



**s.57 TCPA 1990**  
Planning permission is required for 'development' of land

**Development**

**s.55 TCPA**  
Works

**s.55 TCPA**  
Material change of use

**s.55(2)(a) TCPA**  
Not development if:  
i) Only affect the interior; OR  
ii) Do not materially affect the external appearance of the building; AND  
Do not provide additional space underground

**Art.3(1) TCP(UC)O 1987**  
Not a material change of use if within the same use class

**Sch.2 Part.1 (Resid)  
Sch.2 Part.2 (Comm)  
GDPO**  
PP automatically granted if it falls within permitted development

**Sch.3 Part.3 GDPO**  
Permitted changes of use which do not require PP

**Building Regulations Approval**

Needed for all works  
Check **CON 29**

Obtain **Building Regulation Completion Certificate**

If no certificate obtained, request seller to obtain a regularisation certificate

**Cottingham case + s.36(6) Building Act 1984**  
LA can apply for injunction to enforce regulations at any time  
Effectively no time limit

Check **LLC1/CON29** to deduce whether PP has been obtained

If PP has already been granted:

PP not granted

Apply for retrospective PP

Obtain a copy of the PP **before exchange**

Check that conditions imposed were complied with

Check **CON 29 (3.9)** to see whether Local Authority is planning to enforce

Check enforcement time limits:

**Works carried out without PP**

**Changes of use**

**Breach of PP condition**

**s.171B(1) TCPA - Enforcement period**  
Within 4 years from substantial completion of the works

**S.171B(2) TCPA - Change to a single dwelling house**  
Within 4 years from the date of the breach  
**s.171B(3) TCPA - Other**  
Within 10 years from the date of the breach

**s.171B(3) TCPA**  
Enforcement period is 10 years beginning with the date of the breach

**Other issues requiring consent**

Conservation areas  
Subject to stricter controls  
Check **LLC1/CON 29**

Listed Building  
Check **LLC1/CON 29**

More onerous planning conditions

Check for **Article 4 Direction** disapplying GDOP

Listed building consent required for **INTERNAL WORKS**

Listed building consent for **EXTERNAL WORKS**

No time limits for enforcement