

Guidance Notes for:

Householder Application for Planning Permission for Works or Extension to a Dwelling *Town and Country Planning Act 1990*

The Householder Application for Works or Extension to a Dwelling form should be used for proposals from house owners to alter or enlarge their dwellings.

Common examples of when you will need to apply for planning permission include:

- making additions or extensions to a flat or maisonette (including those converted from houses)

Tip Box: You do not need planning permission to carry out internal alterations or work which does not affect the external appearance of the building

- dividing off part of your house for use as a separate home (for example, a self-contained flat or bed-sit) or use a building or caravan in your garden as a separate residence for someone else

Tip Box: You do not need planning permission to let one or two of your rooms to lodgers

- building a separate house in your garden
- dividing off part of your home for business or commercial use (for example, a workshop) or build a parking place for a commercial vehicle

Tip Box: Contact your local authority for further advice about working from home and whether planning permission is likely to be required

- building something which goes against a condition of the original planning permission for your house – for example, a planning condition may have been imposed to stop you putting up a fence in the front garden

Tip Box: Your local authority will have a record of all planning permissions in its area

- work which is nearer to a highway than any part of the original home
- work which would involve a new or wider access to a trunk or classified road

The general planning principles and the procedures for making planning applications apply equally to owners of houses and to freeholders or leaseholders of flats and maisonettes.

However, when you need to apply for planning permission will differ according to whether you occupy a house or a flat/maisonette - flats and maisonettes have fewer rights than houses.

Consultation

In most cases, the council will let your neighbours know about your planning application. However, it is often helpful to speak to your neighbours informally about what you are planning to do before you submit your application. They will still receive official notification from the council, but talking things through first can help avoid disagreements and delays at a later stage.

Your neighbours have the right to comment on your application to the local planning authority and their views will be taken into account when the planning application is decided.

Permitted development rights

If you live in a house, you are allowed to make certain types of minor changes to your home without needing to apply for planning permission. These rights are called 'permitted development rights'.

In some areas of the country, permitted development rights are more restricted. If you live in a Conservation Area, a National Park, an Area of Outstanding Natural Beauty (AONB) or the Norfolk or Suffolk Broads, you will need to apply for planning permission for certain types of work which do not need an application in other areas. There are also different requirements if your house is a listed building.

Article 4 Directions

The council may have removed some of your permitted development rights by issuing an Article 4 direction. This will mean that you have to submit a planning application for work which would not normally need one.

Article 4 directions are made when the character of an area of acknowledged importance would be threatened. They are most common in conservation areas. You will probably know if your property is affected by such a direction, but check with the council if you are not sure.

If you have any questions about whether your proposal requires planning permission, it is best to speak to the planning department of your local planning authority.

It is often helpful to discuss your proposal with your local authority before you send in your application – this is known as pre-application advice. Your local authority will normally have details of how to go about this on its website.

Further information can be found on the Planning Portal (<http://www.planningportal.gov.uk/guide>) and in "*Planning - A Guide for Householders: What you need to know about the planning system*", published in June 2006 by Communities and Local Government (http://www.communities.gov.uk/pub/445/PlanningAGuideforHouseholders_id1500445.pdf)

Application for Conservation Area Consent for Demolition in a Conservation Area *Planning (Listed Buildings and Conservation Areas) Act 1990*

The Application for Conservation Area Consent for Demolition in a Conservation Area form should be used for proposals which involve substantial demolition of any unlisted building or structure in a conservation area.

Please note that in a conservation area you do not need consent to demolish a building which does not exceed 115 cubic metres or to take down any wall, gate or fence which is less than 1 metre high where abutting a highway, or less than 2 metres high elsewhere.

What is a conservation area?

Local authorities have the power (under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to designate as conservation areas, any area of special architectural or historic interest. This means the planning authority has extra powers to control works and demolition of buildings to protect or improve the character or appearance of the area.

How are conservation areas chosen for designation?

Conservation areas are usually chosen as places of special architectural or historic interest, the character or appearance of which should be preserved or enhanced.

The special character of these areas is not just made up of buildings, it is also defined by other features which contribute to particular views and the familiar local scene:

- the way roads, paths and boundaries are laid out
- characteristic building and paving materials
- the way buildings are used
- public and private spaces, such as gardens, parks and greens
- trees and street furniture

Conservation areas give protection across a broader area of land than listing individual buildings and all features within the area, listed or otherwise, may be recognised as part of its character.

Tip Box: Conservation area consent does not apply to listed buildings, or the demolition of an ecclesiastical building in ecclesiastical use, for example a church; the demolition of a scheduled monument; and the demolition of any building in other certain categories.

The demolition of an unlisted building in a conservation area, without the consent of the local planning authority is a criminal offence.

It is often helpful to discuss your proposal with your local authority before you send in your application – this is known as 'pre-application advice'. Your local authority will normally have details of how to go about this on its website.

For further information about conservation area consent, refer to *Planning Policy Guidance Note 15: Planning and the historic environment*

(http://www.communities.gov.uk/index.asp?id=1144046#P166_70246)