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Do I need planning permission

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This is not a straightforward question with an easy answer!

The government defines development under section [55 of the Town and Country Planning Act](#).

All development needs planning permission... but not necessarily from the council as local planning authority.

The Town and Country Planning (General Permitted Development) Order grants planning permission for certain types of development. These are commonly known as permitted development rights. If your development benefits from permitted development rights, you will not need to obtain planning permission from the council.

However, some permitted development rights are subject to a prior approval requirement. This can be thought of as a halfway house between a traditional Permitted Development right and the need for planning permission. You will need to make an application to the council for prior approval, in the same way that you might make an application for planning permission, but the council is limited in the considerations that it can take into account. The considerations differ between prior approval types.

If your proposal does not benefit from permitted development rights, then you will need planning permission from the council for your development.

Finding out if you have permitted development rights

The permitted development rights are set out under the [Town and Country Planning \(General Permitted Development\) Order 2015 \(as amended\)](#).

Almost all permitted development rights are subject to a range of restrictive criteria and conditions that must be complied with. If your development would not meet the relevant criteria, or if you could not or would not wish to comply with the relevant conditions, then planning permission from the council will be required.

The council **will not provide informal advice** on the need for planning permission in respect of a specific development proposal. This is because it is a legal determination and because it is not possible for us to fully understand the details of your proposal or the circumstances of your property through telephone or email communication.

Useful information on the need for planning permission can be found online.

For householder developments, the Planning Portal has an [interactive house page](#) which explains what you can and cannot do without planning permission.

Please note that the householder Permitted Development rights do not apply to flats or buildings comprising flats.

The Planning Portal also offers [advice](#) on other development types.

Please note that if planning permission is required for a development, work should not begin until permission has been obtained. Any work completed that needs planning permission, but does not benefit from planning permission, is at risk of planning enforcement action.

Finding out if permitted development rights have been removed

The council has the power to remove permitted development rights and can do so in two ways:

- By introducing an Article 4 Direction to remove specific permitted development rights across a specific geographic area. The council currently has a number of [Article 4 Directions](#) in place and these can be viewed [here](#).
- By imposing a condition on a planning permission that specifically prevents permitted developments from taking place. Such conditions are often used to prevent garages from being used in such a way that would make them unavailable for car parking, to prevent the laying down of hard-surfacing in order to maintain landscaping, or to prevent properties from being extended where this could be harmful to amenity. You can search the planning history of a specific property using our [online pages](#)

Obtaining formal confirmation of whether planning permission is needed or not from the council

If you would like a formal determination from the council as to whether or not your proposal needs planning permission, you would need to apply for a Lawful Development Certificate for a Proposed Use or Development. Further information on lawful development certificates can be found on the [Planning Portal](#).

Needing planning permission

If you need planning permission for your proposal, the council offers a [pre-application advice service](#). This service can be used to obtain informal advice from an experienced case officer on the likelihood of planning permission being granted.

Please note that the planning team cannot provide advice about building regulations, as this is a separate requirement to planning permission. However, you can view details of the [council's building control service](#) on our website.

Finding a planning agent, architect or architectural technologist

There is no requirement for you to engage an architect, chartered architectural technologist or a planning agent in order to submit an application for planning permission, prior approval or a Lawful Development Certificate. However, in order to be made valid, the information submitted must be of sufficient standard to meet the requirements of the legislation and be readily understandable by any member of the public. This is because all planning applications are public documents that must be made available for public scrutiny.

If you do engage a professional to act on your behalf, you may achieve a more timely and satisfactory result.

The council is not able to recommend any particular person or practice. However, most professional bodies maintain a register of chartered practitioners.

Architects have to be registered with the [Architects Registration Board](#) who ensure that they have the necessary educational qualifications and practical experience and are registered as architects.

[The Chartered Institute of Architectural Technologists](#) (CIAT) is another professional body, for design professionals.

The [Royal Town Planning Institute](#) oversees planning professionals who are trained in the planning process, and may in turn appoint architects or architectural technologists for parts of the work.

In some cases, you may not need a chartered professional, just someone with a familiarity with the planning process who is capable of producing plans to the required standard.

There are many planning agents who operate in Blackpool but who may not have formal planning or architecture qualifications, but who nevertheless have the experience and capability to support you through your planning application.

It is therefore very important that you assess some prior work of anyone you are considering employing. You may wish to consider searching recently approved applications for developments similar to your own proposals. Such a search can be undertaken using our [online pages](#).

Blackpool Council

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