

Guide (11) How to check for Permitted Development

This guide explains what permitted development is and how to find information on page

Page 2 explains how to get confirmation from the Planning Department.

Permitted development rights allow for certain works to take place without the need to apply for full planning permission. There are permitted development rights for both residential and commercial properties.

Permitted development rights can be removed from a single property or several properties (including an entire residential estate) as part of a planning application. Permitted development can also be removed as part of an Article 4 direction. For example, an Article 4 direction has been added to parts of Stewartby.

Not all properties benefit from permitted development rights, for example, flats, maisonettes, static/mobile homes etc. All development therefore usually requires planning permission unless it can be classed as like-for-like e.g. replacement windows that have exactly the same appearance in terms of thickness, colour, openings etc.

Permitted development rights are set out in full within the Town and Country Planning (General Permitted Development) (England) Order 2015. This legislation is complex and therefore the notes below are to be used as a guide for basic permitted development questions. *(if you wish to view and scroll through the Government website detailing all 'Parts' of the legislation, Please click [here](#)).*

TO CHECK PERMITTED DEVELOPMENT

1. Check the Planning Portal interactive guides, [Please click here](#)
2. If your enquiry relates to **THE USE OF PROPERTY or LAND**: Please refer to Guide 10 and for **Prior Notifications** please refer to Guide 14
3. Please conduct a history search and check decision notices at www.bedford.gov.uk/searchplans to see if Permitted development rights have been removed – please refer to the How to guides for assistance
4. Permitted development can also be affected if your property is located within a Conservation Area or if your property is a listed building. These are called planning constraints; to check them refer to the [MAP SEARCH](#) which is all detailed in a step by step guide.

TO OBTAIN CONFIRMATION FROM PLANNING ABOUT PERMITTED DEVELOPMENT:

please see the following 2 options on the next page:

Option 1: Submit a Lawful Development Proposed Certificate

If you have checked and you think the proposal you are considering is classed as permitted development or you wish confirmation whether planning permission is needed or not, you can apply to obtain written confirmation from the Council. This application is called a Certificate of Lawful Development (proposed).

The main benefit of the certificate is that you will have a legally binding formal decision relating to your development which is useful when you are selling your home or if a neighbour raises a complaint.

Certificates are also sometimes required by other Council departments such as licensing. For example: if you are applying for a license to run a taxi booking office from your home address you are required to apply for a certificate.

Lawful development proposed certificates can potentially take up to 8 weeks for a decision

To APPLY: You will need to provide information and /or plans about your proposal so that we can consider it. The application form, validation requirements and fee list can be found on the following page www.bedford.gov.uk/planningforms (form number 15). You can submit this electronically via the planning portal, also detailed on this page. Please note: the fee for a certificate is **HALF** the usual planning fee.

It is not compulsory to obtain a certificate however it is recommended.

Option 2: Submit a Planning Enquiry

Requests for advice on whether a proposed use or a proposed development is 'permitted development' and does not require planning permission will be processed. However, applicants are hereby advised to submit an application for a Lawful Development Certificate or a relevant Prior Notification application instead if they wish to be provided with a formally binding decision. Pre-application advice will only be an informal officer opinion, it is not binding and in some circumstances the advice may conclude that a Lawful Development Certificate should still be submitted, thereby incurring you, the applicant, additional costs and time for another decision to be made. Further information on a Lawful Development Certificate can be found at <https://www.gov.uk/guidance/lawful-development-certificates> for planning advice please refer to www.bedford.gov.uk/planningenquiries