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## DO I NEED PLANNING PERMISSION FOR AN EXTENSION ABOVE MY PROPERTY (Terrace in commercial or mixed use)?

This form will be useful if you plan to build an extension *above* a terraced 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 AB – Upward Extensions above Terrace in commercial or mixed use**

Development consisting of works for the construction of new dwellinghouses immediately above the topmost storey on a terrace building to which sub-paragraph (2) applies, where that development comprises—

- (a) up to two additional storeys, in the case of an existing building consisting of two or more storeys;
- (b) one additional storey, in the case of an existing building consisting of one storey, together with any development under sub-paragraph (3).

Sub-paragraph 2:

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;

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- (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).

Sub-paragraph 3:

Development consisting of any or all:

(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, 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.

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

**ABOUT YOUR BUILDING**

		YES	NO
1	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>		
2	On 5th March 2018, was your building in a use other than— (i) a use or mixed use within sub paragraph 2 (see above) or (ii) a use falling within Class C3 of the Schedule to the Use Classes Order?		
3	Is your house located in a <a href="#">conservation area, an area of outstanding natural beauty or a site of special scientific interest</a> ?		
4	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?		
5	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.		
6	Has your building already been enlarged by the addition of one or more storeys above the original building?		

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<b>ABOUT YOUR EXTENSION?</b>		
<b>7</b>	Would the additional storeys be above a building which is not the principal part of the building?	
<b>8</b>	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;	
<b>9</b>	Would the new dwellinghouses within your extension not be flats?	
<b>10</b>	Including the extension, will the height of the highest part of the roof (not including plant) of the extended building be greater than 18 metres?	
<b>11</b>	Would the height of the highest part of its roof (not including plant), including the extension, be more than 3.5 metres above the height of the highest part of the roof (not including plant) of every other building in the terrace?	
<b>12</b>	Including the extension, will the height of the highest part of the roof (not including plant) of the building be greater than the height of the highest part of the roof (not including plant) of the existing building by more than— (i) 3.5 metres, where the existing building consists of one storey; or (ii) 7 metres, where the existing building consists of more than one storey?	
<b>13</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>14</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>15</b>	Would the proposal require a plant, where there is none on the existing building?	
<b>16</b>	Would the height of any plant on the roof of the new building be greater than any plant on the old building, as measured from the lowest surface of that roof?	
<b>17</b>	In respect of sub-paragraph 3(c) works (see above), would these extend beyond the curtilage (boundary) of the existing building?	
<b>18</b>	In respect of sub-paragraph 3(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 AB–Upward**

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<b>extension above a Terrace in commercial or mixed use</b>	
<b>A</b>	You must apply for and be granted Prior Approval before development commences
<b>B</b>	The extension must be completed within a period of 3 years starting with the date Prior Approval is granted;
<b>C</b>	The development must not include a window in any wall or roof slope forming a side elevation of the dwelling house.
<b>D</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>E</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.
<b>F</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.
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 <a href="#">self-certification forms</a> .	

**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**.