

Permitted Development: Pitfalls



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Exclusions and parameters

- Have the PDR been excluded:
 - Removal by planning condition? Article 3(4) GPDO. *Dunnett Investments* [2017] EWCA Civ 192
 - s106 Agreement?
 - Restrictive covenant?
 - Article 4 direction?
- Parameters-
 - Margin for error
 - Restrictions, limitations, conditions; prior approval
 - Consequences of going beyond
- Article 3(5) GPDO
- (5) The permission granted by Schedule 2 does not apply if- (a) in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful; (b) in the case of permission granted in connection with an existing use, that use is unlawful.
- Examples- need to bring into a certain use before change to another use

Thank you for listening

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