

PLANNING AND REGENERATION

WHEN DO I NEED TO APPLY FOR PLANNING PERMISSION?

Changes to Permitted Development Enquiries

From 1 July 2010, it will no longer be possible for the Council to provide 'free' informal written advice as to whether or not planning permission is required for developments, including for extensions to dwellings and development within domestic gardens.

If confirmation is required from the Council regarding such proposed developments it will be necessary to submit a formal application under Section 192 of the Town and Country Planning Act 1990 (as amended), for a Certificate of Lawfulness of Proposed Development.

A Certificate of Lawfulness for Proposed Development is a formal application that attracts a fee; which will be half the amount that would be payable in respect of an application for planning permission to carry out the development. You will need to complete an application form and submit this together with 3 sets of plans (drawn to scale), including a site location plan with the site outlined in red and existing and proposed elevation and floor plans of the property. Application forms can be obtained from the [Planning Portal](#) or you can call our Contact Centre team on 01785 619337 who can send a form to you.

The following are common examples of when you will need to apply for planning permission:

- You want to make additions or extensions to your house above a certain limit or closer to a highway.
- You want to make additions or extensions to a flat or maisonette (including those converted from houses) (But you do not need planning permission to carry out internal alterations or work which does not affect the external appearance of the building).
- You want to divide off part of your house for use as a separate home (for example, a self-contained flat or bed-sit) or use a caravan in your garden as a home for someone else (But you do not need planning permission to let one or two of your rooms to lodgers).
- You want to build a separate house in your garden.
- You want to divide off part of your home for business or commercial use (for example, a workshop) or you want to build a parking place for a commercial vehicle at your home.

- You want to build something which goes against the terms of the original planning permission for your house - for example, your house may have been built with a restriction to stop people putting up fences in front gardens because it is on an “open plan” estate. The Council has a record of all planning permissions in its area.
- You want to build closer to a highway than your existing house - the work you want to do might obstruct the view of road users.
- The work would involve a new or wider access to a trunk or classified road.
- You want to alter the use of a building (change of use).
- You do not always need planning permission. It is not required, generally speaking, for changes to the inside of buildings, or for small alterations to the outside such as the installation of telephone connections and alarm boxes. Other small changes, for example putting up walls and fences below a certain height, have a general planning permission for which a specific application is not required. Telephone 01785 619337 for further advice, or via website link to the planning portal for guidance.

DO I NEED PERMISSION FOR MY CHILD'S TREE HOUSE OR WOODEN PLAY HOUSE?

Many kinds of buildings and structures can be built in your garden or on the land around your house without the need to apply for planning permission. These can include sheds, garages, greenhouses, accommodation for pets and domestic animals, summer houses, swimming pools, ponds, sauna cabins, enclosures (including tennis courts) and many other kinds of structures as long as they are no closer to a highway. However on some developments the Council will have taken these rights away because of the small size of the house or garden.

DO I NEED TO GET PLANS FROM AN ARCHITECT OR CAN I DRAW UP MY OWN?

Yes you can draw up your own, but the plan needs to be of a good quality and meet all the requirements for the planning department to make their decision. Layout usually scaled 1:1250. Detail plans scaled 1:50 or 1:100.

WILL MY PROPOSED EXTENSION NEED PERMISSION?

Permission will be needed for an addition which would be nearer to any highway than the nearest part of the "original house". The term "highway" includes all public roads, footpaths, and certain back alleys with access at both ends, bridleways and byways. (There are special rules for porches).

Permission will be needed if more than half the area of land around the "original house" would be covered by additions or other buildings.

The term "original house" means the house as it was first built or as it stood on 1 July 1948 (if it was built before that date). Although you may not have built an extension to the house, a previous owner may have done so.

You will also need to apply for planning permission if the extension or addition exceeds certain limits on height.

The General Permitted Development Order 2008 came into force 1st October 2008. For further information on permitted development visit www.planningportal.gov.uk/uploads/hhg/houseguide.html
<http://www.planningportal.gov.uk/uploads/hhg/textonly.html>