



Planning Permission Guide

Temi Smallholdings

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This document was developed and published by Temi Smallholdings, for the purpose of assisting all relevant stakeholders involved with this company in understanding their business plans.
The detailed outline provided within these pages is accurate as of the date of publication.

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"This is a useful mini e-handbook for those seeking beginners advice in planning permission for a smallholding development project."

- Smallholdings For Sale

Introductory Letter

Planning Permission Guide (January 2018)

A Warm Welcome - From Smallholdings For Sale

Dear Reader,

We would like to sincerely thank you for your time taken and consideration to complete our online planning permission form.

The purpose of this online app is to provide you with an intuitive introduction to planning permission for smallholding development projects. The content included is based in principal upon the advice of Planning Portal website.

The following document comprises a concise take-home summary of relevant planning permission information which if printed off will be a useful accompaniment to your project documentation.

We hope this document will be a valuable repository of planning information to help you along your way in the progress of your project.

Yours faithfully,

Smallholding For Sale

Planning Permission & Value

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Project Definition

The planned project is a **Decking** development.

Estimated Profitable Gain

Project Budget	Pre-Project Property Value	Post-Project Property Value	Potential Profit Upon Sale
£2000	£100000	£160000	£60000

Design

**Well Designed
Skilled Architect
Timescale
Trade Professional
Building Contract
Adds Value**

Whilst the choice aesthetic of a building is a matter of personal preference, there are some common principals which if adhered to can provide for a generally attractive result for both you and neighbours. This care can add substantial value to your property.

Project Investment

**Preparation
Estimate
Increase In Value**

Your project proposal will need to be well appraised from an investment perspective in order to become a viable plan. Issues such as feasibility will need to be thoroughly calculated for estimated risk to future returns. Forecast your expected captial gain as a result of sale of your improved property. This increase in sale value, if greater than the total project costs, will result in personal profit.

Investment Cost

Trader Quote

Labour	£3000
Materials	£1500

The figures above comprise a simple outline business case, financially justifying the investment planned.

Reasons For Project

FSIksjLK JLkjaljk la jsdlkflkdjls jflkj sdlkfjdlksjflksdjf lkdsjf lskdjfklksjflkdsjflk dsjflk

Special Considerations

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Have You Thought of These?

Consideration	Description
Licensed Premises	Regulate sale, supply of alcohol; entertainment activities & late night refreshment
Ancient monuments	Structures of special historic interest or significance.
Badger Licenses	Protection of Badgers Act 1992.
Coal Authority	Any site works to physically investigate, secure and stabilise past coal mine workings.
Common Land	Common land or village greens
Conservation Areas	In a conservation area
Covenants & Private Rights	Restrictions to the title of property
Environmental Permits	Environmental Permitting Regulations 2016
European Protected Species	The Conservation of Species and Habitats Regulations 2010
Flood Defence	Related to flood risk, damage flood defences or harm environment.
Footpaths, bridleways etc..	Stopping or restricting a footpath, bridleway or restricted byway.
Hazardous Substances	If your site will use or store hazardous substances such as chlorine etc.
Highway Stopping Up	Stopping up and diversion of highways.
Listed Buildings	Demolish; alter or extend a listed building which could affect character.
Party Wall	Belonging to two (or more) different owners.

Community Infrastructure Levy

A planning fee, introduced by the Planning Act 2008 - introduced to help LPAs deliver material support to local development projects.

Consultations

Advisable that before any works are undertaken that you consult neighbours and local parish authorities.

Crime Prevention

Alterations to your property can compromise security. Your Crime Prevention Officer in your local police station will be the most appropriate advisor in this regard.

Health and Safety Executive

If you are carrying out construction work on your site you may need to liaise with the Health and Safety Executive.

THE PROCESS

Planning Permission: Decision Making Process

DEVELOPMENT PLAN

- Planning permission applications must align well with local planning authority (LPA) development plans, unless there is strong reason not to. National planning policies are also considered.
- LPA decision criteria includes: buildings (number, size, infrastructure, landscaping, proposed use, impact on surroundings.
- Usually a senior LPA officer will decide on minor proposals, otherwise the officer will refer to a committee.
- The presiding question they ask is: "...would the proposal unacceptably affect amenities and existing use of land and buildings?"
- If permission is granted, the applicant is notified with a summary of reasons, whereas if permission is refused, a detailed report is given, with the right to appeal.

PROCEDURE

- The LPA determine whether the form and mandatory information is completed to satisfactory standard. Once received, the application should be validated usually within 3-10 days, after which the LPA will start determination. Applicants are notified when processing has begun.
- Once validated, the proposal gets on to a register and is assigned a reference number.
- If an application is invalid, notice is given in writing to the applicant

STAKEHOLDERS

- The LPA will publicise each proposal once they are validated and registered. The LPA's website is the primary place of publication. They will also typically notify the local neighbours and community councils. ANYone can comment on a proposal. LPA will assess the relevance of any comments and may amend proposals.

TIMEFRAME

- Most applications for planning permission are decided on within an 8 week timeframe, yet in the case of complex or particularly large cases up to 13 weeks is given.

IF GRANTED

- If planning permission is granted the applicant is notified in writing. Permission usually goes with land ownership privileges and therefore can be transferred upon sale. Permission, once granted, will usually last 3 years unless otherwise stated. Property owners can reapply if no work is stated within. It is possible that other kinds of specialist permission or approval may be needed from other adjudicating bodies.

CONDITIONS & OBLIGATIONS

- The LPA may restrict what can be done on a premises and can require specific approval for aspects of the proposal like materials used for example. Reasons for restrictions should always be offered by LPA.

IF REFUSED OR DELAYED

- The LPA must give reasons and means of contact as a provision for asking questions.

"Planning applications have to be decided in line with the relevant local planning authority's (LPA) development plan - unless there is a very good reason not to do so."

- www.planningportal.co.uk

REFERENCES

Planning Portal - Flow Chart (GIF File)

1. Contact

Your Planning Department
Local Planning Authority (LPA)

2. Procedure

2 Ways To Make Your Application

Online: Planning Portal

Paper: Local Planning Authority

3. Choose Type

Your Application Type

Outline: Speculative

Full: Standard

4. Submit

Your Form Must Accompany

Fee: Depending on Type

Supporting Docs:

5. Triage

LPA Receipt of Documents

Chase Missing Forms

6. Confirmation

Acceptance of Application

7. Publication

LPA Publicise The

Application

8. Consideration

Application Is Considered

9. Decision

Refused/Granted/
Conditions/
Delayed

10. Follow-Up

Change/Appeal/Start

11. Final Decision

Granted/Refused

Consent Types

Smallholding Planning Permission Guide (January 2018)

The following consent types for planning permission are applicable to the various circumstances surrounding smallholding planning permission.

Type of Consent	Description	More
Householder	This is for a proposal to enhance a single house and/or grounds inc. garden.	PDF
Full Planning Consent	This is for a proposal to enhance either a flat, a number of dwellings, non-residential property, or anything outside of the garden i.e. stables etc	PDF
Outline Planning Consent	This is for a proposal to seek to establish whether scale and nature of project would be the acceptable LPA.	PDF
Demolition in a Conservation Area	This is for a proposal which becomes relevant if you live in a conservation area & have the following conditions apply: <ul style="list-style-type: none"> - demolished building has a volume larger than 115 cubic metres; - demolish a gate, fence, wall or railing more than a metre high next to a highway or public open space - or above 2metres high elsewhere. 	PDF
Reserved Matters	This is for an outline proposal which has been granted permission and within three years of the award, the applicant takes the opportunity to apply for the outstanding reserved matters like layout, access or scale of development.	PDF
Listed Building Consent	This is for a proposal to either (a) demolish a listed building, or (b) to alter or extend in a manner which would change it's character as a building of special interest.	PDF
Advertisement Display	This is for a proposal to display some advertisement or signage at the property: <ul style="list-style-type: none"> - Posters and notices - Placards and boards - Fascia signs and projecting signs - Pole signs and canopy signs etc... 	PDF
Lawful Development Certificate (LDC)	This is an application for a certificate which declares that an existing or proposed use of a building is lawful.	PDF
Prior Notification	This is for a proposal involving telecommunications, demolition or agriculture or forestry development which is subject to LPA being notified prior to work commencing.	Agriculture - PDF Demolition - PDF Telecommunications - PDF
Removal/Variation of Conditions	This is for a proposal to have a conditional restriction for planning permission either removed or varied.	PDF
Approval of Conditions	This is for a proposal where a condition to a certain aspect of the development application requires further detail which was not described in the original application.	PDF
Consent Under Tree Preservation Orders	This is for a proposed work to trees that are subject to a Tree Preservation Order (TPO).	PDF
Notification For Proposed Work To Trees In Conservation	In a conservation area, proposed work to trees with a trunk diameter greater than 75mm when measured at 1.5m from ground level require permission. 6 weeks notice is required to give the LPA.	PDF

How To Apply For Planning Permission

Planning Permission Guide (December 2017)

Ways To Apply?

There are two options for making your planning permission application: **online** via www.planningportal.co.uk which are automatically forwarded to your Local Planning Authority (the advantage being only relevant questions to your application are presented), or on **paper** via the post.

Who Can Apply?

You can either apply **directly**, or **appoint an agent** (architect, solicitor or builder) to apply for you. You don't need to be the land owner to apply i.e. you can apply before deciding to buy the land. The following **must be informed** of the planning permission application: land owner/all part owners, leaseholders with at least 7 years lease remaining & agricultural tenants.

Advice For Your Application

It is prudent to **arrange a visit with a planning consultant** prior to completing your application. Your local authority may provide you with consultancy services. The advantage of this is: knowledge of **your LPAs application criteria**, reduce chance of having application invalidated, help in understanding how planning policies may affect your application result.

Choosing Your Consent Type

Select the **appropriate consent type** for your planning permission application, or your application will be invalid. For example, seeking permission to develop a listed building will require both full planning consent and listed building consent.

What To Submit?

In summary, the following comprises a complete submission: **necessary plans** of the site, **supporting documentation (mandatory)**, **completed forms** and the **correct fee**.

Cost of Application

Most applications require a fee, there are some without fee, like a listed building consent, for example. You can calculate the fee either by online calculator, or by asking your LPA. Also, the Government have produced [this guide](#).

THE APPEAL PROCESS:

'Your Grounds For Appeal...'

- (a) if you disagree with the decision, or;
- (b) if not determined within 8 wks (standard)/13 weeks (major)

Planning Appeal

- LPA Confirm Rights To Appeal
 - Mostly Written Appeal
 - If Complex An Inquiry Required
- Submit < 6 months of Decision**

Householder Appeal

- For A Development With A House
 - Access New Segment
 - A More Streamlined Appeal
- Submit < 12 Weeks of Applying**

Enforcement Appeal

- Where LPA Considers Breach Of Planning Control
 - Usually Served On Owner
- Submit < 28 Days of Applying**

Listed Appeal

- If Property Is Listed Building
 - Often Submitted With Planning Docs
 - Submit Both Sets of Docs Same Day
- Submitted With Planning**

Lawful Development Appeal

- If Project Is Considered Unlawful
 - Prove On Balance of Probability
 - Evidence Sufficient To Prove Lawfulness
- Onus Is On The Applicant**

Tree Preservation Order (TPO)

- #### Appeal
- Refused Consent To Protected Tree
 - Can Appeal Any Attached Condition To TPO
- Can't Object To Refusal To Fell**

High Hedge Appeal

- Re: Complaints About High Hedges
 - Appeals Only Against Decision From Formal Complaint
- Right To Appeal If You Complained**

Do You Need Planning Permission For Your Project?

Planning Permission (January 2018)

Project Details

Type of Project:

Decking

Planning Advice:

Putting up decking, or other raised platforms, in your garden is permitted development, not needing an application for planning permission, providing:

- the decking is no more than 30cm above the ground
- together with other extensions, outbuildings etc, the decking or platforms cover no more than 50 per cent of the garden area.

Please note: The permitted development allowances described here apply to houses and not to:

Flats and maisonettes (view our guidance on flats and maisonettes)

Converted houses or houses created through the permitted development rights to change use (as detailed in our change of use section)

Other buildings

Areas where there may be a planning condition, Article 4 Direction or other restriction that limits permitted development rights.



Useful Contacts

Planning Inspectorate

Comment on an appeal

If you wish to submit comments on an appeal please use our online service: <https://acp.planninginspectorate.gov.uk> .

Customer services and general enquiries

Room 4A Kite Wing

Temple Quay House

2 The Square

Temple Quay

Bristol

BS1 6PN

Email

enquiries@pins.gsi.gov.uk

Phone (England)

0303 444 5000

The Customer Support Line telephones are answered as follows:

Monday 09:30 - 16:30

Tuesday to Thursday 08:30 - 16:30

Friday 08:30 - 16:00

Make Online Application:

www.planningportal.co.uk

Get A Site Plan:

www.buyaplan.co.uk