

Section 1 Legislation and Regulations

1.1 Planning: A Do's and Don'ts summary

Do consider your ideas and options carefully; take time to prepare and plan your development proposals properly, and allow sufficient time for the process as a whole.

Do consider what effects your proposal might have on local amenity, the landscape and the environment, and on local services such as roads.

Do talk to your local planning authority – usually your local council – about your proposals; check whether you need planning permission and, if so, what local planning policies might be relevant to your proposals.

Do consult any neighbours or others who may be affected by your proposals, and your elected local councillor(s).

Do consider whether you might need professional advice and assistance (e.g. from planning consultants, land agents, surveyors) to prepare your planning application, particularly if your proposals involve large-scale or complex building development.

Do find out whether you are eligible for free planning consultancy advice under the Rural Enterprise Scheme administered by the Department for Environment, Food and Rural Affairs (DEFRA).

Do take account of all the advice and comments you receive, be prepared to amend your original ideas if necessary, and try to frame your proposals to bring out the positive impact they will have (e.g. improving the appearance of a run-down building, providing new employment opportunities, or facilities for the local community).

Do ensure that you present a clear and accurate planning application with supporting plans, covering all the points likely to be of concern to the planning authority.

Do respond positively and helpfully to any requests from the planning authority for further information; be prepared to be flexible in adapting your proposals to meet any concerns of the authority.

If your planning application is refused, do try to discuss the proposals with the planning officer to see if the planning authority's concerns can be overcome, before you consider whether to appeal.

Do read any guidance provided by your local planning authority.

Do not rush ahead with ill-considered and poorly prepared proposals.

Do not place too much weight on advice (e.g. from family or friends) about how to obtain planning permission unless it is confirmed by the planning authority or professional sources.

Do not rely on hearsay or assumptions (e.g. ‘a neighbour has planning permission for a similar development, therefore I should get permission for my proposal’).

Do not expect your local planning authority to tell you what sort of development (e.g. diversification) would be best for you – that is not their role – although you can ask the authority what type of developments are more likely to be acceptable in planning terms.

Do not assume that any indication of your chances of obtaining planning permission, that a planning officer might be prepared to give you prior to the submission of an application, will automatically be reflected in the final decision by the planning authority.

Do not expect an instant decision – you should allow at least eight weeks from the submission of your planning application, unless the planning authority has indicated otherwise.

Do not proceed with any development works without first checking with your local authority about the need for planning permission (or any other forms of consent), and until any necessary permission and other consents have been given.

Important note: Please note that Planning Laws and other Legislation may, and does, vary between England, Scotland, Wales and Northern Ireland. It has not been possible to include all these variations in this document. Therefore, readers should ensure that they are fully aware of any local variations, before starting a project.

1.2 Planning permission summary chart (Figure 1)

