

What Are Permitted Development Rights and Where Do They Apply?

Permitted development rights are a national grant of planning permission that allows certain building works and changes of use without a planning application — but these rights are subject to restrictions that depend on where your property is and what your local planning authority has decided.

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KEY FACTS

Governing legislation

The Town and Country Planning (General Permitted Development) (England) Order 2015

Where the rights are set out

Schedule 2 of the Order, in Parts and Classes

Do rights apply on article 2(3) land?

Restricted or removed

Can a council withdraw rights?

Yes — via article 4 direction or planning condition

In planning terms

Permitted development — 'Permitted development rights' are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application. They are set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 ('the Order'), as amended.

If your home improvement project falls within the scope of permitted development, you do not need to submit a full planning application to your local council. However, it is important to understand that these rights are always subject to conditions, limitations and potential local restrictions — they do not operate as a blanket entitlement regardless of where your property is or what a council may have decided. Always check with your local planning authority before starting work.

How Permitted Development Rights Are Structured

The Order grants planning permission for the classes of development described as permitted development in Schedule 2. Schedule 2 is divided into Parts and Classes, each dealing with a different type of development or land use. For householders in particular, Part 1 of Schedule 2 sets out the permitted development rules concerning what enlargements, improvements, alterations and other additions may be made to a house and the area around it without the need for a planning application.

Any permission granted by the Order is subject to any relevant exception, limitation or condition specified in Schedule 2. Some permitted development rights are also in place only for a limited period of time, with those time limits set out in the relevant Parts of Schedule 2.

Permitted development is not the same as an absence of all consents

Permitted development rights do not remove requirements for permissions or consents under other regimes, such as building regulations or the Party Wall Act. You should check what other approvals your project may need before you begin.

Where Permitted Development Rights Are Restricted: Article 2(3) Land

Not all land in England benefits from the same permitted development rights. There are protected areas — known as 'article 2(3) land' — where certain rights are restricted or do not apply at all. If your property falls within one of these areas, you are likely to face additional limitations on what you can do without a full planning application, and you should contact your local planning authority at the earliest opportunity.

- Conservation areas
- Areas of Outstanding Natural Beauty (AONB)
- National Parks
- The Broads
- World Heritage Sites

These designations exist to protect areas of special character and importance. Where your property is situated on article 2(3) land, it is wise to seek pre-application advice from your local council before assuming any work is permitted development.

When a Council Can Remove or Restrict Your Rights

Even where permitted development rights would ordinarily apply, your local planning authority has the power to withdraw or limit them in two ways. The restrictions imposed will vary on a case-by-case basis depending on the specific wording of the relevant condition or direction.

Mechanism	How it works
Article 4 direction	A local planning authority can issue an article 4 direction to remove national permitted development rights in a specific area or for a specific type of development.
Planning condition	A local planning authority can attach a condition to a planning permission that removes or restricts permitted development rights that would otherwise apply to the land.

Check whether an article 4 direction affects your property

Before assuming your project is permitted development, find out whether your property is subject to an article 4 direction or a restrictive planning condition. Your local council's planning service can tell you this, and it is always worth asking before you begin any work.

How to Confirm Whether Your Project Is Lawful

Because the rules around permitted development can be complex — and because your rights may be restricted depending on your location, the type of development, or local authority decisions — it is always sensible to seek confirmation before starting work.

1. Check whether your land is article 2(3) land

Find out if your property is in a conservation area, an Area of Outstanding Natural Beauty, a National Park, the Broads, or a World Heritage Site, as permitted development rights may be restricted in these locations.

2. Ask your local planning authority about article 4 directions

Your council can confirm whether an article 4 direction has been made that removes permitted development rights in your area.

3. Check any existing planning permissions on your property

A planning condition attached to a previous permission may already restrict your permitted development rights — check before you proceed.

4. Consider applying for a lawful development certificate

To be certain that a proposed development is lawful and does not require a planning application, you can apply to your local authority for a 'lawful development certificate'. This gives you a formal, documented confirmation of your position.

Where there is any doubt as to whether a development would be permitted development, advice should be sought from the local planning authority.

