

Do I need planning permission to make changes to my garden?

May 2022

With summer just around the corner, many people plan to make changes to their gardens. Some changes might be extensive, including decking, a garden office, fences or a total landscaping overhaul. While you generally won't need permission to plant your favourite flowers, more extensive projects may require planning permission.

In this article, we look at different garden projects and whether you might need to think about getting permission before going ahead.

What is Permitted Development?

The law allows you to carry out certain types of home and garden work under [Permitted Development](#), which means that you will not be required to obtain planning permission. However, Permitted Development has rigorous requirements for each type of development, including height, size, whether there are neighbouring properties and whether you are near a main road.

Do I need planning permission to put up a wall or fence?

Under Permitted Development, you can build, improve, maintain or alter a fence, wall or other enclosure. However, the work must remain within the below limitations:

- the height of the wall or fence must not exceed 1 metre if it is adjacent to a highway;
- the height of any other wall, fence, gate or other enclosure must not exceed two metres;
- you cannot carry out such work under Permitted Development if you live in a listed building.

Do I need planning permission to build a shed, summerhouse, or garden office?

If you want to add a shed for storage, a garden office, or a summer house, you may be able to do so under permitted development. However, the total area of outbuildings must not exceed 50% of the total area of your garden space, i.e. 'curtilage'.

The 50% includes any extension your home may have but does not include areas covered by the main building.

If, however, you live within a [conservation area](#) or an area within the [National Parks](#) and [Broads](#) you should check the requirements with your [Local Authority](#).

If you live on an estate, you will also need to consider if there are any restrictions imposed by the Management Company or within the original title documents which require consent, together with any relevant fee. For example, there may be restrictions regarding what you can add, where and any size constraints.

Suppose you want to put up small detached buildings such as a garden shed, summerhouse or office in your garden. In that case, building regulations will not usually apply if the floor area of the building is less than 15 square metres and contains no sleeping accommodation.

Do I need planning permission for decking?

You do not need planning permission for garden decking, so long as you meet specific criteria. The main concern for many is that the decking platforms cannot be more than 30cm from the ground.

Do I need planning permission for landscaping?

Generally, garden design such as reurfing a lawn area, adding garden paving, or creating flower beds will not require planning permission.

We set the rules for walls, fences and other enclosures out above. You should, however, be mindful of pruning trees. Certain types of trees are protected under [Tree Preservation Orders](#), so you may wish to check with your Local Council before cutting down or significantly pruning a tree.

Contact Senior Conveyancing Assistant [Laura Thurlow](#) for more information today.

Laura Thurlow
020 3927 1123
Laura.Thurlow@riaabg.com
www.riaabarkergillette.com



Note: This article is not legal advice; it provides information of general interest about current legal issues.

