

Guidelines on the Construction of Structures in Allotment Garden Sites of the City of Hannover

(Resolution of 15 August 2024)



Preliminary remarks

The Department for Environment and Urban Green Spaces of the City of Hannover (hereinafter referred to as the 'Department for Environment and Urban Green Spaces') has developed a directive in cooperation with the Bezirksverband Hannover der Kleingärtner e.V. (Hannover District Association of Allotment Gardeners) (hereinafter referred to as the 'District Association') governing the construction of structures in allotment gardens. This directive is binding for all allotment gardens affiliated with the District Association.

The aim of this directive is to provide individual leaseholders with the greatest possible freedom of design within the framework of legal provisions, without compromising the overall appearance of the garden site. It also serves to highlight key principles and existing regulations in order to prevent errors in the planning or execution of construction projects.

No work may commence on any project subject to approval until such approval has been granted.

Apart from a summer house and the structures covered under the sections below, no additional constructions may be erected.

The underlying principle of this directive on the erection of structures is that all such constructions within an allotment garden must comply with the Bundeskleingartengesetz (Federal Allotment Garden Act).

Definition of 'structures'

For the purposes of this directive, 'structures' refers not only to summer houses but also to other manufactured installations constructed from building materials and connected to the ground. A connection to the ground is deemed to exist if the structure rests on the ground by its own weight, is limited in mobility by fixed tracks or is intended by its purpose to be used predominantly in a fixed location.

Requirement for approval / Application procedure

Before undertaking any construction work, the tenant must check with their allotment association, the District Association, or the Department for Environment and Urban Green Spaces whether approval is required.

Applications for approval must be submitted to the District Association via the allotment association. The required application documents can be obtained from the District Association or downloaded from its website (www.bezirksverband-hannover.de). For construction projects on land subject to nature conservation regulations or designated flood-prone areas, the application must be forwarded by the District Association to the Department for Environment and Urban Green Spaces for coordination and approval.

All unapproved structures that do not comply with the directive must be removed. This applies in particular to any construction not physically connected to the main summer house.

Retrospective approval or tolerance may be granted for unauthorised constructions that comply with the directive. For this, a retrospective application must be submitted.

Based on the agreement between the City of Hannover and the District Association, the District Association is the competent approval authority for all constructions within the meaning of this directive, including facilities for animal keeping, beekeeping installations, etc. A copy of all approvals granted by the District Association (for constructions, beekeeping and animal keeping) must be forwarded to the Department for Environment and Urban Green Spaces.

1) Construction and modification of summer houses

a) Approval

The construction (including reconstruction following fire damage) or modification (conversion, extension or any intervention affecting the structural integrity) of a summer house requires approval.

Existing use rights under §18 of the Bundeskleingartengesetz (Federal Allotment Garden Act) for summer houses exceeding 24.00 m² no longer apply if the structure is reconstructed or modified. This includes reconstruction due to fire or storm damage, or as a result of age, as well as modifications such as roof alterations that affect the structural integrity. Previously granted approvals for such structures also lapse in these cases. In such cases, the summer house must be rebuilt to comply with the maximum permissible floor area of 24.00 m² as stipulated by the Bundeskleingartengesetz. In addition, the storage and toilet spaces must be expanded to 4.00 m² if smaller than 4.00 m² in total usable space. See also Section 1g).

Deviations from approved building plans constitute a breach of the lease agreement and may lead to termination in accordance with §9 para. 1 no. 1 of the Bundeskleingartengesetz.

The validity of the approval is defined in the approval form. An extension may only be granted in justified cases.

b) Summer house type

Unless specific guidelines have been set by the responsible association or the Department for Environment and Urban Green Spaces for a given site, various types of summer house may be installed within a complex.

Custom designs are also permitted; however, approval will only be granted if they blend in with the overall appearance of the site. There is no entitlement to approval of custom designs. Verification of the design's structural stability, including structural calculations, must be submitted along with the standard application documents (drawings) for any custom design.

c) Summer house size

Under the provisions of the Bundeskleingartengesetz (Federal Allotment Garden Act), a summer house must not exceed a total area of 24.00 m², including any covered seating area. It must also not be suitable for permanent

Guidelines on the Construction of Structures in Allotment Garden Sites of the City of Hannover

(Resolution of 15 August 2024)



residence due to its structural condition, particularly its fittings and furnishings.

The minimum size of a summer hut is 9.00 m². The maximum height must not exceed 2.70 m for flat or mono-pitched roofs, 3.90 m for stepped mono-pitched roofs, and 4.20 m for all other types. The maximum eaves height is 2.30 m, measured without any elevation of the summer house that may be necessary.

The roof overhang must not exceed 0.30 m for stone summer houses and 0.60 m for wooden summer houses.

Knee walls or dormer windows are not permitted.

d) Summer house location

As a general rule, the summer house should be positioned in the north-east corner of the plot; a site plan must be submitted with the application. Exceptions may be granted in justified cases.

A minimum boundary distance of 1.50 m must be maintained on all sides.

e) Building materials

Environmentally hazardous materials (such as those containing asbestos) or coatings must not be used in the construction of a summer house. The roof may not be covered with coloured, fibreglass-reinforced plastic (corrugated sheets) or similar materials.

f) Roof shape

Changes in roof pitch or angled roof shapes are generally not permitted.

g) Toilet and storage room

Each summer house must contain a toilet and storage room of at least 4.00 m² in total usable space, accessible only from the outside, or one separate toilet and one storage room with a combined area of at least 4.00 m², each also accessible only from the outside. Summer houses that were legally constructed before these regulations came into force may continue to be used with smaller toilet and storage rooms (see exceptions under item 1a). Direct or indirect access from a room with a toilet to the main living area is not permitted.

In principle, only composting toilets using sawdust, straw chaff or similar materials, and without chemical additives, or separating toilets should be used. Section 8.3 of the Allotment Garden Regulations must be adhered to.

Chemical or camping toilets are prohibited.

Soakaways and cesspits are prohibited! Their installation or use constitutes a breach of the lease agreement and may lead to termination under §9 para. 1 no. 1 of the Bundeskleingartengesetz. They must be removed.

It is expressly pointed out that discharging wastewater into the ground constitutes the criminal offence of water pollution under §324 of the Strafgesetzbuch (German Criminal Code).

h) Chimney

Installing chimneys in or on summer houses for the purpose of using fireplaces, stoves or similar heating appliances is incompatible with the gardening use defined in §1 para. 1 of the Bundeskleingartengesetz and is prohibited.

If the summer house already has a chimney that was approved and has been inspected and approved by the responsible district chimney sweep, this chimney is covered by existing use rights. All documents related to the heating appliance and chimney (building plans, approval, flue gas test report) must be presented during any valuation of the summer hut.

i) Underground storage room

Cellars of any kind are prohibited.

A storage room with an area of up to 2.00 m² and a depth of up to 1.00 m is permitted.

j) Enclosing a covered seating area

A covered seating area may be enclosed upon application, provided that the total floor area of the summer house, including the enclosed seating area, does not exceed 24.00 m².

k) Temporary structures

The erection of marquees in addition to summer houses exceeds the permissible covered area of 24 m². Marquees may only be erected for hosting an event and only for a short period of up to seven days.

l) Water supply points

Water supply points may not be installed in a summer house. Accordingly, the installation of showers, flush toilets, washbasins or similar fittings is also prohibited. Any such existing installations must be removed immediately.

m) Completion of the summer house

A summer house must be completed within one year of the start of construction. An extension may be granted in justified cases.

n) Final inspection (construction work)

The completion of a summer house must be reported to the District Association without delay. The District Association will carry out the inspection jointly with the tenant.

A report must be drawn up on the inspection. It will be forwarded to the Department for Environment and Urban Green Spaces and the association for their records.

2) Greenhouses

Guidelines on the Construction of Structures in Allotment Garden Sites of the City of Hannover

(Resolution of 15 August 2024)



The construction of a greenhouse requires approval. Applications must be submitted to the District Association via the responsible association.

A greenhouse may not exceed a floor area of 12.00 m² and a height of 2.20 m.

A boundary clearance of at least 1.50 m must be maintained on all sides.

Greenhouses are intended for the propagation and further cultivation of plants. They must therefore be constructed entirely from translucent material down to the ground. If used for any other purpose (e.g. as a tool shed), the greenhouse must be removed without delay.

When an allotment is relinquished, greenhouses are to be compensated for at a maximum of €150.00.

3) Compost bins

Plant waste is to be used as compost. The following maximum dimensions apply to compost bins:

length: 3.00 m; width: 1.20 m; height: 1.20 m.

The bins must be located in a place where they do not cause any nuisance to other persons (minimum distance of 5 m from neighbouring seating areas) or disturb the overall appearance. Screening by suitable planting is recommended.

The bins may not be used for any other purpose.

4) Raised beds

Properly constructed raised beds up to a maximum height of 1.20 m are permitted, provided that boundary clearances of 1.50 m and the relevant provisions of the Garden Regulations in their current version are observed, up to a maximum size of 20 m².

When there is a change of tenant, dilapidated or otherwise improperly constructed raised beds must be removed. The decision regarding removal is made by the valuer appointed at that time.

5) Structures for keeping bees

Before erecting a structure for keeping bees, the requirements of Section 6.2 of Gartenordnung der Landeshauptstadt Hannover (Allotment Garden Regulations for the City of Hannover) must be met and the permits and approvals specified therein must be obtained.

A bee house may not exceed a base area of 6.00 m² and must maintain a minimum distance of 5.00 m on all sides from summer houses and seating areas in neighbouring gardens and must be surrounded on all sides by a shrub border or hedge 2.00 m high.

When beekeeping ceases or the facility is used for any other purpose, the apiary must be removed without delay.

6) Playhouses

Only one wooden playhouse is permitted. It may not exceed a base area of 2.50 m² and a height of 1.60 m, and must be built without a foundation and be portable.

If used for any other purpose, the playhouse must be removed without delay. There is no entitlement to compensation for playhouses when the allotment is relinquished.

7) Pergolas

A pergola within the meaning of these guidelines is a single-row, free-standing climbing frame with a maximum length of 12 m, fitted with a connecting construction at the top. The only permitted construction material is wood.

A pergola may not be fitted with a roof covering or with any construction suitable for roofing (in particular cross-lathing).

8) Privacy fences

In the seating area, a privacy fence made of natural material (such as wood) may be erected by agreement with adjacent tenants along the boundary between two gardens. The total height of the privacy fence may not exceed 2.00 m, and its length may not exceed one third of that side of the garden. Angled extensions are not permitted. There is no entitlement to compensation for the privacy fence when the allotment is relinquished.

9) Working electricity supply

As a rule, electricity for plots outside the summer houses is supplied by the association's electricity group. Electricity may only be generated in allotment gardens using photovoltaic devices (solar panels).

There is no entitlement to compensation for these when the tenancy changes.

The devices and installation must comply with recognised technical standards (VDE regulations).

Devices mounted exclusively on the exterior of the summer house must be securely fixed and able to withstand the locally prevailing wind speeds. The roof or gable wall must be capable of safely bearing the additional load.

Any risk of danger arising from the system or parts of it is borne by the allotment tenant.

The association's electricity group and the association itself must be notified of the installation.

10) Liquefied gas systems

Liquefied gas systems are permitted in accordance with the provisions of the Allotment Garden Regulations.

Guidelines on the Construction of Structures in Allotment Garden Sites of the City of Hannover

(Resolution of 15 August 2024)



11) Water containers

a) Water containers

Only covered rainwater collection containers set up above ground are generally permitted as water storage.

The underground installation of water storage facilities is not permitted.

The installation of kitchen units with sinks, washbasins or bathtubs for the storage of rainwater, etc., is prohibited.

b) Wells

The construction of well systems is governed by the Allotment Garden Regulations in their currently valid version. In addition, wells may only be constructed after obtaining the necessary authorisation, which must be requested from and issued by the Lower Water Authority of the Hannover Region.

Wells and pumps must be marked with a sign reading 'Caution: this is not drinking water'.

Proof of authorisation for the wells and pumps must be presented upon transfer of the garden.

c) Paddling pools / pools

Provided that the allotment garden's use for gardening is not impaired, the temporary installation and operation of standard, dismantlable paddling pools and pools is permitted during the summer months. They must be set up at a distance of at least 5 metres from any structures on the neighbouring tenants' plots.

Other provisions, including any restrictions on water usage or the use of chlorine for water cleaning, must be strictly complied with. A violation constitutes grounds for termination within the meaning of §9 I No. 1 of the Bundeskleingartengesetz.

d) Garden ponds

Decorative ponds are permitted provided they do not come into contact with groundwater and are no larger than 8 m² including the marginal shelf. They must not be deeper than 1.20 metres.

When constructing a pond, solid building materials must not be used. The pond must be constructed using clay, loam seals or suitable plastics. Excavated soil must remain on the plot and be incorporated into the pond design.

12) Surfaced areas

Surfaced seating areas outside the summer house must not exceed 15 m².

Surfaced paths must not exceed the total length of the garden and a width of 1.00 metre.

The surface of paths and seating areas must not be constructed using poured concrete.

Garden areas that are not paths or seating areas must not be covered with gravel, chippings or similar stone material.

13) Duty to ensure safety

Without prejudice to the provision of Section 1.5 of the Gartenordnung der Landeshauptstadt Hannover (Allotment Garden Regulations of the City of Hannover), responsibility for safety (Verkehrssicherungspflicht – legal duty to implement safety precautions) for all structural, gardening and other installations on the plot rests with the respective tenant.