

**MAKING A
PLANNING ?
APPLICATION**
a guide to applicants



WHEN IS PERMISSION REQUIRED?

1 Planning permission is needed for 'development' of land. This has quite a wide meaning and includes:-

- new building works and extensions to existing buildings
- alterations affecting the appearance of buildings
- changes of use of land or buildings

2 The Planning Act does allow some exemptions, particularly in the case of dwelling houses. A General Permitted Development Order grants planning permission for the carrying out of some minor developments. If you require help about whether permission is needed, you should consult Development Control before starting work.

Telephone numbers, the email address and website are at the end of this publication. There is also information on our website or available from our Planning Support Centre which may help in deciding whether you need planning permission for house extensions. This is contained in the document 'Design Guidelines for House Extensions and External Alterations'.

OTHER APPROVALS

Planning permission may be only one of a number of approvals required under the Planning Act before you can carry out the works. Separate applications, where necessary, should be made for:-

- works to listed buildings
- demolition of listed buildings or buildings in conservation areas
- display of advertisements
- works to, or felling of, trees in conservation areas or trees protected by Tree Preservation Orders
- use or storage of hazardous substances

You may also require approvals under other legislation such as the Building Regulations for approval of means of escape or structural alterations to buildings. The Public Health Acts may require applications where drainage is affected or where food preparation and storage are involved.

You may also need to comply with the Party Wall Act 1996, particularly if you are building close to neighbours properties. This Act is not dealt with by the Council and you may need to appoint a Building Surveyor to help you. We can provide a booklet on this subject.

The Council recommends that before carrying out major building works the owner enters into the Considerate Contractor Scheme to minimise disturbance etc. to the community. Details are available from the Planning Support Centre and website.

PUBLICITY FOR PLANNING APPLICATIONS

The Council gives extensive publicity to planning applications and usually notifies occupiers/owners of properties adjoining an application site of the proposals by letter. It is important that you let your neighbours know about your plans before submitting your application and take into account their views in your final submission. This could save time in the long run.

The Council also has to give publicity to certain types of development by means of an advertisement in a local newspaper and/or the display of a notice outside the application site. There is not space here to repeat the full list, but they include the following types of development:-

- development which is accompanied by an environmental statement;
- development which does not accord with the provisions of the development plan;
- development which may affect a public right of way;
- development which may affect the character or appearance of a conservation area; or a listed building.
- waste development (scrap yards, refuse tips, sewage works etc.);
- erection of buildings where the floorspace created would exceed 1000 square metres;
- residential development of a site with an area of 0.5 ha or more or the number of houses proposed is 10 or more;

For greater accessibility the Council places all new applications on its website and in libraries.

TYPES OF APPLICATION

a Outline planning application. If you wish to know whether planning permission will be given for the erection of buildings on a site before you have detailed drawings prepared, you can make an application for outline permission. However you cannot apply for outline planning permission which is only for a change of use of a building.

If on the application form you show that certain matters are reserved for subsequent approval, but send the authority plans showing tentative ideas of how the development might be carried out, e.g. illustrative elevations, those plans will not form part of the application, and any permission granted may require you to obtain approval of these matters later.

If you show any matters as not reserved for subsequent approval, you must include plans showing adequate details. It is this Council's policy not to accept an outline planning application if the site lies in a Conservation Area, or adjacent to a listed building,

Please ensure that you provide as much information as possible with your application, since this will give everyone a better understanding of what you have in mind and help the Council to make a decision more quickly.

b Full planning application. This is needed if you wish to make a change in the use of land or buildings, or carry out works or operations including the erection of buildings where you do not wish to follow the outline procedure above. It will also apply where development has been carried out without permission and an application is being made to regularise the position; in this kind of case you should make it clear on the form that you wish to retain the existing buildings or continue existing uses. You may also vary a permission already granted. Most householder applications require full planning permission and specific application forms are obtainable from the Planning Support Centre and our website.

c Renewal of temporary permission or relief from conditional permission.

If you wish to apply for permission to retain works or to continue a use without complying with a condition of the original permission (including any requirement that works should be removed or that the use should cease by a specified date), you should give details in a letter. Please give the date of the original permission, its reference number and identify the particular condition. This also applies if you wish to have a condition of a permission removed or varied. Please make it clear in the letter what you are applying for. Such an application must be accompanied by the appropriate certificate under Section 66 of the Act and a site location plan.

Where the application is made before the appropriate time limit expires, provision is made for a simplified application. It is not necessary for a form to be completed; the application may be by letter, giving sufficient detail of the previous planning permission to enable the authority to identify it; such application must be accompanied by the appropriate certificate under section 66 of the Act and a site location plan.

d Renewal of time-limited permission. (Section 91 or 92 of the 1990 Act). Where the application is made before the appropriate time limit expires, provision is made for a simplified application. It is not necessary for a form to be completed; the application may be by letter, giving sufficient detail of the previous planning permission to enable the authority to identify it; such application must be accompanied by the appropriate certificate under section 66 of the Act and a site location plan.

e Applications for Certificates of Lawful use or Development. If there is any doubt whether a proposal would constitute development and/or require permission, an application for a Certificate of Lawfulness of the proposed use or development can be made under Section 192 of the 1990 Act. It is also possible to find out whether an existing use or development, for which planning permission was not granted, is lawful by making an application for a Certificate of Lawfulness of existing use or development under Section 191 of the 1990 Act. Application forms for both certificates are available from the Planning Support Centre or website. To assist in a speedy decision applicants should give the fullest possible details of previous uses of the land. You are recommended to apply for an S192 Certificate as this is a useful document to have for mortgage companies and/or when you come to sell the property.

f Application for works to a Listed Building. This is required if the property is on the statutory list of buildings of special architectural or historic interest. (list held in Policy & Design 020 8891 7322). Consent is normally required for internal and external work including demolition. Drawings must be provided of both the existing and proposed floor plans and elevations with a schedule of the proposed works and photographic record.

g Applications for Conservation Area consent. This is normally required for the complete demolition of non-listed buildings in Conservation Areas. Plans, elevations and photographs of the existing structures are required.

COMPLETING THE FORMS

Four copies of each application form must be submitted.

(Six for Listed Building Consent or Conservation Area Consent applications.)

You will see that there are several parts to the application form. However if you are a householder wishing to extend your home, there is an alternative form to use, it is Form TPH which is available on the website or from the Planning Support Centre on 020 8891 7300.

[Part 1] must be completed in all cases answering as many questions as possible. The final section on this part of the form is a S.66 certificate saying that you are the only person who has an ownership interest in the land. If there are other interests in the land, such as a freeholder or leaseholder with at least 7 years lease remaining, you cannot complete this Form TP 1 - Part I certificate .

[Part 2] is completed only when the certificate on Part 1 is not appropriate. It contains three alternative certificates of which one will be relevant for your purposes, Form TP1 - Part II.

Any person who knowingly or recklessly issue a certificate which contains any statement which is false or misleading is liable on summary conviction to a fine.

[Part 3] seeks additional information for some classes of application, Form TP1 - Part III. It is NOT needed for:-

- residential schemes
- householder applications
- alterations to the elevations of buildings

[Part 4] is only relevant for applications involving the mining and working of minerals.

PLEASE DO NOT FORGET TO SIGN THE FORM

- If you do not do so it will be returned to you

Having now described your proposals on the forms and completed an 'ownership' certificate on Form TP1 - Part I or Part II, there are several more checks that will need to be made before you send your application to the Planning Department.

FEES

The fees required to accompany applications are prescribed by Parliament. These are subject to periodic change and the current charges are available from the Planning Support Centre and on the Councils Website.

A decision cannot be issued until the correct fee has been paid.

DRAWINGS AND PLANS

Site Plans. Each application should be accompanied by an up to date plan, ideally at 1:1250 scale, showing the site to which it refers and its boundary and relationship to adjacent property. It should also show the nearest road junction. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the applicant edged or shaded in blue. Copies of extracts of Ordnance Survey maps may be purchased via the Environment Reception, telephone 020 8891 7425 or an order form is on the website for cheque payments.

Other drawings. In most cases it will be necessary for you to illustrate the proposal on drawings. These should normally be to a scale of not less than 1:100. **Four copies should be submitted** and show the existing features of the site (including any trees) and be in sufficient detail to give a clear picture of any new building and the relationship with adjoining property. If the application is in a Conservation Area or it affects a listed building **six** sets of all plans are required, in view of the number of consultations. For proposals in Conservation Areas the Council will normally expect elevations to show the relationship of the proposal with the adjoining buildings, (i.e. a "strip" elevation). It is crucial that the adjoining buildings are shown accurately in terms of height and design details e.g. eaves, windows etc. If there are different levels on the site or between it and adjoining land these should be accurately shown.

All plans should be on durable material and in ink as they will be scanned for publicity and record purposes. Plans must indicate clearly the location of the proposed development within the site and the amount of floorspace to be used for different purposes. Where existing and new works are shown on the same drawing new work should be distinctively marked. Demolition work should also be shown. The material to be used in the external finish of walls and roofs and their colour should be indicated on the drawings. The means of access to the site, landscaping, and the type of wall, fence or other means of enclosing the site should be shown. Applications for change of use of part of a premises must be accompanied by floor plans showing the extent of the existing and proposed uses. Where the application is said to be in outline and supported only by a site plan, further information may be required for a decision to be made.

Plans should be properly annotated to include north point and scale. They should contain figured dimensions or be capable of being accurately scaled. Metric scales and dimensions must be used. Plans with imperial scales cannot be accepted unless all dimensions are annotated in metric equivalents. A common annotation "NOT TO BE SCALED" or similar should be avoided and in some circumstances plans so described will not be accepted.

The submission of photographs of the site is normally of assistance and may help to speed up consideration of the application.

Plans and Drawings are open to inspection by the public and will be placed on the website. You are not, however, required to disclose any proposed security arrangements and you may wish to advise us of any confidential matters you do not want disclosed on any application you submit.

OTHER INFORMATION

Statutory undertakers. Where the development will involve the provision of gas, electricity, water or telephone service, you will need to give notice at the earliest opportunity to the undertakers responsible for the services needed.

Refuse and recycling arrangements. It is important that proposed arrangements for refuse storage be adequately shown in all appropriate cases. In larger residential schemes of six units and above the Council will require you to provide recycling facilities. You are advised to discuss arrangements with the Council's Waste Management & Enforcement section and you can visit the website for information on size and types of bins required.

Hazardous material. The use or storage of certain materials will require Hazardous Substances Consent. The quantities are set out in the Planning (Hazardous Substances) Regulations 1992. If you need help you should consult the Health and Safety Executive.

Parking, loading, access etc. Further details of parking standards and guidelines are contained within the Unitary Development Plan First Review, expected to be adopted in autumn 2004, available on the Council's website.

Access for disabled people. The Disability Discrimination Act 1995 (DDA) gives rights to disabled people, which you will need to take into account in the design of a new building or the conversion of an existing building, **if you provide goods, facilities or services to the public or you are an employer of 15 or more people.** Generally the provisions in the Act seek to secure for disabled people the rights of access to a service of the same standard as for non-disabled people. You must therefore take into account the needs of people with legally defined disability, which includes wheelchair users, people with sensory impairments and people with learning difficulties and certain long-term illnesses. For example, from October 1999, service providers or employers will have to overcome physical features which make it unreasonably difficult for disabled people to use a service, by providing the service by an alternative method; however, **from 2004, they will have to overcome these features by removing or altering them.** You are advised to check the provisions of the Act, if they apply to you, before submitting a planning application.

Planning policy. The policies which provide the framework for the Council's decisions on planning applications are set out in the Richmond upon Thames Unitary Development Plan which was adopted in October 1996 and the Borough of Richmond Upon Thames, Unitary Development Plan First Review, expected to be adopted in autumn 2004. This can be referred to in libraries or viewed on the Council's Website.

Consultation with Council officers. Applicants wishing to discuss schemes with a planning officer are recommended to make appointments by letter or telephone; staff may not otherwise be available when you call. You should send in details of your proposals, at least in sketch form, beforehand so that any preliminary work can be done before you arrive. However, it may not always be possible or necessary to hold a meeting. Priority is given to planning applications and the Council may feel that the enquiry can be satisfactorily dealt with by a letter. Although the planning officers are in a position to advise on proposals, such advice must not be taken in any way as an official approval or permission and is without prejudice to the decisions of the Council on a formal application. It must be clearly understood that any action taken by applicants before the Council's decision is given is entirely at their own risk.

The Council operates a duty rota 1.00pm - 4.30pm Mon-Fri when a professional officer is available to give advice and assistance on planning issues. However this is not the forum for detailed discussions on major proposals.

SIGNIFICANT DEVELOPMENTS

If your application is for a development which is likely to have some impact on the area you will need to consider more carefully how your proposal is presented to the Council. You may, therefore, wish to address yourself to the following questions:-

Have you considered the proposals against the policies of the UDP? All applications will be viewed in relation to the UDP (Unitary Development Plan) and you may wish to submit a supporting statement advising how it complies with the relevant policies, and if it does not, why an exception should be made in this case. It should also seek to comply with Supplementary Planning Guidance (SPG) issued by the Council which is intended to guide certain types of development e.g. house extensions, housing sites, to an acceptable solution. Details are on the website or are available from the Planning Support Centre.

Are you familiar with the history of the site and area? This will certainly have some bearing on attitudes towards your proposal, particularly if there have been similar applications nearby. You can access some of this information at the Civic Centre.

Are there any other authorities which may be involved in considering this application? There are many other bodies that become involved in major planning applications and it is advisable to establish whether they are likely to impose requirements before you prepare a scheme, e.g. Environment Agency

Plans/drawings/other information. Please make sure that your drawings are comprehensive and are of good quality; that they are accurate, not only in relation to the development itself, but in relation to the development's surroundings (it is very important to show surrounding buildings). Photographs are useful but cannot normally be accepted instead of drawings. Inaccurate drawings may lead to the need for a further application or enforcement action if a building is wrongly constructed as a result.

Please make sure that you present the supporting information to your application clearly and concisely and that there are no inconsistencies in the information that you have supplied.

Are there any external constraints affecting the site? The ownership of the site, or restrictive covenants may mean that it is not worth making a planning application in any event. Check these details with a solicitor or similar professional before embarking on any planning negotiations.

Is there any advantage in commissioning a model of the proposed development? Models can be much easier to understand than drawings, particularly in the middle of a busy Committee meeting.

Have you considered local reaction? It can often be of considerable advantage to sound out local opinion before making a formal application for a large scheme. The Planning Support Centre may be able to advise you of any society or association which has an interest in the area.

SOME FINAL TIPS BEFORE SUBMITTING YOUR APPLICATION

- 1** Please bear in mind that there should be a clear relationship between the client and his/her agent and that the planning officers should be clear on whom they should contact in the event of any questions arising on your application. It is normal practice to deal with the agent.
- 2** Remember that time is precious in dealing with your application and that frivolous or unnecessary enquiries delay everybody's application, including your own.
- 3** Remember your application is usually dealt with by one officer. Unless otherwise advised, there is little point in speaking to another officer if the officer dealing with your application is not there. It merely wastes time and may result in confusing information being given to you. Please contact the Planning Support Centre first on 020 8891 7300 to discuss any questions you may have.
- 4** Please remember that if you do not provide information or it is inaccurate or you do not adhere to advice given, then this will delay the processing of application until these matters are rectified.

CONSIDERATION OF YOUR APPLICATION

Once the application is received, we will check that all the legal requirements have been complied with and that the forms have been properly completed, the appropriate plans have been included, ownership certificates have been submitted and the correct fee has been paid. These checks must be made before an acknowledgement letter is sent to you.

Your application will be publicised and persons or bodies likely to be affected will be given a chance to give their written views. Some of these consultations will be required by law; others will be at the Council's own discretion. Meanwhile, the planning officer handling your application will be considering the proposal and visiting the site and the area generally to see whether there are any obvious problems.

You may be contacted and invited to discuss possible amendments, but if the application is unacceptable in principle or without significant changes a refusal will be issued as soon as possible. If you wish to negotiate in such circumstances you will be requested to withdraw your application and re-submit following discussions.

The Council has delegated to certain senior planning officers the authority to decide most types of applications and over 90% of all applications are decided under these delegated powers.

Most contentious applications, and any application which a councillor requests should be considered by Members, are decided by committee. The Council's committees are open to the public and applicants and other interested parties may, having given due notice, address Members of the Planning Committee personally. Details of the committee procedure are available if you telephone 020 8891 7300 or look on the website.

THE DECISION

The Council's decision will be sent to you as quickly as possible. If it is an approval the decision will probably have conditions imposed which will need to be read carefully before any arrangements are made to carry out the proposal. The decision may, however, be a refusal, in which case the Council will spell out its reasons in the decision letter.

APPEAL

You have a right of appeal against a refusal of permission, against any conditions which may have been imposed or against the failure of the local planning authority to give you a decision within 8 weeks from receipt of the application. Appeals must be made on a form which is obtained from the:

Planning Inspectorate,
Customer Support Unit. Room 3/15 Eagle Wing,
Temple Quay House, 2 The Square,
Temple Quay, Bristol, BS1 6PN.

www.planning-inspectorate.gov.uk
Telephone Number: 0117 372 8000

ENVIRONMENT DIRECTORATE Development Control

The offices of Environment Directorate are normally open to members of the public between the hours of 9am - 5.15pm Monday to Thursday & 9am - 5pm Friday. A duty officer is available for general enquiries between 1pm - 4.30pm Monday to Friday but if you wish to see a particular officer you must make an appointment beforehand. Please contact us through the Planning Support Centre.

All communications should be addressed to:-

Environment Directorate
Development Control
Civic Centre,
2nd Floor, 44 York Street,
Twickenham TW1 3BZ

email address:
envprotection@richmond.gov.uk

Planning Support Centre:
020 8891 7300

Planning Appeals:
020 8891 7467

Planning Enforcement:
020 8891 7300

Website:
www.richmond.gov.uk

**If you need this leaflet
in Braille, large print,
audio tape, or
another language,
please contact us on
020 8891 7322
or minicom
020 8831 6001**

إذا كانت لديك صعوبة في فهم هذا المنشور، فنرجو زيارة الإستقبال في العنوان المعطى أدناه حيث بإمكاننا أن نرتب لخدمة ترجمة شفوية هاتفية.

اگر در فهمیدن این نشریه مشکلی دارید لطفاً به میز پذیرش در آدرس قید شده در زیر مراجعه نمایید تا ترتیب ترجمه تلفنی برایتان فراهم آورده شود.

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਪਰਚੇ ਨੂੰ ਸਮਝਣ ਵਿੱਚ ਮੁਸ਼ਕਲ ਪੇਸ਼ ਆਉਂਦੀ ਹੈ ਤਾਂ ਹੇਠਾਂ ਦਿੱਤੇ ਗਏ ਪਤੇ ਉੱਪਰ ਰਿਸੈਪਸ਼ਨ 'ਤੇ ਆਓ ਜਿੱਥੇ ਅਸੀਂ ਟੈਲੀਫੋਨ ਤੇ ਗੱਲਬਾਤ ਕਰਨ ਲਈ ਇੰਟਰਪ੍ਰਿਟਰ ਦਾ ਪ੍ਰਬੰਧ ਕਰ ਸਕਦੇ ਹਾਂ।

Prepared by Environment Directorate

LONDON BOROUGH OF RICHMOND UPON THAMES

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