**Do You Need Planning Permission?**

 **The Provision of a Building within the Curtilage of a Flat Class 4B**

Town & Country Planning (General Permitted Development and Use Classes) (Scotland) Amendment Order 2020

**This guidance applies to flats only (including four in a block), houses are dealt with separately.**

If you answer **‘Yes’** to any of the questions below, planning permission would be required for the works you propose to carry out. We also have a definitions page which may help you with understanding some of the technical wording we have to use.

1. Would the building exceed 150cm in height?
2. Would the building exceed 120cm in depth?
3. Would the building exceed 250cm in width?
4. Would there be more than one building of this type within the curtilage of the flat?
5. Would the building obstruct clear sight of a road or footpath by the driver of a vehicle entering or leaving the curtilage of the flat?
6. Would it be within the grounds of a listed building?
7. Would it be on a World Heritage Site?
8. Would the building create an obstruction to light to another building?

‘Curtilage of a flat’ means land which pertains to that flat and only to that flat.

Works to a listed building will require Listed Building Consent in addition to any planning permission that may be required. It is a criminal offence to carry out works to a listed building without the relevant consent in place.

You should ensure you have any other relevant consents in place prior to starting work. This could include but is not limited to, building warrant consent and owner’s consent.

Notice

This self-assessment form is intended for guidance purposes only and is not binding in determining whether planning permission is required for a particular proposal. Completion of this form does not constitute a certificate of lawful development and cannot prejudice any decision that the Local Planning Authority may make on any subsequently submitted formal application or planning enforcement investigation.

The completion of the self-assessment form does not imply or signify the agreement of the Local Planning Authority to any statement given by the applicant. Whilst best endeavours are made to ensure the self-assessment form is kept accurate and up to date, this cannot be relied upon. Use of the self-assessment form is entirely at your own risk.

Should you require a legally binding determination of whether planning permission is required, you may submit an application for a lawful development certificate. Applications for a certificate of lawful development require a fee and have a target determination period of 8 weeks. Further information can be obtained from our website.