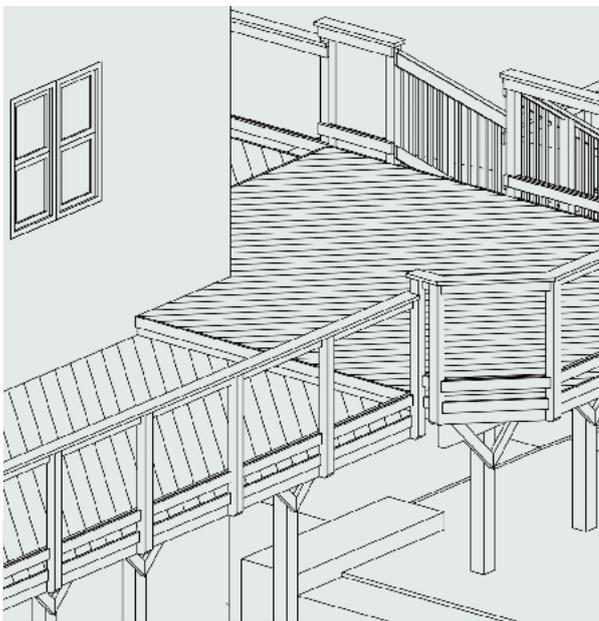


# Planning & Building Regulations consent for decks



## Scope of this bulletin

This bulletin provides guidance on the planning and building control requirements for outdoor deck structures to be built on **private houses**.

This bulletin is part of a series of publications produced by the TDCA aimed at promoting general good practices necessary for the construction of quality decks.

[www.tdca.org.uk](http://www.tdca.org.uk)

## PLANNING PERMISSION

All building work carried out in the UK requires government approval before it can commence. Parliament has delegated this responsibility in the main to the planning department of your local council. However, certain types of building work can be carried out without the need to apply for planning permission under what is called '**permitted development rights**' set by the Government.

Decks are considered permitted development, not requiring local council planning consent – however the rules do vary slightly depending on where you live in the UK.

[Table 1](#) shows the key permitted development rules for decks currently in place in England & Wales, Scotland and Northern Ireland.

## DESIGNATED AREA RESTRICTIONS

In some areas of the country, known generally as '**designated areas**', permitted development rights are more restricted. The local council planning department must always be contacted if the house where the deck is to be built is in any of the following:

- a Conservation Area
- a National Park
- an Area of Outstanding Natural Beauty
- a World Heritage Site
- the Norfolk or Suffolk Broads

## HOW TO AVOID PLANNING PROBLEMS

Serious consequences can result if the planning considerations are not observed. For example, the local council can issue an '**Enforcement Notice**' insisting that a structure be modified or dismantled and removed if it considers they should have been consulted or planning permission should have been obtained, but was not.

**Whilst it is possible to make a retrospective planning application, they are rarely successful.**

It is highly recommended that for all but simple low-level garden decks that comply with the permitted development rules set out in [Table 1](#), **homeowners should always contact their local council planning department to confirm if prior approval is required or not.**

Neighbours who may be affected by the deck and its use should also be consulted about the proposed structure. Bear in mind that **neighbour objections are the most usual reason for planning refusal or approval conditions** and the cause of mid-construction complaints that result in the intervention of the local council.

**Table 1: Permitted development rules in different areas of the UK**

**Decks do not require planning consent so long as they comply with the following rules in the different regions of the UK as set out below. If in doubt consult your local council planning department.**

England & Wales	Scotland	Northern Ireland
The deck platform is no more than 30cm above the ground at its highest point.	It's located at the <b>back of your house</b> .	The deck platform is no more than 30cm above the ground at its highest point.
Together with other extensions to the property and outbuildings like garages, the decking does not cover more than <b>50%</b> of the garden area.	The height of the floor level isn't any higher than <b>0.5 metres above ground level</b> .	The deck or raised platform is not in front of the <b>principal or side elevation</b> of the house that faces onto a road.
No part of the deck is on <b>land forward of the front wall</b> of the house.	The total height, including any attached structures or roof, isn't any higher than <b>2.5 metres above ground level</b> .	If you live in a house within a Conservation Area no part of the deck or raised platform is situated <b>between a wall forming the principal or side elevation and the property boundary</b> .
The deck is not situated within <b>20 metres</b> in line of sight of a highway.	If it's within the grounds of a listed building or within a conservation area, the footprint doesn't exceed <b>4 square metres</b> .	The total height, including any attached structures or roof, isn't any higher than <b>2.0 metres above ground level</b> .
The structure or its use would not affect the <b>amenity value or privacy of neighbouring properties</b> .	The structure or its use would not affect the <b>amenity value or privacy of neighbouring properties</b> .	The house is not a <b>'listed' building</b> .
The house is not a <b>'listed' building</b> .		

## LEGAL RESPONSIBILITY

**It is the legal responsibility of the homeowner(s) to ensure that local council planning requirements are considered and acted upon and that any conditions that may have been attached to an approval are complied with fully.**

## AGENTS MAY ACT ON YOUR BEHALF

Homeowners may appoint an **'agent'** to deal with the local council on their behalf.

A deck installation contractor is under no obligation to assume this role unless they choose to do so as a separate part of the service they are providing. Where an installation contractor agrees to undertake local council consultation on behalf of the customer, then an appropriate and clearly identified fee for this additional service should be included in the installers estimate.

**Whenever the householder decides to assign local council consultation to an agent the decision should be formally recorded.**

TDCA **DeckMark** approved deck design and installation contractors have a duty of care to explain the situations where prior planning approval is required and how to go about making an application.



This can be done by a letter from the homeowner to the agent or can be written into the contract agreement produced by the deck design and installation company and signed by both parties.

**Verbal agreements or mutual understandings are considered bad practice and must be avoided.**

## PLANNING TIMESCALES

The timescale for obtaining a planning consent decision varies from one council to another. Experience shows that the process can range from a few weeks to several months and this needs to be allowed for in the management of the project.

## PLANNING APPLICATION COSTS

Where planning approval is required, homeowners will also need to provide for the following as part of the submission:

- creation of a detailed architectural drawing of the deck; a specification of the materials to be used and their loadbearing capabilities and, a site plan showing the location of the deck in relation to the house and neighbouring property;
- the planning application fee.  
House owners can calculate the planning application fee using the [Government's Planning Portal online fee calculator](#)

## BUILDING REGULATIONS

Building Regulations are legal requirements aimed at ensuring adequate standards are followed in construction projects to make the finished job safe for people to use.

**Building Regulation apply to every deck where planning permission is required.**

Compliance with Building Regulations is the responsibility of **Building Control Officers**. These officers may be part of a local council building control department or an independent approved Building Control service provider.

A homeowner or an agent acting on their behalf can submit a building control application through their preferred building control service provider either online or by post.

**A separate building control application fee is payable and details will be provided by the chosen service provider.**

If an independent approved Building Control inspector is appointed they will notify the local council that they are undertaking the work. They will be looking for compliance with good construction practices and materials specifications.

## MORE INFORMATION

### England & Wales

To find out more about planning, building regulations and how to make an application take a look at the government's online **Planning portal for England and Wales**: [www.planningportal.co.uk/info/200130/common\\_projects/11/decking](http://www.planningportal.co.uk/info/200130/common_projects/11/decking)

### Scotland

Find out more about adding a deck to your house or garden in Scotland here: [www.mygov.scot/add-decking-house](http://www.mygov.scot/add-decking-house)

### Northern Ireland

Find out more about adding a deck to your house or garden in Northern Ireland here: [www.nidirect.gov.uk](http://www.nidirect.gov.uk)

### Deck design and construction

The TDCA website is packed with inspirational images, technical know-how and sources of quality assured materials and deck design and installation contractors - go to: [www.tdca.org.uk](http://www.tdca.org.uk)



Across all regions of the UK the benchmark for deck design and construction specifications is the TRADA/TDCA Timber Decking Manual and other TDCA technical publications.

The TDCA operates a quality assurance scheme called DeckMark. Participation in this scheme is a mandatory requirement for membership of the TDCA. The compliance of members with TDCA approved practices and standards is audited annually.

Using a TDCA Deckmark accredited contractor ensures that the compliance with building regulations is unlikely to pose a problem when the Building Control Inspector visits the site.

Where the deck structure is part of a new build home project then one major Building Control organisation, the NHBC, specifically requires all deck structures comply with TDCA good practice design and build standards – details of these specifications are available in Codes of Practice available from the TDCA website.

[www.tdca.org.uk/publications](http://www.tdca.org.uk/publications)



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The information contained in this publication is intended as guidance for homeowners interested in building an outdoor deck.

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