



Planning and Development
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CHECKLIST

DO I NEED PLANNING PERMISSION FOR MY GARAGE/SHED GARDEN BUILDING?

If you answer **YES** to **ANY** of the following questions you **DO NEED PLANNING PERMISSION**

Tick answer

• Is your garage/shed/garden building for business use?	Yes	No
• Will your garage/shed/garden building be out with your curtilage (e.g. in a separate garage court)?	Yes	No
• Is your house a flat (e.g. in a tenement or “4-in-a-block” housing)?	Yes	No
• Is your house a “Listed Building” or is it in a “Conservation Area” and, if so, will the proposed building have a footprint of more than 4 square metres? * A list of Conservation areas can be found on our website at http://www.pkc.gov.uk/conservationareas ** A search of Listed Buildings can be carried out on Historic Scotland’s website at http://www.historic-scotland.gov.uk/historicandlistedbuildings	Yes	No
• Will any part of the development be within 1 metre of the boundary of the curtilage of the house and exceed 2.5 metres in height?	Yes	No
• Will any part of the building be higher than 4 metres (13ft 1ins)?	Yes	No
• Will the eaves height of the building be higher than 3m (9ft 9ins)?	Yes	No
• Will part of the development be forward of a wall forming part of the principal elevation or side elevation, where that elevation fronts a road?	Yes	No
• Will the area of ground covered by development within the front or rear (including side) curtilage of the house (excluding the original house and any hard surface or decking) would exceed 50% of the area of the front or rear curtilage respectively (again excluding the ground area of the original house and any hard surface or decking)?	Yes	No
• Have ‘ permitted development ’ rights been removed? You will need to check the original planning permission for the development. Permissions from 2007 onwards can be found on Public Access. Use the map search to find your plot. Please be aware that the map function on public access is not available when using tablets or mobile phones	Yes	No

*You can check the planning history of the property on PublicAccess via our website http://www.pkc.gov.uk/publicaccess . For help on how to search on public access please see our ' How to use Public Access ' guidance note.		
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If you have answered **NO** to **ALL** the questions above you should not require planning permission.

Definitions:

“**curtilage**” means the grounds associated with the house i.e. the garden area and hard surfaces. It does not include the area of the house as originally built, but does include any previous extensions, garages/sheds or other buildings built since 1947.

“**original house**” is defined as the house as it was in 1947 or, if built since then, as it was originally built.

“**principal elevation**” means the one elevation of the original house which, by virtue of its design and setting, is its main elevation. Where it is not immediately obvious, the principal elevation may be identified by considering a combination of factors including:

- Location of the main door
- Location and layout of the windows
- The internal layout of the house
- The physical relationship of the elevation to the adjacent road
- Boundary treatments and their screening function
- Orientation of adjacent properties
- Architectural treatment of the elevation in relation to the rest of the house

“**road**” is defined as including not only a publicly maintained road but also footpaths and private roads to which the public have access.

Notes:

1. This checklist is a summary interpretation of the relevant part of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended up to October 2011.
2. This checklist is not a “Certificate of Lawful Use or Development” under Section 150 or 151 of the Town and Country Planning (Scotland) Act 1997 as amended. The Certificate is a formal determination which provides a definitive position concerning the lawfulness of any existing (s.150) or proposed (s.151) use or operations under planning law. A fee is payable which is equivalent to half the relevant planning application fee where the development has not been carried out, and the full fee if it has. The forms and guidance notes can be assessed at <https://eplanning.scotland.gov.uk/WAM/paperforms.htm>
3. This checklist deals with Planning Permission only. You may require a Building Warrant for the works proposed.
4. If applicable, you will need Planning Permission to form a new vehicular access to a trunk or classified road.
5. If you want to obtain written confirmation whether planning consent is required for a development you intend to carry out, you will need to submit an application for a Certificate of Lawfulness as detailed above (2).