



**THE TINY  
HOUSING CO**

# PLANNING PERMISSION

HELP WITH YOUR  
PLANNING APPLICATION

# HOW CAN WE HELP?

HELLO beautiful Tiny House Troops!

We have rounded up the cavalry to help you storm through the doors of your local council to defeat your Planning Officer!

Using this guide, we've broken down the information into bite-sized pieces to reduce the headache and for your planning to get approved! And should you witness defeat, we'll also run through other methods of gaining planning that may include a little more hard work - but it'll be worth it!

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# METHODS OF LIVING TINY!

*Privately owned land purchased with a dwelling already on said land with a good-sized space for your tiny house.*

**Planning Route:** Permitted Development or Lawful Development Certificate

*Placing a tiny house in your family member's back garden.*

**Planning Route:** Permitted Development or Lawful Development Certificate

*Placing a tiny house on a farm or privately rented land.*

**Planning Route:** Permitted Development under Agricultural Worker's Rights for farmers to place up to 5 units on their land.

*Privately owned land is purchased without a dwelling on said land with enough space for your tiny house and more.*

**Planning Route:** Full Planning Permission & a change of use

*Privately owned land is purchased without a dwelling on said land with the plan to place a temporary building (a tiny house) onto the land for up to 5 years while you build a permanent building. Note: If you put in planning for a permanent self-build home, you are allowed to live on said land in a temporary building i.e a tiny home!*

**Planning Route:** Full Planning Permission



# METHODS OF LIVING TINY!

*Privately owned land is purchased without a dwelling on said land with the plan to set up a tourism / agricultural business to place a management building onto said land.*

**Planning Route:** Full Planning Permission

*Privately owned land is purchased without a dwelling on said land to arrange forestry work or to take care of animals allowing you to place a management building onto said land.*

**Planning Route:** Permitted Development rights OR Full Planning Permission

*Privately owned land is purchased without a dwelling on said land with the plan to place a permanent dwelling on site which is a large tiny house that meets minimum space standards for building regulations (such as our Endura + model.*

**Planning Route:** Full Planning Permission

*Privately owned land is purchased without a dwelling on said land with the plan to set up an exempted site which is a glamping/camping site with permission to place a management building onto said land.*

**Planning Route:** Exempted Site License (see exempted clubs)



# PLANNING PERMISSION FOR YOUR PRIVATE LAND WITH A DWELLING

## DO YOU NEED PLANNING PERMISSION?

The first hurdle is to understand if you require planning permission or not.

If you own the land, in most cases, you can place a movable structure within the curtilage of the property on said land without planning. This is due to permitted development laws such as being able to add a garage, a small annexe etc onto your land without a full planning application.

There are a few exemptions to this such as sizing issues - For example, if your garden is small and your new building will take up more than 50% of the space then it will likely not be allowed. Another reason is too much disruption to the community. Should you be building your own without qualifications, your build may be prolonged and noisy resulting in those pesky letters to inform you to abandon your build work.



# WHAT IS PERMITTED DEVELOPMENT?

It's a process that councils put in to avoid clogging up the planning system. Minor improvements such as converting a loft, modest extensions or small outbuilding (such as a garage/shed/cabin/tiny house) all fit within Permitted Development.

Scotland, Wales and Northern Ireland each benefit from their own version of these rules. The level of work that can be carried out under Permitted Development depends on a variety of factors including:

- Location (Areas of Natural Beauty and Conservation Areas have different rules)
- The extent of work already carried out on a property.

One thing to be wary of (under Permitted Development) is your new building shouldn't be used more than 30 days a year as a self-contained dwelling as this space is then considered additional living space and not ancillary to the main residence. Should you have nosey neighbours who will tell on you for staying in this space, then we would recommend you to apply for a **Lawful Development Certificate** to change the use as a dwelling rather than additional living space.



A **Lawful Development Certificate** confirms that your new building is lawful for planning control purposes. This reduces any chances of a complaint from someone in your local area.

It's easy to apply too! Simply go online and contact your local council via the [Planning Portal online application](#) service. The application requires sufficient information for the council to decide whether the application or else it may be refused. You will have to pay a fee.

We recommend providing the following details:

- The size and specs of the house (some councils will want to know what exterior finish is being used to ensure it fits with the area's 'look').
- An image as to where it will be positioned on your land.
- The reason for the addition stating if it is going to be used less than 30 days a year or if more or if it is an office, private space or elderly care space etc.

## **WHAT'S NEXT?**

Once your local council have your information, they will answer you with a straight yes or no with 90% being yes providing you gave them the above details. If it is declined, it could be due to the lack of information or if your home doesn't fit the space you have available (takes up more than 50% of your garden space). Other reasons could be the person who is dealing with your application (who may live in the area) and may choose to decline should it be an 'eye sore' for passers-by.



## WHAT ELSE SHOULD I KNOW?

If you want to place a new building onto land that isn't connected to the main dwelling (if a road or gate separates the areas) then this land isn't classed as 'within the curtilage' of your home. This means you'll need to jump through a few more hoops to gain planning. Check out the next chapter on Planning Permission without a dwelling.

Another reason for getting a Lawful Development Certificate is if you are renting out your tiny house as an Airbnb or holiday let. As your property is now let it changes its use from residential to commercial. Should you live in a small town with eyes on your property, you'll want to make sure you have this for the protection of yourself!

## WHAT IF IT'S DECLINED?

If your application is partly or wholly refused or is granted differently from what you asked for, or is not determined within the time limit of eight weeks, you can appeal. Appeals are made to the Planning Inspectorate.

Alternatively, you can find out what was approved and change the remaining features. For example, if your additional building overlooks neighbours, you could reduce the size of the build by choosing a smaller build or digging down to reduce its height.

Whatever the issue, if you work with your local council to answer their issues, you may be able to come to a mutual agreement to be granted a certificate that suits both parties.





# PLANNING PERMISSION FOR YOUR PRIVATE LAND WITH NO DWELLING

If your land doesn't include a dwelling then you'll have an extra bit of work to do. It's nothing that you can't handle (you got this!). But, you will need to apply for full **Planning Permission**. To start the application (in England And Wales) you can click [HERE](#) to directly visit the government website.

## **FEES AND EXPECTATIONS**

This application comes with a couple of differences depending on your land and what is required to place your home on said land.

The cost for the application of a new build in England and Wales was £462 (in 2021). Be aware though! You will find that as your application progresses that you may come across further fees depending on the nature of your application.

These fees could be;

- Ecological fees (£500)
- Planning Consultants (<£1000)
- Planning Fee (£462)
- Heritage (listed buildings nearby) or Landscape Impact (£500-1200)
- Drawings / CGI - £500

This is a brief list of some of the fees you may have to pay. If your development is small, then it's unlikely you'll have to pay any more fees.



## WHAT IS REQUIRED FROM YOU

In general, your application should include:

- several copies of your application
- the signed ownership certificate
- a site plan, block plan, elevations of both the existing and proposed sites,
- a Design and Access Statement
- the correct fee

-You may be asked for several copies of your application for different decision makers in different departments to see.

-A signed ownership certificate is required to confirm that you own the land. Documents to show other landowners or decision makers will also be required.

-A full design of your home with life-like images, floorplans, size, shape and even colour options for the exterior so they can see what it would look like from the road.

-A **Design and Access Statement** must be accompanied with your application if you are planning on major development. It is essentially a report justifying that the design is appropriate for the environment in which the development will reside and that sufficient access can be made to the property by potential users.

-Overall, the Design and Access Statement is to make sure that you have considerably thought about the impact of your development on the surrounding area. This also includes the effect on local people who may be disabled, young children and the older generation.



## **PLANNING PERMISSION CONDITIONS**

Planners grant permission subject to certain criteria that you need to meet within a certain time frame. This could be a length of time to complete the work, the condition that you will use the materials stated in the planning and that you remain within the boundaries stated. These conditions are extremely important. Failure to comply can result in what is called a breach of condition notice, to which there is no right of appeal — not to mention it could be enforced through the courts by the prosecution.

## **HOW LONG DOES THE APPLICATION TAKE?**

Once your application has been submitted, the planning department will check that all of the information it requires has been received together with the correct fee.

Local authorities will determine planning applications within 10 to 12 weeks of registration, and the majority of straightforward householder applications will be dealt with within this timeframe.



Further note, a sign is posted outside the address relating to the proposed development and any neighbours likely to be affected are written to and invited to view the plans and to comment. This is known as the public consultation process and it takes three to eight weeks.

The authority will make statutory consultations with the local Highways department, and where necessary the Environment Agency as well as others.

## **HOW ARE APPLICATIONS DECIDED?**

The local authority will base its decision on what is known as 'material considerations', which can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Impact on listed buildings and Conservation Area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled access
- Proposals in the development plan
- Previous planning decisions
- Nature conservation





## WHAT HAPPENS IF MY APPLICATION IS REFUSED?

Around 75% of applications are approved in England and Wales. If you are refused you can either amend the application already submitted to fit with the Local authority guidelines or make an appeal.

According to research, around 40% of appeals to the local planning inspectorate are later granted!

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## REASONS WHY YOU WON'T GET APPROVED

There are some key reasons which will prevent you from getting planning permission approved - from the get go. So you **MUST** make sure to check out these things before even beginning your application.



If the incorrect land has been purchased. As mentioned previously, If you have land that is considered too small for the size of building you require, then you may be declined. Another reason is agricultural land has been purchased. This land may be required by councils to remain as agricultural land for crop growing depending on the needs in the area.



Highways or road access is essential when going for planning permission. If you have no access (no road or entrance)- it's unlikely you'll get planning permission



Areas of greenbelt area or SSSI's (Sites of Special Scientific Interest) severely impact approval for your land. You can use this link [here](#) to find out if your land is situated on greenbelt land.



Flood risk areas are a no go unless you have designed a home to overcome flooding such as a floating home. You can use this link to find out if you are in a flood risk area [here](#) by entering your postcode.



# TOP TIPS TO HELP WITH PLANNING FOR A TINY HOUSE

We have noticed more and more of our customers choosing groundfloor modular homes over the classic tiny house style.

We believe this is down to the fear of rejection due to many planning officers who don't yet know what a tiny house is.

Should you want a classic tiny house style, the answer is simple - SPEAK TO THEM IN PLANNING TERMS.

Simply put, your tiny home is a **medium-sized temporary building or Caravan with a mezzanine floor / eco-friendly cabin with a mezzanine floor / sustainably built chalet**. To further help your application's approval, you can reduce its size (most are 4-4.2m tall) by taking your home off its trailer and placing it onto groundpads reducing the height to around 3.6m, not too dissimilar to the average park home. If you're using the 'caravan' planning route, ensure that the model you're using is within the 3.05m internal ceiling height rule. If you use the 'temporary building' route, then the head height rule does not impact this route.

Should you need help with describing any of our tiny houses for your planning application, do get in touch - [contact@thetinyhousing.co](mailto:contact@thetinyhousing.co)



# PLANNING EXEMPTION TO CONSIDER

## EXEMPTED SITE LICENSE

A potentially quick & simple way around to get around planning permission is to apply for an 'exempted site license'.

In brief, the 'exempted site license' allows you to open a campsite / glamping site with up to 5 'cabins / tiny houses' and 20 camping plots.

As this becomes a business, you usually are allowed to site a dwelling for the purpose of allowing an 'on-site manager' to live on the land'. This, is where you can initially place your tiny home on the land as the manager's building.



## HOW DO I GET A SITE LICENSE?

Contact Greenercamping to see if they can help you with arranging a license for your land. Do remember to state that the site will initially be used to house the 'manager's building' and then you'll begin allowing camping once you have set up facilities. Other 'clubs' like Greenercamping can also help you.

<https://www.greenercamping.org/start-a-campsite/>





# WHAT TO DO WHEN RENTING LAND FROM A PRIVATE OWNER?

Permitted development is the same on rented land and the beauty is that the owner will need to deal with this rather than yourself. Expect them to require the same information such as the size and shape of your build, what's in the build, the use of the build and if it is off-grid (some forward-thinking councils will like this!)

Since this planning is for your owner, here's some additional info to help you with renting from a farmer, landowner etc.

In the beginning, we imagine you've sent out 30+ emails to all private landowners and farmers within a 20 miles radius. If so, you're doing great!! Next thing you know, some bites at the chance of hosting you on their land and the dreaded question is asked.. "Can you give me more details".

## Here's What They Need to Know

- The first thing you'll want to make them aware of is the size and shape of your home and any additional space you are asking for. For example if you only need a small garden then you could ask for a 10m x 10m space.
- Once you have agreed on the space and size, you will need to know what utilities are available including access to water.



- The rent. You'll need to have an honest discussion as to what you can afford and for how long. Some will be happy for you to stay for years, others may say a year or two.
- As we've mentioned utilities, should they be onsite, it could be worth discussing how much they would charge you should you connect to their supply.
- They may also want to know more about yourselves, what your ages are, jobs and general hobbies are. If you're going to be having wild parties on the weekend or if it's just you, your dog and a good book! Knowing who you are will help them to decide if they want you as a neighbour!
- Finally, if they say yes and are happy to have you, then get EVERYTHING in writing for both parties to sign. This may require a deposit for your home which can be agreed to be returned should the planning fall through.

Once you have agreed on the terms of your lease, the owner of the land will proceed with the planning for you. Some may already have the permission and are ready for you to move in. Others may take 2-3 months to arrange a plot for you. As each plot will be different, we recommend waiting for approval before you go ahead with building your home unless you have somewhere to store it.



# KEY MESSAGE TO TAKE HOME

- You can make a planning application on any piece of land in the country — **you don't have to own it.**
- Your planning decision should take no longer than eight weeks from the point of application.
- The objections of neighbours and local people may well not have any impact on the final decision. Even 'consultants' from organisations such as Natural England which may go against your application, won't always result in a rejection.
- You can withdraw an application at any time — so if you think you are going to get a refusal, you can withdraw it at any time up to the day itself, and resubmit free of charge.
- You can submit an infinite number of planning applications on any one site — and choose which one to use. As long as it is current, you don't have to use the most recent.





THANK YOU!  
FOR MORE INFO EMAIL  
[INFO@THETINYHOUSING.CO](mailto:INFO@THETINYHOUSING.CO)