

# Development within the curtilage of a dwelling-house

## 14. Erection of freestanding garage or other outbuilding.

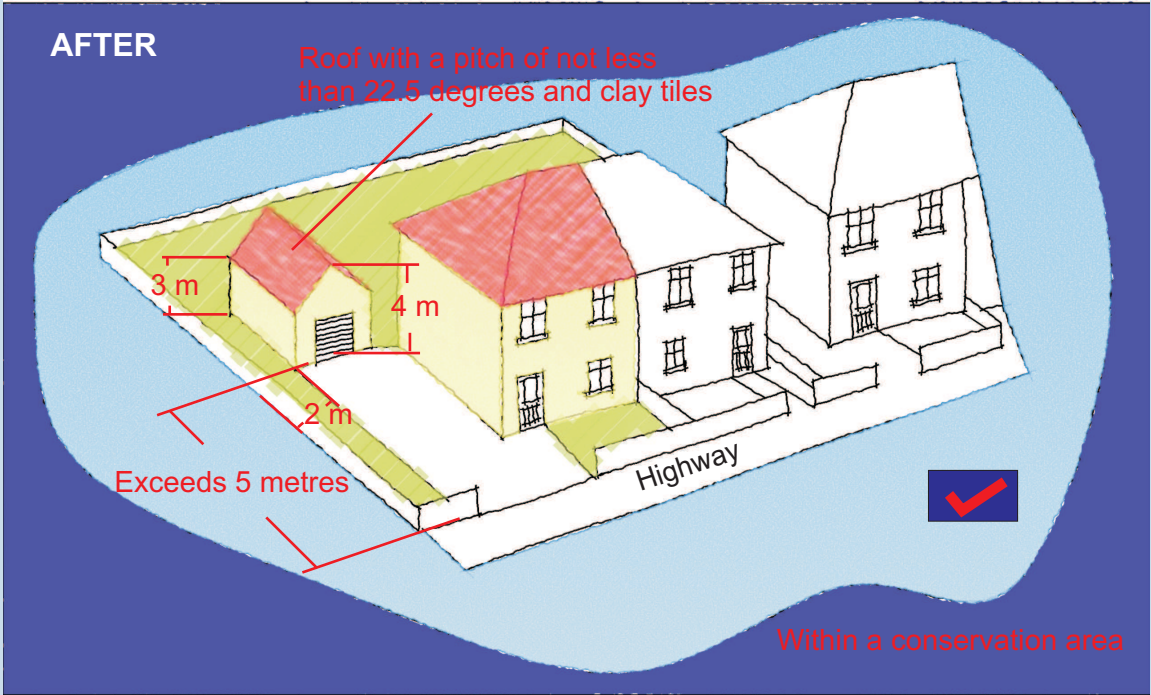
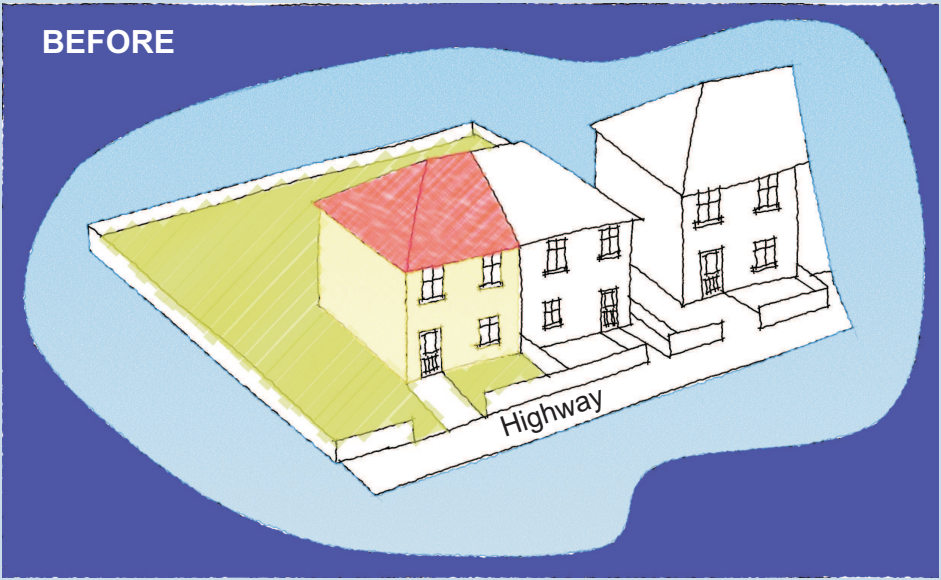
*The erection of a freestanding garage or other freestanding garage or other freestanding outbuilding (not falling within paragraphs 12 or 13) within the curtilage of a dwelling-house, to be used solely for the non-commercial purposes of that dwelling-house provided that-*

- ( a) no part of the garage or other outbuilding extends forward of any elevation of the dwelling-house that faces a highway,*
- ( b) where the garage or other outbuilding is within a conservation area the roof-*
  - (i) is pitched and has a pitch of not less than 22 and half degrees, and*
  - (ii) is of natural slate or clay tiles.*
- ( c) the height of any elevation of the garage or other outbuilding, where it meets the eaves of the roof of that garage or other outbuilding, does not exceed 3 metres and the height of the roof of the garage or other outbuilding, measured to the apex of that roof where that roof is pitched, does not exceed 4 metres,*
- ( d) where any part of the garage or other outbuilding is located within 1 metre of the boundary of a neighbouring property the height of that part does not exceed 2 metres,*
- ( e) the base area of the garage or other outbuilding does not exceed 20 square metres,*
- ( f) no part of the garage or other outbuilding is located more than 30 metres from the dwelling-house,*
- ( g) the walls of the garage or other outbuilding, other than glazed areas, are constructed of timber, natural stone or rendered blockwork,*
- ( h) any opening designed to admit a motor vehicle is set back at least 5 metres from a highway accessible from that opening,*
- ( i) there is only one such structure within the curtilage,*
- ( j) neither the dwelling-house nor the garage or other outbuilding is 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



**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 us to check our 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, clos, 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 Development & Planning Authority to assist understanding of the provisions of the planning legislation. It represents the Authority'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 Authority by telephone on 717200. The Authority 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.