

What is Permitted Development?

Permitted Development as defined by the Town and Country Planning (General Permitted Development) (England) Order 2015 is the right to carry out certain types of work to your property without the need for Planning Permission.

It originates from a general permission granted by the government, not local authorities. It is restricted however to dwellinghouses. Flats, maisonettes and similarly commercial properties have different types of permitted development rights to dwellings.

There are some scenarios where Permitted Development rights are revoked. These are listed below:

- If you live in a Conservation Area
- If you live in an Area of Outstanding Natural Beauty (A.O.N.B)
- If you live in a National Park
- If you live in a property registered as having a "historical interest"

If any of the above areas apply to you then you will need to apply for planning permission to carry out any works to your property.

The Local Planning Authority (LPA) may also remove some of or all your permitted development rights if they feel that an area of acknowledged importance could be threatened by any potential 'out of character' developments. This is done by an Article 4 direction. If you are unsure if this applies to you then we would recommend you contact your local planning dept. for confirmation of your specific position.

Permitted development rights can also be removed from a property if a past planning approval has been granted and as part of the approval, any future permitted development rights have been removed.

Houses and flats created using permitted development rights will normally not then be allowed to use householder permitted development rights for future development.

Most permitted development rights will be subject to conditions. In some cases, the LPA will request that you seek their prior approval. This allows the LPA to consider the proposals and their likely impact.

Lawful Development Certificate (LDC)

If you are seeking whether or not an existing development is indeed considered lawful by the planning dept or if you feel that your proposals do not require planning permission, then you can apply to the LPA for a Lawful Development Certificate.

It is not compulsory to have a LDC but there are scenarios where it is prudent to have one in order to confirm the use of a building or indeed any recent works carried out are considered lawful by the LPA.