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## DO I NEED PLANNING PERMISSION FOR AN EXTENSION ABOVE MY BUILDING (detached building in commercial or mixed use)?

This form will be useful if you plan to build an extension *above* a detached building in commercial or mixed use to create new dwellinghouses and want to know if it will be permitted development. The table below asks a series of questions. If you answer 'yes' on **any** one of them then a full planning application will be required for the extension. If you answer 'no' to **all** the questions, then an application for Prior Approval must be submitted and approved before you can start work. Details of what should be submitted for both application types can be found on our [validation checklist](#).

You can submit an application and calculate the fee for a Planning Application or a Prior Approval application using the [Planning Portal](#).

If your property is listed, then Listed Building Consent will be required before any works can commence. You can also check whether your property is a [listed building](#) or in a [conservation area](#).

**A separate permission under Building Regulations may be required and you should obtain the appropriate consent before carrying out the work. Please call Building Control ph: 01892 602005 for further information.**

Remember to carry out [self-certification forms](#) for dormer windows and porches (Classes B, C, D and F) as what you propose may be permitted under those allowances. A guide to permitted development can be found at [Permitted development rights for householders](#), which provides useful definitions and explanations such as how to measure eaves height.

Town and Country Planning (General Permitted Development) Order 2015 (as amended) Sch2  
Part 20

### **Class AA – Upward Extensions above Detached Building in Commercial or Mixed Use**

Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building to which sub-paragraph (2) applies, together with any or all—

Sub-paragraph (1)

- (a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;
- (b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;
- (c) works for the construction of appropriate and safe access to and egress from the new dwellinghouses and existing premises in the building, including means of escape from fire, via additional external doors or external staircases;
- (d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

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Sub-paragraph (2)

This permitted development applies to a building which is—

(a) used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the Use Classes Order, or as a betting office, pay day loan shop or launderette;

(b) in a mixed use combining—

(i) two or more uses within paragraph (a); or

(ii) a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, together with one or more uses within paragraph (a).

*To determine whether permission is required for your proposal please answer the following:-*

**ABOUT YOUR BUILDING**

		YES	NO
1	Is the building less than three storeys in height, above ground level?		
2	Was the building was constructed before 1st July 1948 or after 5th March 2018?  <b>You can check the <a href="#">planning history</a> of your property to find out if this applies to your building.</b>		
3	On 5th March 2018 the building was in a use other than— (i) a use or mixed use within sub-paragraph (2)(a) or (b) (see above); or (ii) a use falling within Class C3 of the Schedule to the Use Classes Order?		
4	Is your building located in a <a href="#">conservation area, an area of outstanding natural beauty or a site of special scientific interest</a> ?		
5	Is your building a <a href="#">listed building</a> ? Does land within the boundary of your building form part of the curtilage of a listed building?		
6	Does your building form part of: (iv) <a href="#">a scheduled monument</a> or land within its curtilage; (v) a safety hazard area; (vi) a military explosives storage area; or (vii) land within 3 kilometres of the perimeter of an aerodrome.		

**ABOUT YOUR EXTENSION?**

7	Would the additional storeys be above a building which is not the principal part of the building?		
8	Would the floor to ceiling height of any additional storey, measured internally, be more than either:- (i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing building;		
9	Would the new dwellinghouses within your extension not be flats?		
10	Would the height of the highest part of the roof of the extended building be		

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	greater than the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case)?		
<b>11</b>	Including the extension, will the height of the highest part of the roof of the extended building (not including plant) be greater than 30 metres?		
<b>12</b>	Would the building as extended include the provision of visible support structures on or attached to the outside of the building upon completion of the development?		
<b>13</b>	Would you need to carry out any engineering operations outside the curtilage (boundary) of the building to: (i) strengthen existing walls; (ii) strengthen existing foundations; or (iii) install or replace water, drainage, electricity, gas or other services;		
<b>14</b>	Would the building as extended result in the installation of plant on the roof where none existed before?		
<b>15</b>	Would the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building?		
<b>16</b>	In respect of sub-paragraph 1(c) works (see above), would these extend beyond the curtilage (boundary) of the existing building?		
<b>17</b>	In respect of sub-paragraph 1(d) works (see above), would these:- (i) extend beyond the curtilage of the existing building; (ii) be situated on land forward of a wall forming the principal elevation of the existing building; or (iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building?		

**CONDITIONS**

The following conditions **must be complied with** for all development within **Class AA–Upward extension above a detached building in use commercial or mixed use.**

<b>A</b>	The extension must be completed within a period of 3 years starting with the date Prior Approval is granted;
<b>B</b>	You must apply for and be granted Prior Approval before development commences
<b>C</b>	Before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.
<b>D</b>	The developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion. The notification must be in writing and must include— (a) the name of the developer; (b) the address or location of the development; and (c) the date of completion

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<b>E</b>	Following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.
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This fact sheet provides advice on extensions to dwellings. If your proposal relates to other types of work to your property then you may need to look at other [self-certification forms](#).

**Disclaimer:** The information and advice contained within this form is **NOT** a formal determination under **s192 of the Town and Country Planning Act 1990**. If you wish to obtain such a legal determination you must apply for a '**Prior Approval**' for which the relevant application forms are available to download [here](#) where you can also make an online application through the **Planning Portal**.