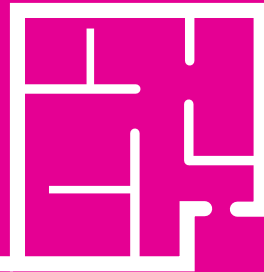


town planning

The Basics



**APPLICATION
PROCESS**



INTRODUCTION

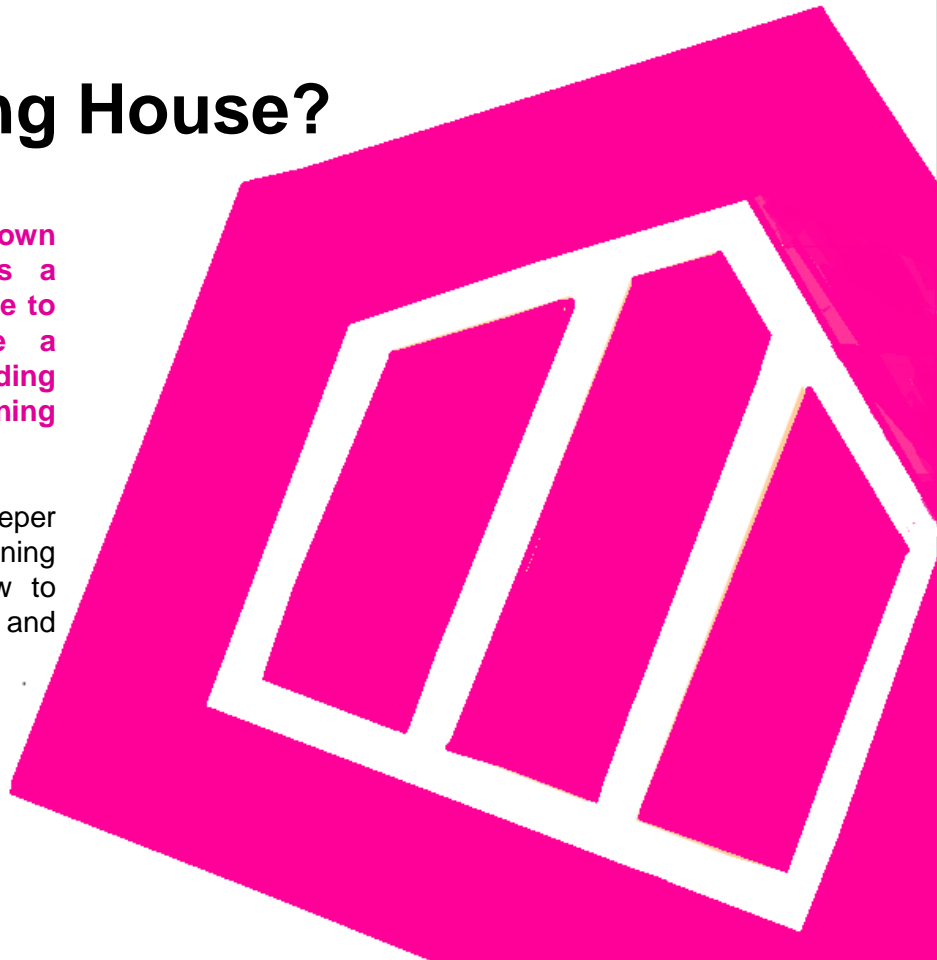
This booklet is aimed at those who are proposing to embark on a development and need to go through the planning application process. The booklet covers some of the basics relating to the planning process.

A series of Town Planning “The Basics” booklets have been produced to assist non-planners with the dark art of Town Planning, these can be downloaded via www.planninghouse.co.uk

Who are Planning House?

Planning House is an independent town planning consultancy which offers a professional & knowledgeable service to meet client needs, we embrace a pragmatic approach by providing realistic and tailored town planning advice.

Headed by Chris Pipe who is a Gamekeeper turned Poacher. As former Head of Planning for a Local Authority she knows how to navigate the planning system efficiently and effectively.





PRE-APPLICATION ENGAGEMENT

Entering into pre-application discussions with your local planning authority can improve efficiency and effectiveness of the planning application process and will give you greater certainty and clarity by identifying planning issues and requirements before an application is submitted.

Be aware that any advice given is not binding, can be subject to change and that some local planning authorities charge a fee for this service, generally this information can be found on their website.

There are many benefits to seeking pre-application advice as well as potentially saving you money in abortive professional fees including:

- **Speeding up decision-making;**
- **Confirming the information required with an application;**
- **Identifying problems and issues at an early stage, potentially reducing the risk of wasted applications or refusal, and reducing queries during the application process; and**
- **Confirmation of the Local Authority's view of the development in this location**

PLANNING FEES

The following fees for a self build are based upon the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended). The fee should be paid at the time the application is submitted, if in doubt check with your Local Planning Authority.

Outline Applications

£464 per 0.1 hectare for sites up to and including 2.5 hectares	Not more than 2.5 hectares	£464 per 0.1 hectare (or part thereof)
£11,432 + £138 for each 0.1 in excess of 2.5 hectares to a maximum of £150,000	More than 2.5 hectares	£11,432 + £138 for each 0.1 (or part therefore)

Full Applications

New dwellinghouse	Not more than 50	£462 per dwelling
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Reserved Matters

Application for approval of reserved matters following outline approval	£462
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Approval / Variation / Discharge of Condition

Application for removal or variation of a condition following grant of planning permission	£234
Request for confirmation that one or more planning conditions have been complied with	£116 per request

Change of Use

Not more than 50 dwellinghouses	£462 for each
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TYPE OF APPLICATION

Full - An application for full planning permission results in a decision on the detailed proposals of how a site can be developed. You will need full details of your proposal to apply for full planning permission.

Outline - An application for outline planning permission allows for a decision on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more or even all 'reserved matters'

Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (ie they can be 'reserved' for later however there will be a time limit to submit them) such as:

'Access' – covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site;

'Appearance' – aspects of a building or place which affects the way it looks, including the exterior of the development;

'Landscaping' – the improvement or protection of the amenities of the site and the area of the surrounding area, this could include planting trees or hedges as a screen;

'Layout' – includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development;

'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

There are 2 main types of application – applications for full planning permission and applications for outline planning permission. There are other processes relevant such as the prior approval route which are not covered in this booklet.



HOW TO APPLY FOR **PLANNING PERMISSION**

Applicants are encouraged to apply online via the Planning Portal (www.planningportal.co.uk). The completed form along with plans and any accompanying documents can be sent online via the Planning Portal directly to the local planning authority or building control body for processing. Your fee can also be paid online so it linked directly to your application.

Every local authority in England and Wales accepts online planning applications from the Planning Portal. However there is a £20 fee to pay to use this service.

Alternatively, you can download or request the relevant planning application from the relevant local planning authority to complete and submit in paper format, however be aware you will need to submit 3 copies of the form, plans and any supporting document.





Check with your local authority in terms of their procedures on decision making.

WHO MAKES THE PLANNING DECISION?

The majority of planning applications are determined under Delegated Powers set by the individual local planning authority in their scheme of delegation. However, the more contentious applications are referred to the Planning Committees where the elected Councillors will make a final decision on the application.

Each authority have their own format, generally, a planning officer presents the proposal and there may be an opportunity for applicants or a representative to put their case verbally to the Planning Committee with a set time limit. This right to speak is often extended to objectors of the application also. Once all the information is heard the Committee will debate the proposal and determine the application unless they defer it for additional information or to carry out a site visit.

APPLICATION PROCESS

SUBMIT APPLICATION

- Submit planning application
- Application is validated, this is generally carried out within 5- 7 days of submission but can take longer

CONSULTATION

- Notification and consultation with community and statutory consultees
- Statutory consultation for not less than 21 days
- Specific publicity requirements depend on the application

DETERMINATION

- Determination of application
- Planning application determined in accordance with the development plan unless material considerations indicate otherwise.
- Local Planning Authority (LPA) has 8 weeks to make a decision on minor applications and 13 weeks for major applications

DECISION

- Planning officers usually decide smaller developments under delegated decision-taking powers
- Larger and more controversial developments are decided by planning committee

APPEAL (If necessary)

- Applicant has a right to appeal to the Secretary of State, via the Planning Inspectorate, if the LPA refuses to give planning permission, grants it subject to unacceptable conditions or fails to deal with an application within the statutory time limit
- Planning appeals can also be 'recovered' by the Secretary of State.

IMPLEMENTATION

- Discharge planning conditions attached to an approved application/appeal
- This process can take up to 8 weeks and there is a fee payable to the LPA
- Adhere to conditions and implement planning permission



THE IMPORTANCE OF **VALIDATION**

Before an application is considered by a Planning Officer it must go through the Council's internal validation process. Once submitted a planning application must be deemed as valid, which means that all the information specified by the Council in order to determine the application is provided in full at the start of the process, and to an acceptable quality.

If the correct fee or relevant information is missing the Council will not be able to start determining the application and the planning process will be delayed. Poor quality information may also cause delay.

Some planning applications require more detailed information than others, and some information required can be complex and technical. Below highlights information which may be required:



National Requirements - mandatory for all applications

- Application Form
- Location Plan
- Ownership Certificates & Agricultural Declaration
- The Appropriate Fee

Additional information depending on development specifics

- Additional Plans and Drawings
- Agricultural Land Classification Statement
- Air Quality Assessment
- Biodiversity and Geology Survey and Report
- Building for Life Assessment
- Coal Mining Risk Assessment
- Construction Management Plan
- Design and Access Statement
- Environmental Statement
- Heritage Statement
- Hydrogeological Risk Assessment
- Land Contamination Assessment
- Lighting Assessment
- Meeting Housing Needs Statement
- Minerals and Waste Safeguarding Assessment
- Noise Assessment
- Open Space, Sport, Play and Leisure Assessment
- Planning Statement
- Sequential Test & Impact Assessment for Town Centre Uses
- Structural Survey
- Surface Water Management Assessment
- Flood Risk Assessment
- Telecommunications Assessment
- Transport Assessment
- Transport Statement
- Travel Plan
- Tree Assessment
- Ventilation/Extraction Statement
- Viability Assessment
- Visual Impact Assessment (Townscape/Landscape)



PLANNING

WHAT ARE MATERIAL CONSIDERATIONS

Local Planning Authorities can only take into account 'material planning considerations' when looking at comments and objections to a development proposal. The most common of these (although not an exhaustive list) are shown below:

- Loss of light or overshadowing
- Overlooking/loss of privacy
- Visual amenity (but not loss of private view)
- Adequacy of parking/loading/turning
- Highway safety
- Traffic generation
- Noise and disturbance resulting from use
- Hazardous materials, contaminated land
- Smells and fumes
- Loss of trees
- Effect on listed building, conservation area or archaeological interest
- Layout and density of building
- Design, appearance and materials
- Landscaping
- Road access
- Local, strategic, regional and national planning policies, including emerging policies
- Government circulars, orders and statutory instruments
- Previous planning decisions (including appeal decisions)
- Nature conservation & biodiversity issues
- Deficiencies in community/social facilities i.e. spaces in schools
- Capacity of local infrastructure i.e. public drainage or water systems
- Incompatible or unacceptable uses

Local Planning Authorities cannot take into account matters which are sometimes raised but are not normally planning considerations such as:

- **The perceived loss of property value**
- **Private disputes between neighbours**
- **The loss of a view**
- **The impact of construction work or competition between firms**
- **Restrictive covenants**
- **Ownerships disputes**
- **Personal morals or views about the applicant**
- **Boundary disputes**

The weight attached to material considerations in reaching a decision is **a matter of judgement for the decision-taker** however the decision-taker is required to demonstrate that in reaching that decision that they have considered all relevant matters.

Generally greater weight is attached to issues raised which are supported by evidence rather than solely by assertion.



NEXT STEPS

When embarking on a project consider the following steps:

- Be realistic in what you want to achieve;
- Engage with your local planning authority regarding development potential (if applicable);
- Be aware of your validation requirements;
- Be aware of the planning policies relevant to your site; See 'The Basics – Development Plan' booklet
- Be aware of the fee payable to the local planning authority for your application;
- Be aware any additional costs such as technical report costs, s106, CIL etc; See 'The Basics – CIL & s106' booklet
- Collate any supporting documents and have plans, form etc completed and ready to submit;
- Be aware of both the process and potential timescales associated with the planning application, and keep in contact with the planning officer dealing with your proposal;
- Be ready to discharged any planning conditions and legal obligations;
- Don't forget about any other necessary consent such as Building Regulations;
- If your application is refused, don't despair, see 'The Basics – Appeal' booklet

If you need help find a Town Planning Consultant to advise and support you through the process, contact Planning House

There are other **Town Planning....The Basics** booklets available to download at

www.planninghouse.co.uk





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