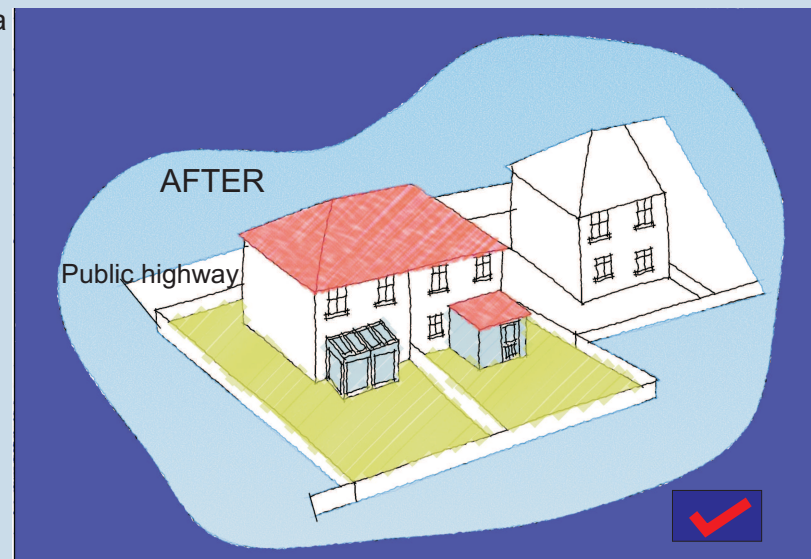
# Examples



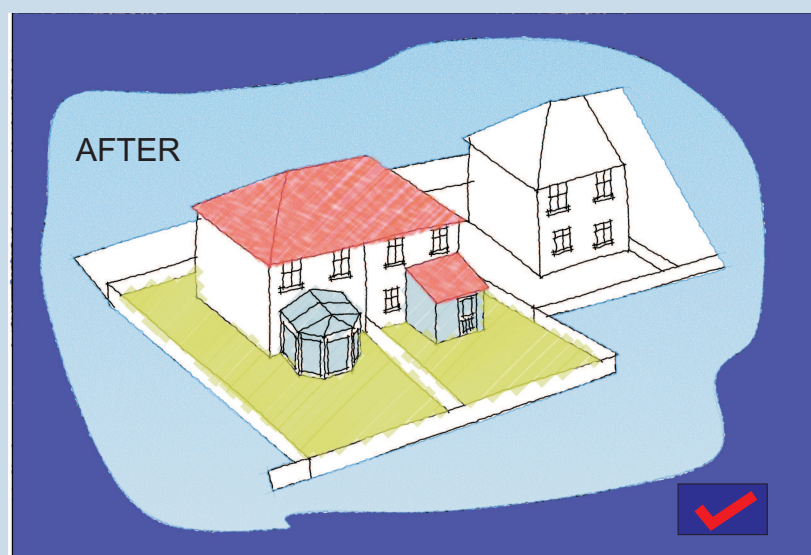
Outside a conservation area



Outside a conservation area



Within a conservation area



**In order to determine whether your proposal is exempt from the requirement to apply for planning permission you must ensure that it meets all the criteria above and:**

All exemptions are subject to a number of important general provisos, which are summarised as follows:

- The development must be within your domestic curtilage. This is usually, but not always, your garden area.
- There is a limit on the total area of exempt development which can be permitted within the curtilage of a dwelling-house. No more than 50% of the curtilage, excluding the ground floor of the dwelling as originally constructed, may be covered.
- Exemptions do not apply to protected monuments and buildings unless the contrary is specifically stated in the exemption.
- All of the conditions of the exemption must be satisfied for the exemption to apply.
- These exemptions do not apply to the building regulations.

In addition, there may be conditions of previous permissions that affect exemptions, for example, where planning permission for a group of houses was granted subject to a condition removing exemption rights for walls, sheds etc. If you suspect your property may be affected by such a condition, you should check your own property records and/or request the Department to check its records.

Useful Definitions:

**“dwelling house”** does not include-

- (a) a flat or maisonette or a building containing one or more flats or maisonettes, or
- (b) any building which was originally constructed, adapted for use or is used, as self-contained self catering holiday accommodation,

**“highway”** means any-

- (a) vehicular or pedestrian road, street, lane or clo, track or path, however named, used by the public, and
- (b) any private vehicular road, street, lane or clos, however named

Source: The Land Planning & Development (exemptions) Ordinance, 2007

*This note is issued by the Department to assist understanding of the provisions of the new planning legislation. It represents the Department's interpretation of certain provisions of the legislation and is not intended to be exhaustive or a substitute for the full text of the legislation copies of which are available from the Greffe. Electronic copies are also available at [www.guernseylegalresources.gg](http://www.guernseylegalresources.gg) Substantive queries concerning the legislation should be addressed to the Department by telephone on 717200. The Department does not accept any liability for loss or expense arising out of the provision of, or reliance on, any advice given. You are recommended to seek advice from an independent professional advisor where appropriate.*