

What's In A Planning Application – Things You Should Know



Introduction

This advice note is intended to help you understand a planning application the first time it is presented to you. Failure to understand what is proposed may affect and ultimately weaken any response to it that you wish to make. This information is equally useful if you need to make your own application.

The note includes advice on who can make an application, the different types of application, what information is submitted and how to read plans?

Who can make an application?

Any person or group may make a planning application. The applicant does *not* have to own the land or property at the time of the application.

The application should be on the standard application form provided by the District Council. It will be submitted with a site plan and any other plans or drawings, which are necessary to describe the proposal. A fee will normally be required.

Sets of application forms are available from the planning department. These come with guidance notes to help an applicant provide the required information.

The applicant can make more than one application at the same time. The Council

has to consider each application on its own merits and cannot choose between them. The applicant can also submit a duplicate application. Thus, if there is a delay in determining the proposal, he can take one to appeal if necessary.

What types of planning application are there?

A planning application may be submitted in different ways. These are:

o *Full* planning permission.

This is where permission is granted for all of the details of the development. It may, however, be subject to conditions considered necessary to control some aspect of it (e.g. use of materials, opening hours). Applications for a use of land or buildings must be made as a full application.

An application for full permission must be accompanied by a site plan and any other plans, drawings and information necessary to describe the development. If the local planning authority requires further information, it may ask for this.

Full permissions may also include:

- Renewal of an existing temporary permission;
- Removal or variation of a condition of an existing planning permission
- Permission for development, which has already been carried out.

o *Outline* planning permission.

An outline application is usually made to agree the principle of development. It can only apply to new buildings. An application for a change of use must be submitted as a full application.

The application may be submitted with few details. Where details are not received, the application will be approved subject to conditions

requiring the later approval of one or more "reserved matters". These reserved matters are explained below.

It is, however, still necessary to provide enough information to allow a proposal to be properly assessed. The Council can therefore ask that more details be submitted at this stage if it is felt this is necessary before a decision can be made.

Where plans are submitted, they may still be for illustrative purposes only. Where they show a clear intent of what is proposed, the Council will take them into account and can condition any approval to specifically include or exclude them.

o Approval of *Reserved Matters*.

This means certain matters for which details were not approved as part of an outline application. Traditionally, this has meant details of the siting, design and external appearance of buildings, the means of access to the site and landscaping.

From August 2006, reserved matters are defined as:

- access;
- appearance;
- landscaping;
- layout; and
- scale

Where access, layout and scale are to be treated as a reserved matter, the outline application must still give enough information to establish what is likely to be built on the site.

In seeking approval of reserved matters, the applicant is not obliged to provide details of everything at the same time. As such, more than one application may be submitted before all the details are finally approved.

What other types of application are there?

Applications may also be submitted for;

- Demolition or works to a listed building ("listed building consent")
- Demolition of buildings within a conservation area ("conservation area consent")
- The display of advertisements ("advertisement consent")
- To establish if an existing or a proposed use or works are lawful and therefore do not need planning permission ("lawful development certificate")
- Certain proposals for agricultural development, demolition works and telecommunications development may require the developer to submit certain details before works can proceed. In such cases, a "prior notification application" is submitted
- Hazardous substances
- Development by a government department.

These will each be submitted on a different application form supported by the information the Council needs to determine what is proposed.

Applications can be identified by their reference number. The format is typically S/xxxx/yy/z. S stands for South Cambridgeshire, xxxx is the number given to the application, yy is the last two digits of the year the application was made and z is the type of application (e.g. F for full, O for outline, LB for listed building etc.).

An application may sometimes be submitted after the development has been started or even completed. This is known as a retrospective application.

When Parish Councils are consulted on such applications, they are provided with a note on how to consider the proposal and how to respond (see Advice Note 5).

What information is submitted with an application?

There are five basic sources of information, which may be submitted, all of which should be considered. These are:

o The application form

This gives the basic information, including the type of application and what it involves. The form is in two parts and if the application is for industrial, commercial or storage purposes, the applicant must provide further details. This includes matters such as the number of employees and provision for the parking, loading and unloading of vehicles.

o An ownership certificate

This is required by law and confirms if the applicant owns all the land concerned. If not, it advises to whom any land ownership queries should be addressed.

o A covering letter or statement

This may contain information which is not required on the application form, but on which the applicant seeks to rely. The applicant may wish to set out factors, which support the proposal. This may include government advice and guidance or the Council's own planning policies.

Professional agents acting for the developer often supply supporting statements. Where statements of fact are being made, their accuracy should always be established.

o Design and Access Statements

These have been compulsory since August 2006 for most applications that involve building works. The one exception is for development of an existing dwelling house or development within its curtilage, unless the property is in a designated area, such as a conservation area.

The statement must explain the design principles and concepts that have been

applied to the proposal. These should focus on the amount, layout, scale, landscaping and appearance of the development. Applications for listed building consent should follow similar lines. In this case, the special architectural and historic importance of the building, its features of note and its setting all need to be addressed.

Access statements should state what consultations have taken place, the outcomes of these and explain why certain access points have been chosen. The statement is meant to form a link between the outline planning application and any future application for reserved matters.

On larger schemes, considerable detail will be required. The statement should allow others to fully understand why a particular design and access approach is being adopted.

o The relevant plans and drawings

The site plan will show the application site outlined in red. Any adjoining land in the applicant's control or ownership should be edged in blue.

This fact may be important if it is felt the application would only be acceptable if the use of other land under the applicant's control should be included as part of the application. For instance, it is possible to grant planning permission only on the basis that adjoining land is used for associated car parking or landscaping.

Plans showing the layout and elevations may be drawn to different scales. In general, the greater the scale (i.e. 1:50 and larger), the more detail that is provided. The Council will sometimes insist that larger scale plans are submitted. This is particularly true for proposals in conservation areas or for listed buildings.

Unfortunately, there is no legal requirement that plans should show the surrounding area. For example, street scene elevations are often useful to help assess how a proposal would affect the

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wider area. When they are not submitted, the Council will often ask the applicant to submit them. This helps to ensure the application can be properly considered.

So long as plans are drawn to scale, there is no legal requirement to show the relevant dimensions on them. This can clearly be unhelpful and is discouraged wherever possible.

In addition to plans, photographs or even a model may be submitted. This often helps to understand more clearly what is proposed.

How do I read plans?

Plans will vary in quality, content and detail. There is no legal requirement that says that they must be produced to a certain standard. They may be drawn by an architect using sophisticated computer aided design methods - or an untrained applicant using a ballpoint pen may have produced them!

They should still conform to basic principles, however. This includes the use of a standard, metric scale.

It is therefore very useful to be able to understand what these scales actually mean. For instance, a scale of 1:50 is roughly the same as the old ¼ inch to a foot. 1:100 is roughly equal to the old ½ inch to a foot, and so on. Measurements in feet and inches are no longer used when considering planning applications.

While on the subject of metric measurements, site areas are often shown in hectares (ha). A hectare is roughly 2½ acres. An acre is therefore about 0.4 of a hectare.

With applications for building works, applicants should show both the existing and proposed works (which may also be coloured).

All plans should contain a north point. This will help address issues such as overshadowing and loss of light if they are applicable.

When an application is amended, the drawings may change. Remember to take note of the drawing number and any revisions that have been made. A drawing may be subject to several amendments before it is approved. The approved drawing number will appear on the decision notice and/or the date it was received.

Drawings may not always be accurate (e.g. adjoining properties may not be shown correctly, trees may not have been plotted, elevations may be wrongly labelled). These may amount to very important omissions. The planning officer will check for errors, but they should still be brought to his attention in case they are not spotted.

Where mistakes have been made, the applicant will be asked to correct them before the application is formally determined.

What tools or information do I need?

To help you understand and respond to applications, the following things will prove very useful.

- A metric scale rule
- Copies of the up-to-date Development Plan
- Copies of Government Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs)
- The name of the planning case officer handling the application
- First-hand knowledge of the site and its surroundings

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Ready to respond

The above information should help you understand the details of an application. Advice on commenting on planning applications and how to make the most effective response is set out in Advice Note 5.

Please Note: This advice note is intended as a general guide. It should not be relied upon, or taken to be a full interpretation of the law.